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WORKING DOCUMENT

From: To:	General Secretariat of the Council Working Party on Land Transport
N° Cion doc.:	ST 8259/25 + ADD 1 - 4
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2014/45/EU on periodic roadworthiness tests for motor vehicles and their trailers and Directive 2014/47/EU on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union - Comments from the Netherlands

Delegations will find, attached, comments from **the Netherlands** on the above-mentioned proposal.

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Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**' or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**).

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments on … .docx**

Thank you for your cooperation!

Suggestions and additions (highlighted in red) that have not yet been incorporated into the Commission document from June 5, 2025.

Commission proposal	Drafting suggestions	Comments/ Questions
Article 1		
Amendments to Directive 2014/45/EU		
Directive 2014/45/EU is amended as follows:		
(1) Article 2 is amended as follows:		
(a) in paragraph 1, the sixth indent is replaced by the following:		
'– two- or three-wheel vehicles – vehicle categories L3e, L4e, L5e and L7e with an engine capacity of more than 125 cm^3, or with a maximum continuous rated or net power above 11 kW;		

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– wheeled tractors of categories T1b, T2b, T3b, T4.1b, T4.2b and T4.3b the use of which mainly takes place on public roads with a maximum design speed exceeding 40km/h.’;	– wheeled tractors of categories T1b, T2b, T3b, T4.1b, T4.2b and T4.3b the use of which mainly takes place on public roads with a maximum design speed exceeding 40km/h.’;	Tractors: Almost impossible to determine whether they are mainly used on the terrain where activity takes place.
(b) in paragraph 2, the seventh indent is deleted;	~~(b) in paragraph 2, the seventh indent is deleted;~~	NL position is to maintain the exemption for motorcycles.
(2) Article 3 is amended as follows:		
(a) the following point (6a) is inserted:		
‘(6a) ‘connected vehicle’ means any vehicle with a device installed which is designed to allow a wireless connection or communication with external devices, vehicles, networks or services;’;	‘connected vehicle’ means any vehicle with an active wireless connection ~~device installed which is designed to allow a wireless connection~~ or communication with external devices, vehicles, networks or services;’;	We know that a vehicle is often equipped with such a device but just as often is not connected. There are all sorts of reasons for this. Perhaps this definition needs some finetuning.
(b) point (10) is replaced by the following:		
‘(10) ‘approval’ means a procedure whereby a Member State certifies that a vehicle satisfies the relevant administrative provisions and technical requirements referred to in Regulations (EU) No 167/2013, (EU) No 168/2013 and (EU) 2018/858;’;		
(c) point (12) is replaced by the following:		

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'(12) 'roadworthiness certificate' means a roadworthiness test report issued by the competent authority or a testing centre;';		
(d) the following point (12a) is inserted:		
(12a) 'temporary roadworthiness certificate' means a roadworthiness certificate issued by the competent authority, or a testing centre established in a Member State other than the Member State of registration of the vehicle in accordance with Article 4(3);';	(12a) '~~temporary~~Foreign temporary roadworthiness certificate' means a roadworthiness certificate issued by the competent authority, or a testing centre established in a Member State other than the Member State of registration of the vehicle in accordance with Article 4(3) and which has a validity of 6 months;';	Every certificate is temporary, and the name should clearly indicate that it is a certificate from another Member State, for example, 'Foreign Temporary' instead of just 'Temporary'.
(3) Article 4 is replaced by the following:		
'Article 4		
Responsibilities		
3. In the case of M_1 vehicles, roadworthiness tests may also be carried out in a Member State other than the Member State of registration of the vehicle. The result of such roadworthiness test shall be included on a temporary roadworthiness certificate, which shall be valid for six months. The competent	3. In the case of M_1 vehicles, roadworthiness tests may also be carried out in a Member State other than the Member State of registration of the vehicle. The result of such roadworthiness test shall be included on a temporary roadworthiness certificate, which shall be valid for six months. The competent	Has impact on data sharing and how we currently register PTI Possible danger of 'PTI tourism' or race to the bottom.

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authority shall communicate the result of the test to the Member State of registration, which shall record it in the national vehicle register. However, unless the Member State of registration recognises roadworthiness certificates issued by the Member State concerned in accordance with paragraph 4, the subsequent roadworthiness test shall take place in the Member State of registration of the vehicle.	authority shall communicate the result of the test within … days to the Member State of registration, which shall record it in the national vehicle register. However, unless the Member State of registration recognises roadworthiness tests carried out and certificates issued by the Member State concerned in accordance with paragraph 4, the subsequent roadworthiness test shall take place in the Member State of registration of the vehicle.	How do you check the requirement 'once in another country, then again mandatory in country of registration'? For a foreign vehicle, can you check on the spot in the register of the MS of registration whether the vehicle was inspected there last time? If the member states recognise the roadworthiness certificate, is this on the basis of mutual recognition? Or unilateral recognition? In view of national register checks and the fine imposed on the vehicle owner, NL supports introducing a specific timeframe for communicating the result to the competent authority in another Member State *"However, unless the Member State of registration recognises roadworthiness certificates issues by the Member State concerned in accordance with paragraph 4[…]":* Current Directive already holds the obligation to mutually recognise roadworthiness certificates (Article 8(3)). Isn't this new Article meant to recognise the actual PTI carried out in another MS (and hence the subsequent certificate)? Leads to confusion as it is currently formulated. Question: who recognizes who? What is the procedure for communicating this to the MS?

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		Due to differences in national requirements, NL supports mutual recognition of conducting roadworthiness tests (PTI) in another Member State based on bilateral agreements. This would allow Member States to make agreements with other Member States that have similar national requirements. The obligation to conduct inspections of M1 vehicles abroad has implications for the number of inspections, the Dutch vehicle registration database, and data exchange with other Member States.
5. The Commission shall adopt implementing acts to specify the set of technical information necessary for roadworthiness testing of the items to be tested, on the use of the recommended test methods, and to establish detailed rules concerning the data format, and the procedures for accessing the relevant technical information. Such technical information may include, in particular, instructions and data on the use of the electronic vehicle interface, diagnostic trouble codes, and software versions, and descriptions and illustrations of warning indicators or tell-tales.		NL supports the use data for PTI-testing. This can only be effective if regulations are also in place to safeguard standardized data and access.

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6. In accordance with the principles laid down in Regulation (EU) 2018/858, vehicle manufacturers shall make available the set of technical information referred to in paragraph 5 free of charge, and without undue delay, to relevant competent authorities, in a non-discriminatory manner and in a machine-readable format. Those competent authorities shall make that technical information available to the testing centres authorised by them.	In accordance with the principles laid down in Regulation (EU) 2018/858, vehicle manufacturers shall make available the set of technical information referred to in paragraph 5 free of charge, and without undue delay, to relevant competent authorities or the testing centres authorised by them, in a non-discriminatory manner and in a machine-readable format. ~~Those competent authorities shall make that technical information available to the testing centres authorised by them~~	The data can be made available directly to the authorised testing centres.
'Article 5		
Date and frequency of testing		
3. Notwithstanding the date of a vehicle's last roadworthiness test, vehicles shall undergo a roadworthiness test when the safety and environmental systems and components of the vehicle have been significantly altered or modified.	3. Notwithstanding the date of a vehicle's last roadworthiness test, vehicles may ~~shall~~ undergo a roadworthiness test when the safety and environmental systems and components of the vehicle have been significantly altered or modified.	This is not feasible. Cars must be sent to the PTI by the competent authorities of a country. How should the competent authorities of a Member State find out that a vehicle has been significantly altered or modified? Companies that modify emission and safety systems are, for example, chip tuning companies. Chip tuning companies often do not perform PTI inspections themselves. It cannot be expected that such companies will report changes to emission and safety systems to the competent authorities of a Member State. Furthermore, it is questionable whether a car will fail to pass the PTI emission inspection if for example a chip tuning modification has been

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		carried out. It could well be that it simply passes the PTI emission test. The emission test in the PTI is often not effective enough to actually detect this type of manipulation. Requiring that vehicles with significantly altered or modified safety and environmental systems and components be submitted to the PTI would reverse the current state of affairs. The PTI is precisely intended to detect these kinds of alterations or modifications. For illustration, the following example: Since 2017, there has been a ban on the removal of particulate filters in the Netherlands. However, this ban was difficult to enforce at the time because there were numerous companies and also private individuals who removed particulate filters. However, it was only from 2023 with the introduction of the particle test in the PTI that the ban on removing diesel particutale filters could be properly enforced. With the particle test, a diesel car with a removed particulate filter will not pass the PTI.
(6) Article 6 is amended as follows:		
(b) paragraph 3 is replaced by the following:		

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'3. For vehicle categories L3e, L4e, L5e and L7e, with an engine capacity of more than 125 cm^3 or with a maximum continuous rated or net power above 11 kW, Member States shall determine the areas, items and appropriate methods of testing.';		In order to ensure effectiveness across all Member States, the directive should establish a minimum set of requirements.
(c) the following paragraph 4 is added:		
'4. The Member State of registration may decide not to require the testing of items 8.1 or 8.2 of point 3 of Annex I to this Directive during the roadworthiness test of a vehicle where that vehicle successfully passed a corresponding exhaust test or noise test, or both, involving the checking of item 8.1 or 8.2 or both of point 3 of Annex to Directive 2014/47/EU during the six months preceding the due date of the roadworthiness test.';		Does this mean that N1 would in that case not need a yearly emission test? NL maintains that the correct tests should be performed during every PTI.
(7) Article 8 is replaced by the following:		
'Article 8		
Roadworthiness certificate		
Member States shall inform the Commission of trusted issuers of roadworthiness certificates which they shall keep up to date. The		Member States should be able to decide who they consider trusted issuers (always authorities)

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Commission shall make a list of those issuers publicly available through a secure channel and in an electronically signed or sealed form suitable for automated processing.		Question: What does the EC want to achieve with this article? Is it about authentication or location ?
6. Testing centres shall communicate electronically to the competent authority of the Member State concerned, the information included in the roadworthiness certificates which they issue. Such communication shall take place within a reasonable time after each roadworthiness certificate is issued. Member States shall determine the period during which the competent authority is to retain that information. The duration of that period shall not be less than 36 months, without prejudice to the national tax systems of the Member States.		What is the authority concerned? After all, there are two involved: the one in the country of inspection and the one in the country of registration. Does this mean that a foreign PTI has to be reported to the authority in the country of origin?
(8) Article 9 is replaced by the following:		
'*Article 9*		
Follow-up of deficiencies		
3. In the case of dangerous deficiencies, the test shall be deemed to have been failed. The Member State or the competent authority may decide that the vehicle in question is not to be used on public roads and that the authorisation for its use in road traffic is to be suspended for a limited period of time, without requiring a new		Is the Member State or the competent authority also authorized in case of dangerous deficiencies to suspend the authorisation for its use in road traffic if it concerns a vehicle from another Member State? Question:

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process of registration. Such request for suspension shall be notified to the Member State of registration and the suspension shall be recorded in the vehicle register in accordance with Article 3a(1) of Directive 1999/37/EC. When the deficiencies are rectified, a new roadworthiness certificate shall be issued without delay testifying that the vehicle is in a roadworthy condition. The new certificate shall be issued by the competent authority that requested the suspension.		What is the minimum requirement for a Member State to do in the event of a dangerous defect? Does it fall back to the two-month period stipulated in paragraph 2?
4. In the case of obvious tampering or manipulation of any component of the vehicle, including its emission control system, silencer, safety-related systems, or odometers, with the aim of reducing or misrepresenting the distance record of a vehicle, such tampering or manipulation shall be considered as a major or dangerous deficiency and shall be punishable by effective, proportionate, dissuasive and non-discriminatory penalties.		*and shall be punishable by effective, proportionate, dissuasive and non-discriminatory penalties* PTI stations in the Netherlands are not authorized to impose fines. This can only be done by official enforcement authorities such as the police. If the manipulation or tampering with a part of a vehicle is discovered by a PTI station, then a PTI station cannot impose a fine for this. If the police discover the manipulation or tampering during a Road Side Inspection, a fine can be imposed. Question: What is the EC's objective with this article? Could you provide further clarification on this?

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