Council of the European Union
General Secretariat

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**Brussels, 08 September 2025**

**Interinstitutional files:**
**2025/0097 (COD)**

**WK 11092/2025 ADD 4**

**LIMITE**

**TRANS**
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**WORKING DOCUMENT**

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| From: | General Secretariat of the Council |
| To: | Working Party on Land Transport |
| N° prev. doc.: | ST 12271 2025 INIT |
| N° Cion doc.: | ST 8255 2025 |
| 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<br>- Comments from the Netherlands |

Delegations will find attached comments from the Netherlands on the above-mentioned document.

**Proposal on Periodic roadworthiness tests and technical roadside inspection**

Deadline: ***14 May 2025***

**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!

**8 September 2025**

Please find in green the NL written input (comments/drafting suggestions) following the WP of 4 September

Please find in orange additional comments/positions/drafting suggestions the NL would like to see incorporated in the next compromise agreement(s).

!! Note that we have already provided (some of) this input in earlier feedback rounds, but we would like to highlight again our most important comments.

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| **General comments** | | |
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| 2025/0097 (COD) | | |
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| Proposal for a | | |
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| **DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** | | |
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| **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** | | |
| | | |
| (Text with EEA relevance) | | |
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| THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | | |
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| Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof, | | |
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| Having regard to the proposal from the European Commission, | | |
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| After transmission of the draft legislative act to the national parliaments, | | |
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| Having regard to the opinion of the European Economic and Social Committee[1], | | |
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| Having regard to the opinion of the Committee of the Regions[2], | | |
| | | |
| Acting in accordance with the ordinary legislative procedure, | | |
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| Whereas: | | |
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| (1) Provisions regarding roadworthiness testing have been part of Union legislation for decades. They are however subject to gradual harmonisation. Union law to that effect was last revised in 2014 with the "Roadworthiness Package"[3]. To improve enforcement, consecutive revisions of those rules gradually extended the scope of vehicles to be tested and the scope of the harmonised rules, including those on roadside inspections and vehicle registration documents. They specified and updated the required test methods, procedures and related documents to reflect technological progress. | | |
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| (2) Directive 2014/45/EU sets out the minimum content and frequency of testing for each vehicle category, except for motorcycles, where Member States have a broader discretion. That Directive also sets out minimum requirements for the independence of testing centres and training of inspectors, testing equipment, and the content of the roadworthiness certificate. The validity of that certificate, as well as any other proof of testing, is to be recognised by Member States for the purposes of free circulation and re-registering a vehicle already registered in another Member State. | | |
| | | |

1 OJ C , , p. .

2 OJ C , , p. .

3 Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51, ELI: http://data.europa.eu/eli/dir/2014/45/oj), Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ L 127, 29.4.2014, p. 134, ELI: http://data.europa.eu/eli/dir/2014/47/oj) and Directive 2014/46/EU of the European Parliament and of the Council of 3 April 2014 amending Council Directive 1999/37/EC on the registration documents for vehicles (OJ L 127, 29.4.2014, p. 129, ELI: http://data.europa.eu/eli/dir/2014/46/oj).

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| (3) Directive 2014/47/EU complements Directive 2014/45/EU by requiring Member States to carry out roadside inspections on heavy commercial vehicles above 3.5 tonnes, including buses, lorries, and their trailers with the aim of inspecting 5% of the Union fleet each year. Those inspections include an initial roadside inspection and, if deemed necessary by the inspector, a more detailed technical roadside inspection. The items tested in the detailed inspections are the same as those tested at periodic tests and may also include the inspection of cargo securing. Where a major or dangerous deficiency is found during a roadside inspection, the Member State where the inspection took place is required to notify the Member State of registration in order to enforce the repair of the vehicle that has been suspended from traffic. | | |
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| (4) Due to rapid technological progress, some of the current rules for testing vehicles have become outdated and should be amended to adapt them to newer technologies and vehicles. The testing framework should further contribute to reducing emissions from transport and to accelerating and benefiting from digitalisation in the transport sector. The framework should also be better adapted to developments in evolving vehicle technology, fleet composition and testing methods. | | |
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| (5) The digital transition is one of the Union's priorities. In the context of updating the current rules on testing vehicles, it is also important to harmonise, simplify and digitalise administrative procedures and to remove the remaining barriers to free movement. These barriers include the non-recognition of periodic technical inspections conducted in Member States other than the Member State of registration. This can impede the free movement of people within the Union and their right to take up residence in a Member State other than the one where the vehicle is currently registered. | | |
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| (6) Some of the current emission test methods are inadequate for testing vehicles with modern air pollutant emission control technology and low baseline emissions. There is also potential to further reduce pollutant emissions through more appropriate tests and checks. Applying the best available test methods would help Member States reach stricter air quality standards, namely the limit values for the protection of human health set by Directive (EU) 2024/2881 of the | | |

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| European Parliament and of the Council[4], especially for fine particulate matter and nitrogen oxides (NOx). | | |
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| (7) The number of fatalities and serious injuries on Union roads remains at an unacceptably high level, with 20 400 deaths in 2023. Therefore, further action is required in order to reach the targets for road safety set out in EU road safety policy framework 2021-2030[5]. | | |
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| (8) Testing the roadworthiness of motorcycles has clear benefits for road safety. This has also been demonstrated by the number of Member States that already include motorcycles in their roadworthiness testing systems. As a result, the current possibility of an opt-out for motorcycles with an engine capacity above 125 $cm^3$ is no longer appropriate, and periodic testing should be mandatory for such vehicles without exception. | NL wants to maintain the exemption for testing of motorcycles | |
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| (9) According to the feedback received from Member States and industry representatives, the current legal requirements aiming to ensure that the technical data needed to carry out periodic technical inspections are available to testing centres have proven to be ineffective. It is therefore necessary to specify that a minimum set of information should be made available free of charge and without undue delay to the competent authorities, which should then ensure that the testing centres authorised by them also have the required access. | **Comment NL**<br>NL would prefer that authorised testing centres have direct access to this data, which should be standardised and provided in a uniform format. Another option would be to leave it up to the MS how they share this data with the testing centres.<br><br>**Question + comment NL**<br>In the WP of 4 September the EC referred to implementing act 2021/1244 for definition of trust centre. We would like to continue this discussion and ask for more clarification as we think that SERMI (impl. Act) is about authorisation and not about the exchange of information.<br><br>A trust center is responsible for authorizing access to sensitive information that is not freely available. Such a trust center is only necessary for sensitive information and does not itself have access to that information. | (9) According to the feedback received from Member States and industry representatives, the current legal requirements aiming to ensure that the technical data needed to carry out periodic technical inspections are available to testing centres have proven to be ineffective. It is therefore necessary to specify**, without prejudice to communication requirements under Regulation (EU) 2018/858,** that a minimum set of information should be made available free of charge and without undue delay to **[** the competent authorities **or trust centres responsible for managing access to that information ]**, which should then ensure that the testing centres authorised by them also have the required access.<br><br>**Drafting suggestion NL**<br>"that a minimum set of information should be made available free of charge and without undue delay to **[** the competent authorities **or ~~trust centres responsible for managing access to that information~~ testing centres authorised by them]**, ~~which should then ensure that the testing centres authorised by them also have the required access.~~" |
| | | |
| (10) The Member State of registration should recognise a temporary roadworthiness certificate issued by another Member State for a period of up to six months, provided that the subsequent periodic | **OPM 4 september** | (10) The Member State of registration should recognise a**n EU** temporary roadworthiness certificate issued by another Member State for a period of up to six months, provided that the subsequent periodic technical inspection**, the date of which** |

Commented [redacted]: @[redacted]

[4] Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast), (OJ L, 2024/2881, 20.11.2024, ELI: http://data.europa.eu/eli/dir/2024/2881/oj).

[5] SWD(2019) 283 final https://transport.ec.europa.eu/system/files/2021-10/SWD2190283.pdf.

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| technical inspection is conducted in the Member State of registration. That will contribute to facilitating the free movement of people while respecting the basic requirement that vehicles are generally to be tested in the Member State of registration. | **Comment NL**<br>Up to six months makes it seem like the MS of registration can also request a PTI before those 6 months.<br><br>**Comment NL**<br>See comments in Article 4 regarding the insertion of "EU" (temporary roadworthiness certificate). | **is determined by the duration of the EU temporary roadworthiness certificate,** is conducted in the Member State of registration. That will contribute to facilitating the free movement of people while respecting the basic requirement that vehicles are generally to be tested in the Member State of registration.<br><br>**Drafting suggestion NL**<br>" for a period of ~~up to~~ six months". |
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| (11) For the same reason, a Member State of registration should be able to choose to recognise roadworthiness certificates issued by another Member State. If it does so, it should inform the other Member States and the Commission. The roadworthiness certificates concerned should be considered by all Member States as equivalent to certificates issued by the Member State of registration. | | |
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| (12) To combat fraud related to the mileage of used vehicles, recording odometer readings is included in periodic roadworthiness testing. However, the effectiveness of the measure has been limited because the first test is only carried out four years after the first registration in most Member States and only every two years after that in many of them. To further tackle odometer fraud, Member States should ensure that odometer readings are taken whenever a service provider carries out maintenance or repair work on a vehicle and that the readings are recorded in a national database or register. Member States should make those readings available in an anonymised format to inspectors, the competent authorities and the holder of the registration certificate. In addition, Member States should require manufacturers to transmit the odometer readings of connected vehicles every three months. In order to enable consumers to detect odometer fraud before purchasing a vehicle, Member States should also inform consumers of the availability of odometer history to the holder of the registration certificate, in particular in the context of vehicle sales. To enhance the availability of statistics on vehicle use without additional reporting burden on national administrations, Member States should make the odometer readings available, in an anonymised form, to the national statistical institutes and to the Commission (Eurostat). | To combat fraude related to the mileage of vehicles, NL very much encourages the registration and exchange of odometer readings and to do this at other moments than PTI as well! We also remain open to exchange information and experiences with interested MS on this topic.<br><br>We would like to add "accredited" to service provider: | "Member States should ensure that odometer readings are taken whenever an accredited service provider carries out maintenance or repair work on a vehicle and that the readings are recorded in a ~~national database or register~~ their national vehicle register" |
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| (13) Although electric vehicles, including hybrid electric vehicles, have been in circulation for many years, and their numbers have been steadily increasing, there are no harmonised rules on the roadworthiness testing of the high-voltage systems of such vehicles, resulting in Member States developing different test protocols. To ensure the safe operation of such vehicles throughout their useful life and avoid conflicting testing practices in the Member States, relevant test items should be included in the minimum requirements for the contents of and recommended methods for testing. | | |
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| (14) Regulation (EU) 2019/2144 of the European Parliament and of the Council[6] requires the installation of a variety of advanced driver assistance systems, designed to avoid crashes and reduce casualties and severe injuries. However, the expected benefits will not be achieved if these systems deteriorate over time or are subject to tampering. Therefore, those new electronic systems should be included in periodic and roadside inspections to ensure that they deliver their expected safety benefits. To ensure the safe operation of automated vehicles and the testing of electronic safety systems throughout their useful life, relevant items to be tested should be included in the minimum requirements concerning the contents of and recommended methods for testing set out in the respective Annexes to Directives 2014/45/EU and 2014/47/EU. | NL wants to make a distinction between those systems that **can** and those that **cannot** be disabled and those that cannot. Those that can be disabled should remain optional in the Annex. In that way we focus on the safety critical ones. | Regulation (EU) 2019/2144 of the European Parliament and of the Council[7] requires the installation of a variety of advanced driver assistance systems, designed to avoid crashes and reduce casualties and severe injuries. However, the expected benefits will not be achieved if these systems deteriorate over time or are subject to tampering. Therefore, those new electronic systems, that cannot be disabled by the driver of the vehicle, should be included in periodic and roadside inspections to ensure that they deliver their expected safety benefits. To ensure the safe operation of automated vehicles and the testing of electronic safety systems throughout their useful life, relevant items to be tested should be included in the minimum requirements concerning the contents of and recommended methods for testing set out in the respective Annexes to Directives 2014/45/EU and 2014/47/EU. |
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| (15) While road transport contributes to significant shares of harmful air pollutant emissions in particular NOx and fine particles, the current testing methods for exhaust emissions are not adapted to more recent vehicles and technologies. Commission Recommendation (EU) 2023/688[8] was a first step in harmonising particle number measurement during roadworthiness testing. In the interests of public health, environmental protection and fair competition, | The NL cannot support the NOx emission test as it is currently being formulated, as it requires pre-conditioning of the vehicle.<br><br>In the Road Worthiness Package it is proposed that a measurement to check NOx emissions must be carried out for the PTI of diesel vehicles. Prior to testing, the vehicle's exhaust aftertreatment system shall be warmed up to the conditions that | |

[6] Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 of the European Parliament and of the Council and Commission Regulations (EC) No 631/2009, (EU) No 406/2010, (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 458/2011, (EU) No 65/2012, (EU) No 130/2012, (EU) No 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) 2015/166 (OJ L 325, 16.12.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/2144/oj).

[7] Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 of the European Parliament and of the Council and Commission Regulations (EC) No 631/2009, (EU) No 406/2010, (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 458/2011, (EU) No 65/2012, (EU) No 130/2012, (EU) No 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) 2015/166 (OJ L 325, 16.12.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/2144/oj).

[8] Commission Recommendation (EU) 2023/688 of 20 March 2023 on particle number measurement for the periodic technical inspection of vehicles equipped with compression ignition engines, (OJ L 90, 28.3.2023, p. 46, ELI: http://data.europa.eu/eli/reco/2023/688/oj).

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| the relevant items to be tested during periodic technical inspections set out in the annexes to Directives 2014/45/EU and 2014/47/EU should now include particle number measurement and the measurement of NOx. | allow effective abatement of NOx emissions by the selective catalytic reduction (SCR) unit of the vehicle by at least a 5-minute drive or an equivalent method. Once the condition is reached, the vehicle shall not be turned off and the measurement shall be performed within 3 minutes for M1 and N1 vehicles and within 3.5 minutes for M2, M3, N2 and N3 vehicles.<br><br>A 5-minute warm-up drive does not fit within the way in which the PTI is carried out in many Member States. Such a NOx emission test (hot idle NOx test) can only be carried out as part of a Road Side Inspection | |
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| (16) Older vehicles tend to have more defects, are more frequently involved in crashes, and represent a higher proportion of high-emitting vehicles. Inspecting older cars and light commercial vehicles annually can contribute significantly to reducing crashes and harmful emissions. Cars and light commercial vehicles should therefore be inspected annually at the latest after 10 years from the date of first registration. | | |
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| (17) Furthermore, since light commercial vehicles are used more intensively than private cars, often in densely populated areas, they should be inspected for emissions annually after one year from the date of first registration. | NL does not support this provision.<br><br>One and two year old vans are not to be expected that systems for controlling emissions are already defective. A more realistic approach is to start testing this from the third year after admission. In the Netherlands, diesel cars must go for the PTI from the third year after admission. | (17) Furthermore, since light commercial vehicles are used more intensively than private cars, often in densely populated areas, they should be inspected for emissions annually after ~~one~~ three years from the date of first registration. |
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| (18) In addition to scheduled periodic technical inspections, vehicles should also be subject to a roadworthiness test if the safety or environmental systems and components of the vehicle have been significantly altered or modified. This includes cases where there is a change of vehicle category or emission levels, for example following the installation of a particle filter or when a vehicle is converted to run on an alternative fuel. | (It is important that major changes are monitored. However, this should not be part of the PTI. The design for this should be determined by the Member States | (18) In addition to scheduled periodic technical inspections, vehicles ~~should~~ may also be subject to a roadworthiness test if the safety or environmental systems and components of the vehicle have been significantly altered or modified. This includes cases where there is a change of vehicle category or emission levels, for example following the installation of a particle filter or when a vehicle is converted to run on an alternative fuel. |
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| (19) To facilitate the digital transition and to reduce costs for testing centres, roadworthiness certificates should be issued in a standardised electronic format. A paper printout of the roadworthiness certificate should also be issued to the person who presented the vehicle for testing upon request. Member States should accept | | |

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| both formats when the ownership of the vehicle is changed or when the vehicle is re-registered in another Member State. For similar reasons, the report of the more detailed roadside inspection should be issued in electronic format. | | |
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| (20) It should be ensured that personal data processing for the implementation of this Directive complies with the data protection framework of the Union, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council[9]. In line with the principle of data protection by default, verification techniques not requiring transmission of personal data on individual certificates should be employed for the verification of roadworthiness certificates. | | |
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| (21) To provide for adequate follow-up of deficiencies where a vehicle fails a periodic technical inspection due to one or more major deficiencies in a Member State other than the Member State of registration, the result of the test and the deadline for the subsequent test should be notified to the Member State of registration and recorded in the vehicle register. The deadline for the subsequent test should be no more than two months and should take place in either Member State. In addition, when a vehicle has failed the periodic technical inspection due to one or more dangerous deficiencies, to avoid immediate risks to road safety or the environment, the Member State or competent authority should be able to decide that the vehicle in question is not to be used on public roads and request the Member State of registration to suspend the vehicle's authorisation for use in road traffic, until the deficiencies are rectified. The suspension should be recorded in the vehicle register of the Member State of registration. | | |
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| (22) Tampering or manipulating any component of a vehicle should be considered to be a major or dangerous deficiency and therefore should be punishable by effective, proportionate, dissuasive and non-discriminatory penalties. | | |
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| (23) The current requirements set out in Directives 2014/45/EU and 2014/47/EU for Member States to cooperate with each other when implementing those Directives do not enable Member States to check a | | |

[9] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).

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| vehicle's legal and technical status in cross-border situations. To ensure greater effectiveness, including in such situations, Member States should assist one another in implementing the Directive more systematically. Therefore, it is necessary to set out rules on the exchange of information and vehicle data to allow Member States to consult each other's vehicle registers and roadworthiness databases, including the content of roadworthiness certificates and technical roadside inspection reports. | | |
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| (24) For the exchange of information on vehicles registered in the Union, the MOVE-HUB message exchange platform has been developed by the Commission to interconnect Member States' national electronic registers[10]. The platform currently hosts the interconnection of road transport undertaking registers (ERRU), driving licence registers (RESPER), professional driver training registers (ProDriveNet), tachograph driver card registers (TACHOnet), and the notification of vehicle roadside inspection failures (RSI)[11]. | NL wants the use of EUCARIS by default. Reasons have already been provided in earlier written comments | (24) For the exchange of information on vehicles registered in the Union~~, the MOVE HUB message exchange platform has been developed by the Commission to interconnect~~ Member States~~' national electronic registers shall be connected via~~ shall use the highly secured European Vehicle and Driving License Information System (EUCARIS) through which they are already connected. ~~The platform currently hosts the interconnection of road transport undertaking registers (ERRU), driving licence registers (RESPER), professional driver training registers (ProDriveNet), tachograph driver card registers (TACHOnet), and the notification of vehicle roadside inspection failures (RSI)[12].~~ |
| | | |
| (25) The functionalities of the MOVE-HUB should be extended to enable the necessary exchange of information and vehicle data for the purposes of Directives 2014/45/EU and 2014/47/EU. Member States should therefore connect their electronic systems containing information on roadworthiness certificates and odometer history to MOVE-HUB. The exchange of information and data through the MOVE-HUB should be operational within one year after the adoption of the corresponding implementing acts pursuant to Article 16 of Directive 2014/45/EU and Article 18a of Directive 2014/47/EU. | | ~~25) The functionalities of the MOVE HUB should be extended to enable the necessary exchange of information and vehicle data for the purposes of Directives 2014/45/EU and 2014/47/EU. Member States should therefore connect their electronic systems containing information on roadworthiness certificates and odometer history to MOVE HUB. The exchange of information and data through the MOVE HUB should be operational within one year after the adoption of the corresponding implementing acts pursuant to Article 16 of Directive 2014/45/EU and Article 18a of Directive 2014/47/EU.~~ |
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| (26) Crises brought about by serious events, occurring inside or outside the Union, may significantly disrupt the operation of its roadworthiness system. During times of crisis, Member States should be able to extend the validity of roadworthiness certificates, including temporary roadworthiness certificates. Subject to the | | |

[10] Commission Implementing Regulation (EU) 2016/480 of 1 April 2016 establishing common rules concerning the interconnection of national electronic registers on road transport undertakings and repealing Regulation (EU) No 1213/2010 (OJ L 87, 2.4.2016, p. 4. ELI: http://data.europa.eu/eli/reg_impl/2016/480/oj).

[11] Commission Implementing Regulation (EU) 2017/2205 of 29 November 2017 on detailed rules concerning the procedures for the notification of commercial vehicles with major or dangerous deficiencies identified during a technical roadside inspection (OJ L 314, 30.11.2017, p. 3, ELI: http://data.europa.eu/eli/reg_impl/2017/2205/oj).

[12] Commission Implementing Regulation (EU) 2017/2205 of 29 November 2017 on detailed rules concerning the procedures for the notification of commercial vehicles with major or dangerous deficiencies identified during a technical roadside inspection (OJ L 314, 30.11.2017, p. 3, ELI: http://data.europa.eu/eli/reg_impl/2017/2205/oj).

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| Commission's authorisation, Members States should be allowed to extend the administrative validity of expiring roadworthiness certificates and temporary roadworthiness certificates by six months. Where the crisis persists, it should be possible to further extend the validity. | | |
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| (27) Given the increased number of light commercial vehicles in circulation within the Union, to promote a level playing field for commercial operators across the Union and to further improve their safety and environmental performance, light commercial vehicles should also be subject to roadside inspections. | | |
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| (28) For roadside inspections, the screening of the exhaust emissions of large numbers of vehicles by using remote sensing equipment is an effective measure for identifying high-emitting vehicles. It increases detection rates significantly compared to mandatory test methods. Member States should therefore use remote sensing equipment systematically to screen large shares of the vehicle fleet in real on-road conditions. One single remote sensing measurement indicating high emissions above the legal limits could be related to various factors, such as temporary acceleration or a cold engine. However, multiple measurements systematically indicating significantly higher-than-average emissions could indicate a faulty emission control system or unauthorised modifications, such as tampering. Since such defects and modifications generate excessive emissions that pose risks to human health and the environment, they should be repaired, and any tampering should be sanctioned. | **OPM 4 september**<br><br>**Question NL**<br>why was recital 28 included in the compromise proposal? We do not see any changes. | (28) For roadside inspections, the screening of the exhaust emissions of large numbers of vehicles by using remote sensing equipment is an effective measure for identifying high-emitting vehicles. It increases detection rates significantly compared to mandatory test methods. Member States should therefore use remote sensing equipment systematically to screen large shares of the vehicle fleet in real on-road conditions. One single remote sensing measurement indicating high emissions above the legal limits could be related to various factors, such as temporary acceleration or a cold engine. However, multiple measurements systematically indicating significantly higher-than-average emissions could indicate a faulty emission control system or unauthorised modifications, such as tampering. Since such defects and modifications generate excessive emissions that pose risks to human health and the environment, they should be repaired, and any tampering should be sanctioned. |
| | | |
| (29) As a result, such screening by remote sensing should form part of each Member State's roadside inspection system. For the screening to be effective, each Member State should screen the equivalent of at least 30% of its registered fleet of motor vehicles, including cars and motorcycles. On the basis of that remote sensing data, Member States should check the exhaust emissions and the noise level of any vehicle that is suspected to emit more than double the average level of similar vehicles, or more than 3 dB above the average level. That check could be carried out in a roadside inspection immediately after a remote sensing measurement or in a roadworthiness testing centre in the Member State of registration. For vehicles | **OPM 4 september**<br><br>**Comment NL**<br>Maybe mention the specific vehicle categories instead of stating "motor vehicles" and then adding commercial vehicles etc.. Or provide a clear definition of 'motor vehicles' and then add exemptions/additions. | (29) As a result, such screening by remote sensing should form part of each Member State's roadside inspection system. For the screening to be effective, each Member State should screen the equivalent of at least [30% ]of its registered fleet of motor vehicles, including **commercial vehicles as well as** cars and motorcycles **but excluding zero-emission vehicles**. |

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| registered in another Member State, the competent authority where the remote sensing measurement took place should notify the measurement result and the result of any subsequent roadside inspection to the competent authority of Member State of registration. | | |
| | NL suggests that Plume chasing can be considered as a form of a roadside inspection. | **(29a)** **Remote sensing ~~cannot substitute~~ can be considered as a form of a roadside inspection, ~~but can be used to select vehicles for further roadside inspection~~.** On the basis of **a sufficient amount of** ~~that~~ remote sensing data, Member States should check the exhaust emissions and the noise level of any vehicle that is **a high emitter**~~suspected to emit more than double the average level of similar vehicles, or more than 3 dB above the average level. That check could be carried out in a roadside inspection immediately after a remote sensing measurement or in a roadworthiness testing centre in the Member State of registration. For vehicles registered in another Member State, the competent authority where the remote sensing measurement took place should notify the measurement result and the result of any subsequent roadside inspection to the competent authority of **~~the~~** Member State of registration. **~~In the case of plume chasing, immediate verification should take place at the roadside if the vehicle is suspected to be a high emitter.~~** |
| | **OPM 4 september**<br><br>**Comment NL:**<br>The addition of examples complicates matters. It is known how the tests should or should not be carried out. | **(29b)** **The verification at the roadside or in an inspection centre should follow the test methods set out in items 8.1 and 8.2 of Annex II to Directive 2014/47/EU and of Annex I to Directive 2014/45/EU, respectively. This means, for example, that where a diesel car or van equipped with a Euro 5b engine or newer [or a Euro VI truck or coach] is suspected to emit fine particles above the legal limit at the time of their approval, their emissions should be verified using particle number measurement in accordance with item 8.2.3.1 in the relevant Annex. For diesel vehicles without particle filter, the emissions will be verified using opacity measurement. [Verification of NOx emission only applies to vehicles of emission classes Euro VI, 6d-TEMP and newer of categories M and N.] Member States should determine the method of verification of exhaust emissions for L-category vehicles. Noise emission should be verified using a sound level meter.** |

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| (30) Directive 2014/47/EU specifies a minimum share of heavy commercial vehicles to be tested at the roadside each year in the Union but sets no target at Member State level, with the result that it is difficult to ensure the enforcement of that minimum share. To ensure that roadside inspections of commercial vehicles contribute to improved road safety and reduced air pollution across the Union, each Member State should carry out a total number of initial technical roadside inspections every year, corresponding to at least 5% of the total number of heavy commercial vehicles registered in their territory. | | |
| | | |
| (31) To promote digital transformation and to reduce costs in the transport sector, Member States should require their competent authorities to accept electronic evidence of roadside inspections. | | |
| | | |
| (32) Given that inadequate or dangerous cargo securing can pose a serious threat to road safety and to the environment, inspections of cargo securing should be a mandatory part of roadside inspections in all Member States. | | |
| | | |
| (33) To ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission to specify: (a) the set of technical information and data necessary for roadworthiness testing that must be made available to the competent authorities, (b) interoperability features and security measures applicable to the QR codes introduced on roadworthiness certificates, (c) the necessary features and requirements for the format and content of the information and data to be exchanged, and (d) the format in which the data on periodic testing and roadside inspections are to be communicated. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[13]. | | |
| | | |
| (34) In order to achieve the objectives of this Directive, in particular to adapt the annexes to Directives 2014/45/EU and 2014/17/EU to any technical, operational or scientific developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to (a) | The NL does not support delegated acts, but wants an implementing act instead | |

[13] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

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| specify the methods for the PN measurement of positive ignition engines and for the NOx measurement of compression and positive ignition engines; and (b) set the common limits for exhaust or noise emissions or both that should be used to identify high-emitting vehicles. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in line with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[14]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. | | |
| | | |
| (35) The objectives of this Directive, namely, to improve road safety, facilitate the free movement of persons and reduce pollutant emissions cannot be sufficiently achieved by the Member States acting alone as national rules governing those vehicle checks would lead to diverging requirements. Consequently, such objectives are better achieved at Union level by laying down minimum common requirements and harmonised rules concerning periodic technical inspections and technical roadside inspections of vehicles circulating within the Union. Therefore, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives. | | |
| | | |
| (36) Although data on the operation of roadworthiness testing regimes is available at national level, such data is not available at Union level. That lack of data hampers the analysis and evaluation of the roadworthiness testing system. To address those shortcomings, Member States should, in the implementation of Directive 2014/45/EU, report regularly to the Commission key data on the number of testing centres in each Member State, the total number of vehicles inspected per category, the areas checked, the items failed, and information on | | |

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14 OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj.

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| roadworthiness tests conducted on vehicles registered in another Member State. On roadside inspections, the current reporting obligations on Member States should be reduced and simplified, with less frequent reporting required. | | |
| | | |
| (37) To minimise the administrative burden while ensuring the usefulness of the reported information, Member States should report on the implementation of Directives 2014/45/EU and 2014/47/EU every three years. | | |
| | | |
| (38) The roadworthiness system has a direct impact on road safety, noise and emissions and should therefore be reviewed periodically. On the basis of the input from Member States' authorities, the Commission should report to the European Parliament and Council on the effectiveness of the provisions of Directive 2014/45/EU, including those on the scope, frequency of testing and recognition of temporary roadworthiness certificates, and Directive 2014/47/EU, including that on remote sensing. | | |
| | | |
| (39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [DD/MM/YYYY]. | | |
| | | |
| (40) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents[15], Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified. | | |
| | | |
| (41) Directive 2014/45/EU and 2014/47/EU should therefore be amended accordingly, | | |
| | | |
| HAVE ADOPTED THIS DIRECTIVE: | | |
| | | |
| | | |
| | | |
| *Article 1* | | |

[15] OJ C 369, 17.12.2011, p. 14.

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| | | |
| **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; | | |
| | | |
| – 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.'; | | |
| | | |
| (b) in paragraph 2, the seventh indent is deleted; | NL wants to maintain the exemption for testing of motorcycles | ~~(b) in paragraph 2, the seventh indent is deleted;~~ |
| | | |
| | | |
| | | |
| | | |
| (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;'; | **OPM 4 september 2025**<br>NL suggests to add "active".<br><br>**NL comment:**<br>When the holder/owner uses his privacy settings and the odometer cannot be retrieved by the OEM (there is no datas-sharing with the manufacturer/i.e. there is no permission) the OEM should not be allowed to take this data. | '(6a) 'connected vehicle' means any vehicle ~~with a device installed which is designed to allow~~ **with** a wireless connection or **that can communicate** ~~communication~~ with external devices, vehicles, networks or services;';<br><br>**NL drafting suggestion**<br><br>'(6a) 'connected vehicle' means any vehicle ~~with a device installed which is designed to allow~~ **with** **an active** wireless connection or **that can communicate** ~~communication~~ with external devices, vehicles, networks or services;'; |
| | | |
| (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 | | |

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| 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: | | |
| | | |
| '(12) 'roadworthiness certificate' means a roadworthiness test report issued by the competent authority or a testing centre;'; | | '(12) 'roadworthiness certificate' means a roadworthiness test report **in digital format, or a certified printout thereof,** issued by the competent authority or a testing centre;';<br><br>**NL drafting suggestion**<br>"in digital format, or **upon request** a certified printout thereof" |
| | | |
| (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);'; | **OPM 4 september**<br><br>**NL comment:**<br>- The definition does not provide enough differentiation with the definition of the "normal" roadworthiness certificate. NL proposes to add the validity of 6 months to make it clear that it is temporary.<br>- Why add "EU" to the temporary certificate but not to the "normal" certificate? The normal certificate is also an EU document. Maybe use "foreign" rather than EU<br>- Also, this document should be digital by default | (12a) '**EU** 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 **8** ~~4(3)~~;';<br><br>**NL drafting suggestion**<br><br>(12a) '**Foreign** temporary roadworthiness certificate' means a roadworthiness certificate **in digital format, or upon request a certified printout thereof**, 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 **8** ~~4(3)~~; **and which has a validity of 6 months;';** |
| | | |
| | | |
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| | | |
| (3) Article 4 is replaced by the following: | | |
| | | |
| *'Article 4* | | |
| | | |
| **Responsibilities** | | |
| | | |
| 1. Each Member State shall ensure that vehicles registered in its territory are periodically tested in accordance with this Directive. | | |

**Commented [redacted]:** *Algemene opm aan IenW: Onze inhoudelijke input is afhankelijk van keuze IenW om zich voor of tegen het tijdelijk certificaat (en daarmee dus keuren van M1-voertuigen in andere lidstaten) uit te spreken*

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| | | |
| 2. Without prejudice to paragraphs 3 and 4, roadworthiness tests shall be carried out by the Member State of registration of the vehicle, by a public body entrusted with that task by that Member State or by bodies or establishments designated and supervised by that Member State, including authorised public or private bodies. | | 2. Without prejudice to paragraph~~s 3 and~~ 4, roadworthiness tests shall be carried out by the Member State of registration of the vehicle, by a public body entrusted with that task by that Member State or by bodies or establishments designated and supervised by that Member State, including authorised public or private bodies. |
| | | |
| 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 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. | | **3.** ~~4.~~ Member States may recognise a roadworthiness certificate~~, other than the temporary roadworthiness certificate referred to in paragraph 3,~~ issued by a Member State other than the Member State of registration of the vehicle. In such cases, that roadworthiness certificate shall be considered equivalent to the roadworthiness certificate issued by the Member State of registration. Member States which decide to recognise a roadworthiness certificate issued by another Member State shall inform the Commission and the other Member States accordingly. |
| | | |
| 4. Member States may recognise a roadworthiness certificate, other than the temporary roadworthiness certificate referred to in paragraph 3, issued by a Member State other than the Member State of registration of the vehicle. In such cases, that roadworthiness certificate shall be considered equivalent to the roadworthiness certificate issued by the Member State of registration. Member States which decide to recognise a roadworthiness certificate issued by another Member State shall inform the Commission and the other Member States accordingly. | **Question NL**<br>with the changes proposed by the Danish Presidency, the temporary registration certificate is now for the first time mentioned in this paragraph 4 (apart from the definition). Should it not be properly introduced? | **4**. ~~3.~~ In the case of $M_1$ vehicles, roadworthiness tests may**, in accordance with Article 8,** also be carried out in a Member State other than the Member State of registration of the vehicle. **The Member State of registration shall recognise the validity of an EU temporary roadworthiness certificate issued in that other Member State.** ~~The result of such roadworthiness test shall be included on a temporary roadworthiness certificate, which shall be valid for six months. The competent 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.~~ |
| | | |
| 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, | **NL supports implementing acts**<br><br>**Comment NL**<br>NL would prefer that authorised testing centres have direct access to this data, which should be standardised and provided in a uniform format. Another option would be to leave it up to the MS how they share this data with the testing centres. | **5**. ~~6 In accordance with the principles laid down in Regulation (EU) 2018/858, v~~**V**ehicle manufacturers shall make available ~~the set of~~ technical information **specified by implementing acts** referred to in paragraph **6**~~5~~ free of charge, and without undue delay, **[** to relevant competent authorities **or trust centres responsible for managing access to that information ]**, in a non-discriminatory manner and in a machine-readable format. Those **[** competent authorities **or** |

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| and software versions, and descriptions and illustrations of warning indicators or tell-tales. | **Question + comment NL**<br>In the WP of 4 September the EC referred to implementing act 2021/1244 for definition of trust centre. We would like to continue this discussion and ask for more clarification as we think that SERMI (impl. Act) is about authorisation and not about the exchange of information.<br><br>A trust center is responsible for authorizing access to sensitive information that is not freely available. Such a trust center is only necessary for sensitive information and does not itself have access to that information. | **trust centres ]** shall make that technical information available to the testing centres~~. authorised by them~~.<br><br>**Drafting suggestion NL**<br>**5**. ~~6 In accordance with the principles laid down in Regulation (EU) 2018/858, v~~Vehicle manufacturers shall make available ~~the set of~~ technical information **specified by implementing acts** referred to in paragraph **6**~~5~~ free of charge, and without undue delay, **[** to relevant competent authorities ~~**or trust centres responsible for managing access to that information**~~ **or the testing centres authorised by them]**, in a non-discriminatory manner and in a machine-readable format. ~~Those **[** competent authorities **or trust centres or the testing centres authorised by them ]** shall make that technical information available to the testing centres. authorised by them.~~ |
| | | |
| Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2). | | |
| | | |
| 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. | | **6**.~~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.<br><br>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2). |
| | | |
| 7. Member States shall ensure that the responsibilities for keeping a vehicle in a safe and roadworthy condition are set out in national law.’; | | |
| | | |
| | | *NOTE: paragraph 3 of the Commission proposal partly shifted to Article 8.* |
| | | |
| (4) the following Article 4a is inserted: | | |

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| *'Article 4a* | | |
| | | |
| **Recording of odometer readings** | | |
| | | |
| 1. Each Member State shall take the measures necessary to enable the recording of odometer readings in a national database or in the national vehicle register. They shall require that, in addition to testing centres, any service provider who issues an invoice or other document in connection with any repair or maintenance work carried out on a vehicle, records the odometer reading in that database or national vehicle register when that work is carried out. Member States shall also require vehicle manufacturers to transmit the odometer readings of connected vehicles which they have produced every three months starting from the date of first registration of the vehicle. | NL **strongly** supports the recording of odometer readings and that should also be done by **accredited** service providers. The insertion of accredited is very important to the NL, to ensure quality and supervision | **Drafting suggestion NL**<br>1. Each Member State shall take the measures necessary to enable the recording of odometer readings in a national database or in the national vehicle register. They shall require that, in addition to testing centres, any accredited service provider who issues an invoice or other document in connection with any repair or maintenance work carried out on a vehicle, records the odometer reading in that database or national vehicle register when that work is carried out. Member States shall also require vehicle manufacturers to transmit the odometer readings of connected vehicles which they have produced every three months starting from the date of first registration of the vehicle. |
| | | |
| 2. Member States shall make the odometer history of vehicles registered by them available to inspectors, to the holder of the registration certificate and to competent authorities in the Member States responsible for roadworthiness testing, vehicle registration, and vehicle approval. | | **Drafting suggestion NL**<br>2. Member States shall make the odometer history of vehicles registered by them available ~~to inspectors,~~ to the holder of the registration certificate and competent authorities upon re-registration. Member States shall provide the results of the assessment of the odometer history to inspectors and to competent authorities in the Member States responsible for roadworthiness testing, ~~vehicle registration,~~ and vehicle approval. |
| | | |
| 3. Member States shall take appropriate measures to inform potential buyers of second-hand vehicles, about the availability of odometer history referred to in paragraph 2. | | |
| | | |
| 4. Member States shall also make available the odometer data stored in the national databases and national vehicle registers referred to in paragraph 1, in an anonymised form including only the first 10 characters of the vehicle identification number, to the national statistical institutes and to the Commission (Eurostat) in accordance with Articles 17a and 17b of Regulation (EC) No 223/2009*. | | |
| | | |
| * Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament | | |

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| and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164, ELI: http://data.europa.eu/eli/reg/2009/223/oj).'; | | |
| | | |
| | | |
| | | |
| (5) Article 5 is replaced by the following: | | |
| | | |
| *'Article 5* | | |
| | | |
| **Date and frequency of testing** | | |
| | | |
| 1. Vehicles shall be subject to a roadworthiness test at least within the following intervals, without prejudice to the period of flexibility applied in Member States under paragraph 4: | | |
| | | |
| (a) vehicles of category $M_1$ and $N_1$: four years after the date on which the vehicle was first registered, and thereafter every two years until 10 years after the date on which the vehicle was first registered, and thereafter annually; however, vehicles of category $N_1$ shall also be subject to a roadworthiness test for the items listed in Section 8.2 of Annex I, one year after the date on which the vehicle was first registered, and thereafter annually; | | **Drafting suggestion NL**<br>however, vehicles of category $N_1$ shall also be subject to a roadworthiness test for the items listed in Section 8.2 of Annex I, three~~one~~ year after the date on which the vehicle was first registered, and thereafter annually; |
| | | |
| (b) vehicles of category $M_1$ used as taxis or ambulances, vehicles of categories $M_2$, $M_3$, $N_2$, $N_3$, $O_3$ and $O_4$: one year after the date on which the vehicle was first registered, and thereafter annually; | | |
| | | |
| (c) wheeled tractors of categories T1b, T2b, T3b, T4.1b, T4.2b and T4.3b the use of which mainly takes place on public roads for commercial road haulage purposes: four years after the date on which the vehicle was first registered, and thereafter every two years. | | |
| | | |
| For the purposes of point (a) of the first subparagraph, in the case of the roadworthiness tests referred to in Article 4(3), the expiry date of the subsequent roadworthiness certificate shall be counted as from the | | For the purposes of point (a) of the first subparagraph, in the case of the roadworthiness tests referred to in Article 4(**4** ~~3~~), the expiry date of the subsequent roadworthiness certificate shall be counted as from the expiry date of the **EU** temporary roadworthiness certificate issued as a result of that test. |

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| expiry date of the temporary roadworthiness certificate issued as a result of that test. | | |
| | | |
| 2. Member States shall establish appropriate intervals within which vehicles of categories L3e, L4e, L5e and L7e with an engine capacity of more than 125 cm3 or with a maximum continuous rated or net power above 11 kW, are to be subject to a roadworthiness test. | | |
| | | |
| 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. | 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? | **NL drafting suggestion:**<br>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. |
| | | |
| 4. Member States or competent authorities may establish a reasonable period during which the roadworthiness test is to be carried out, not exceeding the intervals laid down in paragraph 1.'; | | |
| | | |
| | | |
| | | |
| | | |
| (6) Article 6 is amended as follows: | | |
| | | |
| (a) paragraph 1 is replaced by the following: | | |
| | | |
| '1. For vehicle categories falling within the scope of this Directive, with the exception of categories L3e, L4e, L5e and L7e, Member States shall ensure that roadworthiness tests cover at least the areas referred to in point 2 of Annex I.'; | | |
| | | |
| (b) paragraph 3 is replaced by the following: | | |
| | | |
| '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.'; | | |
| | | |
| (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 | NL believes that all points should always be checked in a PTI | |

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| 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.'; | | |
| | | |
| | | |
| | | |
| (7) Article 8 is replaced by the following: | | |
| | | |
| *'Article 8* | | |
| | | |
| **Roadworthiness certificate** | | **Roadworthiness certificate and EU temporary roadworthiness certificate** |
| | | |
| 1. Member States shall ensure that testing centres or, where relevant, the competent authorities, which have carried out a roadworthiness test on a vehicle issue a roadworthiness certificate for that vehicle indicating at least the standardised elements of the corresponding harmonised Union codes as laid down in Annex II. Member States shall ensure roadworthiness certificates are issued as electronic attestations of attributes to European Digital Identity Wallets in accordance with Regulation (EU) No 910/2014 of the European Parliament and of the Council**. | **OPM 4 september**<br><br>**Question NL**<br>NL would like to know whether the issuing of the (temporary) registration certificate in the wallet is supported as a use case. We understand that this point may also be touched upon in the RWEG (30 Sept) | 1. Member States shall ensure that testing centres or, where relevant, the competent authorities, which have carried out a roadworthiness test on a vehicle issue a roadworthiness certificate **or, in the case referred to in Article 4(4), an EU temporary roadworthiness certificate,** for that vehicle indicating at least the standardised elements of the corresponding harmonised Union codes as laid down in Annex II. Member States shall ensure roadworthiness certificates **and EU temporary roadworthiness certificates** are issued as electronic attestations of attributes to European Digital Identity Wallets in accordance with Regulation (EU) No 910/2014 of the European Parliament and of the Council**. |
| | | |
| Member States shall ensure that roadworthiness certificates contain the information necessary for authentication and validation of those certificates. | | Member States shall ensure that roadworthiness certificates **and EU temporary roadworthiness certificates** contain the information necessary for authentication and validation of those certificates. |
| | | |
| Member States shall inform the Commission of trusted issuers of roadworthiness certificates which they shall keep up to date. The 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. | | Member States shall inform the Commission of trusted issuers of roadworthiness certificates **and of EU temporary roadworthiness certificates** which they shall keep up to date. The Commission shall make a list of those issuers publicly available through a |

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| | | secure channel and in an electronically signed or sealed form suitable for automated processing. |
| | **OPM 4 september**<br><br>**Clarification NL**<br>Ik is important that there is a maximum time for an MS to provide the information to the MS of registration. Fines for an expired PTI are automatically sent to the vehicle owner. When the performed PTI in another MS is communicated later, this will give problems<br><br>**Question NL**<br>"**the EU temporary roadworthiness certificate shall contain information to that effect**" Can the Presidency clarify this addition? What information should exactly be provided and how do we ensure uniform information across MS? | **1a. An EU temporary roadworthiness certificate shall be valid for six months. The competent authority shall communicate within [5] days the result of the test to the Member State of registration, which shall record it in the national vehicle register.**<br><br>**Drafting suggestion NL**<br><br>**An EU temporary roadworthiness certificate shall be valid for six months. The competent authority shall communicate within [5] days the result of the test to the Member State of registration, which shall record it in the national vehicle register.**<br><br>**Unless the Member State of registration recognises roadworthiness certificates issued by the Member State concerned in accordance with Article 4 paragraph 3, the subsequent roadworthiness test shall take place in the Member State of registration of the vehicle; the EU temporary roadworthiness certificate shall contain information to that effect.** |
| 2. Member States shall require that testing centres or, where relevant, the competent authorities, provide, on request, a certified printout of the roadworthiness certificate to the person presenting the vehicle for testing. Those printouts shall be user-friendly and shall contain an interoperable [barcode][QR code], which allows the verification of its authenticity, validity and integrity. By six months after the adoption of the implementing acts referred to in paragraph 9, the [barcode][QR code] shall comply with the technical specifications set out in those implementing acts. The information contained in the certificate shall also be displayed in human-readable form and shall be provided in at least the official language or languages of the issuing Member State. | | Member States shall require that testing centres or, where relevant, the competent authorities, provide, on request, a certified printout of the roadworthiness certificate **or EU temporary roadworthiness certificate** to the person presenting the vehicle for testing. Those printouts shall be user-friendly and shall contain an interoperable [barcode][QR code], which allows the verification of its authenticity, validity and integrity. By six months after the adoption of the implementing acts referred to in paragraph 9, the [barcode][QR code] shall comply with the technical specifications set out in those implementing acts. The information contained in the certificate shall also be displayed in human-readable form and shall be provided in at least the official language or languages of the issuing Member State. |
| | | |
| 3. Notwithstanding Article 5, in the case of re-registration of a vehicle already registered in another Member State, each Member State shall recognise the | | |

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| roadworthiness certificate issued by that other Member State, whether in electronic or paper format, as if it had itself issued that certificate, provided that the roadworthiness certificate is still valid in terms of the frequency intervals established for periodic roadworthiness tests by the re-registering Member State. Member States shall communicate any new specimen of the roadworthiness certificate, and the description of the set of data issued to roadworthiness certificates as electronic attestations of attributes to the Commission and to the other Member States without undue delay. The Commission shall publish those specimens and descriptions of the sets of data. | | Member States shall communicate any new specimen of the roadworthiness certificate **or EU temporary roadworthiness certificate**, and the description of the set of data issued to roadworthiness certificates as electronic attestations of attributes to the Commission and to the other Member States without undue delay. The Commission shall publish those specimens and descriptions of the sets of data. |
| | | |
| 4. In addition to the provisions of paragraph 3, Member States shall recognise the validity of a roadworthiness certificate, whether in electronic or paper format, where there is a change in ownership of a vehicle having a valid proof of periodic roadworthiness test. | | |
| | | |
| 5. The Member State of registration shall recognise the validity of a temporary roadworthiness certificate issued in another Member State. | | ~~5. The Member State of registration shall recognise the validity of a temporary roadworthiness certificate issued in another Member State.~~ |
| | | |
| 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. | | |
| | | |
| 7. Member States shall ensure that the information included in the previous roadworthiness certificate is made available to the inspectors. | | Member States **may decide**~~shall ensure~~ that the information included in the previous roadworthiness certificate is made available to the inspectors. |
| | | |

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| 8. Member States shall ensure that the results of the roadworthiness test are notified, or made available electronically, as soon as possible to the authority responsible for registration of the vehicle. That notification shall contain the information included in the roadworthiness certificate. | | |
| | | |
| 9. By [date of entry into force + 2 years], the Commission shall adopt implementing acts to lay down the technical specifications and rules regarding the following: | | |
| | | |
| (a) securely issuing and verifying the certificates referred to paragraphs 1 and 2; | | |
| | | |
| (b) ensuring the protection and security of personal data; | | |
| | | |
| (c) laying down the common data structure of roadworthiness certificates; | | (c) laying down the common data structure of roadworthiness certificates **and EU temporary roadworthiness certificates**; |
| | | |
| | | |
| (d) issuing and verifying a valid, secure and interoperable [barcode][QR code]; | | |
| | | |
| (e) notifying trusted issuers of roadworthiness certificates. | | (e) notifying trusted issuers of roadworthiness certificates **and EU temporary roadworthiness certificates**. |
| | | |
| Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2). | | |
| | | |
| _____ | | |
| | | |
| ** Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73, ELI: http://data.europa.eu/eli/reg/2014/910/oj)'; | | |
| | | |
| | | *NOTE: paragraph 5 shifted to Article 4.* |
| | | |
| (8) Article 9 is replaced by the following: | | |

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| '*Article 9* | | |
| | | |
| **Follow-up of deficiencies** | | |
| | | |
| 1. In the case of minor deficiencies only, the test shall be deemed to have been passed, the deficiencies shall be rectified, and the vehicle shall not be re-tested. | | |
| | | |
| 2. In the case of major deficiencies, the test shall be deemed to have been failed. The Member State or the competent authority shall decide on the period during which the vehicle in question may be used before it is required to undergo another roadworthiness test, which shall take place not later than two months after the initial test. The result of the test and the time limit until the subsequent test shall be notified to the Member State of registration and recorded in the vehicle register in accordance with Article 3a(1) of Council Directive 1999/37/EC***. That subsequent test may take place in the Member State where the vehicle failed the initial test, or in the Member State of registration. | | |
| | | |
| 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 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. | | |
| | | |
| 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. | | |

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| | | |
| *** Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles, (OJ L 138, 1.6.1999, p. 57, ELI: http://data.europa.eu/eli/dir/1999/37/oj)'; | | |
| | | |
| | | **(8a) In Article 10, the first subparagraph of paragraph 1 is replaced by the following:**<br><br>'1. The testing centre or, if relevant, the competent authority of the Member State that has carried out a roadworthiness test on a vehicle registered in its territory **or a roadworthiness test in accordance with Aticle 4(4)** shall provide a proof, such as an indication on the vehicle registration document, a sticker, a certificate or any other easily accessible information, for each vehicle which has passed such a test. The proof shall indicate the date by which the next roadworthiness test is to take place.'; |
| | | |
| (9) Article 16 is replaced by the following: | | |
| | | |
| '*Article 16* | | |
| | | |
| **Exchange of data between Member States' authorities** | | |
| | | |
| | | |
| | | |
| 1. Member States shall assist one another in the implementation of this Directive. They shall exchange information and data in particular with the aim of checking, at the time of roadworthiness testing, the vehicle's legal and technical status, where necessary in the Member State in which it is registered. | | |
| | | |
| Member States shall provide access to vehicle registration data, data regarding the content of the certificates of conformity, the last roadworthiness certificate, any technical roadside inspection report, and the odometer history of the vehicle stored in national databases, to the competent authorities of and testing centres authorised by other Member States. | | |
| | | |
| Member States shall interconnect their electronic systems on roadworthiness certificates and on odometer history through the MOVE-HUB electronic system developed by the Commission in such a way | See earlier comments made | **Drafting suggestion NL:**<br>Member States shall use a specifically designed and highly secured software application of the European Vehicle and Driving Licence Information System (EUCARIS) in its up-to- |

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| that the competent authorities and authorised testing centres of any Member State are able to consult the relevant database or the national vehicle register of any other Member State in real time. | | date version to exchange information on roadworthiness certificates and on odometer history, in such a way that the competent authorities and authorised testing centres of any Member State are able to consult the relevant database or the national vehicle register of any other Member State in real time.~~shall interconnect their electronic systems on roadworthiness certificates and on odometer history through the MOVE-HUB electronic system developed by the Commission in such a way that the competent authorities and authorised testing centres of any Member State are able to consult the relevant database or the national vehicle register of any other Member State in real time.~~ |
| | | |
| 2. By [PLEASE INSERT DATE: 2 years after the entry into force of this directive], the Commission shall adopt implementing acts laying down the necessary arrangements for the implementation of the functionalities of the MOVE-HUB electronic system and specifying the minimum requirements for the format and content of the information and data to be exchanged by Member States regarding vehicles subject to roadworthiness testing. Those implementing acts shall ensure the protection of personal data and shall be adopted in accordance with the examination procedure referred to in Article 19(2). | | |
| | | |
| 3. The electronic systems interconnections provided for in paragraph 1 shall be operational within one year after the adoption of the implementing acts referred to in paragraph 2.’; | | |
| | | |
| | | |
| | | |
| (10) Article 17 is amended as follows: | | |
| | | |
| (a) the first indent is replaced by the following: | | |
| | | |
| ‘– update only the vehicle category designations referred to in Article 2(1), Article 5(1) and (2), and Article 6(1) and (2) as appropriate in the event of changes to the vehicle categories resulting from amendments to the type-approval legislation referred to in Article 2(1), without affecting the scope and frequency of testing;’; | | |
| | | |
| (b) the third indent is replaced by the following: | | |
| | | |
| ‘– adapt point 3 of Annex I, following a positive assessment of the costs and benefits involved, in | | |

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| respect of the list of test items, methods, reasons for failure and assessment of deficiencies;'; | | |
| | | |
| (c) the following fourth indent is added: | | |
| | | |
| '– specify the methods for the particle number (PN) measurement of positive ignition engines and for the nitrogen oxides ($NO_X$) measurement of compression and positive ignition engines provided for in Section 8.2 of point 3 of Annex I.'; | | |
| | | |
| | | |
| | | |
| (11) Article 20 is replaced by the following: | | |
| | | |
| '*Article 20* | | |
| | | |
| **Reporting** | | |
| | | |
| By [two years from the date referred to in Article 20a(1)], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive, in particular as regards the effectiveness of the provisions on its scope, notably in relation to L-category vehicles, the frequency of testing, the mutual recognition of roadworthiness certificates in cases of re-registration of vehicles originating from another Member State, and the recognition of temporary roadworthiness certificates. The report shall also analyse whether it is necessary to update the Annexes, particularly in the light of technical progress and practices.'; | | |
| | | |
| | | |
| | | |
| (12) the following Article 20a is inserted: | | |
| | | |
| '*Article 20a* | | |
| | | |
| **Communication of information to the Commission** | | |
| | | |
| 1. By 31 March 2030, and by 31 March every three years thereafter, Member States shall communicate to the Commission through the online reporting platform referred to in Article 28 of Regulation (EU) 2018/1999 of the European Parliament and of the Council**** ('e-platform'), the data collected relating to each of the previous three calendar years and concerning the vehicles inspected | | |

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| in their territory. Those data shall include the following (per calendar year): | | |
| | | |
| (a) the number of testing centres per Member State; | | |
| | | |
| (b) the total number of vehicles inspected; | | |
| | | |
| (c) the number of vehicles inspected per category; | | |
| | | |
| (d) the areas checked, and the items failed, in accordance with point 3 of Annex I to this Directive; | | |
| | | |
| (e) the number, category and [failure rate][test result] of vehicles tested registered in another Member State. | | |
| | | |
| The first report shall cover the years 2027, 2028 and 2029, separately. | | |
| | | |
| 2. The Commission shall adopt implementing acts laying down the format to be used by Member States for communication of the data referred to in paragraph 1 through the e-platform. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2). | | |
| | | |
| The Commission shall report to the European Parliament and to the Council regarding the data collected pursuant to paragraph 1. | | |
| | | |
| **** Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1, ELI : http://data.europa.eu/eli/reg/2018/1999/oj).'; | | |
| | | |
| | | |
| | | |
| (13) Article 22 is replaced by the following: | | |
| | | |

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| '*Article 22* | | |
| | | |
| **Extension of validity of roadworthiness certificates in case of crisis** | | |
| | | |
| 1. For the purposes of this Article, the following definitions shall apply: | | |
| | | |
| (a) 'crisis situation' means an exceptional, unexpected and sudden, natural or human -made event of extraordinary nature and scale that takes place inside or outside of the Union, with significant direct or indirect impacts on the area of road transport and that also prevents or significantly impairs the possibility for the owners or holders of vehicles registered in the Member States or relevant national authorities from carrying out roadworthiness tests; | | |
| | | |
| (b) 'crisis period' means the period during which a Member State is authorised by the Commission, in accordance with the procedure referred to in paragraph 2, to adopt the measures referred to in this Article. | | |
| | | |
| 2. In the event of a crisis situation covering all or part of the territory of a Member State, that Member State may refer the matter to the Commission, by means of a duly motivated request, with a view to the adoption of a decision authorising that Member State to adopt the measures referred to in this Article for all or part of its territory. Such measures may be applied for a maximum period of six months. The Commission may authorise the measures to be extended, at the request of the Member State, for additional periods of six months, as long as the crisis situation persists. | | |
| | | |
| 3. The Commission may decide that the crisis period started before the matter was referred by the Member State in question pursuant to paragraph 2. | | |
| | | |
| 4. If the Commission receives duly motivated requests by two or more Member States relating to a single crisis situation covering all or part of their territories, it may adopt a single decision applying to all of those Member States. | | |
| | | |
| 5. Notwithstanding Article 5(1), Article 10(1) and point 8 of Annex II, the competent authorities of the Members States may extend the period of validity of roadworthiness certificates of all or certain categories of vehicles that have expired or would otherwise | | |

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| expire during the crisis period, for a maximum period of six months. That period may be renewed for successive additional periods of six months, as long as the crisis persists and the Commission authorises it. | | |
| | | |
| 6. The measures adopted by the Member States on the basis of this Article shall be immediately notified to the Commission, which shall inform the other Member States and publish a notice in the Official Journal of the European Union.'; | | |
| | | |
| | | |
| | | |
| (14) Annex I, Annex III and Annex IV are amended in accordance with Annex I to this Directive. | | |
| **Annex Onderwerpen** | | |
| **ANNEX I** | | |
| | | |
| **Introductory part** | **Question NL:**<br>It is unclear what is meant by 'readiness of the OBD system'. Does this refer to the EOBD readiness test, or does it mean that the OBD system can be read because the EOBD connector is present and functioning? If it refers to the EOBD readiness test, this may be difficult to perform during the inspection. | Readiness **of the OBD system** |
| | | |
| | | |
| **4.1.5.** | **Comment NL**<br>We do not support the insertion of "or missing": how is it to be determined that this needs to be present | 4.1.5. Manual levelling devices (where mandatory)<br>Visual inspection and by operation, if possible~~, or using the electronic vehicle interface.~~<br>(a) Device not operating **or missing.** |
| | | |
| **5.2.3.** | **Question NL**<br>We would like to know why this point was added and are not in favour | **5.2.3 Tyres : (i) Tyres with a manufacturing date (week year) indicating a use time exceeding 10 years** |
| | | |
| | | |
| **ANNEX IV** | | |
| | | |

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| **Point 1 (comptence)** | **Clarification NL:**<br>The Netherlands proposes to include an additional paragraph in point 1 of Annex IV to allow PTI inspectors to specialise. Technology is becoming increasinly complex. The Netherlands believes that, when a PTI-centre inspects only EVs, the inspector should only be assessed regarding his knowledge on EVs. Naturally, MS must oversee this process. This guarantee is partly made possible by the proposed amendment to Annex IV, Article 3, "Certificate of Competence," "...and where relevant, areas of specialized competence of the inspector." | **Drafting suggestion NL:**<br>Annex IV<br>1. Competence<br>Before authorising an applicant for a position as inspector to carry out periodic roadworthiness tests, Member States or competent authorities shall verify that that person:<br>(a) has a certified knowledge and understanding relevant for road vehicles in the following areas:<br>— mechanics;<br>— dynamics;<br>— vehicle dynamics;<br>— combustion engines;<br>— material and material processing;<br>— electronics;<br>— electrics;<br>— electronic vehicle components;<br>— IT applications;<br>(b) has at least three years of documented experience or equivalent, such as documented mentorship or studies, and appropriate training in the road vehicle field set out above.<br><br>Member States may grant inspectors specific authorisation to inspect only certain vehicle categories and/or perform specific types of tests. The Member State shall ensure the implementation of appropriate (automated) monitoring mechanisms to ensure that inspectors only perform inspections on vehicles for which they are authorised. |
| | | |
| | | |
| | | |
| | | |
| *Article 2* | | |
| | | |
| **Amendments to Directive 2014/47/EU** | | |
| | | |
| Directive 2014/47/EU is amended as follows: | | |
| | | |
| (1) Article 1 is replaced by the following: | | |
| | | |
| *'Article 1* | | |
| | | |
| **Subject matter** | | |

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| | | |
| This Directive lays down minimum requirements for a regime of technical roadside inspections of the roadworthiness of commercial vehicles, and for remote sensing of vehicles, circulating within the territory of the Member States.'; | | |
| | | |
| (2) Article 2 is amended as follows: | | |
| | | |
| (a) paragraph 1 is amended as follows: | | |
| | | |
| (i) the following point (aa) is inserted: | | |
| | | |
| '(aa) motor vehicles designed and constructed primarily for the carriage of goods, having a maximum mass not exceeding 3.5 tonnes – vehicle category N1;'; | | |
| | | |
| (ii) the following second subparagraph is added: | | |
| | | |
| 'Article 4a shall also apply to motor vehicles designed and constructed primarily for the carriage of persons and their luggage comprising not more than eight seating positions in addition to the driver's seating position – vehicle category M1, and to two-, three- or four-wheel motor vehicles referred to in Article 4 of Regulation (EU) No 168/2013 of the European Parliament and of the Council***** – vehicle category L. | | |
| | | |
| ***** Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 2.3.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/167/oj).'; | | |
| | | |
| (b) paragraph 2 is replaced by the following: | | |
| | | |
| '2. This Directive shall not affect the right of Member States to carry out technical roadside inspections on vehicles not referred to in paragraph 1, and to check other aspects of road transport and safety, or to carry out inspections in places other than public roads. Nothing in this Directive shall prevent a Member State from limiting the use of a particular type of vehicle to certain parts of its road network for reasons of road safety.'; | | |

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| | | |
| | | |
| | | |
| (3) Article 3 is amended as follows: | | |
| | | |
| (a) point (11) is replaced by the following: | | (a) point (~~11~~**13**) is replaced by the following: |
| | | |
| '(11) 'roadworthiness certificate' means a roadworthiness test report as defined in Article 3, point (12), of Directive 2014/45/EU;'; | | '(~~11~~**13**) 'roadworthiness certificate' means a roadworthiness test report as defined in Article 3, point (12), of Directive 2014/45/EU;'; |
| | | |
| (b) point 18 is deleted; | | |
| | | |
| (c) the following points (21) and (22) are added: | | (c) the following points (21) **to (24)** ~~and (22)~~ are added: |
| | | |
| '(21) 'remote sensing' means the screening of vehicles by measuring on-road exhaust emissions, including nitrogen oxides and particulate matter, or noise levels of vehicles passing in the proximity of fixed or mobile roadside equipment, or by plume chasing in the case of screening vehicles for air pollutant emissions; | | |
| | | |
| (22) 'plume chasing' means the measuring of on-road air pollutant emissions of vehicles followed by a chasing vehicle equipped with an appropriate sampling device and measuring instrument.'; | | |
| | | **(23) 'zero-emission vehicle' means any motor vehicle without an internal combustion engine and a 'zero emission heavy-duty vehicle' as defined in Article 3, point (11) of Regulation (EU) 2019/1242 of the European Parliament and of the Council;** |
| | "**For exhaust emissions, a high-emitting vehicle emits at least [double] the level of emissions for vehicles"**<br><br>**Question NL**:<br>Where does the value "double the level" comes from? | **(24) 'high-emitting vehicle' means a vehicle having an exhaust or noise emission multiple times the average emission compared to vehicles belonging to the same vehicle category.**<br><br>**For exhaust emissions, a high-emitting vehicle emits at least [double] the level of emissions for vehicles belonging to the same vehicle category, emission class, and having the same type of** |

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| | | **ignition, namely positive or compression ignition.**<br>**For noise, a high-emitting vehicle emits at least [6] dB above the average level for vehicles belonging to the same vehicle category**; |
| | | |
| (4) Article 4 is replaced by the following: | | |
| | | |
| *'Article 4* | | |
| | | |
| **Roadside inspection system** | | |
| | | |
| The technical roadside inspection system shall include the use of remote sensing as referred to in Article 4a, initial technical roadside inspections as referred to in Article 10(1), and more detailed technical roadside inspections as referred to in Article 10(2).' | | |
| | | |
| | | |
| | | |
| (5) the following Article 4a is inserted: | | |
| | | |
| '*Article 4a* | | |
| | | |
| **Remote sensing** | | |
| | | |
| 1. Member States shall use remote sensing technology to screen motor vehicles for their air pollutant and noise emissions. Each year, each Member State shall take the measures necessary to screen the equivalent of at least 30 % of the fleet of motor vehicles registered in its territory using that technology. | **Question NL**<br>"Each year, each Member State shall take the measures necessary to screen **the exhaust or noise emission level of** the equivalent **to**~~**of**~~ at least **[**30 %**]** of the fleet of motor vehicles registered in its territory**, excluding zero-emission vehicles,"**<br>We would like to ask Denmark to clarify the new insertions (to at least [30%].<br>Is there a difference between **to** and **of** at least X %?**?** | 1. Member States shall use remote sensing technology to screen motor vehicles for their air pollutant and noise emissions **to help identify high-emitting vehicles**. Each year, each Member State shall take the measures necessary to screen **the exhaust or noise emission level of** the equivalent **to**~~**of**~~ at least **[**30 %**]** of the fleet of motor vehicles registered in its territory**, excluding zero-emission vehicles,** using that technology.<br>**To fulfill this requirement, Member States may use any combination of remote sensing, be it fixed or mobile, stationary roadside equipment, and plume chasing. They shall record each remote sensing measurement and use the data thus collected to assess real-world pollutant and noise emissions of their vehicle fleet. The collected data shall be evaluated in anonymised form and by groups of comparable vehicles. Member States shall collect data in such a way that high-emitting vehicles can be identified and verified accordingly.** |

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| 2. Member States shall use the results of such remote sensing to identify high-emitting vehicles. However, a vehicle shall not be considered to have failed or passed a roadside inspection on the basis of a single remote sensing measurement. | **Question NL:**<br>Isn't Article 4a(2) contrary to what is written in the definition for high emitter (Article 3(24))? In that Article values are already given and here they should be determined again? | ~~2. Member States shall use the results of such remote sensing to identify high-emitting vehicles. However, a vehicle shall not be considered to have failed or passed a roadside inspection on the basis of a single remote sensing measurement~~.<br><br>**2. Each Member State shall, based on the remote sensing data, establish the emission [level][threshold] for exhaust and noise for high-emitting vehicles in the relevent categories assessed by the Member State.**<br><br>**Member States may define further subgroups of vehicles with comparable emission characteristics.**<br><br>**Member States shall take verification measures for vehicles detected as high-emitting vehicles.**<br><br>**In the case of plume chasing, Member States shall verify the exhaust emissions of any vehicle that, based on the plume chasing measurement of that vehicle, is suspected to be a high-emitting vehicle. The verification shall take place immediately after a plume chasing measurement, as part of a technical roadside inspection carried out in accordance with Article 10, including a noise or exhaust emission test or both in accordance with point 3, item 8 of Annex II.** |
| | | |
| Member States shall take the measures necessary to verify the exhaust emissions, the noise level or both of any vehicle that, based on remote sensing data of at least three measurements of that vehicle within a period of six months, is suspected to emit above a certain level. For exhaust emissions, that level shall be double the average level for vehicles belonging to the same vehicle category, emission class, and having the same type of ignition, namely positive or compression ignition. For noise, the level shall be 3 dB above the average level for vehicles belonging to the same vehicle category. | | **In the case of stationary remote sensing,** Member States shall ~~take the measures necessary to~~ verify the exhaust emissions, the noise level or both of any vehicle that, based on remote sensing data of at least three measurements of that vehicle within a period of **[**six months**] has been assessed to be a high-emitting vehicle**~~, is suspected to emit above a certain level~~. ~~For exhaust emissions, that level shall be double the average level for vehicles belonging to the same vehicle category, emission class, and having the same type of ignition, namely positive or compression ignition. For noise, the level shall be 3 dB above the average level for vehicles belonging to the same vehicle category.~~ |
| | | |
| Such verification by Member States may take place as follows: | | Such verification by Member States may take place as follows: |

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| (a) immediately after a remote sensing measurement, as part of a technical roadside inspection carried out in accordance with Article 10, including a noise or exhaust emission test or both in accordance with point 3, item 8 of Annex II; | | |
| | | |
| (b) within 15 days from the last remote sensing measurement in a testing centre referred to in Article 12 of Directive 2014/45/EU, for vehicles registered in the Member State where the remote sensing measurements took place, following notification of the owner by the competent authority within five days from the last remote sensing measurement. | | (b) within 15 days from the last remote sensing measurement in a testing centre referred to in Article 12 of Directive 2014/45/EU, for vehicles registered in the Member State where the remote sensing measurements took place, following notification of the owner by the competent authority within five days from the last remote sensing measurement.<br><br>**For vehicles of category L, Member States shall determine the appropriate methods of verifying exhaust emissions.** |
| | | |
| 3. Regarding vehicles registered in another Member State, the competent authority shall notify the competent authority of the Member State of registration of the remote sensing measurements and of any subsequent technical roadside inspection, through the contact points referred to in Article 17 of this Directive. Where no subsequent roadside inspection took place, the Member States of registration shall request the holder of the vehicle registration certificate to present the vehicle in any testing centre referred to in Article 12 of Directive 2014/45/EU at the latest 45 days after the notification received from the Member State where the remote sensing measurements took place. | | 3. Regarding **high-emitting** vehicles registered in another Member State, the competent authority shall notify the competent authority of the Member State of registration of the remote sensing measurements and of any subsequent technical roadside inspection, through the contact points referred to in Article 17 of this Directive. Where no subsequent roadside inspection took place, the Member States of registration shall request the holder of the vehicle registration certificate to present the vehicle in any testing centre referred to in Article 12 of Directive 2014/45/EU at the latest 45 days after the notification received from the Member State where the remote sensing measurements took place. |
| | | |
| 4. Member States may also verify the exhaust emissions, the noise level, or both, of any vehicle that is suspected to emit more than double, or more than 3 dB above, the average levels referred to in paragraph 2 based on only one or two remote sensing measurements. Such verification shall take in accordance with paragraph 3.’; | | 4. Member States may also verify the exhaust emissions, the noise level, or both, of any **high-emitting** vehicle ~~that is suspected to emit more than double, or more than 3 dB above, the average levels referred to in paragraph 2~~ based on only one or two remote sensing measurements. Such verification shall take **place** in accordance with paragraph **2**~~3~~.’; |
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| | | *NOTE: A related change is suggested in Annex II item 8.1.1. (noise suppression system) of the RSI-proposal.* |
| | | |
| (6) in Article 5, paragraphs 1 and 2 are replaced by the following: | | |
| | | |
| '1. For vehicles referred to in Article 2(1), points (a), (b), (c) and (d), Member States shall carry out a total number of initial technical roadside inspections, per calendar year, corresponding to at least 5 % of the total number of those vehicles that are registered in their territory. | | |
| | | |
| 2. For vehicles referred to in of Article 2(1), point (aa), Member States shall carry out a total number of initial technical roadside inspections, per calendar year, corresponding to at least 2 % of the total number of those vehicles that are registered in their territory.'; | NL is against a certain % roadside inspections for N1. | ~~2. For vehicles referred to in of Article 2(1), point (aa), Member States shall carry out a total number of initial technical roadside inspections, per calendar year, corresponding to at least 12 % of the total number of those vehicles that are registered in their territory.';~~ |
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| | | |
| (7) in Article 6, paragraph 1 is replaced by the following: | | |
| | | |
| 'For the attribution of a risk profile to an undertaking, Member States may use the criteria set out in Annex I. That information shall be used to perform checks on undertakings with a high risk rating score more closely and more often. The risk rating system shall be operated by the competent authorities of the Member States. | | |
| | | |
| For vehicles referred to in Article 2(1), points (a) to (c), Member States shall ensure that the information concerning the number and severity of deficiencies set out in Annex II and, where applicable, Annex III to this Directive found on vehicles operated by individual undertakings is introduced into the risk rating system established pursuant to Article 9 of Directive 2006/22/EC.'; | | |
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| | | |
| (8) in Article 7, paragraph 1 is replaced by the following: | | |

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| '1. Member States shall require drivers to have at their disposal the roadworthiness certificate corresponding to the most recent periodic roadworthiness test in electronic format, or a certified printout thereof, and the report of the most recent technical roadside inspection. Member States shall require their authorities to accept electronic evidence of such roadworthiness tests and inspections.'; | | '1. Member States shall require drivers to have at their disposal the roadworthiness certificate corresponding to the most recent periodic roadworthiness test ~~in electronic format, or a certified printout thereof,~~ and the report of the most recent technical roadside inspection**. For the case referred to in Article 4(4) of Directive 2014/45/EU, Member States shall require drivers to have at their disposal in addition the EU temporary roadworthiness certificate**. Member States shall require their authorities to accept electronic evidence of such roadworthiness tests and inspections.'; |
| | | |
| | | |
| | | |
| (9) Article 9 is replaced by the following: | | |
| | | |
| *'Article 9* | | |
| | | |
| **Selection of vehicles for initial technical roadside inspection** | | |
| | | |
| When identifying vehicles to be subject to an initial technical roadside inspection, inspectors may select, as a priority, vehicles operated by undertakings with a high-risk profile in accordance with the criteria set out in Annex I to this Directive or as referred to in Directive 2006/22/EC. Vehicles may also be selected randomly for inspection, or where there is a reasonable suspicion that the vehicle presents a risk to road safety or to the environment, including on the basis of remote sensing.'; | | |
| | | |
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| | | |
| (10) in Article 10, paragraph 1, the second subparagraph is amended as follows: | | |
| | | |
| (a) point (a) is replaced by the following: | | |
| | | |
| '(a) shall check the latest roadworthiness certificate and technical roadside inspection report, where available, in accordance with Article 7(1) and Article 18a(1);'; | | |
| | | |
| (b) point (c) is replaced by the following: | | |

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| '(c) shall carry out a visual assessment of the securing of the vehicle's cargo in accordance with Article 13;'; | | |
| | | |
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| | | |
| (11) Article 13 is replaced by the following: | | |
| | | |
| *'Article 13* | | |
| | | |
| **Inspection of cargo securing** | | |
| | | |
| 1. During roadside inspections, vehicles shall be subject to an inspection of their cargo securing in accordance with Annex III, in order to ensure that the cargo is secured in such a way that it does not interfere with safe driving, or pose a threat to life, health, property or the environment. Checks shall be carried out to verify that during all kinds of operation of the vehicle, including emergency situations or uphill starting manoeuvres: | | |
| | | |
| (a) loads can only minimally change their position relative to each other, against walls or surfaces of the vehicle; | | |
| | | |
| (b) loads cannot leave the cargo space or move outside the loading surface. | | |
| | | |
| 2. Without prejudice to the requirements applicable to the transport of certain categories of goods, such as goods covered by Directive 2008/68/EC of the European Parliament and of the Council******, cargo securing and inspection of the securing of cargo shall be carried out in accordance with the principles and, where appropriate, the standards laid down in Section I of Annex III to this Directive. The latest version of the standards laid down in point 5 of that Section may be used. | | |
| | | |
| 3. The follow-up procedures referred to in Article 14 shall also apply in the case of major or dangerous deficiencies related to cargo securing. | | |
| | | |
| 4. Member States shall ensure that personnel involved in cargo securing checks are appropriately trained for that purpose. | | |
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| ****** Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13, ELI: http://data.europa.eu/eli/dir/2008/68/oj).'; | | |
| | | |
| 1. | | |
| 2. | | |
| (12) in Article 14, the following paragraph 4 is added: | | |
| | | |
| 3. '4. Obvious tampering or manipulation of any component of the vehicle, including its emission control system, silencer and safety-related systems, shall be considered as major or dangerous deficiencies and shall be punishable by effective, proportionate, dissuasive and non-discriminatory penalties.'; | | |
| 4. | | |
| 5. | | |
| 6. | | |
| (13) in Article 16, paragraph 2 is replaced by the following: | | |
| | | |
| '2. On completion of a more detailed inspection, the inspector shall draw up a report in accordance with Annex IV. Member States shall ensure that the driver of the vehicle is provided with an electronic copy of the inspection report.'; | | |
| | | |
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| | | |
| (14) in Article 18, paragraph 1 is replaced by the following: | | |
| | | |
| '1. In cases where major or dangerous deficiencies, or deficiencies resulting in a restriction or prohibition on the use the vehicle, are found in a vehicle not registered in the Member State of inspection, the contact point shall notify the results of the inspection to the contact point of the Member State of registration of the vehicle. That notification shall contain the elements of the roadside inspection report as set out in Annex IV and shall be communicated to the contact point of the Member State of registration through the messaging system (RSI system) referred to in Article 3 of Commission Implementing Regulation (EU) 2017/2205*******. | | |
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| 7. The Commission shall adopt implementing acts laying down detailed rules concerning the procedures for the notification of vehicles with major or dangerous deficiencies to the contact point of the Member State of registration pursuant to the first subparagraph of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 23(2). | | |
| 8. | | |
| 9. ******* Commission Implementing Regulation (EU) 2017/2205 of 29 November 2017 on detailed rules concerning the procedures for the notification of commercial vehicles with major or dangerous deficiencies identified during a technical roadside inspection, (OJ L 314, 30.11.2017, p. 3, ELI: http://data.europa.eu/eli/reg_impl/2017/2205/oj).'; | | |
| 10. | | |
| (15) the following Article 18a is inserted: | | |
| | | |
| '*Article 18a* | | |
| | | |
| **Exchange of data between Member States' authorities** | | |
| | | |
| | | |
| | | |
| 1. Member States shall assist one another in the implementation of this Directive. They shall exchange information and data in particular with the aim of checking, at the time of roadside inspection of a vehicle, its legal and technical status, where necessary, in the Member State in which it is registered. | | |
| | | |
| Member States shall provide access to data regarding the content of the certificates of conformity, the last roadworthiness certificate, any technical roadside inspection report, and the odometer history of the vehicle, stored in national databases, to the competent authorities of other Member States. | | |
| | | |
| Member States shall interconnect their electronic systems on roadworthiness certificates and on odometer history through the MOVE-HUB electronic system developed by the Commission, in such a way that the competent authorities of any Member State are able to consult the relevant database or national vehicle register of any other Member State in real time. | | |

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| | | |
| 2. By [PLEASE INSERT DATE: 2 years after the entry into force of this directive], the Commission shall adopt implementing acts laying down the necessary arrangements for the implementation of the functionalities of the MOVE-HUB electronic system and specifying the minimum requirements for the format and content of the information and data to be exchanged by Member States regarding the vehicles subject to roadside inspections. Those implementing acts shall ensure the protection of personal data and shall be adopted in accordance with the examination procedure referred to in Article 23(2). | | |
| | | |
| 3. The electronic systems interconnections provided for in paragraph 1 shall be operational within one year after the adoption of the implementing acts referred to in paragraph 2.’; | | |
| | | |
| | | |
| | | |
| (16) Article 20 is replaced by the following: | | |
| | | |
| ‘*Article 20* | | |
| | | |
| **Communication of information to the Commission** | | |
| | | |
| 1. By 31 March 2030 and by 31 March every three years thereafter, Member States shall communicate to the Commission, through the online reporting platform referred to in Article 28 of Regulation (EU) 2018/1999 of the European Parliament and of the Council********, (‘e-platform’), the data collected relating to each of the previous three calendar years and concerning the vehicles inspected in their territory. Those data shall include the following information, per calendar year: | | |
| | | |
| (a) the total number of vehicles inspected; | | |
| | | |
| (b) the number of vehicles inspected per category; | | |
| | | |
| (c) the country of registration of each vehicle inspected; | | |
| | | |
| (d) in the case of more detailed inspections, the areas checked and the items failed, in accordance with point 10 of Annex IV of this Directive; | | |
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| (e) the results of the remote sensing measurements carried out in accordance with Article 4a of this Directive. | | |
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| The first report shall cover the years 2027, 2028 and 2029, separately. | | |
| | | |
| 2. The Commission shall adopt implementing acts laying down detailed rules concerning the format for communicating the data referred to in paragraph 1 through the e-platform. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 23(2). Until the entry into force of such rules, Member States shall use the standard reporting form set out in Annex V. | | |
| | | |
| The Commission shall report the data collected to the European Parliament and to the Council. | | |
| | | |
| ******** Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1, ELI : http://data.europa.eu/eli/reg/2018/1999/oj).'; | | |
| | | |
| | | |
| | | |
| (17) Article 21 is amended as follows: | | |
| | | |
| (a) the second and third indents are replaced by the following: | | |
| | | |
| '– update point 3 of Annex II in respect of methods in the event that more efficient and effective test methods become available, without extending the list of items to be tested; | | |
| | | |
| – adapt point 3 of Annex II, following a positive assessment of the costs and benefits involved, in respect of the list of test items, methods, reasons for | | |

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| failure and assessment of deficiencies in the event of a modification of mandatory requirements relevant for type-approval in Union safety or environmental legislation;'; | | |
| | | |
| (b) the following fourth and fifth indents are added: | | |
| | | |
| '– set common [remote sensing] limits for exhaust or noise emissions, or for both, to be used to identify high-emitting vehicles, based on the results communicated by the Member States to the Commission in accordance with Article 20(1), point (e); different limits may be set for identifying vehicles with defective emission control systems and vehicles with tampered emission control systems; | | |
| | | |
| – specify the methods for the particle number (PN) measurement of positive ignition engines and for the nitrogen oxides (NOx) measurement of compression and positive ignition engines required pursuant to Section 8.2 of point 3 of Annex II.'; | | |
| | | |
| | | |
| | | |
| | | |
| (18) Article 24 is replaced by the following: | | |
| | | |
| '*Article 24* | | |
| | | |
| **Reporting** | | |
| | | |
| By [two years from the date referred to in Article 20(1)], the Commission shall submit a report to the European Parliament and the Council on the implementation and effects of this Directive. The report shall analyse, in particular, its effect in terms of improvement of road safety and reduction in emissions.'; | | |
| | | |
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| | | |
| (19) Annexes II, III, IV, and V are amended in accordance with Annex II to this Directive. | | |
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| *Article 3* | | |
| | | |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [PLEASE INSERT DATE: 2 years following the entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission. | | |
| | | |
| When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made. | | |
| | | |
| 2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in the field covered by this Directive. | | |
| | | |
| *Article 4* | | |
| | | |
| This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. | | |
| | | |
| *Article 5* | | |
| | | |
| This Directive is addressed to the Member States. | | |
| | | |
| Done at Brussels, | | |
| | | |
| *For the European Parliament For the Council* | | |
| | | |
| *The President The President* | | |
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