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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12271/1/25 REV 1
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 - Comments from Belgium

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

In Annex, a paper from Car-Pass on tackling odometer fraud, for your information.

BE comments on 2014/45/EU (article 4a + point 7.11.a of Annex I) and 2014/47/EU (article 4a)

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Directive 2014/45/EU
Article 4a

The changes made to the Commission's original text appear to undermine its objective. It seems that it would no longer be mandatory for every professional working on a vehicle to transmit mileage readings (the shift from "records" to "are able to" is indicative of this). This now seems limited to technical inspection centres and manufacturers or their representatives. Given that a new vehicle is only inspected after 4 years, and then every 2 years, this leaves many opportunities for mileage fraud, which this system is precisely intended to combat. With data only from technical inspection centres, we get only a partial picture of a vehicle's mileage history. Most regular interventions are not carried out by manufacturers, but by garages, body shops, tyre centres, etc.

The reliability of a mileage record register and a potential "mileage history certificate" (such as the Car-Pass in Belgium) relies precisely on the frequent and abundant availability of data. The multiplication of measurement points makes fraud more difficult. And this fraud has already shown its significant economic impact. Moreover, recital 12 rightly highlights the aspect of road safety.

The Belgian Car-Pass system has been in place for over 20 years and has proven its effectiveness. It is also fully supported by the automotive sector, which uses it as a selling point based on reliability, thereby strengthening trust in the second-hand market. Any minor administrative burdens, such as recording mileage by a professional, are largely outweighed by the many benefits this system has already delivered. Many professionals already note the mileage when a vehicle is entrusted to them. We are providing a document that debunks some persistent myths and illustrates the effectiveness of an official mileage history certificate with supporting figures. We propose to present these elements at an upcoming meeting and to respond to any questions or comments.

Belgium therefore cannot support the amendments proposed by the Danish Presidency. The added value of Article 4a of the PTI directive would thus be largely stripped of its substance. It is not necessary to develop a strict framework; this can be left to Member States, which have some freedom in how they organise it. But certain basic principles must be established at the European level to combat mileage fraud not only nationally, but also at the European level. And this especially involves the regular collection of a large volume of data.

In the same vein, Belgium also disagrees with the deletion, in the annex, of **inspection point 7.11.a of Annex I**. It must remain possible to clearly sanction cases of odometer fraud or manipulation. In the new compromise proposal, this

would no longer constitute a concrete sanction (major defect), but merely a “remark” addressed to the customer. This is not a positive development.

Our Ministry of Economy (in charge of CAR-PASS) has provided us with a document (
as an attachment) that debunks several persistent myths and proves the effectiveness of an official mileage history certificate, supported by figures. Following this session, we will share this document with you, which details the following four myths:

1. **Myth 1: There is hardly any mileage fraud in the digital age**
   Reality: Fraudsters now use electronic techniques to manipulate odometers. Websites offer “correction” services for mileage. In Germany, 30% of used cars are reportedly affected.

2. **Myth 2: Mileage fraud has little impact**
   Reality: It costs up to €8.77 billion per year in the EU. Consumers are misled, pay more in maintenance, and drive less safe vehicles. It also harms the reputation of the second-hand market.

3. **Myth 3: Fraud is difficult, if not impossible, to combat**
   Reality: Belgium reduced cases of fraud from 60,000 to 1,400 thanks to the Car-Pass system. This system centralises mileage readings at each intervention on the vehicle. Anomalies become easily detectable.

4. **Myth 4: Combating fraud is costly and bureaucratic**
   Reality: Car-Pass is managed by a non-profit organisation, self-financed through the sale of certificates (€10.80 each). Data is transmitted automatically by garages, without administrative burden. The system is highly cost-effective (cost/benefit ratio of 0.01).

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Directive 2014/47/EU

Article 4a

Remote sensing

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** at least **[**30 %**]** of the fleet of motor vehicles registered in its territory**, excluding zero-emission vehicles,** using that technology.
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.

➔ [**!!!** Request adaptation: anonymised processing rules out high emitter detection]
The additional provision that Memberstates shall collect data so that high-emitting vehicles can be identified is welcomed.

However, that seems to be in contradiction to the provision that evaluation needs to be strictly conducted in an anonymised way. The provision to evaluate the data in anonymised form is too strict: In order to conduct the intended high emitter analysis, the dataset needs to be processed in such a way that vehicles who repeatedly over-emit can be retrieved for follow-up investigation. In a strictly anonymised dataset, it becomes impossible to retrieve high emitters based on multiple measurements.

Moreover, forcing anonymization rules out other useful remote sensing applications such as relevant policy research, market surveillance, etc. In Regulation 2018/858, the use of remote sensing is adviced to organize risk-based market surveillance, so it is unacceptable for this legislation to forcefully demand strictly anonymised data processing on remote sensing results.

Also note that not in each memberstate, license plate information is privacy sensitive.

Proposed solution:
Instead of mandating the use of anonymised evaluation, prescribe that data

processing must be based on a **pseudonymised dataset**, which can be used for policy research and monitoring of compliance. Concerning compliance monitoring, exclusively allow the parties involved in supervision (such as road inspectors, police, and actors involved in technical inspections) to identify over-emitting vehicles in a targeted manner, for the purpose of organising their supervisory tasks.

(only in case of GDPR discussions: propose to include a general provision that the data processing further needs to be compliant with GDPR provisions.)

2. (…)

In the case of stationary remote sensing, Member States shall 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. Such verification by Member States may take place as follows:**

(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.

➔ [**!!!** Request adaptation: high emitter evaluation through stationary remote sensing]

A high emitter should not be defined as a vehicle which over-emits 3 times in 6 months. In reality, the situation is as follows:

- To flag a high emitter, the frequency of emission breaches relates to the emission threshold set. (high emission threshold = lower frequency: If a vehicle is found to emit as much pollutants as if no post treatment was present, one such measurement should be valid grounds for a roadside inspection)
- There is no concrete justification for a European Union-imposed maximum limit of six months. Preferably, no such limit should be prescribed at the EU level, as it deprives all stakeholders of the opportunity to optimise inspection schedules based on practical experience.
  If a European deadline is nevertheless insisted upon, it must be based

on a substantiated time interval and should at minimum align with the legally mandated inspection periodicity — which is four years.

- It is important to state that remote sensing will not directly lead to a sanction: it is but an indicator of an emission problem which is useful for inspectors to organize their inspection activities. There is no reason to legally restrict the use of this technique to such a restrictive framework which will make inspection instruments basically ineffective.
- The requirement that stationary remote sensing can only trigger enforcement after at least three measurements within a six-month period renders the scheme practically ineffective.
  In the case of commercial vehicles, which typically operate in an international context, it is highly unlikely—within a limited remote sensing programme aimed at screening the equivalent of only 30% of the registered fleet—that an internationally operating vehicle would pass the same (temporary) measurement site in the same Member State three times within such a short timeframe.
  In practice, this would almost never result in a valid indication.

Proposal:
Remove this restrictive and unsubstantiated framework of 3 measurements in 6 months entirely or allow this to be set by the commission through delegated acts. This can be based on more relevant data and experience than is currently available in the EU.

If a framework persists, formulate it less restrictively so that roadside inspections can still be implemented based on a single very high emission result through stationary remote sensing. Note that remote sensing never immediately leads to a sanction, it is merely a tool to offer better risk-based inspection activities.

➔ [**!!!** Request adaptation: don't restrict the use of remote sensing data for use in roadside inspections]

point (a) unjustifiably restricts the use of remote sensing data to organize roadside inspections to just immediate monitoring data. This restriction makes no sense, especially not since the proposed (but contested) framework of requiring multiple measurements in order to be flagged for inspection.

There is no basis to restrict remote sensing driven roadside inspections to be carried out in the same time and location as remote sensing monitoring sites are operational. It is perfectly viable to have remote sensing sites operational and feed information to roadside inspection activities later in time in a different

location.

Proposal:
Simply remote the word: “Immediately”

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General remark on NOx measurement test on heavy duty vehicles:

- In the original proposal the implementation of the NOx test in case of trucks was limited to Euro VI trucks and newer
- However, SCR catalysts (relevant for NOx emission reduction) have been widely implemented starting from Euro V trucks.
- Please request to have the NOx emission test be applicable to all vehicles equipped with an SCR catalyst, and thus include Euro V trucks into the scope.

Tackling mileage fraud
A cost-efficient, effective way to boost a crucial market

PUBLIC

Mileage fraud is a multi-billion-euro problem that affects drivers throughout Europe. But in Belgium the practice has been virtually eradicated, at little cost or bureaucratic burden to car dealers, repairers and drivers. If similar steps are taken at the EU level, the used car business across the EU could be given a much-needed boost and further encouraging investment in a difficult economic climate.

However, some persistent myths surround the problem of mileage fraud and what is required to prevent it. Below are some explanations that draw on Belgium's experience, to underline the tremendous potential benefits of tackling this scourge.

Myth 1: There is hardly any mileage fraud in the digital age

Reality: It's true that car clocking is no longer just a matter of using a drill to physically roll back odometer readings. But the notion that digital odometers have made it more difficult for criminals to clock cars is unfortunately not true.

As technology has become smarter, so have swindlers. Nowadays it is largely a question of electronic hacking, and there are plenty of websites offering odometer "correction" services and software to anyone unscrupulous enough to use them. In Germany, police estimate that at least 30% of all second-hand sold there have a manipulated mileage reading.

For the same reason, odometer data from connected cars provided by OEMs are a useful and necessary additional source of information but cannot prevent odometer fraud at the end-user side.

Myth 2: Mileage fraud doesn't have much of an impact

Reality: Mileage fraud is a huge and costly problem throughout Europe. A 2018 study conducted by the European Parliament Research Study states that "the total economic costs of odometer fraud in second-hand cars traded cross-border in the EU can be estimated to be at least €1.31 billion, with the most probable fraud rate scenario yielding €8.77 billion of economic loss.[1]

Unsuspecting consumers are not only cheated at the point of sale, but they also face higher repair and maintenance costs and drive cars that are more likely to be unsafe and roadworthy. Meanwhile, car clocking means that honest dealers suffer unfair competition and the entire used car business is left with a poor reputation.

It is particularly important to note that mileage fraud is much more frequent in international transactions, which shows that the EU internal market is not performing effectively. Taking steps to reduce mileage fraud would add transparency to the market and could stimulate the used car business and create a sound climate for investments.

[1] Odometer manipulation in motor vehicles in the EU, p. 7, https://www.europarl.europa.eu/RegData/etudes/STUD/2018/615637/EPRS_STU%282018%29615637_EN.pdf

Myth 3: Mileage fraud is difficult, if not impossible, to combat

Reality: In Belgium the anti-mileage fraud system Car-Pass (www.car-pass.be) has been extremely successful in clamping down on car clocking since it became operational in 2006. The system has dramatically cut the number of fraud cases from 60,000 in 2005 to a less than 1,400 in 2024, with incidents amounting to just 0.2% of the total of mileage certificates in 2024.

The Belgian system works by removing the incentive for "clocking" and the possibility to do so undetected. This is achieved through a central database into which mileage readings are fed regularly, when a car goes in for repairs, maintenance or checks. In addition, automobile OEMs must periodically transmit odometer readings of connected vehicles when such readings are available. The room for maneuver in terms of odometer manipulation is drastically reduced, as suspicious readings show up quite blatantly in the car's mileage history.

Myth 4: cutting down on mileage fraud is costly and bureaucratic

In Belgium, the Car-Pass system is entrusted to a non-profit organisation supported by the automobile sector under supervision of the Ministries of Transport and Economic Affairs. It is administered by a small team and relies solely on the revenue gained from selling certificates, without public funding.

It is common practice for automobile professionals to register mileages in their computer systems when performing works on a vehicle. Mileage readings are automatically transmitted from their IT platforms to the Car-Pass database. There is therefore no administrative burden on professional dealers and repair shops to transfer this (electronic) data to a central registration system.

Likewise, since the only information entered in the database is the vehicle identification number (VIN), mileage and date, there are no privacy concerns since the information collected is related to the car only and not to the owner or user.

In terms of financial cost, anyone selling a used car to the end consumer is required under Belgian law to obtain a Car-Pass certificate, at a cost of only EUR 10.80. This is not necessary for business-to-business sales, so car rental or leasing companies are not required to purchase Car-Passes when they sell their vehicles to dealers or back to manufacturers, for example.

Most importantly, revenue raised from the sale of individual Car-Passes funds the running of the whole system, making it extremely cost-efficient. The 2018 study found that at an annual cost of 96,9 million EUR the system prevented – according to the most probable medium scenario – 8.77 billion euro in losses (9.32 billion euro if emissions are factored in) due to odometer fraud. This gives an overall cost/benefit ratio for the Car-Pass system in Belgium of 0.01.

Myth 5: Getting mileages checked and recorded at PTI will be a major step towards eradicating fraud

Clocking can be difficult to detect. Periodical technical inspections (PTIs) focus on safety-essential parts and functions of vehicles (such as the brakes, lights, suspension) but do not look specifically for evidence of mileage fraud. Electronic manipulation of an odometer will not become apparent through such checks. Moreover, the date of an upcoming PTI inspection is known to any owner, thereby allowing fraudsters to manipulate the reading in advance. In fact, many instances, clocking occurs to relatively recent but high-mileage cars (such as vehicles previously owned by leasing or car rental companies), so well in advance of the first mandatory PTI inspection.

Car-Pass by numbers

Annual running costs:	EUR 6.0m
System staff:	11persons
Cost of one certificate:	EUR 10.80
Estimated savings:	EUR 200m
Cost/benefit ratio:	0.03
Incidents of fraud:	0.17%

Contact
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10th of June 2025