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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12271/2/25 REV 2
N° Cion doc.:	ST 8255/25
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 - Further revised presidency compromise = Comments from Austria

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

AT comments on the compromise text for PTI and RSI (12271/1/25 REV 2)

RSI Directive

Art 4 (5): We support the concept of centralised data centres and that technical data required for PTI and RSI does not need to be collected individually by each Member State.

Art 5: We strongly support the new text regarding determination of the date for a subsequent roadworthiness test after an EU temporary roadworthiness certificate.

Art 9: When it is required to store data, MS should not be obliged to store it in any specific database, only the content and the conditions under which this data has to be provided by the MS should be regulated. This has already been taken into account in the most parts of the text. However, Art 9 (2) & (3) still demand to store data in the "vehicle register" although in Directive 1999/37/EC there is no specification where this data has to be stored. We suggest to amend the text as follows:

> "*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* ***or a national database*** *in accordance with Article 3a(1) of Council Directive 1999/37/EC.*"
>
> "*Such request for suspension shall be notified to the Member State of registration and the suspension shall be recorded in the vehicle register* ***or a national database*** *in accordance with Article 3a(1) of Directive 1999/37/EC.*"

Art 16: According to Article 12 (2) Regulation (EU) 2018/858, Member States already are obliged to make accessible to the public, by vehicle identification number, the certificate of conformity of each vehicle as structured data in electronic format in the common secure electronic exchange system. According to Article 37 (3) Regulation (EU) 2018/858, the approval authority shall make available the certificate of conformity as structured data in electronic format in accordance with the implementing acts referred to in paragraph 8, so that the certificate of conformity can be accessed by the approval authorities, market surveillance authorities and registration authorities of the Member States and by the Commission. Commission Implementing Regulation (EU) 2021/133 stipulates that the European Vehicle and Driving Licence Information System (EUCARIS) shall be used by the approval authorities as the means of exchange of data of the certificate of conformity as structured data in electronic format.

We agree that exchange of COC data for registration purposes is important. However, it must be ensured that there are no duplicate structures created by this Directive. It should be clarified that the obligation to exchange COC data can be fulfilled by making this data available via EUCARIS in accordance with Regulation (EU) 2018/858. Therefore, we suggest following amendments to the text:

> *"a. Member States shall provide access to vehicle registration data,* ***~~data regarding the content of the certificates of conformity,~~*** *regarding the test result in the last roadworthiness certificate or, in the case referred to in Article 4(4), the EU temporary roadworthiness certificate issued during the last [three] years, any technical roadside inspection reports of at least the last [three years], and the odometer history of the vehicle stored in national databases, to the competent authorities of and testing centres authorised by other Member States.* ***The certificate of conformity as structured data in electronic format made***

available through the European Vehicle and Driving Licence Information System (EUCARIS) according to Regulation (EU) 2018/858 in conjunction with Commission Implementing Regulation (EU) 2021/133 shall be made available by the competent authorities to the testing centres authorised by their Member States.*"*

*"(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****, shall make use of the exchange of data of the certificate of conformity as structured data in electronic format according to Regulation (EU) 2018/858 in conjunction with Commission Implementing Regulation (EU) 2021/133*** *and shall be adopted in accordance with the examination procedure referred to in Article 19(2)."*

The restriction to certificates issued within the last three years is welcomed.

Art 17: We support Implementing Acts instead of Delegated Acts for determining measurement methods for PN measurements for positive ignition engines and NOx measurements.

RSI Directive

We oppose remote sensing of noise emissions in general as no appropriate measurement methods are currently available. Remote sensing of NOx emissions is on the one hand technically feasible, on the other hand the effort is relative to the achievable benefit far too high. Therefore, we oppose mandatory remote sensing of NOx measurements but could accept optional provisions. If any limit values should become necessary, they should be harmonised.

We reject mandatory inspection quotas for vehicles of category N1.

Art 18a: please refer to the comment for Art 16 of the PTI Directive.

Annexes

8.2.2., 8.2.2.3., 8.2.3.3.: We oppose mandatory NOx measurements for PTI in general.

For gasoline engines, since NOx is implicitly measured via CO and HC emission tests. If CO and HC emissions measured during PTI already are within the limits, it can be assumed that the three-way catalytic converter is functioning and the NOx emissions are also below the limit.

For diesel engines, the measurement method is not yet fully developed. There is a risk of incorrect results. The method must be further developed on a scientific basis before this measurement can be made mandatory. (We would suggest a clause stating that this could be prescribed at a later stage).

8.2.3.: With the introduction of PN measurements a state-of-the-art method is available for assessing particle emissions of Diesel engines. Where PN measurements are planned, these should be mandatory. However, there are a few vehicles for which PN measurement will not be possible and opacity measurement is not able to assess the status of the aftertreatment system; however, such vehicles often suffer engine damage when this test is carried out. We suggest following amendments to the second column of row 8.2.3. to maintain the exception clause in the existing directive for these vehicles:

"Test procedures:

For vehicles as of emission classes Euro 5b and Euro VI and newer, or vehicles registered first time after 1 January 2013:
Particle number (PN) measurement in accordance with 8.2.3.1

For vehicles up to emission classes Euro 5a and Euro V:
Opacity measurement in accordance with 8.2.3.2.
For vehicles equipped with particle filters, Member States may apply PN measurement in accordance with 8.2.3.1 instead of opacity measurement. ***On the basis of an assessment of equivalence, Member States may authorise the use of OBD in accordance with the manufacturer's recommendations and other requirements for vehicles as of emission classes Euro 5a and Euro V not equipped with particle filters.***

For vehicles as of emission classes Euro 6d-TEMP and Euro VI and newer:
NOX measurement in accordance with 8.2.3.3."

10: Electronic safety systems – should be prescribed only for those systems necessary in the context of the type approval and only when using the standard diagnostic device without the need for expensive additional equipment.

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