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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
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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 Germany

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

Proposed amendments to Article 4 in draft 2025/0097 (COD), Doc. No. 12271/4/25 REV 4 (17 October 2025) from Germany

'Article 4

Responsibilities

1. Each Member State shall ensure that vehicles registered in its territory are periodically tested in accordance with this Directive.

2. Without prejudice to paragraph 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. Member States may recognise a roadworthiness certificate 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. In the case of M_1 and N1 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.

5. ~~[Those competent authorities~~ **Member States** may decide to **assign** ~~task~~ centralised data **bodies** ~~centres~~ to organise the dataflow from manufacturers and **process and** manage access to the technical information.~~]~~ **In accordance with the principles laid down in Regulation (EU) 2018/858, V**~~v~~ehicle manufacturers shall make available technical information **for all vehicle categories** in a format specified by implementing acts referred to in paragraph 6 free of charge, and without undue delay, to relevant competent authorities **or assigned centralised data bodies**, in a non-discriminatory manner and in a machine-readable format. The competent authorities ~~[~~or **the assigned** centralised data **bodies** ~~centres]~~ shall make that technical information available to the testing centres.

6. Where manufacturers have implemented security measures in accordance with Annex X, Appendix 4 to Regulation (EU) 2018/858, the conditions and measures for access to OBD information set out in Annex X, Appendix 4 to that Regulation shall apply according to the provision of technical information and the establishment of access procedures free of charge, insofar as they are relevant for the performance of roadworthiness tests. This shall be without prejudice to more specific rights and obligations provided for in this Directive and to implementing acts adopted pursuant to Article 4(7).

~~7~~6. 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, **an unequivocal identification of the vehicle and the resulting list of factory-fitted options, as well as systems, components, separate technical units, parts or equipment for which the manufacturer is responsible, component and diagnosis information,** diagnostic trouble codes, **including**

manufacturer specific codes, and software versions, **including information required for the identification of the correct software version or integrity,** and descriptions and illustrations of warning indicators or tell-tales.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).

8~~7~~. Member States shall ensure that the responsibilities for keeping a vehicle in a safe and roadworthy condition are set out in national law.';

Related recitals:

(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~~ **in accordance with the principles laid down in** 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 centralised data **bodies** ~~centres~~ **assigned** ~~tasked~~ by ~~the authorities~~ **~~of~~ one or more Member States** with **processing and** managing access to that information ~~]~~, which should then ensure that the testing centres also have the required access.

Add recital:

In order to ensure that the competent authorities or the assigned centralised data bodies responsible for processing and managing access to that information and the testing centres have adequate access to the on-board diagnostic information required for the performance of roadworthiness tests in cases where manufacturers have implemented security measures, the conditions and measures for access to OBD information set out in Annex X, Appendix 4 to Regulation (EU) 2018/858 should apply accordingly. Due account should be taken of the specific public mandate and the official powers of the competent authorities or the assigned centralised data bodies and of the testing centres.

I. Justification

(1) Article 4 (7)

The amendment ensures that roadworthiness testing keeps pace with the growing complexity of modern, software-defined vehicles. By explicitly requiring access to data on vehicle identification, factory-installed equipment, diagnostic parameters, and software versions - including manufacturer-specific codes - it enhances the capacity of testing centres to detect manipulations, verify system integrity, and accurately interpret fault codes.

At the same time, it aligns the Directive with existing obligations and currently revised obligations on the provision of information pursuant to point 2.5.1 ff. of Annex X to Regulation (EU) 2018/858, without extending the Commission's implementing powers beyond what is legally provided for.

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(2) Article 4 (5) and related recital (9)

The draft introduces the possibility to make the required technical information available either to the competent authority or to so-called "centralised data centres", which is to be welcomed. This approach provides Member States with the flexibility to decide whether to make the technical information available to the testing centres directly or to delegate this task to another responsible body.

The tasks of such "data centres" should not be limited to the management of access but should also encompass the processing of the technical information provided by vehicle manufacturers, in order to ensure that the data can be effectively used by the testing centres for roadworthiness purposes.

However, it is recommended to replace the term "centralised data centres" with "centralised data bodies". The term "data centres" is defined, i. a., in Commission Delegated Regulation (EU) 2024/1364 in a technical and infrastructural context, referring to physical computing facilities and their energy efficiency. The use of "centralised data bodies" avoids confusion with this existing terminology.

The use of the term assign reflects the institutional institutional and functional role of bodies which are responsible for the processing and management of access to vehicle-related technical information. Moreover, the term assign considers the possibility that the centralised data bodies may also be entities entrusted with sovereign tasks and to act in the public interest, rather than merely operating on behalf of the competent authorities.

In the revised draft, the reference to the principles of Regulation (EU) 2018/858 has been removed. This Regulation, in particular Annex X, specifies the availability and accessibility of technical information, which is equally necessary for roadworthiness testing. Maintaining this reference in the Directive would ensure that the principles established under Regulation (EU) 2018/858 are duly taken into account when developing the implementing acts for PTI.

Such a reference would strengthen coherence between the two regulatory frameworks, prevent duplication or overlap of technical specifications, and accelerate the regulatory process for the adoption of implementing acts. Moreover, this clarification preserves continuity of access for regulatory and inspection purposes and ensures consistency with the framework established under Regulation (EU) 2018/858.

(3) Article 4 (6) and new recital

The draft delegated regulation amending Annex X introduces the implementation of security measures governing access to OBD information. As a result, once the delegated act enters into force, access to certain information necessary for performing the (electronic) PTI may only be possible through the use of access credentials as described in Appendix 4.

By referring to the relevant provisions of Annex X in the Roadworthiness Package (RWP), the amendment ensures that access remains available to the competent authorities or the assigned centralised data bodies responsible for processing and managing access to that information and the testing centres.

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