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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12271/3/25 REV 3
N° Cion doc.:	ST 8255/25 + ADD 1
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 Belgium

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

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Written comment from Belgium following the LANDWP of October 9

Directive 45

Article 4

Regarding the inclusion of N1 véhicule in the temporary certificate, Belgium wishes to recall that the initial ambition was focused on passenger vehicles. The shift towards industry contradicts the original proposal from the Commission. Also, it contradicts the principle of a level playing field with trucks.

Article 5

In fact, we understand the COM text as implying that there is an annual emissions check starting from year 1 and continuing every year, whereas the PT only takes place in years 4, 6, 8, and then annually from year 10 onwards. This seems inconsistent.

While we support emissions testing, it should be carried out at the same time as the periodic technical inspection (PTI). Visiting a testing center is a source of inconvenience for citizens — whether for a PTI or an emissions test. In Belgium, we are already facing overloaded centers for N1 vehicles.

Article 4a

BE is in favour of going back to COM proposal concerning the wording of paragraph 1 of article 4a, that would be applicable to all service providers, whether they are affiliated with a manufacturer or not. This way the same rules apply to all professionals, without distinction. Paragraph 2 could however state that Member States can provide exceptions to this principle, e.g. for small interventions by professionals. In BE for example, there is an exception to the obligation to note and transmit odometer data when an intervention does not exceed 125€. This might help reduce certain concerns of some member states regarding administrative burdens.

BE would also like to add the national registers of odometer data to the list of authorities that can share odoemeter data between Member States. Paragraph 3 of article 4a would then be:

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, for vehicle re-registration, for vehicle approval ***and for the national register referred to in paragraph 1.***

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Article 8

Para 1a

Belgium requests clarification on the method of communication to be used within the next 10 days. If it's via MOVE-HUB and the process is automated, then there's no issue.

Article 16

Regarding the deletion of the provision in Article 17 on NOx and PN measurement and the introduction of an implementing act: Belgium would like to ask the following question – based on the development of PN and NOx testing technologies, what deadline could be envisaged by Member States for the publication of this delegated act?

Annexes

Introduction of section 0.3 on "recall" campaigns

The initial intention is commendable, aiming to ensure that all vehicles undergo the necessary recalls. However, questions remain about the availability and management of these recalls.
Recalls are issued via the RAPEX system, but how will they be managed? Who will determine their severity level?
If a vehicle receives a critical defect following a RAPEX alert, it will be immobilized after passing through technical inspection.
There is a risk of hundreds of vehicles being immobilized — what happens to the owners who are left stranded?
A critical defect is considered too severe. At most, a major defect should be applied. A minor defect, accompanied by a note to the customer, might already be sufficient to inform them.

General principle of Annex I

In general, certain technical points (such as the removal of section 2.6) have been taken out of their specific category and placed under section 10 whenever electronics are involved.
Even if it's related to safety, it is preferable to keep these items in their specific categories (steering, brakes, etc.), as it is more understandable.
The same situation applies to section 10.33 (endurance brake or ABS), which has been moved out of the braking category and placed under section 10 — it would be more logical to leave it under braking.

For section 10 of the annex, there is a proposal to move these items back to their specific categories (such as 10.10, 10.12, etc.).

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Section 8.1.1

Section “8.1.1 b)” has been removed from the annex. This prevents identifying issues with the exhaust system (nuisance, etc.), especially for motorcycles.
Opposed to this removal.

Section 8.2.3.1

Section 8.2.3.1 recommends a PN test on vehicles prior to the Euro 5b standard if the vehicle is equipped with a particulate filter.
The particulate filter is not always visible without disassembly. Therefore, the test will not be uniformly applied across all technical inspection centers. Given the uncertainty, it is preferable not to apply it.
Moreover, for vehicles prior to the Euro 5 standard, the approval process included standards for the mass of emitted particles, but not for the quantity (number) of particles. Yet these vehicles would be evaluated based on the number of particles emitted, making the test unrealistic.

Directive 47

Article 4a

BE asks for the reinstating of an article related to the Remote sensing. We ask the presidency to give us the time to come back with a draft article.

Article 17

Regarding the deletion of the provision in Article 17 on NOx and PN measurement and the introduction of an implementing act: Belgium would like to ask the following question – based on the development of PN and NOx testing technologies, what deadline could be envisaged by Member States for the publication of this delegated act?