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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12452/3/25 REV 3
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Subject:	Proposal for a Directive of the European Parliament and of the Council on the registration documents for vehicles and vehicle registration data recorded in national vehicle registers and repealing Council Directive 1999/37/EC - Revised Presidency compromise - Comments from Finland

Delegations will find attached comments from Finland on the above-mentioned subject.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

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Written Comments on the 4th compromise (12452/3/25 REV 3) of VRD from Finland

We thank the Presidency for providing the revised compromise text. Please find below our brief comments on it.

Article 8a, Temporary de-registration and Recital 12

We do not support a mandatory fixed timeframe for de-registration or automatic re-registration at this point. It should be left to the Member State to decide the detailed rules of de-registration.

The de-registration is linked with many national processes for example annual vehicle taxation and mandatory insurance in Finland. The compromise text does not consider this point-of-view at all. Article 8a(d) regarding automatic re-registration seems especially complicated for us.

We understand the link to the ELV regulation and the need to have appropriate means to follow up a vehicle throughout its life cycle. The vehicle registers and its records can effectively be used for follow-up.

Drafting suggestion:

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Article 8a
Temporary de-registration

Member States that provide for a possibility of temporary de-registration of vehicles in their national legislation shall:

~~**(a) ensure that the temporary de-registration of a vehicle does not exceed four years. Temporary de-registrations may be renewed an unlimited number of times, with each renewal not exceeding four years;**~~

~~**(b)**~~ **(a) indicate in their register that the vehicle has been temporarily de-registered, including the duration of the temporary de-registration if such information is required under national legislation.** ~~**as well as the duration granted for the temporary de-registration if the duration is less than four years;**~~ **=**

(b) ensure that information on the holder of registration certificate or owner is updated into the vehicle register

(c) ensure that information according to Article 6 of this Directive on a de-registered vehicle is updated.

~~**at the time of renewal of the temporary de-registration the vehicle is not an end-of-life vehicle;**~~

~~**(d) automatically re-register the vehicle at the end of the temporary de-registration period unless the vehicle is required to be inspected before re-registration.**~~

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Justification: Member states have many different rules and regulations regarding de-/re-registration. An automatic re-registration is not possible in Finland, if an annual vehicle tax payment is overdue, and this rule ensures the collection of tax revenue. Re-registration without a valid insurance is also not possible in Finland, and this rule ensures compliance with insurance regulation. In some cases vehicle license plate is returned and the vehicle has no license plate and/or number, and in these cases automatic re-registration would just be illogical. Finally in some

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cases authorities can by law prevent all changes to vehicle information and an automatic re-registration could not be done. We see that all these exceptional cases would have to be covered in the rules and it would not be feasible to do so on an EU level. The rules would become very complex. However, we see that records on the owner or holder of the vehicle are relevant also during the time of de-registration and would support the targets of the ELV-regulation.

We do not support the recording of information concerning the whereabouts of a vehicle, nor do we support the requirement to provide proof of its existence to an authority at any given time. The vehicle register is, by default, a declaratory register.

The theme of re-registration of vehicles and the use mobile registration certificate (f.ex. Article 5, Mobile registration certificates and Article 9(2), Mutual recognition and Article 15(1), Exchange of data and Article 10a, Re-registration of vehicles)

We are taking note on the amendments made to Article 5 and the deletion of Annex III. We see that the coming work on the implementation acts should be steered so that this Directive finally enables Member States to create a more fraud-resistant process of re-registration from one Member State to another. There should be an indication of some kind from the MS of origin that a vehicle is “released” for re-registration to another MS.

It should be possible to develop the Mobile registration certificate in such a way, that it would support the change of ownership process* within a Member State.

(*or support the typical administrative procedure that takes place when selling/buying a vehicle)

We also see, that in re-registration situations, it would be logical to use data exchange to get full and up-to-date vehicle data from the Member State of origin i.e. for example the Eucaris AVI-information (Actual Vehicle Information including possible alterations) and the initial eCoC XML-file.

Regarding the Eucaris – Move-Hub -question (recital 20)

In our view, it should be stated at article level that Member States are allowed to use the EUCARIS as a means of data exchange. The use of Eucaris should be equal to the use of Move-hub so that a Member state does not have to integrate twice. The Commission should enable the use of EUCARIS via appropriate technical means.