Council of the European Union
General Secretariat

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Interinstitutional files:
2025/0096 (COD)

Brussels, 05 November 2025

WK 13198/2025 ADD 14

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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
N° Cion doc.:	ST 8259/25 + ADD 1 - 4
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 Germany

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

Proposal on vehicle registration

Comments from Germany on 12452/3/25 REV 3 (2025-11-04) and the amendments by the presidency as provided on 03.11.2025

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Recital 9, 12a and 19: Germany welcomes the amendments.

Recital 11a; Article 8 paragraph 4: A suspended vehicle still has a holder who is responsible and who can be held accountable. There is no need to register the owner in that case. Rather it should be stipulated that at the time of the de-registration of vehicle an owner is registered and a change of ownership should be reported to the competent authorities.

Recitals 13b, 14 and 17: No objections.

Recital 20; Article 15 paragraph 2: EUCARIS Germany wants to emphasize again that EUCARIS is an established and reliable system for data exchanges between the contracting states and/or Member States, which has established itself as the standard in the Union law context (e.g. within the framework of the CBE Directive) and thus should be the default system within this directive. This is a vital point for Germany.

EUCARIS already provides technical solutions for all data exchange purposes envisaged in the RWP. With EUCARIS Operations and the EUCARIS Secretariat, the EUCARIS General Assembly and the EUCARIS Technical Working Group, EUCARIS also offers a structure that allows the Member States that use it to discuss and find joint solutions to legal and technical questions. Germany also considers EUCARIS preferable from a technical perspective. For example, the MOVE-HUB provides a hub architecture with a central data-transmitting entity. By contrast, EUCARIS is a peer-to-peer network, via which states exchange data with one another directly. Considering the volume and scope of the personal data that is to be exchanged for the purposes of the Directive, a peer-to-peer model is more conducive to data protection.

The mandatory connection to MOVE-HUB would create a duplicate structure, which Germany considers unnecessary. Besides the once-off costs incurred by the Member States to produce the required software, permanent maintenance and upkeep would be necessary and would require the provision of additional resources. What is more, the connection would be a potential source of error that no technical requirement could justify. Moreover, the connection

to a new system would delay the implementation of the Directive. As a result, EUCARIS should be the default, with connection to MOVE-HUB as a voluntary option.

Article 1 paragraph 2; Article 6 paragraph 1: It should be ensured that Member States have the relevant data for all vehicle registration plates they have issued registered in their national registers; the Member States should make this data available electronically throughout the EU. This would for example also include temporary license plates and transfer license plates.
Germany therefore requests clarification in the text, or at least in a recital, that Member States must register and exchange data on all vehicles for which they have issued a registration number or license plate. It is irrelevant whether the data is held in a central vehicle register or in other databases. It is also irrelevant whether the registration certificates must be recognized (Article 9) or not (Article 1, paragraph 2). The personal data must nevertheless be recorded and exchanged. This is to ensure that every vehicle can be assigned to a specific owner or person.

Article 1 paragraph 3: Germany asks for extending the exemption to the customs forces.

Article 2: Germany is in favour of maintaining a definition of the vehicle owner (“‘vehicle owner’ means any natural or legal person who is recorded as the owner of the vehicle;”).

Article 2 (3), (7), (8) and (9): Germany welcomes the amendments.

Article 5 paragraph 1, 2 and 5: No objections.

Article 5 paragraph 3: Real-time verification entails considerable development effort. It must therefore be ensured that the Member States have sufficient time for implementation. If the mobile documents are to be available four years after entry into force, but the corresponding implementing acts only need to be adopted two years after entry into force, this two-year period is too short for the Member States.

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Proposal on vehicle registration

Article 6 paragraph 1 point d and e: Germany is in favour of registering the owner of a vehicle that has been temporarily de-registered. In this case there is no (current) registered holder who could be held accountable (for example in cases of illegal disposal of a vehicle). Therefore, the owner of a vehicle as the responsible person should be registered. It is Germany's view that a clear framework should be established. This should therefore be stated explicitly. See proposal.

> "(e) information **on the owner and any change to the ownership of the vehicle in cases where the vehicle is not authorised to be used in road traffic due to the temporary de-registration of the vehicle;"**

Article 6 paragraph 1 point f: Objection. According to Germany, this information is required to implement the cross-border EPR under Art. 22 in the ELVR. We therefore would like to ask for further explanation why the "where available" was introduced.

Article 6 paragraph 1 point g (iv): No objections.

Article 8a: Germany generally welcomes the amendments.
Germany supports registering the owner in cases of temporary de-registration. In addition, certain obligations regarding the owner, like lined out in paragraph 2, are necessary. Member States should be free to determine how the term "whereabouts" should be understood in the context of paragraph 1 and how proof must be provided. It should also be clarified that the obligations prevail until the registration is cancelled permanently.
Regarding the details/concrete wording of the provision Germany reserves the right to propose further changes.

We also suggest adding sa new paragraph 3. Germany therefore proposes the following wording:

> "1. Member States that provide for a possibility of temporary de-registration of vehicles in their national legislation shall adopt adequate measures that ensure that the whereabouts of the vehicle are known until the vehicle is re-registered or there is a **permanent** cancellation of the registration of the vehicle.
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3. Furthermore, Member States may oblige the owner of a de-registered vehicle to report on its whereabouts every two years from the time of de-registration"

Article 9 paragraph 3, Article 10a paragraph 1 and 2, Article 12 point d: No objections.

Article 15 paragraph 1: No objections.

Article 16 paragraph 1: Germany has no objection regarding the deletion.

Article 16 paragraph 1 point e (new): Germany proposes to add a new entry (e) to report the number of cancellations of registrations as laid down in the proposals to the definitions in Article 2 and in the comment to Article 6 section 1 lit. g.

"(e) the number of cancellations of registrations per reason and per vehicle category."

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