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## **WORKING DOCUMENT**

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

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N° prev. doc.: ST 12452/2/25 REV 2 + ADD 1 + ADD 2  
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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 Portugal

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

# Proposal for a Directive 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 proposal (ST 12452/2/25 REV.2)

Comments from PT

PCY COMPROMISE	DRAFTING SUGGESTIONS	COMMENTS/ QUESTIONS
<p><b>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</b></p>		
<p><i>Article 2</i></p>		
<p><b>Definitions</b></p>		
<p>For the purposes of this Directive, the following definitions apply:</p>		
<p>(9) ‘temporary de-registration’ means a <del>limited</del> period of time <b>[two/five] years</b> in which a vehicle is not authorised by a Member State to be used in road traffic on the request of the holder of the registration certificate</p>		<p>PT considers that the original version should be maintained and that no deadline should be set for temporary de-registration. If accepted, this change would also require the categorization of the reasons for temporary de-registration and further harmonization among MS.</p> <p>For example, in Portugal, the duration of a temporary de-registration varies depending on the underlying reason:</p> <ul style="list-style-type: none"> <li>– when the vehicle is immobilized due to lack of service: a maximum of 24 months;</li> <li>– when the vehicle is no longer used on public roads, but exclusively for sporting</li> </ul>

## Proposal for a Directive on the registration documents for vehicles and vehicle registration data recorded in national vehicle registers and repealing Council Directive 1999/37/EC

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		<p>events or in private venues not open to traffic: a maximum of five years;                      – when the vehicle fails an extraordinary inspection without the failure being duly justified: a maximum of one year.</p>
<p>(10) ‘cancellation of a registration’ means the permanent cancellation of a Member State’s authorisation for a vehicle to be used in road traffic.</p>		<p>In Portugal, all cancellations of vehicle registrations can be temporary, except for cancellations concerning the registration of end-of-life vehicles, which are permanent.</p>
<p><i>Article 3</i></p>		
<p><b>General requirements for registration certificates</b></p>		
<p>5. With effect from [entry into force + 4 years + 1 day], Member States shall issue mobile registration certificates as the default format without prejudice to the right of the applicant to obtain the physical format or both formats with the same application. After the issuance of the registration certificate in one format, the holder of the registration certificate shall continue to have the right to request the other format.</p>	<p>5. With effect from [entry into force + <b>5 years</b> + 1 day], Member States shall issue mobile registration certificates as the default format without prejudice to the right of the applicant to obtain the physical format or both formats with the same application. After the issuance of the registration certificate in one format, the holder of the registration certificate shall continue to have the right to request the other format.</p>	<p>A combined reading of this provision and paragraph 4 of Article 5 (By [entry into force + 2 years], the Commission shall adopt implementing acts laying down detailed provisions concerning the technical specifications of mobile registration certificates, ...) indicates that Member States are granted a 2-year period to implement the system for issuing mobile registration certificates. This timeframe may be considered rather short for the actions required.</p>

## Proposal for a Directive on the registration documents for vehicles and vehicle registration data recorded in national vehicle registers and repealing Council Directive 1999/37/EC

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		It is therefore suggested that a period of 3 years be allowed for this purpose.
<i>Article 9</i>		
<b>Mutual recognition</b>		
2. A mobile registration certificate issued by a Member State in accordance with Article 5 shall be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State with effect from [entry into force + 4 years + 1 day].	A mobile registration certificate issued by a Member State in accordance with Article 5 shall be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State with effect from [entry into force + <b>5 years</b> + 1 day].	See comment on Article 3, paragraph 5.
<i>Article 10a</i>		
<b>Re-registration of vehicles</b>		
2. From [entry into force + 4 years +1 day], Member States shall accept both Part I of the physical registration certificate and the presentation of the mobile registration certificate for the purposes of re-registering a vehicle previously registered in another Member State. The re-registering Member State shall verify with the Member State of registration which format(s) of the registration certificates have been issued.	2. From [entry into force + <b>5 years</b> +1 day], Member States shall accept both Part I of the physical registration certificate and the presentation of the mobile registration certificate for the purposes of re-registering a vehicle previously registered in another Member State. The re-registering Member State shall verify with the Member State of registration which format(s) of the registration certificates have been issued.	See comment on Article 3, paragraph 5.

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<i>Article 15</i>		
<b>Exchange of data</b>		
<p>2. Member States shall interconnect their national vehicle registers and electronic systems on roadworthiness certificates via the MOVE-HUB electronic system developed by the Commission in such a way that a competent authority of any Member State is able to consult the vehicle register of any other Member State in real time. That interconnection shall be operational within two years after the adoption of the implementing act referred to in paragraph 4.</p>		<p>EUCARIS system is currently used by several Member States for the exchange of vehicle data.</p> <p>The proposed connection to the MOVE-HUB seems likely to replicate information already accessible to Member States via EUCARIS, which could lead to redundancy and entail additional costs associated with the developments necessary for establishing the connection to MOVE-HUB.</p>