Council of the European Union
General Secretariat

PUBLIC

Interinstitutional files:
2025/0097 (COD)

Brussels, 03 November 2025

WK 14724/2025 INIT

LIMITE

TRANS
CODEC
ENV
MI

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	ST 12271/5/25 REV 5
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 Spain

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

MINISTERIO
DEL INTERIOR

DGT
Dirección General de Tráfico

PUBLIC

SPAIN COMMENTS ON ROAD WORTHINESS PACKAGE

Spain welcomes the compromise proposals submitted by the Presidency and thanks the efforts towards finding sound texts.

This document is a summary of the Spain´s position and it refers to compromise text to directive on roadside inspections-RSI (doc. 12271/5/25 REV 5).

Suggested changes to improve the texts are **bold-underlined** or ~~strike-through~~ (**additions**-~~deletions~~ in blue).

I RSI DIRECTIVE (2014/47/EU)

I.1 REMOTE SENSING RELATED ARTICLES AND RECITALS

(1) Spain would like to highlight the importance of ensuring that the technological neutrality principle is observed in the text, particularly with respect to the terms "remote sensing" and "plume chasing" in article 3. Spain therefore proposes to amend recitals (28) and (28a) as follows. Besides, some other changes are proposed so as to keep flexible statements in the text:

> (28) For roadside inspections, the screening of the exhaust emissions of large numbers of vehicles by using remote sensing equipment ~~is~~ **might be** an effective measure for identifying high-emitting vehicles. Experience made in some Member States have demonstrated that the detection rates increase significantly compared to mandatory test methods. Remote sensing equipment can be used systematically to screen large shares of the vehicle fleet in real on-road conditions. One single remote sensing measurement indicating high emissions above the legal limits could be related to various factors, such as temporary acceleration or a cold engine. However, multiple measurements systematically indicating significantly higher-than-average emissions could indicate a faulty emission control system or unauthorised modifications, such as tampering. Since such defects and modifications generate excessive emissions that pose risks to human health and the environment, they should be repaired, and any tampering should be sanctioned.
>
> (28a) Remote sensing cannot substitute a roadside inspection, but can be used to select vehicles for further roadside inspection **taking into account that Member States may decide to use it, which technology they use and how much equipment they wish to use**. The verification of the remote sensing measurements may either take place as a roadside inspection immediately after a remote sensing measurement or in a roadworthiness testing centre. Given that remote sensing identifies high-emitting vehicles irrespective of their Member State of registration, the Member State which identified the vehicle and the Member State of registration should cooperate to ensure adequate follow-up, based on harmonised values for high-emitting vehicles.

(2) With respect to recital (38) there are other elements in the text that will be fundamental fro the decision of reviewing the text not only remote sensing, for instance, cargo securing or N1 inspections, and therefore the recital should properly reflect this point.

> (38) The roadworthiness system has a direct impact on road safety, noise and emissions and should therefore be reviewed periodically. On the basis of the input from Member States' authorities, the Commission should report to the European Parliament and Council on the effectiveness of the provisions of Directive 2014/45/EU, including those on the scope, frequency of testing and recognition of temporary roadworthiness certificates, and Directive 2014/47/EU**, particularly with regards to effectiveness on inspections to N1 category vehicles, cargo securing and remote sensing**. ~~A special emphasis should be placed on the experience gained with remote sensing, with a view to its general incorporation into the roadworthiness system, where appropriate.~~

PUBLIC

I.2 ARTICLE 18A

(3) See section II of this document.

I.3 ARTICLE 24A

(4) In practical terms including such a revision clause may imply that not enough nor reliable data is available when carrying out the assessment, given likely reduced amount of data, variety of locations or Member States, etc. Given the fact that the Commission will always have the opportunity to propose an amendment, **this article should completely be deleted**.

II HORIZONTAL COMMENT FOR THE RWP: MOVE-HUB & EUCARIS (OR OTHER 3RD PARTY APPLICATIONS)

(5) Regarding the obligation of using the **MOVE-HUB platform** for exchanging on vehicles registered in the Union, Spain apart from having doubts on duplicating existing platforms, would have needed more detailed information and costs in the Impact Assessment, and more importantly the reason why no other option is considered and assessed.

(6) **Spain is of the opinion that EUCARIS should continue to be the platform for exchanging information** since: (i) it is currently used for similar purposes by MS; (ii) MS have in place systems and platforms for connecting via EUCARIS and accordingly, investments are made; and (iii) it will be used for exchanging eCoC (electronic Certificate of Conformity).

(7) Spain does not see the need of duplicating systems, but rather, as public entities dealing with public budget coming from taxes, should therefore make an efficient use of resources especially leveraging existing solutions operating decades ago and that have proven to be reliable and trustable. As a general comment, a sound approach to the convergence between MOVE-HUB and EUCARIS (or any other third-party application) platforms should be defined, so as to rationalize operating and implementing costs by MS.

(8) On this point, everything turns around a political decision that should remain under the power of the legislator, as implementing actions that should be under the MS remit. Setting out such an obligation disregarding other existing and running solutions currently used by MS should carefully have been assessed by the EC on one side (which is not the case) and on the other, obviously, is an essential political choice that once again remains with the legislator. The EC should have provided the legislator with all data and information in a comprehensive assessment for them to make a legal sound decision, considering all viable solutions, especially when such provisions may affect the principle of subsidiarity. No other solutions are presented in the IA, nor their impact in terms of benefits and costs, all in all a solid comparison of options is more than needed.

(9) Spain welcomes and supports the Presidency proposal to modify recital (20) in the text of the registration directive and recital (25) in case of directives 2014/45/EU and 2014/47/EU. Nevertheless, Spain is of the opinion that, in order to have a sound legal basis in the text, **a related provision should be included in the articles related to data exchange so that the intention of the co-legislator is clearly established, and thus avoiding mis- or contradictory interpretations, and more importantly, in doing so, flexibility will be given to Member States along with respecting the principle of technology neutrality**.

PUBLIC

(10) **Therefore, Spain has a scrutiny reservation on the articles and cannot support their text as currently proposed.**

(11) As a possible solution, a text to be included in article 18a of the RSI Directive could be based on the one suggested by the other co-legislator for the ELV regulation. This will also ensure legal consistency between regulations:

"*Article 18a*

Exchange of data between Member States' authorities

1. Member States shall assist one another in the implementation of this Directive. They shall exchange information and data in particular with the aim of checking, at the time of roadside inspection of a vehicle, its legal and technical status, where necessary, in the Member State in which it is registered.

(a) Member States shall provide access to vehicle registration data, data regarding the content of the certificates of conformity if available, the test result in the last roadworthiness certificate, any EU temporary roadworthiness certificate issued during the last three years, technical roadside inspection reports of at least the last three years, and the odometer history of the vehicle, stored in national databases, to the competent authorities of, and testing centres authorised by, other Member States.

(b) (b) Member States shall interconnect their electronic systems on data contained in roadworthiness certificates and on odometer history through the MOVE-HUB electronic system developed by the Commission, in such a way that the competent authorities of any Member State are able to consult the relevant database or national vehicle register of any other Member State in real time.

(c) **The obligation laid down in sub-paragraph (b) shall be met if Member States use the European Car and Driving Licence Information System (EUCARIS), or any other third-party applications, to exchange vehicle data and to connect to the MOVE-HUB electronic system.**

2. By [PLEASE INSERT DATE: 2 years after the entry into force of this directive], the Commission shall adopt implementing acts laying down the necessary arrangements for the implementation of the functionalities of the MOVE-HUB electronic system and specifying the minimum requirements for the format and content of the information and data to be exchanged by Member States regarding the vehicles subject to roadside inspections. Those implementing acts shall ensure the protection of personal data and shall be adopted in accordance with the examination procedure referred to in Article 23(2).

3. The electronic systems interconnections provided for in paragraph 1 shall be operational within two years after the adoption of the implementing acts referred to in paragraph 2.'