Council of the European Union
General Secretariat

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Omnibus IX (Automotive) - Exemption of certain N2 electric vehicles - Follow-up to AGS of 23 January 2026 - Comments from delegations

Following the call for comments launched on 23 January 2026, delegations will find attached the inputs received from: **AT, BE, CZ, DK, HU, IT, NL, SI and SK.**

Omnibus IX – Automotive – Exemption of certain N2 electric vehicles Deadline: ***2 February 2026***
From: AT, BE, CZ, DK, HU, IT, NL, SI, SK **Updated: 05/02/2026 16:07**

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Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).

To make it feasible to consolidate all contributions, the structure of the table must not be changed, so **no rows can be added or deleted.**

New provisions may only be added in any of the **'existing cells'.**

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments on … .docx**

Thank you for your cooperation!

Commission proposal	Drafting suggestions and Comments
General Comments	DK (Comments): Denmark urges the Commission to look into the weight limit for van-like electric trucks with a permissible gross vehicle weight of between 3.5-4.25 tonnes in the type-approval Regulation (EU) 2018/858 and into the consequences of the current classification across relevant EU legal acts, including the possibility of a permanent increase in the weight limit for electric N1 vehicles from 3.5 tonnes to 4.25 tonnes. NL

Commission proposal	Drafting suggestions and Comments
	(Comments): We would like to draw your attention to the following. How does the exemptions for (only) electric vehicles proposed by the Commission relate to art. 6.1.c and 9.2.j-k of the Driving Licenses Directive (2025/2205) that set the rules for driving motor vehicles power wholly or in part by alternative fuels? Does the Commission feel that it will still be sufficiently clear to drivers and law enforcement in which situation a driver is allowed to drive a vehicle and under which conditions? SK (Drafting suggestions):

Commission proposal	Drafting suggestions and Comments
	PUBLIC Categories M3 and N3 being understood to be those defined in Article IV to Reulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC. SK (Comments): Slovakia welcomes the opportunity to provide written comments. **Slovakia maintains scrutiny reservation**

Commission proposal	Drafting suggestions and Comments
	Same as article 3 of proposal COM(2025)993: The Commission is proposing a change regarding the speed limitation devices. According to current regulations, vehicles heavier than 3.5 tonnes must be equipped with speed limitation devices. According to this proposal electric vehicles from 3.5 tonnes to 4.25 tonnes do not have to be equipped with speed limitation devices. We would like to ask how the Commission assessed the impact on road safety. In 2012 the Commission argued that speed limiters should also be fitted to N1 vans up to 3.5 tonnes, where it was argued that weight and speed have a fairly significant impact on road safety. We understand that the Commission is trying to facilitate the conditions for one group of vehicles, however, the proposals should be technologically neutral. The impacts on road safety should be thoroughly assessed. Could the Commission clarify whether the safety implications of this approach, including for 4.25-tonne N2 vehicles at motorway speeds, have been assessed? A clarification is needed how the proposal applies to N2 electric vehicles up to 4.2 tonnes already placed on the market and equipped with a speed limiter, and whether any removal of such devices would be permitted and, if so, limited to authorised workshops in line with Article 5(2) of Directive 92/6/EEC? This proposal amends the Directive 92/6/EEC. In Article 1 of Directive 92/6/EEC, there is a need to update a reference — the vehicle categories refer to Directive 70/156/EEC, which has been repealed.

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Commission proposal	Drafting suggestions and Comments
	PUBLIC We would like to ask the Commission about the third indent of Article 6 Directive 92/6/EEC, which sets out the exemptions for vehicles that are not required to be equipped with speed limiters: „The requirements of Articles 2 and 3 do not apply to motor vehicles used by armed forces, civil defence, fire and other emergency services and forces responsible for maintaining public order. The same shall apply for motor vehicles which: - by their construction, cannot drive faster than the limits provided for in Articles 2 and 3, - are used for scientific tests on roads, - are used only for public services in urban areas.“ A speed limiter is not required for vehicles that are used exclusively for public services in urban areas. Could the Commission clarify what this exemption means and for whom it is intended? In practice, this exemption causes problems, that it we would like to ask for its clarification or to a have this exemption reconsidered. SK also currently examines comments provided by other Member States. SK percieves favourably comments provided by IT, when it comes to stop-the-clock mechanism and Euro7.

Commission proposal	Drafting suggestions and Comments
	DK (Comments): Denmark notes that it is relevant that the requirements for a Community permit for the carriage of goods for hire or reward for small trucks in category N2, similar to electric vans, with a permissible total weight of between 3.5 and 4.25 tonnes, will be included. The requirements follow from Regulation (EC) No. 1071/2009 and 1072/2009 and entail stricter requirements targeted at truck transport, which do not apply to similar fossil-fuelled vans under 3.5 tonnes, including requirements for the companies' financial situation and the training of hauliers. The Commission should reassess the requirements in light of proportionality, road safety, the environment and the actual use of the vehicles.
2025/0424 (COD)	
Proposal for a	
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	

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Commission proposal	Drafting suggestions and Comments
amending Directive 92/6/EEC to exempt certain N2 electric vehicles from the requirement to install and use a speed limitation device	
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,	
Having regard to the proposal from the European Commission,	
After transmission of the draft legislative act to the national Parliaments,	
Having regard to the opinion of the European Economic and Social Committee[1],	
Having regard to the opinion of the Committee of the Regions[2],	

1 OJ C [...], [...], p. [...]

PUBLIC

PUBLIC

Commission proposal	Drafting suggestions and Comments
2 OJ C [...], [...], p. [...]	
Acting in accordance with the ordinary legislative procedure,	
Whereas:	
(1) Article 3(1) of Council Directive 92/6/EEC[3] on the installation and use of speed limitation devices for certain categories of motor vehicles requires the installation and use of speed limitation devices in vehicles of categories N2 and N3. Under that Article, such vehicles can be used on the road only if equipped with a speed limitation device. The installation requirement has also been integrated into motor vehicle type-approval legislation with Regulation (EU) 2019/2144 of the European Parliament and of the Council[4]. 3 OJ L 57, 2.3.1992, p. 27. ELI: https://eur-lex.europa.eu/eli/dir/1992/6/oj 4 OJ L 325, 16.12.2019, p. 1. ELI: https://eur-lex.europa.eu/eli/reg/2019/2144/oj	
(2) The added weight of the battery can cause the weight of battery-electric light commercial vehicles to exceed 3,5 tonnes. Such a weight increase subjects those vehicles to the requirement for a speed limitation device although their payload and use case is the same as that of light commercial vehicles with an internal combustion engine that are outside of the scope of Directive 92/6/EEC. That requirement imposes unwarranted costs on vehicle	BE (Comments): BE supports the Commission's initiative to remove the obligation to equip e-vans between 3.5 and 4.25 tons with a speed limiter and to allow Member

Commission proposal	Drafting suggestions and Comments
manufacturers and enterprises purchasing such vehicles, slowing down the increase in the number of zero-emission light commercial vehicles on the road. It is therefore appropriate to exempt vehicles of category N2, propelled by means of electricity with a maximum technically permissible laden mass between 3,5 and 4,25 tonnes, from the requirement to be equipped with speed limitation devices.	States that so wish to exempt them from the tachograph for national transport operations
(3) Regulation (EU) 2019/2144 is amended in parallel to exempt vehicles of category N2 propelled by means of electricity, with a maximum technically permissible laden mass between 3,5 and 4,25 tonnes, from the requirement to be equipped with speed limitation devices in accordance with UN Regulation No 89.	
(4) Directive 92/6/EEC should therefore be amended accordingly,	
HAVE ADOPTED THIS DIRECTIVE:	
Article 1	
Amendment to Directive 92/6/EEC	
Article 3(1) of Directive 92/6/EEC is replaced by the following:	
‘1. Member States shall take the necessary measures to ensure that motor vehicles of categories N2 and N3, except those vehicles of category N2	AT

PUBLIC

Commission proposal	Drafting suggestions and Comments
propelled by means of electricity and with a maximum permissible mass between 3,5 and 4,25 tonnes, may be used on the road only if equipped with a speed limitation device set in such a way that their speed cannot exceed 90 kilometres per hour.'.	(Comments): AT is critical towards increasing the threshold for equipping N2 electric vehicles with speed limiters from 3.5 t to 4.25 t. It must be ensured that the technical requirements applicable to N2 vehicles are sufficient to guarantee an appropriate level of road safety and environmental compatibility, even at higher design speeds for vehicles with a maximum mass of up to 4.25 t. BE (Comments): BE supports the Commission's initiative to remove the obligation to equip e-vans between 3.5 and 4.25 tons with a speed limiter and to allow Member States that so wish to exempt them from the tachograph for national transport operations SI (Drafting suggestions): '1. Member States shall take the necessary measures to ensure that motor vehicles of categories N2 and N3, except ~~those~~ **zero-emission** vehicles of category N2 ~~propelled by means of electricity~~ and with a maximum permissible mass between 3,5 and 4,25 tonnes, may be used on the road only if equipped with a speed limitation device set in such a way that their speed cannot exceed 90 kilometres per hour.'. SI (Comments): We propose that this exemption be introduced for all zero-emission vehicles and not just electric ones.

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Commission proposal	Drafting suggestions and Comments
Article 2	
Transposition	
1. Member States shall adopt and publish, [three months after the entry into force of the Regulation based on COM(2023) 993 final] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	CZ (Drafting suggestions): 1. Member States shall adopt and publish, [**six** months after the entry into force of the Regulation based on COM(2023) 993 final] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions. CZ (Comments): The Czech Republic considers the proposed three-month period insufficient and proposes extending it to at least six months. IT (Drafting suggestions): 1. Member States shall adopt and publish, [**twelve** ~~three~~ months after the entry into force of the Regulation based on COM(2023) 993 final] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions. IT (Comments): The proposed three months are not sufficient for national administrations to transpose the directive into domestic law.

Commission proposal	Drafting suggestions and Comments
	SK (Drafting suggestions): 1. Member States shall adopt and publish, [~~three~~ twelve months after the entry into force of the Regulation based on COM(2023) 993 final] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions. SK (Comments): Slovakia cannot support a transposition period of 3 months, as it is too short to complete the necessary legislative steps. Given the length of the national legislative process, we propose extending the transposition period to 12 months.
They shall apply those provisions from [OP: please insert the date of application of the amendments to Regulation (EU) 2019/2144 in COM(2023) 993 final].	HU (Drafting suggestions): **HU:** We do not have a specific proposal. HU (Comments): **HU:** We propose to establish coherent, clarified and unambiguous provisions with regard to the cross-references between this point and Article 7(2) of the Regulation of the European Parliament and of the Council [amending and supplementing Regulations (EC) No 561/2006, (EU) 2018/858, (EU) 2019/2144 and (EU) 2024/1257 as regards the simplification of technical requirements and testing procedures for motor vehicles, and repealing Council Directive 70/157/EEC and Regulation (EU) No 540/2014].

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PUBLIC

Commission proposal	Drafting suggestions and Comments
When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	
Article 4	
Entry into force	
This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.	
Article 5	
Addressees	
This Directive is addressed to the Member States.	

Commission proposal		Drafting suggestions and Comments
Done at Strasbourg,		
For the European Parliament	*For the Council*	
The President	*The President*	
[...]	*[...]*	

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