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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° Cion doc.:	ST 6792/23 + ADD 1
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences - Comments from Member States

Delegations will find, attached, comments from **Ireland** on the above-mentioned proposal.

**Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive
(EU) 2015/413 facilitating cross-border exchange of information on road-safety-related
traffic offences**

Preliminary remarks from IRELAND

General Comments

- It has been reported that at present, almost all offences where offenders refused to pay financial penalties were not enforced, i.e. successfully enforced penalties were due to voluntary payment. What are the main aspects of this new proposal that will aim to rectify this issue?
- In Ireland, issuing cross-border court summons has proved challenging in the past. How does the proposal aim to ensure that court summons are observed?

Article 1(1) amends Article 2 of the CBE Directive by extending the scope of the Directive to other road-safety-related traffic offences

- Not respecting the rules on the creation and use of emergency corridors is not an offence in Ireland.

Article 1(4) replaces Article 4 of the CBE Directive

- At present, only vehicle owner details are recorded. It is not possible to determine that the owner has leased the vehicle or is a lease company.

Article 1(5) inserts a new Article 4a on mutual assistance procedures between Member States in cross-border investigations of road-safety-related traffic offences

- What happens in those instances when an offence was not recorded by detecting equipment?
- Is assistance to be provided by the enforcement agency or by the national contact point?

Article 1(5) inserts a new Article 4c on the use of other databases in the investigation of road-safety-related traffic offences

- Will RESPER be used as the driving licence register?
- Ireland does not have a 'population register' as is common in other European countries.

Article 1(8) replaces Article 7 of the CBE Directive. Member States are required to inform each other on cybersecurity incidents related to data stored in clouds

- In Ireland, information on the vehicle owner is not stored in the cloud at this time.

Article 1(8) replaces Article 8 of the CBE Directive. It lays down the obligation for the Commission to establish a dedicated IT portal to facilitate exchanging information between national contact points, other relevant authorities of Member States, and road users, e.g. on road-safety-related traffic rules in force in Member States, appeal procedures and applied sanctions.

- What will the role of the Member States be in the establishment (if any) and management of the dedicated IT portal?