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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 **France** on the above-mentioned proposal.

CBE // Overloaded vehicle
Preliminary comments from France

Proposition de directive modifiant la directive 2015/413 facilitant l'échange transfrontalier d'informations concernant les infractions en matière de sécurité routière (Cross Border Enforcement - CBE)

Commentaires préliminaires, sans préjudice de remarques ou commentaires ultérieurs

Proposition de modification de l'Article 2(a) de la directive 2015/413 et de l'annexe

Afin de caractériser à distance la circulation d'un véhicule en surcharge tout en limitant les contraintes administratives pesant sur les usagers, il devrait être possible de discriminer les véhicules selon les poids autorisés en circulation afin d'identifier ceux qui sont effectivement en surcharge.

Pour ce faire, lorsqu'il y a une suspicion de surcharge, il devrait être possible dans un premier temps de confirmer ou infirmer cette suspicion en accédant aux données techniques pertinentes des véhicules (sans besoin d'accès aux données relatives au détenteur / propriétaire / utilisateur du véhicule).

Dans un deuxième temps, si l'infraction de circulation en surcharge est avérée, il devrait être possible d'accéder aux données relatives au détenteur / propriétaire / utilisateur du véhicule.

Par conséquent, l'annexe de la directive devrait être modifiée de la manière suivante :

Au paragraphe 2 (*Data elements provided as a result of initiating search conducted pursuant to Article 4(1)), Part I / Data relating to vehicles*, le tableau devrait être complété de la manière suivante.

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Preliminary comments, without prejudice to further remarks or comments

Proposal to amend Article 2(a) of Directive 2015/413 and the Annex

In order to characterise remotely the use of an overloaded vehicle while limiting the administrative burden for road users, it should be possible to discriminate between vehicles according to the authorised weights in circulation in order to identify those that are actually overloaded.

In order to do this, where there is a suspicion of overloading, it should first be possible to confirm or disprove this suspicion by accessing the relevant technical data of the vehicles (without the need for access to the data relating to the holder / owner / user of the vehicle).

In a second step, if the overloading offence is proven, it should be possible to access the data of the vehicle keeper/owner/user.

Therefore, the Annex to the Directive should be amended as follows:

In paragraph 2 (Data elements provided as a result of initiating search conducted pursuant to Article 4(1)), Part I / Data relating to vehicles, the table should be completed as follows.

2. Data elements provided as a result of the initiating search conducted pursuant to Article 4(1)

Part I. Data relating to vehicles

Item	M/O ⁽⁴⁾	Remarks ⁽⁵⁾
Registration number	M	(Code A) Full registration number of the requested vehicle
Chassis number/VIN	M	(Code E) Full chassis number/VIN of the requested vehicle
Member State of registration	M	Distinguishing sign ⁽⁶⁾ of the Member State of registration of the requested vehicle
Make	M	(Code D.1) Make of the requested vehicle e.g. Ford, Opel, Renault
Commercial description(s) of the vehicle	M	(Code D.3) Commercial description of the requested vehicle e.g. Focus, Astra, Megane
EU Category Code	M	(Code J) e.g. N1, M2, N2, L, T
Registration date	M	(Code I) Date of the last registration of the requested vehicle
Language	O	Language of the vehicle registration document
Previous inquiries	O	The dates of previous inquiries on the requested vehicle
<u>Date of 1st registration of the vehicle</u>		
<u>Maximum technically permissible laden mass except for motorcycles</u>		

Maximum permissible laden mass of the vehicle in service in the Member State of registration		
Maximum permissible laden mass of the whole vehicle in service in the Member State of registration		
Mass of the vehicle in service with bodywork and with coupling device in the case of a towing vehicle in service from any category other than M1		
(L) number of axles:		
(M) wheelbase (in mm)		
(N) for vehicles with a total exceeding 3 500 kg, distribution of the technically permissible maximum laden mass among the axles:		
(N.1) axle 1 (in kg)		
(N.2) axle 2 (in kg), where appropriate		
(N.3) axle 3 (in kg), where appropriate		
(N.4) axle 4 (in kg), where appropriate		
(N.5) axle 5 (in kg), where appropriate		
(O) technically permissible maximum towable mass of the trailer:		
(O.1) braked (in kg)		
(O.2) unbraked (in kg)		
(P) engine:		
(P.3) type of fuel or power source		