



Council of the European Union
General Secretariat

Brussels, 16 April 2025

WK 4972/2025 INIT

LIMITE

**ENV
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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° Cion doc.:	11888/23 + ADD 1 to ADD 7 + ADD 8 REV 1
Subject:	End-of-Life Vehicles Regulation: Follow-up to the WPE on 7 April 2025 – comments from delegations

Following the call for comments on the above set out with WK 4675/2025, delegations will find attached comments received from the BE, CZ, DE, EE, ES, FI, FR, IE, HU, NL, LT, AT, PT and SI delegations.

Written comments Belgium WPE ELV 7 April

Text proposals and reasoning amending ELVR to align with CRMA

Article 10(1): “Manufacturers shall declare, **on a publicly available free-access website**, for each vehicle type that is (...)”.

Reasoning: Article 29(1) of the CRMA requires to make the recycled content publicly available on a free-access website, while Article 10 of the ELVR is vague on whether information should be made public ('declare'). In order to translate CRMA correctly in ELVR, this should be included in ELVR.

Article 10(1)(a): “... nickel, cobalt **and** boron in permanent magnets ~~in e-drive motors~~,”

*Reasoning: 1/ The addition of “and” is an editorial one.
2/ “e-drive motors” should be deleted to have all permanent magnets included in the provision in order to translate CRMA in ELVR correctly. This in line with the other deletions of e-drive motors already included in the compromise text.*

Article 53(2)(1): “Article 2(43) is ~~deleted~~ **amended as follows: “(43) ‘motor vehicle’ means any type approved vehicle of the categories M2, M3, N2 or N3 as set out in Article 4(1), points (a) and (b), of Regulation (EU) 2018/858;”**”

Reasoning: By deleting motor vehicles completely in CRMA as included in the compromise text, the CRM recycled content requirements of the CRMA will not apply to M2, M3, N2 and N3 category vehicles. But, these vehicle categories are also not covered in the CRM recycled content requirements of the ELVR.

The CRM recycled content requirements of the ELVR are subject of Article 6(4)(b) and 10(1)(a). These articles do not apply to vehicle categories M2, M3, N2, N3 following ELVR Article 2(3)(c) and (g).

So, the definition should be kept for M2, M3, N2 and N3 category vehicles. Only M1 and N1 category vehicles can be left out because they are covered in the ELVR for all CRM requirements of the CRMA.

Delete Article 53(2)(2)

Reasoning: By only keeping L1-L2 category vehicles in definition 44 for LMT in CRMA as included in the compromise text, the CRM recycled content requirements of the CRMA will not apply to L3-L7 category vehicles. But, these vehicle categories are also not covered in the CRM recycled content requirements of the ELVR.

The CRM recycled content requirements of the ELVR are subject of Article 6(4)(b) and 10(1)(a). These articles do not apply to vehicle categories L3-L7 following ELVR Article 2(4)(a).

Because some articles of CRMA are to be applied to all L-category vehicles, some only for L1-L2 category vehicles, it is best to keep all L-category vehicles in the definition of LMT.

Article 53(2)(3): “(...) wind energy generators, industrial robots, light means of transport **excluding vehicles of categories L3-L7 as defined in Regulation 168/2013**, cooling generators, heat pumps, electric motors, including where electric motors are integrated in other products, **and**

excluding vehicles of categories M1, M2, M3, N1, N2 and N3 as set out in Article 4(1), points (a) and (b), of Regulation (EU) 2018/858, automatic washing machines,...

Reasoning: Article 53(2)(3) amends CRMA, Article 28(1) which is about the labelling requirements.

1/ The labelling requirement for L3-L7 category vehicles is already included in the ELVR. Labelling requirements are subject of ELVR, Article 12(2). Article 12(2) ELVR does apply to L3-L7 category vehicles. So, L3-L7 category vehicles can be excluded here (given all L-category vehicles are included in LMT because of the deletion of Article 53(2)(2) above).

2/ The labelling requirements for M1 and N1, and also M2, M3, N2 and N3 are already included in the ELVR. Labelling requirements are subject of ELVR, Article 12(2). Article 12(2) does apply to M2, M3, N2 and N3 category vehicles. For that reason "motor vehicles" is rightly deleted in Article 28(1) CRMA in the compromise text. But, Article 28(1) CRMA also mentions "electric motors, including where electric motors are integrated in other products". Because of the deletion of "motor vehicles", electric motors of all kind of motor vehicles are included again (because they are not mentioned any more, they are 'other products'). So, this part has to be amended by excluding M1, M2, M3, N1, N2, N3 category vehicles in CRMA because labelling is covered in ELVR for all these vehicle categories.

Delete Article 53(2)(6)

Reasoning: Article 53(2)(6) amends CRMA, Article 29(6) which is about the CRM recycled content requirements.

1/ Motor vehicles must be included because M2, M3, N2 and N3 category vehicles are not covered in ELVR for CRM recycled content requirements (same reasoning as above for definition 43 for motor vehicle).

2/ Article 29(6) has to apply to all L-category vehicles because not only L1-L2 category vehicles, but also L3-L7 category vehicles are not covered in ELVR for CRM recycled content requirements (same reasoning as above for definition 44 for LMT).

Delete Article 53(2)(7)

Reasoning: Article 53(2)(7) amends CRMA, Article 29(7) which is about the CRM recycled content requirements.

Article 53(2)(7) would change Article 29(7) CRMA in "This Article shall not apply to the vehicle categories specified in the ELVR.". That would mean that the CRM recycled content requirements would not apply to all L, M and N category vehicles, because all these vehicle categories are specified in ELVR. L3-L7, M2, M3, N2, N3 category vehicles has to be included in Article 29(7) CRMA because they are not covered in ELVR for CRM recycled content requirements. So, it is best not to change Article 29(7) CRMA.

Member State	Question No	Reference Art
Belgium	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38

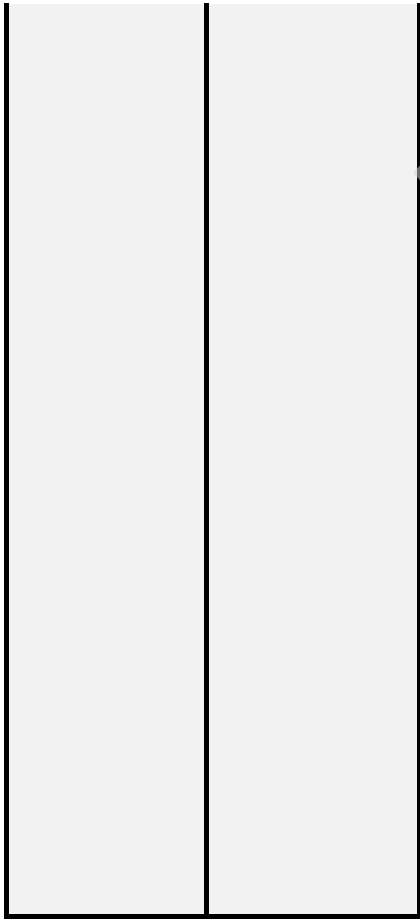
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7	vehicle owner (whole text)
8	annex I part C section 1
9	art. 28
10	art. 56
11	art. 37
12	art. 57
13	Annex VII part C, point 19
14	Annex VII part F
15	Annex VII Part B/Part C
16	Annex VII part C

	17	art. 46
	18	art. 2
	19	art. 20
	20	

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Question

Do Member States agree with the proposal?

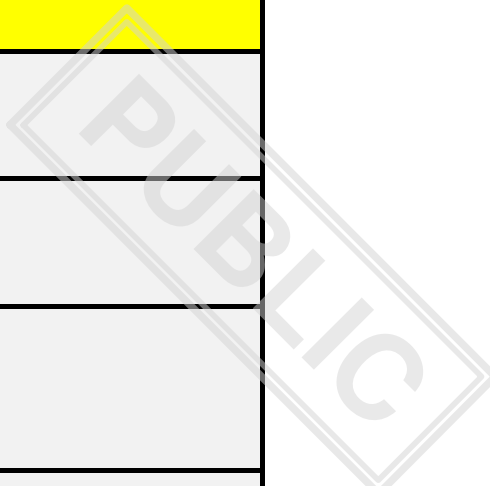
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If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?



Do the Member States agree with the suggestion?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Do the Member States wish to:

- 1) leave the current wording of article 37(6)?
- 2) modify the wording of article 37(6) as suggested?
- 3) remove article 37(6)?

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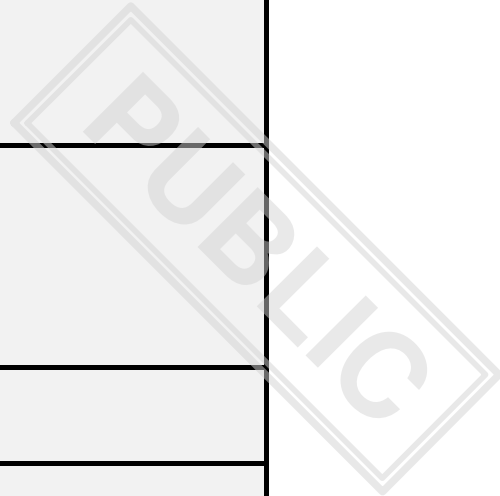
- 1) should not be modified?
- 2) should be extended to 18 months?
- 3) should be extended to 24 months?

Do the Member States agree with the reformulation of point 19 of Annex VII part C?

Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

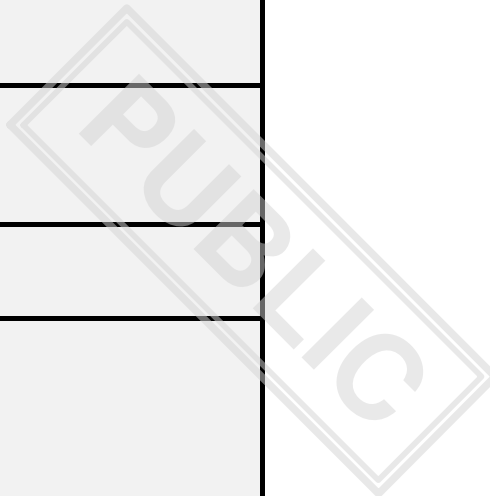


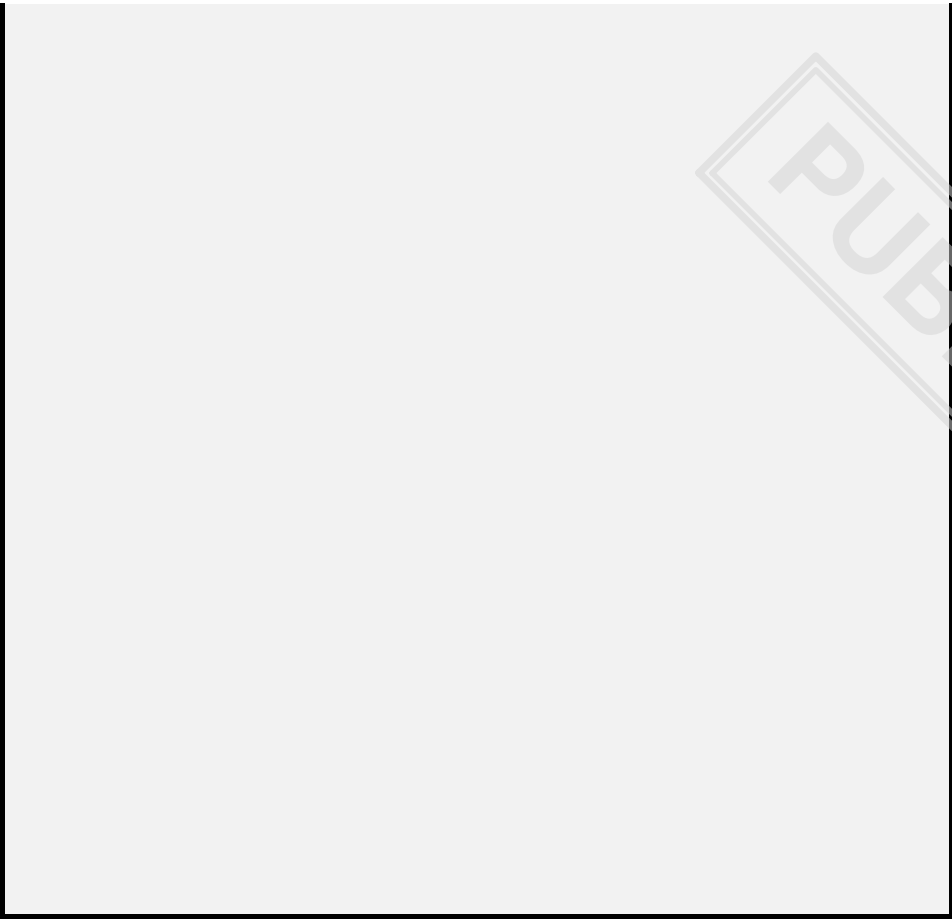
Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues





PUBLIC

MS position
In favor
Object
In favor
In favor
In favor
In favor

PUBLIC

In favor
In favor
In favor
In favor
In favor
In favor
Object
In favor

PUBLIC

In favor
In favor
In favor

PUBLIC

In addition to the abo

1/ CRMA
Besides the already
adjustments are nee

2/ Missing vehicles

To solve the main pr
legislation on vehicle
that this would be in
However, no roadw
information on this?

PUBLIC

MS Comments

Yes, Belgium agrees to add this.

We think it would be better to include it in Article 56 instead of Article 20 because it is a transitional provision.

Belgium finds the proposed amendment still not clear enough regarding who bears the responsibility and costs. Can this be specified more clearly?

Yes, this is how it works in Belgium and it works well, so we are strongly in favor. It does not need to be mentioned that the contracts must comply with the principles of competition law because this general rule is already applicable through general legislation.

Yes, the addition certainly has added value. To regulate it even better, we would also like to see an inclusion of following points:

- Paragraph 4 should also apply to hybrid vehicles.
- For safety reasons, it is very important that the batteries are disconnected as soon as possible upon arrival of the electric ELV at both the ATF and the collection point to reduce the risk of accidents.
- The time span to inspect the battery for possible damage is too long and should be replaced in 'immediately'. It should also be clarified what needs to be done if the assessment reveals a danger.
- It should also be added that extinguishing water must be collected and that the facility must be accessible to emergency services.

Text proposal for the first two points and the first part of the third point (text proposal for the second part of the third point and the fourth point are not yet ready):

*"4. Authorised treatment facilities that are permitted to treat **hybrid or** electric vehicles shall comply with the requirements set out in Annex XII of Regulation (EU) 2023/1542. Authorised treatment facilities **and collection points** accepting **hybrid or** electric vehicles **immediately disconnect the electric vehicle battery. In case** of suspected damage tot the electric vehicle battery the authorised treatment facility shall assess these batteries ~~within 24-hours~~ **immediately** after delivery. Such vehicles and batteries shall be stored separately in a quarantined area as referred to in paragraph 1. The quarantined area shall be equipped with appropriate installations to prevent, detect and contain electric vehicle battery fires from spreading to other areas, other **hybrid or** electric vehicles and other batteries."*

Yes, Belgium agrees with the proposed amendment.

For customs, this is not a problem if DG Taxud provides a TARIC code for this.

Belgium agrees if this means referring to 'vehicle owner' throughout the text (as we understand the paragraph of the steering note), but not if it means changing the definition of vehicle owner to the original from the Commissions proposal (which seems to be stated literally in the last sentence of the steering note).

Agreed to provide an exception for racing vehicles. The explanation in the steering note assumes that vehicles used in folk races are registered, insured, and have a permit. However, this is not a requirement for all types of races. It is therefore better to include these aspects as conditions to avoid loopholes. We prefer to keep point (c) and only provide an exception specifically for racing vehicles under point (c).

Yes, Belgium agrees.

Yes, Belgium agrees.

Belgium prefers **option 1**, thus maintaining the current wording. We would rather not have the empowerment to the Commission limited to restricting end-of-life vehicles; any adjustment should be possible.

Belgium is in favor of an extension to 18 months, so **option 2**. 12 months can indeed be too short.

Yes, we agree with the amendment of point 19 of Annex VII, part C.

Additionally, we would like to reiterate our previous remark regarding Annex VII, part C, that the wording 'particularly high precious metal content' in point 20 (b) concerning electrical and electronic components is too vague: precious metal content is not defined, making it unclear what it means, and no percentage is specified.

We also note that shredding CFRP is not a good option. At this moment, it is still unclear whether it can be recycled via pyrolysis in the future. An entry in Annex VII part F could be a good solution, but we do not have a clear text suggestion.

No, we do not agree with this:

- Neutralizing LPG, CNG, or hydrogen tanks is not actually possible. These metal tanks cannot be neutralized; they can only be reduced in size. The components that can be neutralized, such as neutralizing the explosiveness of explosive parts or the activation of e-call systems, are already included in paragraph 1a of Annex VII, Part B and do not need to be repeated here.
- To avoid the risk of explosion during shredding, it is important that LPG, CNG, or hydrogen tanks are emptied of gas or hydrogen before being shredded. This is already included in the depollution requirements in paragraph 1 of Annex VII, Part B.

Yes, Belgium agrees with this addition.

Yes, Belgium agrees.

Yes, Belgium agrees.

The proposed addition seems okay, but it doesn't make it any easier.

ove-mentioned other issues, Belgium has three other issues:

included very good adjustments to align the ELVR with the CRMA, some additional
ded to further align them. You can find these additional adjustments in a seperate document.

problem with the current ELV Directive, the issue of missing vehicles, it is very important that the registration is amended as provided in recital 86. The Commission indicated at the last WPE included in the roadworthiness package and that a proposal would be published in March. Roadworthiness package proposal was published in March. Can the Commission provide more

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MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



CZECHIA

Regulation on circularity requirements for vehicle design and on management of end-of-life vehicles

WPE 7 April 2025

We appreciate the Presidency's invitation to submit written comments. In addition to the answers provided in the Excel table, we would like to share our opinion and suggestions on the role of insurance companies in the compromised text.

Practices in Czechia regarding vehicle total loss – involvement of insurers

In MTPL cases, the insurer evaluates and proposes settlement options to the victim, including compensation based on repair costs and expert calculations. If a total loss is declared, the insurer arranges an online auction for the wreckage, which the victim can sell to the highest bidder. The insurer does not decide if the wreckage will be repaired or used for parts. If the wreckage is worthless, the insurer covers the costs of ecological disposal.

Only a court expert, **not the insurer**, can declare a technical total loss. The prevention of unsafe vehicles on the road is the responsibility of public authorities, not insurers. Police may withhold a vehicle's technical certificate after substantial damage, requiring a technical inspection before the vehicle can return to the road. The insurer does not take ownership of the damaged vehicle and only facilitates the auction process. MTPL insurers are not required to report claim settlements to state authorities, as public entities have legal mechanisms to ensure vehicles are safe before re-entering traffic.

For these reasons, we suggest editing the proposal of the text. The aim is to modify the role of insurance companies only to a limited extent so that Member States can decide whether to involve insurance companies in the assessment of technical total loss or to opt for another solution which, in the context of national systems, will meet the objective pursued by the proposed Regulation.

We propose the following modifications (marked in yellow):

Recital 49:

When vehicles are damaged and insurance companies, **automotive experts, or vehicle inspectors** are involved in declaring them a technical or economic total loss **pursuant to national law**, specific provisions should also apply to them.

Recital 68:

Taking into account the specific role of insurance companies **in some national markets** concerning damaged vehicles, specific provisions should apply to these insurance companies, **where appropriate**, to ensure that end-of-life vehicles that are declared technical ~~or economic~~ total loss are ending up at authorised treatment facilities.

Article 37:

4. When assessing the damage of an accidented vehicle, the insurance company ~~or any other automotive expert conducting the assessment on its behalf~~, automotive expert or vehicle

inspector shall also assess whether the vehicle is an end-of-life vehicle or not according to Annex I.

Insurance companies shall ~~provide ensure that competent authorities are provided~~ at least once a year with a list of:

- (a) ~~vehicle identification numbers of all vehicles that have been declared as an economic total loss, including a specification of those which are considered end-of-life vehicles in accordance with Annex I;~~
- (b) ~~vehicle identification numbers of all vehicles that have been declared as a technical total loss.~~

In jurisdictions where insurance companies are legally required to maintain this information, they shall ensure that competent authorities are provided at least once a year with information on technical total losses.

Article 55:

2. Taking account of technical progress and practical experience gained in Member States as well as any revision of Regulation (EC) No 1907/2006, the Commission shall, in its report, include an evaluation on the following aspects of this Regulation: ...

(g) the need to simplify or reduce reporting obligations of economic operators without jeopardising the objectives of this Regulation.

Annex I:

Part A

1.

- (i) ~~it has been declared as a total technical loss by an insurance company, based on the technical assessment carried out by an automotive expert.~~

Member State	Question No	Reference Art
Czech Republic	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
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PUBLIC

13	Annex VII part C, point 19
14	Annex VII part F
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PUBLIC

Question

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Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

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Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues

Proposal of the French delegation regarding the issue of post-consumer waste counting towards the targets for minimum recycled content

MS position
In favor
Neutral
In favor
In favor
In favor
In favor
Object
In favor
In favor
In favor
In favor
-
-

PUBLIC

In favor
In favor
In favor
In favor
Object
Object
In favor
Object

PUBLIC

MS Comments

We agree on the direction the changes to the text are taking, but it is not yet entirely clear.
Art.22.1.+2.

„...no producer can be identified on the territory of the Member State where it becomes and end-of-life vehicle, the producer of that vehicle who placed that vehicle on the market“

- **It is not clear which manufacturer is referred to in this article.** A producer that placed the vehicle on the market for the first time (before the car travelled to another MS) or on the final market where it became ELV? The original producer or for example reseller in a different MS?

We support the amendment that contracts should be in compliance with competition law. However, the rest of the wording still suggests that the legislator will allow collection and treatment of end-of life vehicles outside the producers'/PRO's take-back networks. Is it the intention?

Regarding the comments on the implementation of the automated customs procedure, if by automated procedure we mean the single window, we have no comments and we are flexible.

We agree with the proposal as it will ensure that the current obligations have to be fulfilled until new requirements have to be applied. To be consistent with e.g. Art. 56.1.(a) it should read “35 months” when the transition period of Art. 30 is 36 months.

In general, all requirements of Directive 2000/53/EC shall continue to apply until the requirements of the new Regulation apply.

Any interference with use rights is always problematic and should certainly be kept to a minimum. The possibility of liberalisation would therefore be more than appropriate – **option 2.**

We recommend extending the application date to **24 months - option 3.**

Fuel tanks should be deleted from Annex VII Part C as there is neither a potential for reuse, nor for recycling due to the contamination of the plastic with fuel. Fuel from fuel tanks must be removed during depollution of the ELV, therefore we support the proposal to revert them to part B, point 2.

Thanks to the positive value of the fuel cell stack, it will be removed from the vehicle in any case. We support their addition to Annex VII part C.

As we have mentioned in previous meetings, we do not believe that other facilities and economic operators should be subject to inspections. Therefore, we suggest deleting the point (c) in 46.1.

Most individual vehicle approvals are approved in multiple stages, making the classification of individually manufactured vehicles impractical. Furthermore, such vehicles are often unique units produced for specific customers in small workshops. For these reasons, **we are firmly opposed to the inclusion of individually manufactured vehicles** within the scope of this regulation.

We certainly support the idea of setting a fair playing field for European producers - i.e. that recyclates from third countries should meet the same conditions as those produced in the EU. However, the FR proposal put forward with a list under 2a with extensive requirements to be met by countries and to be developed by the Commission appears to be very administratively demanding and would represent an excessive bureaucratic burden. The proposed requirements are contrary to the Commission's desire to reduce red tape. Furthermore, point 2a would lead to a time delay before materials from these countries can be used for vehicles manufactured outside the EU and sold in the EU.

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



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PUBLIC



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	20	
	21	
	22	

PUBLIC

Question

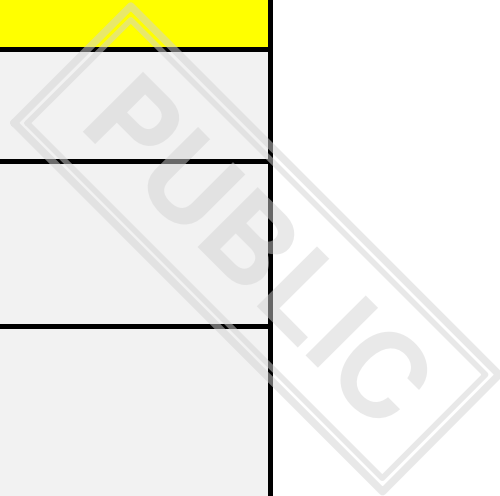
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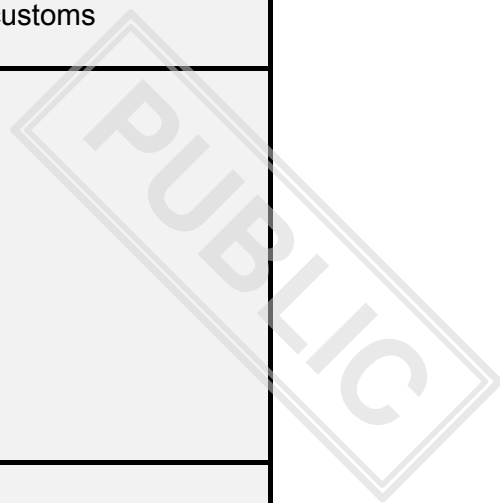
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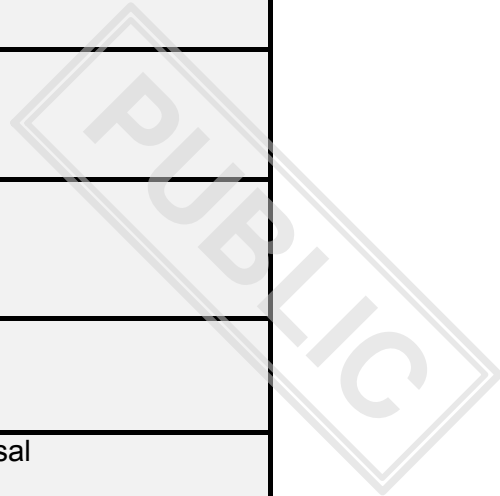
Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues - Post-Consumer Definition FRA proposal

other issues - distinction between used vehicles and end-of-life vehicles

other issues - temporary deregistration of vehicles



MS position
In favor
Scrutiny
In favor
Scrutiny
Scrutiny

PUBLIC

Scrutiny
In favor
Object
In favor
In favor
Object
Object
Object

PUBLIC

In favor
In favor
Scrutiny
Object
Object

PUBLIC

MS Comments

DE agrees with the text amendment. However, the reference to Art. 30 and 35 should be deleted in para. 1(a), as in the last compromise proposal.

In principle, we continue to have concerns about Art. 22 (see also previous comments). We are also critical of the new text proposal, as it places new requirements on the vehicle owner.

DE would like to reiterate its position, also in view of the current events regarding the breach of antitrust rules by vehicle manufacturers. ATFs should be able to decide for themselves whether they enter into a contractual or other commitment with the manufacturers. We believe it is important to protect ATFs in this regard. In the interests of finding an overall compromise, the suggested "may regulation" can be accepted. The proposed changes to the text of the PRES are acceptable.

Overall comments:

- (1) Text suggestions are going into the right direction to make ELVR fit for the uptake of E-Mobility.
- (2) However, Annex VII A is not the right place for treatment requirements (Battery assessment) as Annex VII A only includes minimum requirements for storage and treatment sites. Hence, this requirement also needs to be included in Art. 29.
- (3) A suspected damage cannot be necessarily known beforehand. Hence, the text „accepting electric vehicles with suspected damage” needs to change into only „accepting electric ELVs“
- (4) The reference „paragraph 1“ is misleading, as it does not include information on quarantined area.

Text proposals (changes in bold and underlined):

Art. 29 Depollution of end-of-life vehicles

(4) The batteries shall be separately removed from end-of-life vehicles and stored in a designated area for further treatment in accordance with Article 70(3) of Regulation (EU) 2023/1542. **Authorised Treatment Facilities accepting electric end-of-life vehicles have to comply with the treatment and storage requirements set out in Part A (4) of Annex VII.**

Annex VII A

(4) Authorised treatment facilities that are permitted to treat electric vehicles shall comply with the requirements set out in Annex XII of Regulation (EU) 2023/1542 [Batteries and Waste Batteries. **Authorised Treatment Facilities accepting electric end-of-life vehicles with suspected damage to the electric vehicle battery (DELETE) shall assess the se electric vehicle batteries immediately within 24 hours (DELETE) after delivery. In case the hazard assessment indicates a potentially damaged EV battery, sSuch vehicles and batteries shall be stored separately in a quarantined area of adequate size as referred to in paragraph 1 [unclear??].**

The quarantined area **and the sites where the electric end-of-life vehicles and their batteries are treated** shall be equipped with appropriate installations to prevent, detect and **contain (RATHER constrain??)** electric vehicle battery fires from spreading to other areas, other electric vehicles and other batteries and **provide sufficient distances from buildings and other stored end-of-life vehicles and further storage areas.**

DE can agree to the proposal of the PRES provided that the possibility of preventing abuse and a low-bureaucracy implementation is demonstrated. Otherwise, such a regulation creates opportunities for abuse, additional bureaucracy and is also not operationalizable, as these vehicles are not recorded in the vehicle register and therefore no automated comparison can take place.

see Q5.

DE considers the uniform use of the term “vehicle owner” to be fundamentally necessary in order to ensure uniform application of the regulation. This applies in particular to the digital certificate of destruction, which must be submitted for permanent deregistration in accordance with Art. 25 (4). Here, the “vehicle owner” and the “last owner”, as referred to in EEC 47, among others, may diverge. For example, when the vehicle is sold. DE therefore asks the PRES to examine in detail at which points in the text of the regulation the terms “last owner” and “owner” are separated from the “vehicle owner” in such a way that there are relevant negative legal and practical consequences. A further example can be found in Part C Section 1 Vehicles of special cultural interest 1 (b). For DE it continues to remain important, that the definition in Art. 3 is not changed, i.e. includes the vehicle owner and holder.

DE cannot agree to the inserted change “as a racing vehicle”, as this would restrict the existing definition. These vehicles can already be covered by the existing definition. The deletion of 1(c) is supported.

DE prefers Option 1 (leave the current wording of article 37(6)).

DE prefers Option 3 (24 months).

DE cannot agree to the amendment. Many plastics in vehicles contain for e.g. glass fiber reinforcement. If all reinforced plastics had to be removed, this would not be proportionate. The reason for removing carbon fibers is the risk of fire. This is not the case with glass fiber-reinforced plastics. We therefore prefer the old text proposal.

We consider a general requirement for all plastics, including fiber-reinforced plastics, in Annex VII Part F to be more appropriate. We had already made a text proposal in this direction in our comments.

Text proposal

Removed plastics shall be sorted by polymers in a way that they do not undergo further processing before entering pelletisation, extrusion, or moulding operations.

DE cannot agree to the change. In our view, this is technically inappropriate. Airbags can “explode” (because of the explosives), as can gas tanks, as there is a high internal pressure in them. Instead, empty tanks of gasoline, diesel, etc. cannot “explode” in this way, but only produce “deflagrations” due to the evaporation of the fuel residues still contained in them. In this respect, it is important that the fuel tanks remain in Annex VII C. This is because they contain mineral oils that have diffused into them and thus contaminate the entire (post-shredder) plastic fractions.

see Q2.

Concerning the definition of ‘post-consumer waste’: We emphasize once again that, in our view, it is urgently necessary to also include post-consumer waste from third countries. For DE, however, it is important that such a definition does not lead to extraterritorial effects and does not cause distortions in international trade.

Concerning stricter controls on recycled materials: We reject any regulation that requires materials from recycling plants in third countries to be produced under the same or equivalent production conditions as those that apply to recycling plants in the European Union. The mirror clause contained in the PPWR is problematic from a trade policy and trade law perspective, as it is a protectionist instrument that creates barriers to trade. Furthermore, in the current geopolitical situation, the European Union should refrain from provoking major trading partners by trying to impose such measures in the area of circular economy. Trade in vehicles is particularly sensitive in that regard. Thus, we also cannot support the FRA proposal. This is a red line. However, there is no objection to discussing product requirements for recyclates for the EU market at European level. It is important that any provision of the regulation must be compatible with WTO law.

To provide greater legal clarity as to what constitutes an online-sale, DE proposes to include some elements of Recital 68 directly in Art. 37 (to be inserted after the second subparagraph):

For the sake of this sub-paragraph, a ‘distance contract’ means any contract concluded between the vehicle owner and the acquirer without the simultaneous physical presence of the owner and the acquirer, with the exclusive use of one or more means of distance communication up to and including the time at which the contract is concluded.

For Recital 86, we suggest the following amendments (changes bold and underlined):

"(86) Missing vehicles Moreover, to prevent the illegal dismantling or export of vehicles that have been temporarily de-registered, the vehicle owners should be obliged to promptly report any changes in their ownership to the national vehicle registration authority. **Thereby, the possibility to temporarily deregister vehicles shall remain unaffected.** These amendments **should not lead to unproportionate additional bureaucratic burden,** be complement and build on the existing requirements for Member States to electronically record data on all vehicles registered on their territory."

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
Estonia	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56
	11	art. 37
	12	art. 57
	13	Annex VII part C, point 19
	14	Annex VII part F

PUBLIC

	15	Annex VII Part B/Part C
	16	Annex VII part C
	17	art. 46
	18	art. 2
	19	art. 20
	20	

PUBLIC

Question

Do Member States agree with the proposal?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

Do the Member States agree with the suggestion?

Do the Member States agree with the proposal?

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Do the Member States agree with the proposal?

Do the Member States wish to:

- 1) leave the current wording of article 37(6)?
- 2) modify the wording of article 37(6) as suggested?
- 3) remove article 37(6)?

Member States are invited to express their opinion on whether the date from which the regulation shall apply:

- 1) should not be modified?
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- 3) should be extended to 24 months?

Do the Member States agree with the reformulation of point 19 of Annex VII part C?

Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

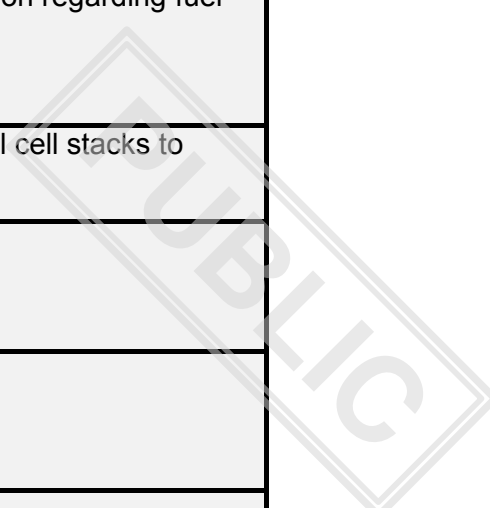
Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues



MS position
In favor
-
In favor
In favor
In favor
In favor
-
In favor
In favor
In favor
In favor
In favor
In favor
-

PUBLIC

-
In favor
In favor
In favor
In favor
-

PUBLIC

MS Comments

agree

We can agree with the first part of article 22 additions.

About second part, we find that authorised representatives are a must have, if we want article 22 work. But we don't want to rise administrative burden. We are afraid that requirement to have authorised representative will rise administrative burden.

~~We believe that is very important to solve EPR administrative burden problem. distance~~

agree

agree

agree

agree

~~we agree that there is a need to use one term "vehicle owner" to avoid creating additional issues. If we are going to use one term "vehicle owner" and will return to the original proposal's definition of "vehicle owner" within the whole text of the ELV Regulation, then there is a need to define "abandoned vehicle holder". It is important to have a solution for holders~~

~~we agree adding racing vehicles to Annex I Part C Section I and deleting point c from paragraph 1. Old vehicles used for folk races should not be considered as ELVs, as they still have value for their owners. Vehicles used in folk races should not have an insurance, because these folk races are organised in certain areas and they are not in traffic~~

~~In Estonia we have one shredder that is owned by one ATF, that collects ELV-s, removes the parts and then put these into their own shredder.~~

~~We see that there is a need to specify from which persons, on receipt, this requirement~~

agree

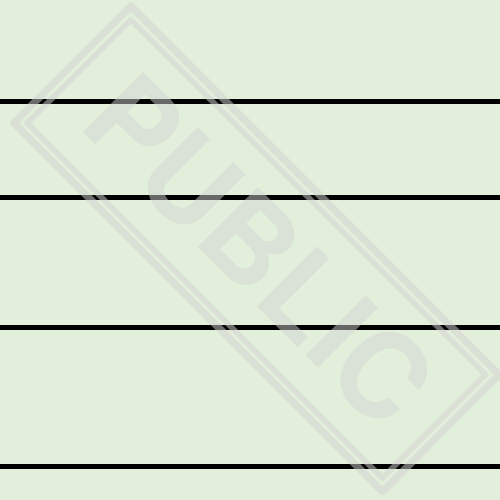
We prefer to modify the wording of article 37(6) as suggested.

extend the period of application of the Regulation 24 months.

no position

no position

agree



MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
Spain	1	art. 20, rec. 39
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	12	art. 57
	13	Annex VII part C, point 19

PUBLIC

14	Annex VII part F
15	Annex VII Part B/Part C
16	Annex VII part C
17	art. 46
18	art. 2
19	art. 20
20	

PUBLIC

Question

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Do the Member States agree with the proposal?

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Do the Member States agree with the suggestion?

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Do the Member States agree with the recommendation regarding fuel tanks?

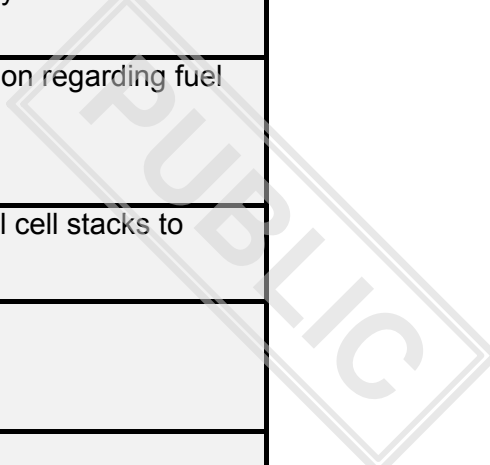
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Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues



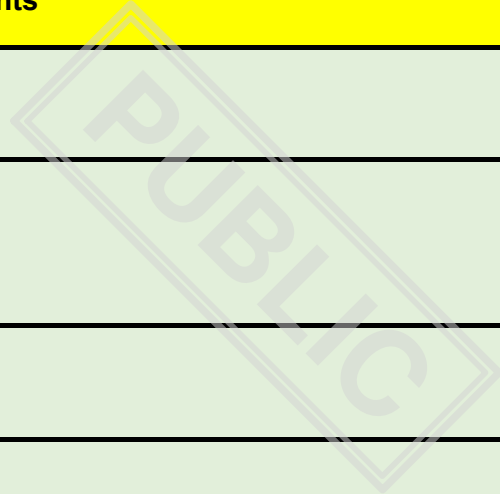
MS position
In favor
In favor
In favor
In favor
In favor
Neutral
In favor
Object
In favor
In favor
In favor
In favor
In favor
In favor

PUBLIC

Scrutiny
In favor
In favor
In favor
Neutral

PUBLIC

MS Comments



No comments. The historic vehicle is registered and has similar administrative requirements to other vehicles from a legal standpoint regarding permanent deregistration and export, although with some exceptions such as the frequency of the technical inspection.

ES does not see the need to explicitly include racing vehicles.

ES supports option 1, to leave the current wording of article 37(6).

ES supports option 1, but we are open to consider other alternatives based on the views of the other Member States.

PUBLIC

ES can be flexible in order to achieve an agreement.

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



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Finland	1	art. 20, rec. 39
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	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)

PUBLIC

PUBLIC

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9	art. 28
10	art. 56
11	art. 37
12	art. 57
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14	Annex VII part F
15	Annex VII Part B/Part C
16	Annex VII part C

	17	art. 46
	18	art. 2
	19	art. 20
	20	art. 25

PUBLIC

		art. 6
		art 37(1)
		art 37a(2)

PUBLIC

		Article 48
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PUBLIC

Question

Do Member States agree with the proposal?

Do the Member States agree with the proposal?

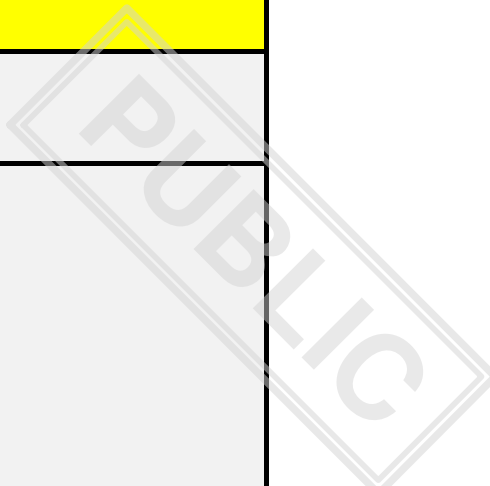
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If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

Do the Member States agree with the suggestion?



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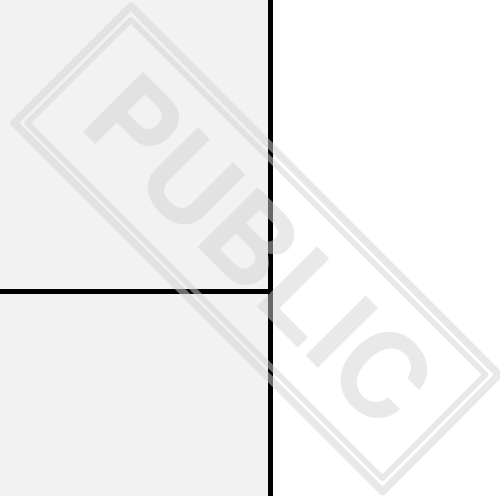
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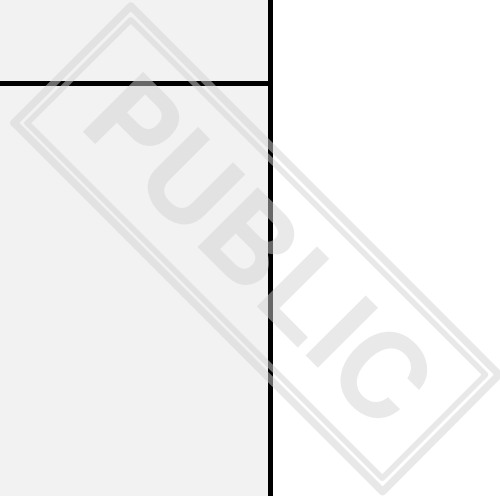
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Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

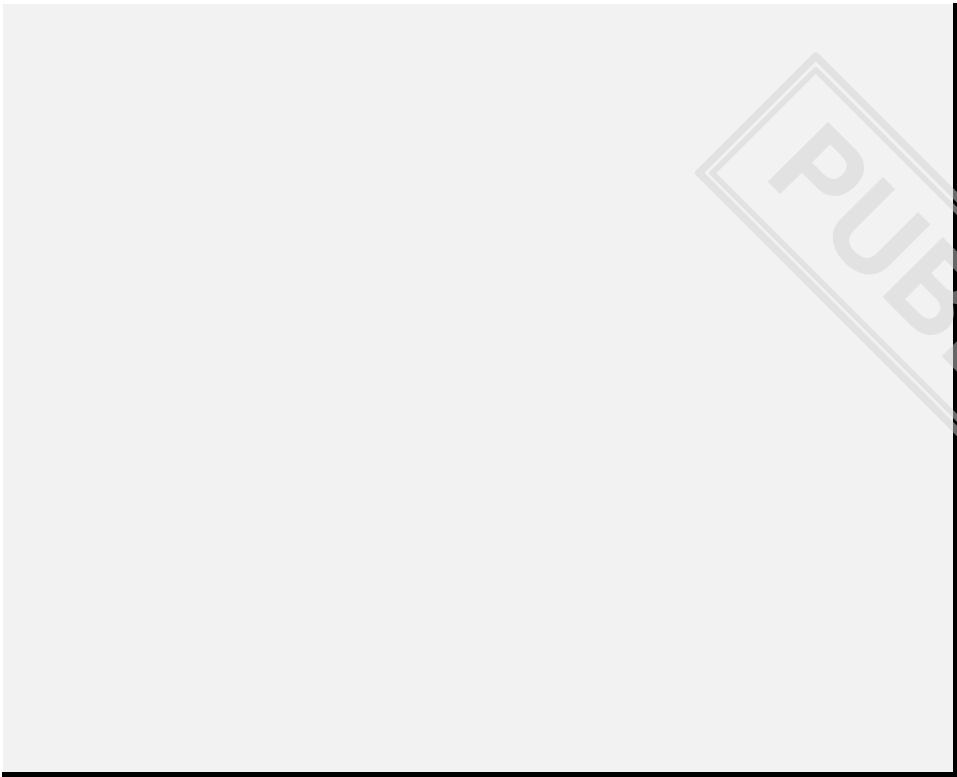


Can the Member States agree with the proposal?

other issues

Post-consumer waste counting towards minimum recycled content targets





PUBLIC

MS position
Neutral
Object
-
In favor
In favor
-
In favor

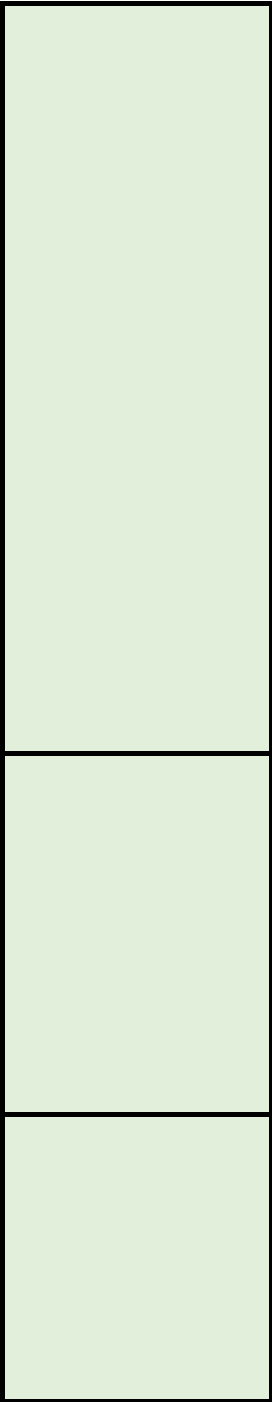
PUBLIC

In favor
Object
In favor
-
-
Object
Object
In favor
Neutral

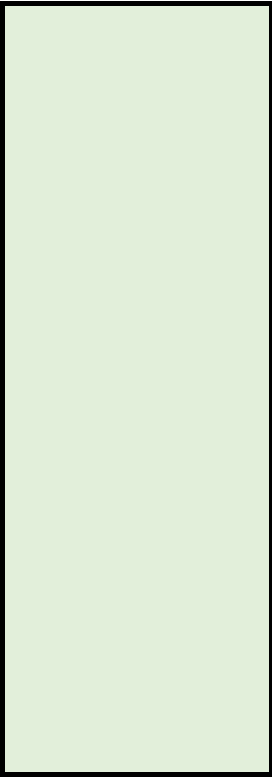
PUBLIC

-
Scrutiny
Object

PUBLIC



PUBLIC



PUBLIC

MS Comments

We can accept the Presidency's proposals.

We are still concerned about Article 22. As we have commented before it will be difficult for the authorities to ensure that the producers located in another Member State will take care of their obligations which might hamper the EPR systems of the Member States that have collective EPR. We are also worried about the burden for the authorities and the costs of the mechanism in relation to the benefits.

We support Slovakia's proposal to delete Article 22 at this point and as a first step share information about the Member States's EPR systems and after that develop solutions to the problems identified. A careful assessment of the costs and benefits of the solutions should also be made.

We support the idea that the contracts between producers or PROs should be in compliance with the principles of competition law, but we insist that the Member States should have the possibility regulate that authorised treatment facilities can only accept ELVs if they have a contract with a producer or a producer responsibility organisation. This would enable the implementation of the EPR taking into account the current EPR systems of the Member States and ensure the traceability of ELVs and their parts from delivery to shredding making sure that no parts, components or materials are sold to illegal operators.

In Finland, we also have an obligation for the PROs to treat waste management operators equally and to avoid distortion of competition and we propose that the Regulation should be developed into this direction while leaving more flexibility to the Member States.

–

We support the proposal and thank the Presidency for taking our comments into account.

We suggest the same solution for vehicles of special cultural interest as for the requirement that the vehicle is not an ELV. So, Article 38(4) would apply and a statement confirming that the vehicle fulfils the requirements set out in Article 38(3) should be provided to the customs authority digitally. If necessary, the competent authority should, according to Article 41, suspend the release for export of the vehicle and demand additional information and documentary evidence to determine if the vehicle can be exported or not (e.g. a document demonstrating that the vehicle is of special cultural interest according to Annex I). It could also be a good idea to ensure the traceability of the vehicle owner and the exporter.

–

We support the proposal and thank the Presidency for it.

We are worried about applying some provisions of the Regulation already 12 months after it enters into force. There should be at least 24 for the Member States to make the changes to the national regulations and for the operators to adapt to the new ELV-Regulation.

We also think the provisions on the management of ELVs, including Article 28, should have the same transitional period than the EPR provisions or they should apply later so that producers and waste management operators have time to adopt their practices according to the provisions.

At least the requirements for shredding ELVs with other waste should have at least 36 month transition period.

–

We support option 2 or option 3. If option 2 is used, we suggest clarifying what the expression 'limiting the instances' means.

We support option 3, extension to 24 months.

Authorised treatment facilities have difficulties to identify different plastic materials contained in ELVs. Therefore, we don't think it's reasonable to require them to identify fiber reinforced plastic parts and remove them. We suggest replacing point 19 of Annex VII Part C with a more general requirement to remove large plastic components as in the ELV directive and adding a possibility to exempt from the requirement.

As fiber reinforced material is difficult to recycle we are hesitant to add them to Annex VII part F. Plastics from ELVs often contain POPs and should not be recycled if they do.

We support that the fuel tanks should be at least neutralised before shredding.

–

We can accept the proposed changes but insist on deleting the 10 % inspection requirement. We think Member States should have flexibility concerning the number of inspections.

We have a scrutiny reservation on extending the scope of the Regulation, but our preliminary view are the following.

The scope should be clear for vehicles approved individually and for vehicles approved in a multi-stage procedure. In particular, it should be clear when the vehicle is considered individually approved and when it is considered multi-stage approved so that it is clear which provisions will apply in each case. For example, if the vehicle is built on the basis of a type-approved base-vehicle and subsequent bodywork additions are individually approved in the framework of a multi-stage procedure, is the vehicle considered multi-stage type-approved or individually approved? Which provisions will apply and who is the producer that has EPR obligations?

In the case of multi-stage type-approved vehicles the manufacturer of the base vehicle should have extended producer responsibility obligations. Depending on what is considered an individually approved vehicle in comparison to multi-stage type-approved vehicle, the definition of producer could be applied to individually approved vehicles.

The proposal is contrary to the idea of EPR that the producer should cover the costs of waste management, not the vehicle owner. We are worried that it will be difficult for the vehicle owner to indentify the producer and demand a compensation for the fee. However we can be flexible on this issue as long as the provision isn't obligatory.

We suggest a small change of wording to Article 25(1) to clarify that the provision only states where the owner should deliver the vehicle and that it is not related to when the vehicle becomes an ELV. The new wording we propose is: The owner, and any economic operator acting on behalf of the vehicle owner, of **a vehicle that becomes an end-of-life vehicle** shall deliver it to an authorised treatment facility or to a collection point without undue delay. ~~All end-of-life vehicles shall be delivered for treatment to authorised treatment facilities.~~

Our preliminary view are the following:

We support the change of the definition of post-consumer waste so that post-consumer waste collected or recycled in third countries could also be used to fulfil the recycled plastic target.

We also think that there should be mirror clauses to ensure that the recycled plastic is sustainably produced and to create a level playing field for the manufacturers and recyclers. We propose that the mirror clauses would be on a more general level than proposed.

As we have commented before it is important that the provisions are in line with WTO rules, and we would appreciate it if the Council Legal Service could analyse the text proposals thoroughly and comment which provisions are risky in view of the WTO rules. We are especially worried about the list of countries. We think it could also be useful to take into account views from DG Grow and DG Trade on this issue. We also stress that it is important to assess the impacts of the mirror clauses.

Lastly, we would like to know if there are any international standards that could be or if the Commission considers realistic to propose a standard for recycled plastic in the UNECE.

We would like to refer to our previous proposals regarding Article 37(1) but if they can't be taken into account, we stress that at least the reference to online platforms and distance contracts should be deleted from the second subparagraph of Article 37(1): The first subparagraph shall not apply when ownership of roadworthy vehicles is transferred by natural persons who are not economic operators, ~~for sales other than those concluded by means of distance contracts or online platforms.~~

It is unclear what is meant by sales other than those concluded by means of distance contracts or online platforms. We also think the reference is not relevant as in most cases the seller and buyer meet physically to conclude the sale.

Member States should have at least 12 months to notify the competent authorities to the Commission. It is impossible for us to notify the authorities to the Commission in 3 months as we have to regulate on the authorities in our national law that has to be approved by the national parliament. Before that we have to negotiate with authorities and ministries on the designation of the competent authorities and resources that will be given to them to take care of the new responsibilities. In addition, it is not reasonable to require that the Member States notify the authorities in 3 months when the Regulation starts to apply much later.

We insist on leaving Member States more flexibility regarding penalties. Member states have different sanction regimes, and we believe that Member States should be able to adapt the penalties related to the infringements of this Regulation to their own sanction systems more freely. We suggest deleting the list of Articles and adding a sentence providing that the penalty provisions of the framework regulation 2018/858 are applied to infringements of type approval of vehicles. We think that from a legal point of view, it is not sufficient to mention this only in the introduction. We suggest the following changes in the text: By [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Member States shall lay down the rules on penalties applicable to infringements ~~of Article 15(1), Article 16, Article 19(1), Article 22(1) and (2), Articles 23 and 24, Article 25(1) and (2), Articles 26 to 32, and Articles 34, 35, 37 and 38~~ of this Regulation, and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them. **The penalties of Regulation (EU) 2018/858 apply to type approvals issued in compliance with the requirements of this Regulation.**

If this is not possible at least Article 34 should be deleted from the list of articles as it is unclear who should be sanctioned if the reuse, recycling and recovery targets are not met and adding 'at least' before the list of articles.

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny





**PREMIER
MINISTRE**

*Liberté
Égalité
Fraternité*

**Secrétariat général
des affaires européennes**

Secteur EEC
Réf. : SGAE/EEC/2025/0208

Paris, le 14 avril 2025

Objet : Commentaires des autorités françaises à la suite du groupe de travail du 7 avril 2025 sur la proposition de règlement du Parlement européen et du Conseil relatif au règlement relatif, d'une part, aux exigences en matière de circularité applicables à la conception des véhicules et, d'autre part, à la gestion des véhicules hors d'usage, et modifiant plusieurs textes (règlement dit VHU)

Les autorités françaises prient la Présidence de bien vouloir trouver ci-dessous leurs commentaires en complément du fichier Excel reprenant les questions de la Présidence et en réponse au point 20 « *Other issues* » à la suite du groupe de travail du 7 avril 2025 sur la proposition de règlement relatif, d'une part, aux exigences en matière de circularité applicables à la conception des véhicules et, d'autre part, à la gestion des véhicules hors d'usage, et modifiant plusieurs textes.

1. Champ d'application (art 2)

Les autorités françaises **demandent que les véhicules de type L1 et L2 soient intégrés dans l'application de ce règlement au même titre que les autres véhicules de catégorie L**. Les autorités françaises proposent d'exempter les véhicules déjà inclus dans une autre filière, ce qui permet d'exclure les vélos électriques compris dans la catégorie L1e-A puisqu'ils sont déjà inclus dans la filière des équipements électriques et électroniques.

2. Définitions (art 3)

Les autorités françaises **ne sont pas en accord avec la définition proposée pour le remanufacturation (28)** qui ne correspond pas à ce qui est attendu en matière de remanufacturation de pièce automobile en France. Cela est peut-être un problème de traduction car la définition (29) « reconditionnement » semble plus appropriée au remanufacturation. En effet, alors que le reconditionnement est une opération pour laquelle la performance de la pièce n'est pas un critère, le remanufacturation correspond à une remise à neuf de la pièce avec des performances au moins équivalentes à la pièce neuve.

Proposition de définition :

« processus industriel rigoureux et standardisé permettant de remettre une pièce ou un produit usagé dans un état de performances et de fonctionnalités équivalent ou même supérieur à celui d'origine et pour un même usage. Ce processus permet la remise à neuf des pièces/produits avec un niveau de qualité et de performance uniformes de la première à la dernière unité ».

Contrôle des déchets post-consommation (art 6)

Les autorités françaises vont transmettre une nouvelle proposition de rédaction de l'article 6 dans les jours à venir.

3. Objectif de plastiques recyclés (art 6)

Les autorités françaises souhaitent maintenir les objectifs proposés initialement par la Commission, à savoir 25% de plastiques recyclés post-consommation dans les nouveaux véhicules dont 25% issus des VHU.

4. Objectif concernant le réemploi du cuivre (art 6.4)

Les autorités françaises proposent que le cuivre fasse également l'objet d'une évaluation pour le recyclage au sein des véhicules neufs.

Proposition de rédaction :

« 4. Au plus tard le [OP : veuillez insérer la date = le dernier jour du mois suivant les 35 mois suivant la date d'entrée en vigueur du présent règlement], la Commission évalue la faisabilité d'établir une exigence relative à la part minimale de :

a) l'aluminium et ses alliages, le magnésium et ses alliages, le cuivre et ses alliages recyclés à partir de déchets post-consommation et incorporés dans les types de véhicules ; et

b)... »

6. Ajout de pièces à l'annexe VII part C

Certains aimants permanents peuvent contenir des terres rares. Dans l'attente d'avoir une connaissance plus précise des pièces et composants décrites au e) de l'article 11(1), les autorités françaises **proposent que les *start-and-stop* et les moteurs électriques de direction assistée soient systématiquement démontés.**

Proposition d'ajouts à la partie C de l'annexe VII

20. ...	
21. Système d'appel électronique	
22. Pompes de direction assistée	
23. <i>Start and Stop System</i>	

7. Collecte des véhicules (art 23)

Les autorités françaises proposent de **renforcer les obligations de la filière de responsabilité élargie des producteurs (REP) afin que la REP permette d'organiser et financer une collecte gratuite directement chez le détenteur du VHU** afin de lutter contre le marché parallèle de la filière illégale qui récupère les VHU contre rémunération auprès de leurs détenteurs. Cette mesure est en place dans la récente réglementation française sur la filière VHU¹.

8. Objectif de réemploi de fluide de climatisation (art 6)

La directive VHU 2000/53/CE (dorénavant « la directive de 2000 ») établit les exigences techniques minimales pour le traitement des véhicules hors d'usage. En particulier, en ce qui concerne les opérations de dépollution, les opérateurs doivent retirer, séparer, collecter et stocker les fluides des systèmes de climatisation contenus dans les véhicules en fin de vie. Conformément à la directive de 2000, les fluides doivent être retirés à l'aide d'équipements spécialisés et transférés dans un cylindre de collecte. Les fluides des systèmes de climatisation sont généralement des réfrigérants fluorés, qui sont efficacement réglementés par le règlement de l'UE sur les réfrigérants fluorés (2024/573).

Les mesures prévues dans la directive de 2000, appliquées en combinaison avec le règlement sur les réfrigérants, offrent, *a priori*, un cadre efficace et approprié pour minimiser les émissions de réfrigérants en fin de vie. Cependant, il n'existe à ce jour aucune obligation de recyclage ni de réincorporation de ces fluides dans de nouveaux véhicules. Or, un avantage important des réfrigérants est leur circularité. Ils peuvent être récupérés, régénérés et réutilisés dans de nouveaux équipements ou des équipements existants, et contribuer ainsi à l'économie circulaire de manière quasi infinie. Les réfrigérants sont largement récupérés dans toute l'Union européenne, mais davantage peut être fait pour garantir que les réfrigérants soient correctement régénérés à la fin de vie d'un véhicule, puis réintroduits dans le système afin de tirer pleinement parti de leur potentiel circulaire, de manière systématique dans toute l'industrie et dans l'ensemble de l'Union européenne.

Le projet de règlement prévoit la récupération et le traitement des fluides de climatisation conformément au règlement (UE) n° 517/2014. Les autorités françaises **proposent qu'une partie des fluides récupérés soient utilisés, après traitement dans les véhicules neufs.**

Les autorités françaises prient la présidence de bien vouloir trouver plusieurs **propositions de rédaction** permettant d'introduire dans le :

Article 6 – 4 a (nouveau)

Le fluide réfrigérant contenu dans chaque type de véhicule, lors du remplissage initial par le fabricant d'équipement d'origine (OEM), et qui est homologué à partir du 1^{er} janvier 2030 en vertu du règlement (UE) 2018/858, devra contenir un minimum de 5 % de fluide réfrigérant régénéré en poids, conformément à la spécification AHRI 700-2019 pour les réfrigérants récupérés après consommation.

Le fluide réfrigérant contenu dans chaque type de véhicule, lors du remplissage initial par le fabricant d'équipement d'origine (OEM), et qui est homologué à partir du 1^{er} janvier 2035 en vertu du règlement (UE) 2018/858, devra contenir un minimum de 10 % de fluide réfrigérant régénéré en poids, conformément à la spécification AHRI 700-2019 pour les réfrigérants récupérés après consommation.

Article 6 – 4 b (nouveau)

¹ Décret n° 2022-1495 du 24 novembre 2022 relatif à la gestion des véhicules hors d'usage et à la responsabilité élargie des producteurs de voitures particulières, de camionnettes, de véhicules à moteur à deux ou trois roues et quadricycles à moteur.

Au plus tard [OP : Veuillez insérer la date = le dernier jour du mois suivant 23 mois après la date d'entrée en vigueur du présent règlement], la Commission adopte un acte d'exécution conformément à l'article 51(2) pour compléter le présent règlement en établissant la méthodologie de calcul et de vérification, aux fins du paragraphe 4a du présent article, de la part de fluide réfrigérant récupéré après consommation, présent et incorporé dans le type de véhicule.

Article 7 – 2 (amendement)

Chaque véhicule appartenant à un type de véhicule homologué à partir de [OP : Veuillez insérer la date = le premier jour du mois suivant 72 mois après la date d'entrée en vigueur du présent règlement] en vertu du règlement (UE) 2018/858, devra être conçu, en ce qui concerne les éléments d'assemblage, **de fixation et d'étanchéité**, de manière à permettre, de manière simple et non destructive, le retrait et le remplacement des batteries des véhicules électriques, **des fluides réfrigérants** et des moteurs électriques d'entraînement, par les installations de traitement autorisées ou les opérateurs de réparation et de maintenance, pendant la phase d'utilisation et la phase de traitement des déchets du véhicule.

Annexe VII, partie F 6 – nouveau

6. Le fluide de réfrigération retiré du véhicule en fin de vie doit, au minimum, être régénéré en fluide prêt à l'emploi de qualité équivalente.

9. Réutilisation (art 33)

Les autorités **françaises proposent d'imposer d'ores et déjà une obligation aux opérateurs de réparation de véhicules afin qu'ils proposent des pièces du réemploi à leurs clients**. Ces mesures existent déjà dans la réglementation française et le règlement pourrait s'en inspirer.

Proposition de rédaction :

Article 33 (refonte) :

À partir du [OP: veuillez insérer la date correspondant au premier jour du mois suivant une période de 36 mois après la date d'entrée en vigueur du présent règlement], le professionnel qui commercialise des prestations d'entretien ou de réparation de véhicules, permet au consommateur d'opter pour la réutilisabilité à la place de pièces neuves.

a) Les dispositions ci-dessus ne s'appliquent pas :

1° Lorsque le véhicule fait l'objet de prestations d'entretien ou de réparation réalisées à titre gratuit, ou sous garanties contractuelles, ou dans le cadre d'actions de rappel ;

2° Lorsque les pièces issues de réutilisation ne sont pas disponibles dans un délai compatible avec le délai d'immobilisation du véhicule qui est mentionné sur le document contractuel signé entre le professionnel et son client relatif à la nature des prestations d'entretien ou de réparation à réaliser ;

3° Lorsque le professionnel qui commercialise des prestations d'entretien ou de réparation de véhicules estime que les pièces de rechange issues de l'économie circulaire sont susceptibles de présenter un risque important pour l'environnement, la santé publique ou la sécurité routière.

b) les catégories d'équipements et de pièces de réutilisation suivants sont concernées :

1° Les pièces de carrosserie amovibles ;

2° Les pièces de garnissage intérieur pour les véhicules automobiles et de sellerie pour les véhicules motorisés à deux ou trois roues ;

3° Les vitrages non collés ;

4° Les pièces optiques ;

5° Les pièces mécaniques ou électroniques, à l'exception de celles faisant partie pour les véhicules automobiles :

a) Des trains roulants ;

b) Des éléments de la direction ;

c) Des organes de freinage ;

d) Des éléments de liaison au sol qui sont assemblés, soumis à usure mécanique et non démontables ;

6° Les pièces mécaniques ou électroniques, à l'exception de celles faisant partie pour les véhicules motorisés à deux ou trois roues :

a) Des axes de roues ;

b) Des garnitures de freins ;

c) Du cadre berceau ou pièce structurelle du châssis.

7° Pour les véhicules motorisés à deux ou trois roues, s'ajoutent aux catégories d'équipements et de pièces de rechange précédemment énumérées, les pièces de rétroviseur et les réservoirs à carburant.

Courtesy translation

The French authorities kindly ask the Presidency to find below their comments as a complement to the Excel file compiling the Presidency's questions and in response to point 20 "Other issues", following the working group held on 7 April 2025 regarding the proposed regulation on vehicles.

1. Scope of Application (Art. 2)

The French authorities request that L1 and L2 type vehicles be included within the scope of this regulation, on the same basis as other L-category vehicles. The French authorities propose to exempt vehicles that are already covered by another sector, which would allow the exclusion of electric bicycles included in category L1e-A, as they already fall under the electrical and electronic equipment sector.

2. Definitions (Art. 3)

The French authorities do not agree with the proposed definition of remanufacturing (28), which does not align with the expectations regarding automotive parts remanufacturing in France. This may be a translation issue, as definition (29) for reconditioning appears more appropriate for remanufacturing. Indeed, while reconditioning refers to an operation where the part's performance is not a key criterion, remanufacturing refers to the process of restoring a part to a like-new condition, with performance at least equivalent to that of a new part.

Proposed definition:

"A rigorous and standardized industrial process allowing a used part or product to be restored to a level of performance and functionality equivalent to, or even higher than, its original state and for the same use. This process ensures the refurbishment of parts/products with a uniform level of quality and performance from the first to the last unit."

3. Post-consumer Waste Control (Art. 6)

The French authorities commit to proposing a more concise wording than that proposed so far, by 18 April.

4. Recycled Plastics Target (Art. 6)

The French authorities wish to maintain the targets initially proposed by the Commission, namely 25% post-consumer recycled plastics in new vehicles, of which 25% should come from end-of-life vehicles (ELVs).

5. Addition of Parts to Annex VII Part C

Some permanent magnets may contain rare earth elements. Pending more precise knowledge of the parts and components described in Article 11(1)(e), the French authorities propose that start-stop systems and electric power steering motors be systematically removed.

Proposed additions to Part C of Annex VII

20. ...	
21. Electronic Call system	
22. Power steering pumps	

6. Target regarding the reuse of copper (Article 6.4)

The French authorities propose that copper also be assessed for recycling in new vehicles.

4. By [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation],
the Commission shall assess the feasibility of establishing a requirement on the minimum share of:

- (a) aluminium and its alloys, magnesium and its alloys, **copper and its alloys** recycled from post-consumer waste and incorporated into vehicle types; and
- (b)....

7. Vehicle Collection (Art. 23)

The French authorities propose strengthening the obligations under the extended producer responsibility (EPR) scheme to ensure that the EPR enables the organization and funding of free collection of end-of-life vehicles (ELVs) directly from the holder. This measure aims to combat the parallel illegal market, which collects ELVs from holders in exchange for payment. Such a measure is already in place under the recent French regulation governing the ELV sector.

8. Air Conditioning Fluid Reuse Target (Art. 6)

Directive 2000/53/EC on end-of-life vehicles sets out minimum technical requirements for the treatment of ELVs. In particular, for depollution operations, operators are required to remove, separate, collect, and store fluids from air conditioning systems contained in end-of-life vehicles. In accordance with the ELV directive, fluids must be removed using specialized equipment and transferred into a collection cylinder. Air conditioning fluids are typically fluorinated refrigerants, which are effectively regulated under the EU Fluorinated Gases Regulation (2024/573).

The measures provided under the ELV Directive, when combined with the Fluorinated Gases Regulation, offer, in principle, an effective and appropriate framework to minimize refrigerant emissions at end-of-life.

However, there is currently no obligation to recycle or reincorporate these fluids into new vehicles.

In addition to their high performance, a key advantage of refrigerants is their circularity. They can be recovered, regenerated, and reused in new or existing equipment, thus contributing to the circular economy in a nearly infinite loop. While refrigerants are widely recovered across the European Union, more can be done to ensure that refrigerants are properly regenerated at the end of a vehicle's life and reintroduced into the system, in order to fully harness their circular potential systematically across the industry and throughout the EU.

The draft regulation provides for the recovery and treatment of air conditioning fluids in accordance with Regulation (EU) No 517/2014.

The French authorities propose that a portion of the recovered fluids be used, after treatment, in new vehicles.

Proposed wording:

Article 6 – 4a (new)

The refrigerant contained in each vehicle type, during the initial filling by the original equipment manufacturer (OEM), and approved from 1 January 2030 under Regulation (EU) 2018/858, must contain a minimum of 5% by weight of regenerated refrigerant, in accordance with AHRI 700-2019 specifications for post-consumer recovered refrigerants.

The refrigerant contained in each vehicle type, during the initial filling by the OEM, and approved from 1 January 2035 under Regulation (EU) 2018/858, must contain a minimum of 10% by weight of regenerated refrigerant, in accordance with AHRI 700-2019 specifications for post-consumer recovered refrigerants.

Article 6 – 4b (new)

No later than [OP: Please insert the date = the last day of the month following 23 months after the date of entry into force of this Regulation], the Commission shall adopt an implementing act in accordance with Article 51(2) to supplement this Regulation by establishing the calculation and verification methodology, for the purposes of paragraph 4a of this Article, for the share of post-consumer recovered refrigerant present and incorporated into the vehicle type.

Article 7 – 2 (amendment)

Each vehicle belonging to a vehicle type approved from [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] under Regulation (EU) 2018/858 shall be designed, with regard to assembly, fastening, **and sealing components**, in such a way as to allow, in a simple and non-destructive manner, the removal and replacement of electric vehicle batteries, **refrigerants**, and electric drive motors by authorized treatment facilities or by repair and maintenance operators, during both the vehicle's use phase and end-of-life treatment phase.

Annex VII, Part F, 6 – new

- 6. The refrigerant removed from the end-of-life vehicle must, at a minimum, be regenerated into a ready-to-use fluid of equivalent quality.**

8. Reuse (Article 33)

The French authorities propose to already impose an obligation on vehicle repair operators to offer reused parts to their customers. Such measures already exist under French regulation and could serve as inspiration for the proposed regulation.

Proposed wording:

Article 33 (recast):

From [OP: Please insert the date corresponding to the first day of the month following a period of 36 months after the date of entry into force of this Regulation], professionals offering vehicle maintenance or repair services must enable consumers to opt for reusability instead of new parts.

a) The above provisions do not apply:

1° When the vehicle is undergoing maintenance or repair services provided free of charge, under contractual warranties, or as part of recall campaigns;

2° When reused parts are not available within a timeframe compatible with the vehicle downtime specified in the contractual document signed between the professional and the customer regarding the nature of the maintenance or repair services to be performed;

3° When the professional providing vehicle maintenance or repair services deems that circular economy spare parts may pose a significant risk to the environment, public health, or road safety.

b) The following categories of reused equipment and parts are concerned:

1° Removable bodywork parts;

2° Interior trim parts for automobiles and upholstery for two- or three-wheeled motor vehicles;

3° Non-bonded glazing;

4° Optical units;

5° Mechanical or electronic parts, excluding those which are part of the following systems in automobiles:

a) Running gear;

b) Steering components;

c) Braking systems;

d) Chassis components that are assembled, subject to mechanical wear, and non-removable;

6° Mechanical or electronic parts, excluding those which are part of the following systems in two- or three-wheeled motor vehicles:

a) Wheel axles;

b) Brake linings;

c) The cradle frame or structural chassis components.

7° For two- or three-wheeled motor vehicles, in addition to the above-mentioned categories, the following parts are also concerned: mirrors and fuel tanks.

Member State	Question No	Reference Art
France	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56

PUBLIC

11	art. 37
12	art. 57
13	Annex VII part C, point 19
14	Annex VII part F
15	Annex VII Part B/Part C
16	Annex VII part C
17	art. 46
18	art. 2
19	art. 20
20	

PUBLIC

Question

Do Member States agree with the proposal?

Do the Member States agree with the proposal?

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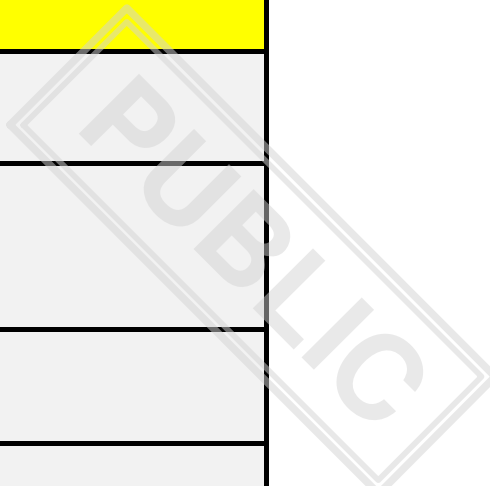
If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

Do the Member States agree with the suggestion?

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Do the Member States wish to:

- 1) leave the current wording of article 37(6)?
- 2) modify the wording of article 37(6) as suggested?
- 3) remove article 37(6)?

Member States are invited to express their opinion on whether the date from which the regulation shall apply:

- 1) should not be modified?
- 2) should be extended to 18 months?
- 3) should be extended to 24 months?

Do the Member States agree with the reformulation of point 19 of Annex VII part C?

Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues

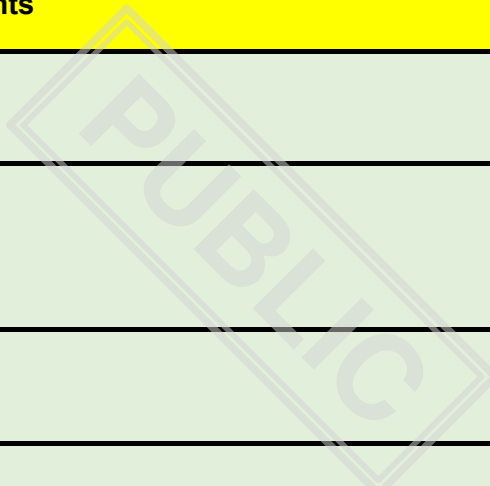
MS position
In favor
In favor
In favor
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Object
In favor
Object
In favor
In favor

PUBLIC

In favor
In favor
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In favor
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In favor
Object

PUBLIC

MS Comments



Les autorités françaises souhaitent aligner la définition de ces véhicules d'intérêt culturel particulier sur celle proposée par le règlement 116/2209 du 18 décembre 2008 concernant l'exportation des biens culturels. Au titre de ce texte, les véhicules sont des biens culturels dès lors qu'ils remplissent cumulativement un seuil d'ancienneté de 75 ans et un seuil de valeur de 50 000€ (cf catégorie 14 de l'annexe I du règlement). Ils sont en conséquence inclus dans les véhicules historiques et donc exemptés au titre de l'article 2 du présent projet de règlement.

En matière d'impact de cette modification de l'article 38 paragraphe 3 sur les interconnexions informatiques, cette dérogation devrait être sans incidence dans la mesure où une exemption se présente généralement dans la déclaration en douane sous la forme d'un code alphanumérique intégré dans le TARIC par la Commission européenne.

Les autorités françaises rappellent leur position relative à la question 5 sur la définition des véhicules culturels ayant un intérêt particulier. Selon la définition retenue dans le règlement sur l'exportation des biens culturels, les véhicules de courses ne pourront donc pas être inclus dans le champ des exemptions. Les autorités françaises sont donc défavorables à l'élargissement de la notion de « véhicule présentant un intérêt historique » aux véhicules de course ou, comme rappelé, à la création d'une nouvelle notion.

Les autorités françaises sont favorables à la modification proposée soit l'option 2,

Les autorités françaises sont favorables au maintien du délai de 12 mois (opt 1) tout en étant ouverte à un allongement du délai si cela est estimé nécessaire par une majorité des autres Etats membres.

Les autorités françaises sont favorables à l'ajout des piles à combustibles dans les éléments à démonter (point C annexe VII). Elles proposent de les ajouter aussi au point F de cette même annexe afin que ces déchets soient envoyés vers un traitement particulier.

Les autorités françaises sont d'accord avec la proposition d'intégrer les homologations individuelles car près de 80% des véhicules construits en multi-étapes font l'objet d'une telle homologation en France. En revanche, les autorités françaises souhaitent savoir si cette intégration ne posera pas un problème de cohérence vis-à-vis de l'exemption des petites séries, qu'il paraît nécessaire de maintenir pour ne pas pénaliser financièrement les PME.

Les autorités françaises sont défavorables à cette proposition qui est contraire au principe de la responsabilité élargie du producteur. C'est aux producteurs et aux éco-organismes de l'Etat membre de prendre en charge la fin de vie de ces véhicules au prorata de leur mise sur le marché, la proposition faite au groupe de travail précédent est à reprendre.

voir note jointe

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
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	2	art. 22
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PUBLIC

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16	Annex VII part C
17	art. 46
18	art. 2
19	art. 20
20	

PUBLIC

Question

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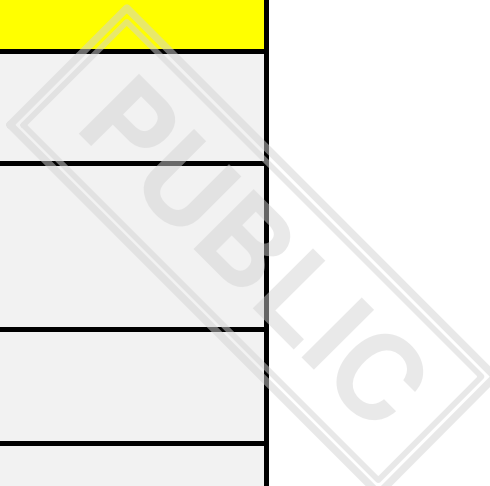
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other issues

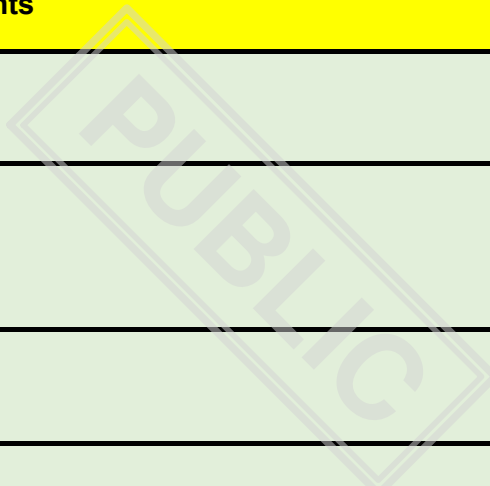
MS position
In favor
In favor
In favor
In favor
Object
In favor
Object
In favor
In favor

PUBLIC

In favor
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In favor
In favor
In favor
Object

PUBLIC

MS Comments



The French authorities wish to bring the definition of these vehicles of particular cultural interest into line with that proposed by regulation 116/2209 of 18 December 2008 on the export of cultural goods. Under this text, vehicles are cultural goods if they meet both an age threshold of 75 years and a value threshold of €50,000 (see category 14 of annex I of the regulation). They are therefore included among historic vehicles and therefore exempt under Article 2 of this draft regulation.

In terms of the impact of this amendment to Article 38(3) on computer interconnections, this derogation should have no impact insofar as an exemption is generally presented in the customs declaration in the form of an alphanumeric code integrated into TARIC by the European Commission.

The French authorities reiterate their position on question 5 concerning the definition of cultural vehicles of particular interest. According to the definition used in the regulation on the export of cultural goods, racing vehicles cannot be included in the scope of exemptions. The delegation is therefore against extending the concept of 'vehicle of historic interest' to racing vehicles or, as mentioned above, creating a new concept.

The French authorities are in favour of the proposed amendment, option 2

The French authorities are in favour of maintaining the 12-month period (opt 1) but are open to extending the period if this is deemed necessary by a majority of the other Member States.

The French authorities are in favour of adding fuel cells to the elements to be dismantled (point C of Annex VII). They also propose adding them to point F of this same annex so that this waste can be sent for special treatment.

The French authorities are in agreement with the proposal to include individual approvals, as almost 80% of vehicles built in multi-stage production are subject to such approvals in France. However, the French authorities would like to know whether this integration will not pose a problem of consistency with the exemption for small series, which seems necessary to maintain in order not to penalise SMEs financially.

The French authorities are opposed to this proposal, which is contrary to the principle of extended producer responsibility. It is up to the producers and eco-organisations of the Member State to take responsibility for the end-of-life of these vehicles in proportion to the time they are placed on the market. The proposal made by the previous working group should be taken up again.

(cf: note)

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
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	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56
	11	art. 37
	12	art. 57

PUBLIC

13	Annex VII part C, point 19
14	Annex VII part F
15	Annex VII Part B/Part C
16	Annex VII part C
17	art. 46
18	art. 2
19	art. 20
20	

PUBLIC

Question

Do Member States agree with the proposal?

Do the Member States agree with the proposal?

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- 2) modify the wording of article 37(6) as suggested?
- 3) remove article 37(6)?

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- 1) should not be modified?
- 2) should be extended to 18 months?
- 3) should be extended to 24 months?

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Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues

MS position
Scrutiny
Neutral
Scrutiny
In favor
Neutral
Neutral
In favor
Neutral
Neutral
Neutral
Scrutiny
Scrutiny

PUBLIC

Neutral
Neutral
Neutral
Neutral
In favor
Neutral
In favor

PUBLIC

MS Comments

IE consider it appropriate to include any additional legal text necessary to address the risk of unjustified retroactive effect. However, such text should be subject to a thorough legal examination to ensure it achieves the desired objective and does not unduly constrain the application of the EPR provisions in the ELVR.

Note our reponse to Question 19.

In principle, IE support the requirement for contracts concluded between Producers and ATFs to be transparent and non-discriminatory. However, as raised by colleagues in the WPE on the 7th, IE would like to better understand the significance of the recent COM judgement with regard to these provisions.

IE can be flexible here. However, we note the COM's comments regarding the possible challenges for smaller ATFs and consider that some flexibility could be provided in terms of their obligations to accept EVs.

IE can be flexible here. However, we would be cautious of creating a loophole whereby an ELV could be exported under the guise of a vehicle of special cultural interest.

IE understand there is a proposal on Customs Reform currently under discussion, which would enhance the automation of customs processes for situations such as this

IE support the use of consistent terms throughout the text.

IE can be flexible here.

IE can be flexible. However, any solution such ensure clarity for shredder operators.

IE can be flexible. However, any solution such ensure clarity for dismantlers.

IE consider that any amendments to Annex I should be subject to appropriate scrutiny by MS.

IE would favour an extension to 24 months here.

IE can be flexible here.

IE can be flexible here.

IE can be flexible here.

IE can be flexible here.

IE support this proposal.

IE can be flexible here.

IE support this text and suggest that the option to "request" payment of an administrative fee by vehicle owners may not be strong enough. Suggest "impose" or "require" as suitable alternatives. IE would like also welcome the inclusion of text in the recital clarifying the application of this provision to imports from third-countries, as suggested by the COM.

On the FR proposal, ahead of the discussion at COREPER, and in anticipation of a Steering Note, IE would support investigating how any proposed authorisation of such imports, together with those foreseen under PPWR, could be aligned with the existing procedure within WSR for exports of waste from the EU. This will help streamline applications and reduce

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
Hungary	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)

PUBLIC

PUBLIC

	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56

	11	art. 37
	12	art. 57
	13	Annex VII part C, point 19
	14	Annex VII part F
	15	Annex VII Part B/Part C
	16	Annex VII part C

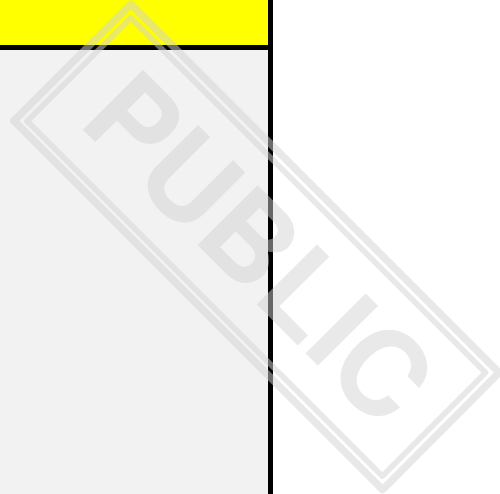
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	17	art. 46
	18	art. 2
	19	art. 20
	20	

PUBLIC

Question

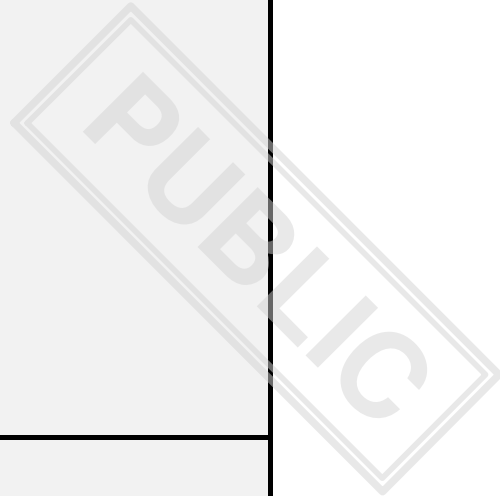
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If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

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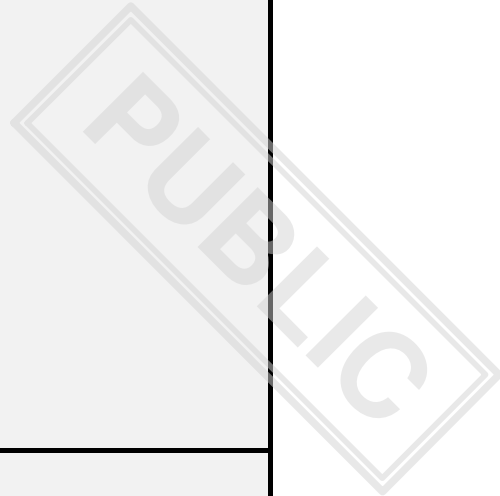
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Do the Member States agree with the recommendation regarding fuel tanks?

Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?



Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues

MS position
Object
Object
Object

PUBLIC

In favor
In favor
In favor
In favor
In favor
Object
In favor

PUBLIC

In favor
In favor
Object
Object
Object
Neutral

PUBLIC

Object
In favor
Object

PUBLIC

MS Comments

We agree with the intention of the proposal, namely the producers should not be obliged to pay financial contribution retroactively. However the proposed text is not entirely clear, particularly that the producer has to pay any financial contributions after the entry into force of this Regulation for vehicles made available on the market before the entry into force of this Regulation.

We understand and agree with the intention of the proposal, however, in our view further clarification is needed in the text. We believe that the reference to individual user is not needed since we express that the producer who placed that vehicle on the market (which means making available a vehicle for the first time in the European Union) shall ensure that the costs of waste management operations in other Member States are covered. In this way the costs of waste management in other Member States will be covered regardless of whether the import was made by an individual user or a producer. Moreover we propose an addition referring to the case when no producer can be identified regarding placing on the market.

Therefore we propose the following wording for Article 22:

1. Where a vehicle becomes an end-of-life vehicle in another Member State than the Member State within whose territory the vehicle was made available on the market for the first time, ~~and no producer can be identified on the territory of the Member State where it becomes an end-of-life vehicle,~~ the producer ~~of that vehicle who placed that vehicle on the market~~ or, where appointed in accordance with Article ~~18~~ **17**, the producer responsibility organisation **in that Member State where the producer placed that vehicle on the market** shall ensure that the net costs of waste management operations referred to in Article 20 incurred by waste management operators in other Member States are covered.

2. A producer placing a vehicle on the market or, where appointed in accordance with Article ~~18~~ **17**, a producer responsibility organisation **in that Member State where the producer placed**

We do not support the proposed amendments to recital 33a and Article 15(3a), which do not take into account the characteristics of the different national systems.

The proposal is acceptable, but we believe it is important to clarify that only batteries and vehicles with suspect batteries should be treated in this manner. The intended goal to request ATF to implement additional safety procedures can be supported but there are not enough details regarding the specific obligations of the ATF related to the removal of the battery from a damaged vehicle. It should be noted that it is not feasible for ATF to remove the battery from damaged electric vehicles within 24 hours after delivery. Additionally, in case of an accident, the ATF needs to wait for the decision of the insurance expert before depolluting the vehicle (vehicle needs to be considered an ELV). While waiting for the insurance expert decision, the vehicle is not the property of the ATF but still the property of the vehicle owner or the insurance. It is likely that the significant investment required by the ATF will lead many facilities to decline the acceptance of electric ELVs, ultimately jeopardizing the establishment of a sufficient recycling network.

We support compliance with condition "**a**" or "**b**" in Article 38(3), **instead of "a" and "b"**. We note that this provision will create significant costs for dismantlers and waste managers.

We agree with the intention of the proposal, however, adding '**as a racing vehicle**' to the 1.a. could be understood that it applies only to the racing vehicle. Therefore we proposed reference to racing vehicle to involve to the paragraph 1:

1. Competent authorities in the Member State of registration of a vehicle, or one of its appointed authorising bodies, may recognise a vehicle as having a special cultural interest, **including those, which are used as a racing vehicles**, when it meets all of the following criteria.

We support the removal of point c.

Hungary believes that the 12-month timeframe is insufficient, given that the ATFs require adequate time to properly staff their operations, acquire the necessary equipment, and train their employees effectively. The reference of **N2 and N3 vehicles' parts** (not foreseen before) raises a potential inconsistency (these are granted 5 years). Since **N2, N3, M2, M3 and O categories** will be in scope of the regulation from 60 months after EoF **no requirements for these categories could start to apply earlier**.

All EPR related obligations should enter into force at EIF + 36 months (as the date of entry into force of art. 16).

Hungary supports option 1. Furthermore, we suggest changing “delegated” into “implementing” acts in Art. 37 (6) to involve all the stakeholders.

Hungary supports **Option 3.**

We recommend **deleting the proposal** or at least limit to fibre-reinforced thermosets. Also, we believe that a concrete definition would be essential.

We do not support the proposal to add filler reinforced plastics to Annex VII Part F to maintain technological neutrality as we believe that the definition of a specific treatment technology may inhibit innovation.

~~As fluids from the tanks should be removed beforehand, empty fuel tanks do not count as “potentially explosive parts” in the sense of Annex VII, Part B, Point 2. Therefore **fuel tanks should be deleted from Annex VII Part C** as there is neither a potential for reuse, nor for recycling due to the contamination of the plastic with fuel. Fuel from fuel tanks has to be removed during depollution of the FLV, therefore normally a mandatory dismantling of the fuel tank would not be~~

Due to the positive value of the fuel cell stack, it will be removed from the vehicle either way.

We consider that **repair and maintenance operators should not be exempted from the inspection requirements**. Repair and maintenance operators are not classified as ELV treatment facilities and therefore do not handle waste from ELVs. However, they must dispose of their waste from repairs and maintenance operations in an environmentally friendly manner, according to respective national waste legislation, and need to be inspected accordingly by their national authorities.

The enforcement of the obligation for repair and maintenance operators to offer used, remanufactured, and refurbished spare parts alongside new components is crucial for enhancing sustainability within the automotive repair sector.

We support the proposal if is coupled with the proposal from the previous Steering Note of March 13, namely point II.1, Cluster 5: “As a first step to achieve this, the Presidency proposes to delete Art. 2(2)(b).” Only this way, we believe, is the proper effect, namely the full coverage of also heavy-duty vehicles by ELVR, can be achieved. Otherwise, there will be a clear inconsistency: the scope (Art. 2.1) includes the vehicles with individual approval, but the scope exemptions (Art. 2.2) still cover parts of vehicles under multi-stage type approval (which make up a small share of all vehicles produced in a multi-stage procedure). This way, incentives might arise to shift from one approval type to another against the normal market logic, disrupting existing business models and competition.

In our view, the wording proposal for Article 20 would settle this issue more appropriately with changes in Article 22. Please see our comment in this regard under Question 2.

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Written comments from the Netherlands

Regarding the proposal for a Regulation on circularity requirements for vehicles and management of waste vehicles.

WPE 7th of April, 2025

We like to thank the Presidency for the invitation to send in written comments.

Q	Position	Comments
1	Positive	
2	Flexible	<p>in general we are flexible on this. However, we are concerned if the administrative burden to implement this mechanism is proportionate compared to the problem here. Maybe article 22 should first focus on sharing information of where vehicles become ELV's compared to where they have been put on the market.</p> <p><i>Please find our proposal below</i></p>
3	Positive	
4	Positive	<p>This is a good idea when referring to the electric vehicles when the batteries is still inside. Otherwise annex XII of the Batteries Regulation applies. The amendment refers to 'vehicles <i>and batteries</i>', this should be specified.</p> <p>Also the term 'assessment' and 'quarantined area' should be specified.</p>
5 & 6	Negative	<p>We do not agree, because this can create loopholes. The many exemptions will raise difficulties in the implementation and execution of the Regulation. In the NL for example, we do not register these vehicles. In general, we are not in favour of the exemption these vehicles have in the regulation, for example when will a vehicle of special cultural interest become an ELV or waste in that matter?</p>
7	Positive	
8		<p>In the NL we do not register race vehicles, so this might cause a concern for us. However we can be flexible on this point, as long as these vehicles are not allowed to be exported</p>
9 & 10	Positive	<p>We agree with changing the transitional periods to avoid a gap in legislation. However, we notice that for questions 9 and 10 there are two different approaches used. Question 9 suggests to change the period in article 28, while question 10 refers to a change in article 56 instead of changing the period in article 30. Perhaps article 28 and 30 were intended to have the same timeline and now this is changed. We would suggest to change both the periods in article 28 and 30 to 12 months for consistency.</p>
11	Negative	<p>Since annex 1 is an essential and fundamental part of the Regulation, we do not believe the Commission should be empowered through a delegated act to amend annex 1. We believe this should be an implementing act or through the Ordinary Legislative Procedure.</p>
12	Option 1	
13	Positive	<p>Yes we agree, glass fibre reinforced plastics are much more widely used in automotive than carbon fibre reinforced plastics and they cause similar issues in recycling. Therefore it is good to change the term to also include other materials.</p>

14	Positive	Proposed wording: "Removed fibre reinforced plastics from the end-of-life vehicle, shall be treated in a way that a minimum of 25% of the weight is recycled". In the Netherlands there is a ban on landfilling of plastic waste (also fibre reinforced plastics). Hence we advocate for a ban on landfilling of this material. Furthermore, the waste hierarchy should be taken into account. So preferably this material should be recycled and otherwise recovered.
15	Positive	
16	Positive	
17	Positive	
18	Positive	
19	Positive	We strongly agree with this addition, since this will ensure a robust system where every or most of the vehicles put on the market of a member state are covered by an EPR fee.
20	Scrutiny	

The Netherlands Proposal for art 22 of the End of Life Vehicles Regulation

During the discussions in Council we have had difficulties trying to understand how the proposed mechanism in article 22 would work. The cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State seems to lead to a very high administrative burden and we question if it is proportionate. We acknowledge that an end of life vehicle should always be a producers' responsibility. However, when the EPR fee is paid the moment a vehicle enters the market of a MS, there should always be a fee paid in the MS where it becomes ELV. Except for situations where a vehicle becomes an ELV during a holiday e.g.

However, at the moment it is unclear if it is a big problem that vehicles become ELV in a different MS than where they have been put on the market. Or if there is no EPR fee paid for the vehicle where it has become an ELV. Hence, it would be a logical first step to get an insight into where vehicles become ELV based on sharing information. The Commission has explained that sharing information is the essential goal of article 22, however the title of the article still stresses the **cost allocation**.

We would propose to change article 22 so that it is focussed more on sharing information between MS. To make this work, it is necessary to track when a vehicle has been made available on the EU market for the first time and where and if there is an EPR fee paid. When the same vehicle becomes an ELV and a CoD has been issued, this should also be uploaded in the national vehicle registration system. This can consequently be uploaded through EUCARIS. When tracking this for some years, it will become clear if an excessive amount of vehicles become ELV in a different MS and if there is no EPR fee paid for it. If necessary, a cost allocation system can be set up. This can be part of the evaluation of the ELV Regulation.

Article 22 – Exchange of information on the registration of vehicles and end-of-life vehicles between Member States

1. The producer or, where appointed in accordance with article 17, the producer responsibility organization, shall have the right to set up a system for collecting EPR fees in connection with the registration of a vehicle in the national registration system of the Member State where it operates. If such a system is established, the relevant authorities of the Member State shall

ensure that the data on vehicles for which EPR fees have been collected is provided in their national vehicle registration system.

2. The relevant authorities of the Member State shall ensure that all vehicles that are put on the market for the first time will be registered and provided in their national vehicle registration system.
3. The relevant authorities of the Member State shall ensure that the information on vehicles for which a Certificate of Destruction pursuant to Article 25 has been issued, will be provided in their national vehicle registration system.

Issue on historical waste

The scope of the new regulation covers more vehicle categories than the previous directive, especially for the EPR provisions. Since the long life span of vehicles, there will be vehicles on the road before the entry into force of the regulation but that will become waste after the entry into force. Meaning that there has not been an EPR fee paid when these vehicles were put on the market. Will these vehicles be subject to the EPR obligations under the new regulation or will they be exempt? In our view, the EPR fee paid for the new vehicles placed on the market after the entry into force will pay for the waste treatment of the 'old vehicles'. Also, vehicles still have valuable parts and components which can also cover partially the costs treatment. Therefore, this should not be a big issue.

However, we do believe the text should make explicit that all vehicles that under the scope of EPR by entry into force should be treated accordingly. We want to avoid that these vehicles are exempt from the EPR scheme after the Regulation is put into force, however over these vehicles there should be paid a fee retrospectively. It will also make it easier in the implementation, otherwise the vehicles from the new categories need to be checked when they were put on the market. We want a circular and sustainable waste treatment for all vehicles under the scope of the regulation.

Possibility to export vehicles cut into pieces

Our concern: the current text does not sufficiently prevent vehicles from being cut into pieces, exported as parts and subsequently re-welded together in the receiving region. The following websites show examples of this issue: [Car Dismantling and parting](#) & [What Are Half Cuts, and Are They Available in Australia? | Car Part](#). In order to prevent this from happening within this regulation, the Netherlands would like to suggest the following addition to Annex VII, Part E:

ANNEX VII

PART E

COMPONENTS AND PARTS NOT TO BE REUSED

1. All airbags including cushions, pyrotechnic actuators, electronic control units and sensors.
2. Emission after-treatment systems (e.g. catalytic converters, particulate filters).
3. Exhaust silencers.
4. Automatic or non-automatic seat belt assemblies, including webbing, buckles, retractors, pyrotechnic actuators.
5. Seats in cases where they incorporate safety belt anchorages and/or airbags.

6. Steering lock assemblies acting on the steering column.
7. Immobilisers, including transponders and electronic control units.

8. Deformed used bodies or cabins

9. Cut-out parts of bodies or cabins

Regarding the scope – L and O1&2-category vehicles:

It is remarkable that Article 37 applies to this category, and thus the obligation remains to have a valid PTI (Periodic Technical Inspection) and/or an assessment in case of sale or export within the Union. However, this category is not subject to PTI requirements in the Netherlands, which would automatically mean that an ELV-assessment is required.

In contrast, Article 38, concerning exports to third countries, does *not* apply. It is odd that, for this category, we make an exception for export to third countries but not for export within the EU, especially considering that the aim of this regulation is to **prevent the dumping of ELVs** outside the Union.

In addition, the process described for the “Part B” in Annex 1 seems unworkable in these cases. If one of the criteria under Part B applies and the independent automotive expert assesses the vehicle as repairable, the vehicle must have a valid PTI within two years (or potentially five in the future). Otherwise, it will still be classified as an ELV.

This requirement cannot be met for vehicles that are not subject to PTI obligations. This applies not only to categories L1e and L2e but also to other L-category vehicles. We would like to raise this issue, as the Netherlands is not the only country without PTI requirements for L-category vehicles (France, Finland, and Ireland also fall into this group).

These remarks also partially apply to category O—specifically to trailers under 3,500 kg (O1 and O2), which are likewise not subject to PTI.

Proposal:

- Exempt article 37 and 38 for vehicle categories O1&O2 and L categories

Article 2

Scope

3. Notwithstanding paragraph 1, point (b), the following provisions shall not apply to vehicles and end-of-life vehicles of categories M2, M3, N2, N3 and O:

- (a) Article 4 on reusability, recyclability and recoverability of vehicles;
- (b) Article 5 on requirements for substances in vehicles;
- (c) Article 6 on minimum recycled content in vehicles;

~~(d) Article 7 on design to enable removal and replacement of certain parts and components in vehicles;~~

~~(e) Article 8 on general obligations;~~

~~(f) Article 9 on circularity strategy;~~

(g) Article 10 on declaration on recycled content present in vehicles;

- (h) Article 12 paragraph 1 on labelling of parts, components and materials present in vehicles;
- (i) Article 13 on digital circularity vehicle passport;
- (j) Article 21 on fee modulation;
- (k) Article 22 on cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State;
- ~~(l) Article 28 on general requirements for shredding;~~
- ~~(m) Article 30 on mandatory removal of parts and components for reuse and recycling prior to shredding, except for the entries 1-3 of Part C of Annex VII;~~
- ~~(n) Article 31 on requirements concerning the removed parts and components;~~
- ~~(o) Article 32 on trade of used, remanufactured or refurbished parts and components;~~
- ~~(p) Article 33 on reuse, remanufacturing and refurbishment of parts and components;~~
- (q) Article 34 on reuse, recycling and recovery targets;
- ~~(r) Article 35 on ban on landfilling of non-inert waste;~~
- (s) Article 36, paragraph 2 on shipments of end-of-life vehicles.

(t) Article 37 and article 38 shall not apply to vehicles and end-of-life vehicles of categories of O1 and O2

4. 4. Notwithstanding paragraph 1, point (c), the following provisions shall not apply to vehicles and end-of-life vehicles of categories **L1e, L2e**, L3e, L4e, L5e, L6e and L7e

(a) Articles listed in paragraph 3;

(b) Article 37 on distinction between used vehicles and end-of-life vehicles

- (c) Article 38 on controls and requirements on the export of used vehicles;
- (d) Article 39 on automated verification of the Vehicle Identification Number and the information on vehicle status;
- (e) Article 40 on risk management and customs controls;
- (f) Article 41 on suspension;
- (g) Article 42 on release for export;
- (h) Article 43 on refusal to release for export;
- (i) Article 44 on cooperation among authorities and exchange of information;
- (j) Article 45 on electronic systems.

Article 6 – Minimum recycled content in vehicles

The Netherlands supports the proposed target of 25% for recycled plastics in vehicles by the Commission. Based on the impact assessment of the Commission and conversations we have had with both car manufacturers and recyclers, we are convinced a 25% in 6 years after entry into force is achievable. Such a target is needed to create demand for recycled plastics and will also lead to higher

quality supply. Plastic recyclers are struggling in Europe and this is necessary to give them perspective. Amending the target to 20% in 6 years and 25% in 9 years after entry into force will not give the recycling sector the perspective they need. These timelines are too long.

We would also like to raise our concern regarding the inclusion of pre-consumer waste for the target. There are no real obstacles to already use pre-consumer plastic waste in cars, hence there is no need to create a market for this. Including pre-consumer waste will not lead to a maximal circular impact and may cause for greenwashing. Therefore, the post-consumer plastic waste should only be allowed to be counted towards the plastic recycled content target.

Member State	Question No	Reference Art
Lithuania	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56
	11	art. 37
	12	art. 57
	13	Annex VII part C, point 19
	14	Annex VII part F

PUBLIC

	15	Annex VII Part B/Part C
	16	Annex VII part C
	17	art. 46
	18	art. 2
	19	art. 20
	20	

PUBLIC

Question

Do Member States agree with the proposal?

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Do the Member States agree with the proposal?

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If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

Do the Member States agree with the suggestion?

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Do the Member States wish to:

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- 2) modify the wording of article 37(6) as suggested?
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Member States are invited to express their opinion on whether the date from which the regulation shall apply:

- 1) should not be modified?
- 2) should be extended to 18 months?
- 3) should be extended to 24 months?

Do the Member States agree with the reformulation of point 19 of Annex VII part C?

Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

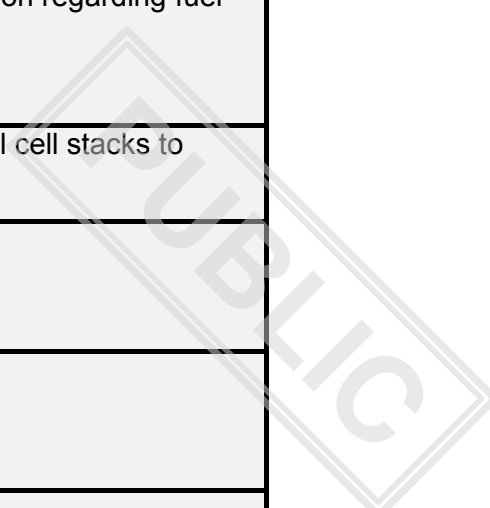
Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues



MS position
Object
In favor
In favor
Object
In favor
Neutral
In favor
In favor
In favor
In favor
In favor
In favor
In favor
In favor
Object

PUBLIC

In favor
In favor
In favor
Neutral
In favor

PUBLIC

MS Comments

In order to clarify that the extended producer responsibility only applies to vehicles made available on the EU market for the first time, we propose to replace the words "makes available on the market" in Article 20(1) of the Regulation by the term "placing on the market", as defined in Article 2(10) of the Regulation ("placing on the market" means making available a vehicle for the

In order not to impose a disproportionate financial burden on ELV operators by installing separate storage areas for ELVs with damaged batteries, we propose to require the removal of the damaged battery within 24 hours and its separate storage in an appropriate place.

We agree with the proposed option 1, i.e. to maintain the current wording of Article 37(6) of the Regulation

We support the partially proposed Option 2, i.e. the application of the Regulation after 18 months. We propose to modify Option 2 by linking the date of application of the Regulation to the beginning of the calendar year, at least 18 months after the date of entry into force of the Regulation, in order to avoid imbalancing the accounts of economic operators.

PUBLIC

MS

Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

-
In favor
Object
Neutral
Scrutiny



Member State	Question No	Reference Art
Austria	1	art. 20, rec. 39
	2	art. 22
	3	rec. 33a, art. 15 (3a)
	4	annex VII part A, point 4
	5	art. 38
	6	art. 38
	7	vehicle owner (whole text)
	8	annex I part C section 1
	9	art. 28
	10	art. 56
	11	art. 37
	12	art. 57
	13	Annex VII part C, point 19
	14	Annex VII part F

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	15	Annex VII Part B/Part C
	16	Annex VII part C
	17	art. 46
	18	art. 2
	19	art. 20
	20	

PUBLIC

Question

Do Member States agree with the proposal?

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Do the Member States agree with the proposal?

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If yes, do Member States have any comments regarding the feasibility of its implementation, considering the automatised customs procedures?

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Do the Member States agree with the reformulation of point 19 of Annex VII part C?

Do Member States believe that fiber-reinforced plastics should be included in Annex VII part F? If so, how the new entry should be worded?

Do the Member States agree with the recommendation regarding fuel tanks?

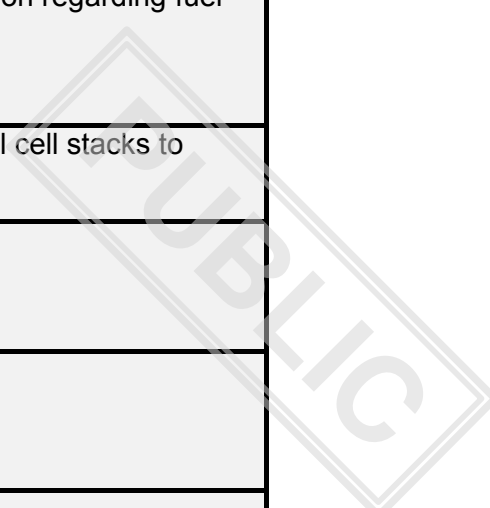
Do the Member States agree with the addition of fuel cell stacks to Annex VII part C?

Do the Member States agree with the proposal?

Do the Member States agree with the proposal?

Can the Member States agree with the proposal?

other issues



MS position
In favor
Object
-
In favor
In favor
-
In favor
Neutral
Object
In favor
-
-
Object
-

PUBLIC

In favor
In favor
In favor
Scrutiny
Object

PUBLIC

MS Comments

The proposal does not solve the problems of many member states, including those of AI. It contradicts the principle of producer responsibility and leads to a high level of bureaucracy. We support the proposal of the Netherlands to primarily start an information exchange regarding the vehicles that are privately imported and then become waste and to introduce a review on a possible cost allocation mechanism based on this information.

While we can agree with the content of the proposal, the flexibility for the MS must be retained. The fragment of the sentence "MS may adopt measures" must not be deleted.

We agree with the proposal. However, we can imagine that further treatment obligations or the specification of these could be necessary [what are appropriate installations?] We therefore wonder whether the member states can impose additional national obligations here.

However, it must be checked whether the "vehicle owner" is also meant in each case. The "last owner" could, for example, be different from the "vehicle owner".

~~We have no objections to the proposal. The wording could read: "its unique historical or cultural value or status or its status as a racing vehicle". This would reduce the risk of the historical significance of vehicles being lost alongside their financial value. We are however flexible on this.~~

The deadlines must match. We prefer the proposal to extend the applicability of the ELV Directive instead. This would provide a uniform approach with Art. 30 and provide for a sufficient transition method.

We are in favor of option 3 and therefore in favor of deletion. Changes to the criteria that make a vehicle an end-of-life vehicle should be reserved for the co-legislators. This is an essential provision that must not be regulated by a delegated act.

As the member states have to take a number of measures to implement this "regulation", a later entry into force is necessary. We are in favor of 24 months (option 3).

We agree that not only carbon fiber-reinforced plastics should be removed, but also glass fiber-reinforced plastics. However, as it is essential for the recycling of the respective plastics that they are available separately, we are in favor of including a separate entry for glass fiber

Landfilling prohibitions can be an option. However, adequate transitional periods are necessary.

We can agree with the proposal with regard to fuel tanks. However, the airbags need to remain deleted under part B(2)(a), as they are already sufficiently covered by part B(1a).

The articles listed in Art. 2(3) must not be applied in this case. This must be ensured by appropriate wording, the current wording is ambiguous in this regard.

see question 2

~~it was pointed out by the Legal Service that in order to stipulate nationally that the repair costs (in accordance with Article 37(2)(b) and Annex I, Part B, criterion (f)) have to be the costs of repair in Austria (and not in another Member States) an authorization for the Member States needs to be included in the text. We therefore propose the following addition to Art. 37: (6)~~

MS

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Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
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Finland
France
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Greece
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Luxembourg
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Position

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Object
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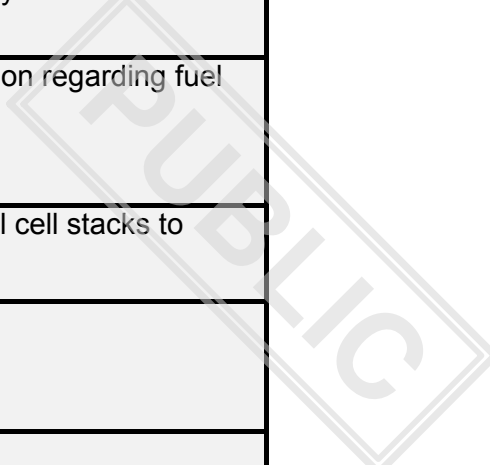
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other issues



MS position
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Scrutiny
In favor
Neutral
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Neutral
Neutral
Neutral
Neutral
Scrutiny
Scrutiny
Neutral

PUBLIC

Scrutiny
In favor
Neutral
In favor
Neutral
In favor

PUBLIC

MS Comments

No objection.

No objection.

No objection.

No objection.

No objection. We defend a harmonization of terms throughout the entirety of the proposal to ensure consistency and clarity.

No objection. According to our interpretation of the english text, the excepted vehicles are of two different types: vehicles classified as historic and sports competition vehicles.

No objection.

No objection.

We prefer option 2, which is in line with the Presidency's proposal, as it acknowledges the technological progress and allows room for adaptation to innovation, allowing for the reduction of unnecessary ELV classification, and is consistent with circularity.

We tend to agree with option 1, in which the deadline should not be changed, and we have some flexibility. We believe that it is important to maintain the momentum and ambitious timetable for the implementation of the regulation's objectives, demonstrating commitment to the rapid transition to the new circularity requirements for vehicle design and end-of-life vehicle management, although it is recognized that there may be a need for adaptation in managing the specific challenges related to different national realities.

No objection.

No objection.
No objection.

PUBLIC

MS

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Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
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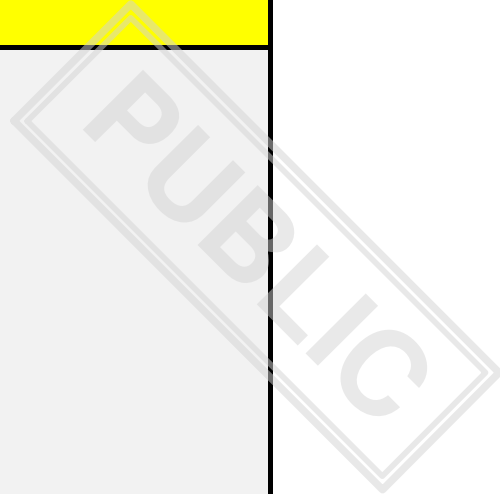
PUBLIC

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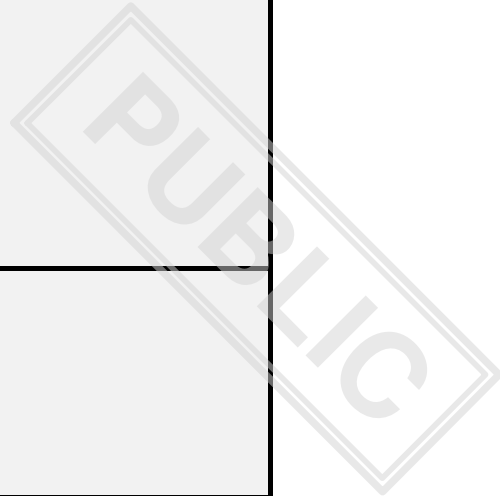
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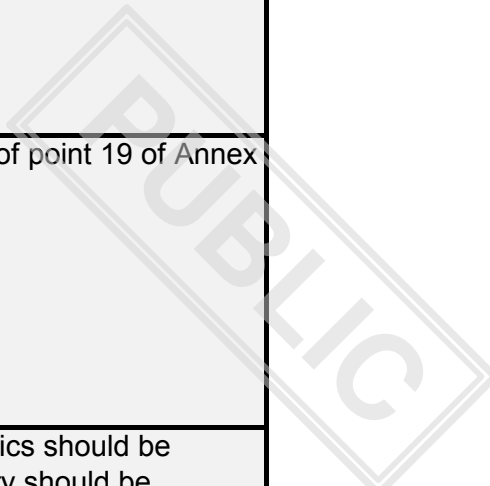
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In favor
Scrutiny
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In favor
Object

PUBLIC

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PUBLIC

MS Comments

While we understand that the proposal aims to "eliminate possible retroactive effects," we believe that its current formulation may not fully consider the broader implications. As such, Slovenia cannot support it at this stage.

Given the complexity of the issue, it is essential to carefully evaluate the potential impact of the proposal—both on existing systems and on future implementation—particularly in the context of ELV management. The average age of ELVs at the time of treatment is approximately 15 years. Under the proposed approach, this would mean that a "full cost EPR" model would not be in effect for the next 15 to 20 years.

Furthermore, from a practical perspective, we consider it unfeasible to implement a system that allocates producers' financial contributions based on the date a vehicle was placed on the market. Introducing two parallel financing systems—one for vehicles placed on the market before the regulation and one for those after—would add considerable complexity and may not be a viable solution.

We recommend a more thorough analysis to ensure that any adopted approach is equitable, implementable, and aligned with the overarching objectives of ELV policy.

Slovenia considers both of the proposed options—including Scenario 2—to be problematic with regard to the effective implementation of EPR, as well as the monitoring of compliance and enforcement in cases of non-compliance. In our view, the feasibility of the proposed mechanism remains uncertain.

As stated at several previous WPEs, we are of the opinion that the only viable way to ensure the operability of such a mechanism is to link the financial responsibility—and EPR obligations—to the vehicle manufacturer, based on the vehicle brand, irrespective of which professional entity first places the vehicle on the market within a Member State. This approach allows for clear identification of the producer (i.e., the manufacturer), who would then designate an authorised representative in each Member State to fulfil their EPR obligations. These obligations should reflect the manufacturer's market share in the respective Member State's ELV waste stream.

We note that the revised proposal attempts to address this issue through the application of the "polluter pays principle." However, we believe this approach is not appropriate in the context of EPR for vehicles. If the EPR principle is to be applied, it must be implemented comprehensively. Selectively applying EPR to certain vehicles while relying on the polluter pays principle—and consequently placing the financial burden on vehicle owners—for others, undermines the coherence and integrity of the EPR framework.

We therefore encourage further consideration and refinement of the proposal to ensure consistency, fairness, and practical enforceability across all Member States.

We believe that maintaining the flexibility for Member States to require producers to enter into contracts with ATFs is essential. The proposed provision seems to significantly shift this approach. Previously proposed Presidency text, which was broadly supported, gave Member States the flexibility to require producers to enter into contracts with ATFs. The new recital, however, sets out general terms and conditions that must be included in such contracts if manufacturers choose to enter into them.

However, we support the inclusion of an additional sentence at the end of paragraph 3a to ensure that this flexibility is clearly preserved.

Additional comment: the text must clearly state that the provision refers specifically to end-of-life electric vehicles and their treatment.

As currently written, this is not clear. The use of terms like "electric vehicle" and "such vehicle" creates confusion between the handling of "damaged vehicles" and "end-of-life vehicles". Not every damaged electric vehicle is an end-of-life vehicle.

Additional comment: The Directive applies only to vehicle categories M1 and N1. With the repeal of the Directive and a transitional period of 36 months, a gap could only arise in the case of these vehicle categories. So, we could be in a favor of such a proposal in the case of vehicle categories M1 and N1. However, since the text refers to a general, "end-of-life vehicles", we do not support such a change.

We believe that this provision must be additionally reviewed. It is not clear how the requirements linked to depollution, removal of components and a copy of COD in the case of vehicle categories M2, M3, N2, N3 and O can apply in proposed transitional period (12 months) if these requirements for that vehicles shall apply in 60 months after the Regulation enters into force?

There is concern regarding whether the definition of ELV in light of the criteria in Annex 1 should take precedence over the general rule defining waste based on the holder's intent or actions (e.g., discards, intends to discard, or must discard). To address this issue effectively, we recommend that the definition of ELV remain aligned with the definition of waste, with Annex 1 specifically outlining the criteria under which a vehicle should be considered as discarded. We believe that the mere deletion of Article 37(6) does not fully resolve this concern, as it continues to be linked to the ELV definition based on the criteria set out in Annex 1.

Due to the complexity of the proposal the date from which the regulation shall apply should be extended at least to 24 months.

Slovenia does not support the reformulation as currently proposed. We believe that replacing "components" with "parts" does not add clarity and may in fact narrow the intended scope. More importantly, if the goal is to ensure consistency with Annex IV, the terminology should be aligned to refer to "fiber-reinforced plastics" more broadly, not only carbon fiber reinforced plastics (CFRP). This would include at least glass fiber polymer composites as well. Proposed revised wording: »Components of fibre-reinforced polymer composite"

Slovenia supports including fiber-reinforced plastics in Annex VII Part F. Given the difficulties in recycling and their potential impact on the quality of other plastic fractions, specific treatment requirements are warranted. The entry should promote removal, separate treatment, and encourage innovation in FRPC recycling.

Additional comment: Slovenia opposes to setting an inspection threshold of 10%.

The proposal is not in line with the EPR principle.

Additional comment to Art. 20.1: the text of proposal is not in coherence with the text prepared and discussed during previous WPE (paragraph 1a is missing, references to articles in 1a are not accurate anymore).

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