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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Omnibus IX (Automotive) - Comments from delegations

Following the call for written comments and questions launched on 12 January, delegations will find attached the inputs received from SK.

Below please find SK written comments and questions on Omnibus IX (Automative)- launched on 12 January 2026 (deadline: 19 January 2026)

Slovakia maintains scrutiny reservation.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EC) No 561/2006, (EU) 2018/858, (EU) 2019/2144 and (EU) 2024/1257 of the European Parliament and of the Council as regards the simplification of technical requirements and testing procedures for motor vehicles and repealing Council Directive 70/157/EEC and Regulation No 540/2014 of the European Parliament and of the Council

Legal basis

The proposal cites Article 91 and Article 114 TFEU as the legal basis. Article 114 concerns the internal market and is used for vehicle type-approval legislation.

Article 91 concerns transport, and we believe that it should be used only for Article (not for Articles 2 to 6 of the Omnibus proposal). In some regulations with dual legal basis, the "second" legal basis is applied exclusively to a specific part, to certain chapters, or to certain articles.

We would appreciate clarification as to why both legal bases apply to the proposal as a whole, rather than limiting Article 91 to the provisions directly related to transport, as is done in some acts with a dual legal basis. We would also welcome the opinion of the Council Legal Service on this matter.

Article 2

Article 2 contains amendments to Regulation (EU) 2018/858. It is proposed to introduce a new subcategory "E" for small electric vehicles. The introduction of this subcategory is not for the purposes of type-approval legislation. This subcategory is intended for purposes of other legal acts to support small electric vehicles. We would consider it more appropriate for the definition to be included in the legislation for whose purposes it is intended.

Article 3

The Commission is proposing a change regarding the speed limitation devices. According to current regulations, vehicles heavier than 3.5 tonnes must be equipped with speed limitation devices. According to this proposal electric vehicles from 3.5 tonnes to 4.25 tonnes do not have to be equipped with speed limitation devices.

We would like to ask how the Commission assessed the impact on road safety. In 2012 the Commission argued that speed limiters should also be fitted to N1 vans up to 3.5 tonnes, where it was argued that weight and speed have a fairly significant impact on road safety.

We understand that the Commission is trying to facilitate the conditions for one group of vehicles, however, the proposals should be technologically neutral. The impacts on road safety should be thoroughly assessed.

Could the Commission clarify whether the safety implications of this approach, including for 4.25-tonne N2 vehicles at motorway speeds, have been assessed?

Article 4

Article 4 introduces amendments to the Euro 7 Regulation, including adjustments to Annex V. We would appreciate confirmation from the Commission as to whether these amendments reflect a complete and exhaustive set of the identified issues in Annex V, or whether further changes are envisaged through other instruments.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 92/6/EEC to exempt certain N2 electric vehicles from the requirement to install and use a speed limitation device

Same as article 3 of proposal COM (2025)993: The Commission is proposing a change regarding the speed limitation devices. According to current regulations, vehicles heavier than 3.5 tonnes must be equipped with

speed limitation devices. According to this proposal electric vehicles from 3.5 tonnes to 4.25 tonnes do not have to be equipped with speed limitation devices.
We would like to ask how the Commission assessed the impact on road safety. In 2012 the Commission argued that speed limiters should also be fitted to N1 vans up to 3.5 tonnes, where it was argued that weight and speed have a fairly significant impact on road safety.
We understand that the Commission is trying to facilitate the conditions for one group of vehicles, however, the proposals should be technologically neutral. The impacts on road safety should be thoroughly assessed.
Could the Commission clarify whether the safety implications of this approach, including for 4.25-tonne N2 vehicles at motorway speeds, have been assessed?

- Could the Commission clarify how the proposal applies to N2 electric vehicles up to 4.2 tonnes already placed on the market and equipped with a speed limiter, and whether any removal of such devices would be permitted and, if so, limited to authorised workshops in line with Article 5(2) of Directive 92/6/EEC?

- This proposal amends the Directive 92/6/EEC. In Article 1 of Directive 92/6/EEC, there is a need to update a reference — the vehicle categories refer to Directive 70/156/EEC, which has been repealed.

- We would like to ask the Commission about the third indent of Article 6 Directive 92/6/EEC, which sets out the exemptions for vehicles that are not required to be equipped with speed limiters:
    - *„The requirements of Articles 2 and 3 do not apply to motor vehicles used by armed forces, civil defence, fire and other emergency services and forces responsible for maintaining public order.*
    - *The same shall apply for motor vehicles which:*

—by their construction, cannot drive faster than the limits provided for in Articles 2 and 3,
—are used for scientific tests on roads,
—are used only for public services in urban areas. “

A speed limiter is not required for vehicles that are used exclusively for public services in urban areas. **Could the Commission clarify what this exemption means and for whom it is intended?** In practice, this exemption causes problems, that it we would like to ask for its clarification or to a have this exemption reconsidered.

Article 2

Slovakia cannot support a transposition period of 3 months, as it is too short to complete the necessary legislative steps. Given the length of the national legislative process, we propose extending the transposition period to 12 months.