

# Periodic roadworthiness tests for motor vehicles and their trailers. 'Roadworthiness package'

2012/0184(COD) - 11/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 557 votes to 81 with 43 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC.

Parliament adopted its position in first reading following the ordinary legislative procedure, in view of the adoption of a **directive** of the European Parliament and of the Council on roadworthiness tests for vehicles. The amendments adopted in plenary are the result of an agreement negotiated between Parliament and Council.

**Scope:** the Directive establishes minimum requirements for a regime of periodic roadworthiness tests of vehicles used on public roads. It shall apply to vehicles with a design speed exceeding 25 km/h of the following categories, as referred to in Directive 2002/24/EC, Directive 2003/37/EC and Directive 2007/46 /EC. Also included are wheeled tractors of category T5, the use of which mainly takes place on public roads with a maximum design speed exceeding 40 km/h.

The text states that only vehicles with an engine displacement of **more than 125 cm<sup>3</sup> are to be subject to a roadworthiness test, from 1 January 2022.**

Member States may exclude from the scope of application two- or three-wheel vehicles, where the Member State has put in place effective alternative road safety measures taking into account in particular relevant road safety statistics covering the last five years.

**Responsibilities:** each Member State shall ensure that vehicles registered in its territory are periodically tested in accordance with the Directive by testing centres authorised by the Member State in which those vehicles are registered.

Roadworthiness tests shall be carried out by the Member State of registration of the vehicle, by a public body entrusted with the task by that Member State or by bodies or establishments designated and supervised by that Member State, including authorised private bodies.

Four years after entry into force of the Directive, the Commission shall, by means of implementing acts, adopt a **set of technical information** on braking equipment, steering, visibility, lamps, reflectors, electrical equipment, axles, wheels, tyres, suspension, chassis, chassis attachments, other equipment and nuisance necessary for roadworthiness testing of the items to be tested and on the use of the recommended test methods.

**Date and frequency of testing:** vehicles shall be subject to a roadworthiness test at regular intervals. Notwithstanding the date of a vehicle's last roadworthiness test, the Member State or competent authority concerned may require it to undergo a roadworthiness test before the dates set out:

- after an accident affecting the main safety-related components of the vehicle, such as wheels, suspension, deformation zones, airbag systems , steering or brakes;
- where the holder of the registration certificate of a vehicle has changed ;

- when the vehicle has reached a mileage of 160 000 km;
- in cases where road safety is seriously affected.

The tests shall be carried out using techniques and equipment currently available without the use of tools to dismantle or remove any part of the vehicle.

**Roadworthiness certificate:** as a matter of principle, in the case of re-registration of a vehicle already registered in another Member State, each Member State shall **recognise the roadworthiness certificate issued by that other Member State**, as if it had itself issued that certificate, provided that the roadworthiness certificate is still valid. In cases of doubt, **the re-registering Member State may verify the validity** of the roadworthiness certificate before recognising it.

Member States shall also recognise, as a matter of principle, the validity of the roadworthiness certificate in the event that the ownership of a vehicle - having a valid proof of periodic roadworthiness test - changes.

**In order to detect tampering with the odometer**, the information included in the previous roadworthiness test must be made available to the inspectors as soon as it is available electronically. In cases where an odometer is found to have been manipulated with the aim of reducing or misrepresenting the distance record of a vehicle, such manipulation shall be punishable by **penalties**.

**Proof of test:** where the tested vehicle belongs to a vehicle category that is not subject to registration in the Member State where it has been put into service, that Member State may require the proof of test to be displayed in a visible manner on that vehicle.

#### **Follow-up of deficiencies:**

- **In the case of minor deficiencies** only, the test shall be deemed to have been passed, the deficiencies shall be rectified, and the vehicle shall not be re-tested.
- **In the case of major deficiencies**, the test shall be deemed to have been failed. The competent authority shall decide on the period during which the vehicle in question may be used before it is required to undergo another roadworthiness test. The subsequent test shall take place not later than two months following the initial test.
- **In the case of dangerous deficiencies**, the competent authority may decide that the vehicle in question is not to be used on public roads and that the authorisation for its use in road traffic is to be suspended for a limited period of time, without requiring a new process of registration,

**Testing centres:** testing centres in which inspectors perform roadworthiness tests shall be authorised by a Member State or by its competent authority. They shall comply with the requirements laid down by the authorising Member State. Testing centres shall ensure the objectivity and the high quality of the roadworthiness tests.

In order to ensure **high standards of training, competence and testing**, Member States should be allowed to lay down additional competence and corresponding training requirements.

**Vehicle information platform:** the Commission should examine the feasibility, costs and benefits of establishing an electronic vehicle information platform by taking advantage of existing and already implemented IT solutions with regard to international data exchange, so as to minimise costs and avoid duplication.

It should also examine the feasibility, of collection and storage of available information concerning the main safety-related components of vehicles which have been involved in serious accidents as well as the possibility of making information on accident history and odometer readings available in anonymised form to vehicle inspectors, holders of registration certificates and accident researchers.

**Transposition:** Member States will have three years to transpose the directive and four years to apply it.