

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2008/0044(COD) Procedure completed
Roadworthiness tests for motor vehicles and their trailers. Recast Repealing Directive 1996/96/EC Repealed by	<a href="#">1995/0226(SYN)</a> <a href="#">2012/0184(COD)</a>
Subject 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>JURI</b> Legal Affairs	PPE-DE <a href="#">SZÁJER József</a>	19/12/2007
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	<b>TRAN</b> Transport and Tourism	The committee decided not to give an opinion.	
European Commission	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2935</a>	30/03/2009
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2877</a>	12/06/2008
	Commission DG	Commissioner	
	<a href="#">Legal Service</a>	BARROSO José Manuel	

Key events			
29/02/2008	Legislative proposal published	<a href="#">COM(2008)0100</a>	Summary
11/03/2008	Committee referral announced in Parliament, 1st reading		
12/06/2008	Debate in Council	<a href="#">2877</a>	
26/06/2008	Vote in committee, 1st reading		Summary
08/07/2008	Committee report tabled for plenary, 1st reading	<a href="#">A6-0299/2008</a>	
23/09/2008	Results of vote in Parliament		
23/09/2008	Decision by Parliament, 1st reading	<a href="#">T6-0433/2008</a>	Summary
30/03/2009	Act adopted by Council after Parliament's 1st reading		

06/05/2009	Final act signed		
06/05/2009	End of procedure in Parliament		
06/06/2009	Final act published in Official Journal		

### Technical information

Procedure reference	2008/0044(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Directive
	Repealing Directive 1996/96/EC <a href="#">1995/0226(SYN)</a> Repealed by <a href="#">2012/0184(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 071
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/60178

### Documentation gateway

Legislative proposal	<a href="#">COM(2008)0100</a>	29/02/2008	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0987/2008</a>	28/05/2008	ESC	
Committee draft report	<a href="#">PE407.766</a>	06/06/2008	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0299/2008</a>	08/07/2008	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0433/2008</a>	23/09/2008	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2008)6073</a>	17/10/2008	EC	
Draft final act	<a href="#">03699/2008/LEX</a>	06/05/2009	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Directive 2009/40](#)  
[OJ L 141 06.06.2009, p. 0012](#) Summary

## Roadworthiness tests for motor vehicles and their trailers. Recast

**PURPOSE:** recast of Council Directive 96/96/EC on roadworthiness tests for motor vehicles and their trailers.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** the codification of Council Directive 96/96/EC of 20 December 1996 on roadworthiness tests for motor vehicles and their trailers has been initiated by the Commission. The new Directive was to have superseded the various acts incorporated in it.

In the meantime, Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (comitology) has been amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of

general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the co-decision procedure.

In accordance with the joint statement of the European Parliament, the Council and the Commission on Decision 2006/512/EC, for this new procedure to be applicable to instruments adopted in accordance with the co-decision procedure which are already in force, those instruments must be adjusted in accordance with the applicable procedures.

It is therefore appropriate to transform the codification of Directive 96/96/EC into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

## Roadworthiness tests for motor vehicles and their trailers. Recast

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The Committee on Legal Affairs adopted a report drafted by József SZAJER (EPP-ED, HU) and amended the proposal for a directive of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers (recast).

The committee noted that the power to adopt the separate Directives to define the minimum standards and methods for testing the items listed in Annex 2 is given to the Council only. It amended the proposal so as to give this power to the Commission, in accordance with the regulatory procedure with scrutiny.

## Roadworthiness tests for motor vehicles and their trailers. Recast

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The European Parliament adopted, by 639 votes to 10 with 21 abstentions, a legislative resolution amending the proposal for a directive of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers (recast). The report had been tabled by József SZAJER (EPP-ED, HU) on behalf of the Committee on Legal Affairs. The amendments were the result of a compromise agreement between Parliament and Council.

Parliament stated that the Commission will adopt the separate Directives necessary to define the minimum standards and methods for testing the items listed in Annex II, as well as any amendments necessary to adapt those methods and standards to technical progress, in accordance with the regulatory procedure with scrutiny. Previously, the power to adopt the separate Directives to define the minimum standards and methods for testing the relevant items was given to the Council only.

## Roadworthiness tests for motor vehicles and their trailers. Recast

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**PURPOSE:** to recast Council Directive 96/96/EC on roadworthiness tests for motor vehicles and their trailers.

**LEGISLATIVE ACT:** Directive 2009/40/EC of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers (recast).

**CONTENT:** following a first reading agreement with the Parliament, the Council adopted this directive which recasts legislation on roadworthiness tests for motor vehicles and their trailers. The codification of Council Directive 96/96/EC on roadworthiness tests for motor vehicles and their trailers was initiated by the Commission, when Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (comitology) was amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the co-decision procedure.

Accordingly, the codification of Directive 96/96/EC was transformed into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

**ENTRY INTO FORCE:** 26/06/2009.