



# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2012/0184(COD)</p>	Procedure completed
<p>Periodic roadworthiness tests for motor vehicles and their trailers. 'Roadworthiness package'</p> <p>Repealing Directive 2009/40/EC <a href="#">2008/0044(COD)</a> See also <a href="#">2012/0185(COD)</a> See also <a href="#">2012/0186(COD)</a></p> <p>Subject 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 3.70.02 Atmospheric pollution, motor vehicle pollution</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism		10/10/2012
		PPE <a href="#">KUHNS Werner</a>	
		Shadow rapporteur	
		S&D <a href="#">ICĂU Silvia-Adriana</a>	
	ALDE <a href="#">BENNION Phil</a>		
	Verts/ALE <a href="#">DURANT Isabelle</a>		
	ECR <a href="#">ROSBACH Anna</a>		
	GUE/NGL <a href="#">RUBIKS Alfreds</a>		
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	<b>ITRE</b> Industry, Research and Energy		25/10/2012
	<b>IMCO</b> Internal Market and Consumer Protection		18/09/2012
		ECR <a href="#">HARBOUR Malcolm</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3307</a>	24/03/2014
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">3213</a>	20/12/2012
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">3196</a>	29/10/2012
European Commission	Commission DG	Commissioner	
	<a href="#">Mobility and Transport</a>	KALLAS Siim	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
13/07/2012	Legislative proposal published	COM(2012)0380	Summary
11/09/2012	Committee referral announced in Parliament, 1st reading/single reading		
29/10/2012	Debate in Council	<a href="#">3196</a>	Summary
20/12/2012	Debate in Council	<a href="#">3213</a>	
30/05/2013	Vote in committee, 1st reading/single reading		
10/06/2013	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0210/2013</a>	Summary
01/07/2013	Debate in Parliament		
02/07/2013	Results of vote in Parliament		
02/07/2013	Decision by Parliament, 1st reading/single reading	<a href="#">T7-0297/2013</a>	Summary
11/03/2014	Decision by Parliament, 1st reading/single reading	<a href="#">T7-0194/2014</a>	Summary
24/03/2014	Act adopted by Council after Parliament's 1st reading		
03/04/2014	Final act signed		
03/04/2014	End of procedure in Parliament		
29/04/2014	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0184(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 2009/40/EC <a href="#">2008/0044(COD)</a> See also <a href="#">2012/0185(COD)</a> See also <a href="#">2012/0186(COD)</a>
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/10145

Documentation gateway					
Legislative proposal		COM(2012)0380	13/07/2012	EC	Summary
Document attached to the procedure		SWD(2012)0206	13/07/2012	EC	
Document attached to the procedure		SWD(2012)0207	13/07/2012	EC	
Economic and Social Committee: opinion, report		<a href="#">CES1906/2012</a>	12/12/2012	ESC	

Committee draft report		<a href="#">PE504.196</a>	11/02/2013	EP	
Amendments tabled in committee		<a href="#">PE507.994</a>	28/03/2013	EP	
Amendments tabled in committee		<a href="#">PE508.077</a>	03/04/2013	EP	
Committee opinion	ITRE	<a href="#">PE506.080</a>	26/04/2013	EP	
Committee opinion	IMCO	<a href="#">PE506.045</a>	27/05/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0210/2013</a>	10/06/2013	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		<a href="#">T7-0297/2013</a>	02/07/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0194/2014</a>	11/03/2014	EP	Summary
Draft final act		<a href="#">00010/2014/LEX</a>	03/04/2014	CSL	
Commission response to text adopted in plenary		<a href="#">SP(2014)455</a>	10/06/2014		

#### Additional information

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

#### Final act

[Directive 2014/45](#)

[OJ L 127 29.04.2014, p. 0051](#) Summary

Final legislative act with provisions for delegated acts

## 2012/0184(COD) - 13/07/2012 Legislative proposal

**PURPOSE:** to support and to enforce roadworthiness testing of motor vehicles and their trailers with a view to enhance road safety and environmental protection ("Roadworthiness Package").

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

**BACKGROUND:** before a vehicle may be put on the market, it has to fulfil all the relevant type or individual approval requirements guaranteeing an optimal level of safety and environmental standards. Following this approval, cars on the road have to be regularly submitted to periodic roadworthiness tests.

The goal of roadworthiness testing is to check the functionality of safety components, the environmental performance and the compliance of a vehicle with its approval.

The proposal aims at contributing to reach the target of a reduction of road fatalities by half until 2020 as laid down in the [Policy Orientations on Road Safety 2011-2020](#). It will also contribute to the reduction of emissions in road transport linked to poor maintenance of vehicles, following the [European Strategy on clean and energy efficient vehicles](#) as well as the [integrated energy and climate change policy](#).

The proposal is part of a package of measures which also includes: [a proposal on the amendment of Directive 1999/37/EC](#) on registration documents for vehicles and [a proposal for a regulation](#) on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

**IMPACT ASSESSMENT :** the following options were considered:

- Option 1: the 'No policy change' approach where the present EU legal framework would be maintained;
- Option 2: the "Soft law approach" would consist in both better implementation and better monitoring of the application of existing legislation;
- Option 3: the "Legislative approach" would be based on two components: (a) revising upwards the minimum EU standards for periodic roadworthiness tests (PTI) and unexpected roadside inspections (RSI) and define mandatory standards; (b) in a second phase, the possible establishment of and EU harmonised data exchange system linking the existing databases.

The impact assessment has shown the benefits of a combination of a soft-law approach with a regulatory approach. Therefore, the soft-law

measures have been integrated into the legislative texts.

**LEGAL BASIS:** Article 91 of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** the "Roadworthiness Package" will carry over the existing requirements laid down in the existing legislative framework related to the roadworthiness regime, which covers roadworthiness tests (Directive 2009/40/EC), roadside inspections (Directive 2000/30/EC) and rules on the registration of vehicles (Directive 1999/37/EC).

Compared to the existing legislation on roadworthiness tests, the proposal extends the scope of the existing regime to new categories of vehicles, including motorcycles, as well as the frequency of inspections for older vehicles to those having reached a high mileage. The proposal also lays down new requirements on several issues related to the standard and quality of testing, namely:

**Access to information:** testing centres shall have access to the technical information necessary to perform the tests including those of electronic safety related components like ABS or ESC. Manufacturers shall provide access to such information as it is already in place for vehicle repair and maintenance information.

**Inspections:** the scope of vehicles to be tested will be extended to the powered two or three wheelers, light trailers up to 3.5 tons and tractors with a design speed exceeding 40 km/h. Considering the aspects of vehicle age and yearly mileage the test frequency of older cars will be increased and vehicles with high mileage will be subject to annual testing as it is already the case for taxis and ambulances. A time window of four month in which the roadworthiness test shall be performed will allow for sufficient flexibility for citizens and operators.

**Equipment to be used for testing:** the equipment to be used for testing shall fulfil certain minimum requirements allowing for an efficient performing of the test methods described. Detected deficiencies shall be assessed according to harmonised rules related to their risk to road safety.

**Qualifications and personnel training:** inspectors performing roadworthiness tests shall meet a certain level of knowledge and skills and be properly trained. Inspectors shall be free of any conflict of interests, in particular as regards economic, personal or family links with the holder of the vehicle registration. Roadworthiness test activities performed by authorised private bodies shall be subject to supervision.

**Results and penalties:** results of roadworthiness tests, including information on the vehicles mileage, shall be kept in national registers, which will facilitate the identification of mileage fraud. Odometer fraud should also be more systematically considered as an offence liable to a penalty.

**National contact points:** in several Member States a high number of private authorised test centres carry out roadworthiness tests. In order to ensure the efficient exchange of information between Member States, national contact points should be designated and certain common procedures such as a minimum to time limits and the nature of the information to be forwarded, should be specified.

**Commissions powers (delegated acts):** the Commission shall be empowered to amend the Regulation with a view to take into account, when appropriate, evolution of the EU type-approval legislation in relation with vehicle categories and to update the annexes to technical progress via delegated acts including inter alia alternative test procedures based upon modern emission after-treatment systems for checking the in use NOx and particulate emissions conformity which are still under development.

**BUDGETARY IMPLICATIONS:** the proposal has no implications for the EU budget.

**DELEGATED ACTS:** the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the EU.

## 2012/0184(COD) - 29/10/2012 Debate in Council

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The Council held a debate on a proposal for a Regulation updating the common rules on mandatory periodic roadworthiness tests for motor vehicles intended to improve road safety, as well as environmental protection. The proposed Regulation, presented by the Commission in July 2012, is part of a "roadworthiness package" that also includes proposals for Regulations [on roadside inspections of commercial vehicles](#) and on the [registration documents for vehicles](#).

The debate, which was based on a Presidency paper, focused on the following questions:

- 1) The degree of harmonisation of vehicle testing to be achieved through the new rules:
  - The Council generally showed a positive attitude towards the Commission's initiative to further harmonise the common rules on vehicle checks. A large number of ministers considered that such a legislative initiative can usefully contribute to achieving the goals of increased road safety and improved environmental protection.
  - Many Member States, however, had misgivings about the legal form of the proposed legislation and would prefer a Directive rather than a Regulation; they considered that a Directive, which leaves more scope for taking into account the specificities of the Member States, would be more appropriate to achieve an improved degree of harmonisation and adequate implementation.
  - One delegation did not see the need for an initiative such as proposed by the Commission at the current stage, pointing to the high costs involved and questioning the benefits in terms of road safety.
- 2) The list of vehicles to be checked regularly and the frequency of the checks:
  - A majority of member states voiced concerns about the lists of vehicles to be tested, with a large number of delegations questioning the extension of the checks to two- or three-wheeled vehicles, tractors or light trailers.
  - Moreover, many delegations were not convinced by the proposal to increase the frequency of tests.

## 2012/0184(COD) - 10/06/2013 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Transport and Tourism adopted the report by Werner KUHN (EPP, DE) 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.

The committee recommends that the European Parliaments position adopted at first reading, following the ordinary legislative procedure, should amend the Commission proposal as follows:

**Minimum requirements:** the technical requirements and test methods as laid down in the Annexes should be considered as EU minimum standards. The Member States should be allowed to maintain or introduce higher standards. Members suggest amendments aiming at strengthening that principle. The same applies to qualification requirements to inspectors which should also be minimum ones.

**Roadworthiness testing:** the definition should be clarified and adapted to the purpose of the periodic technical inspection test, which is to assess the correct functionality of the safety and environmental systems. The type-approval should only be a time-reference to understand what safety and environmental requirements relate to the vehicle. These requirements should not refer to the parts or components themselves.

**Roadworthiness tests** shall be carried out, in principle, in the Member State in which the vehicle is registered by the competent authority of that Member State or by a public body entrusted with the task by the State or by bodies or establishments certified and supervised by the State, including authorised private bodies. Members state that it is important that test equipment manufacturers have access to data they need to develop properly functioning equipment.

**Frequency of tests:** Members propose that vehicles of category M1, N1 and O2: be tested four years after the date on which the vehicle was first registered, and thereafter every two years. Vehicles of category T5 (tractors with a maximum design speed exceeding 40km/h) used mainly on public roads: one year after the date on which the vehicle was first registered, and thereafter annually.

Members have also introduced a measure whereby mandatory periodic roadworthiness tests may be extended by Member States to other vehicle categories.

The proposal provides that in the case where a vehicle of categories M1 or N1 reaches a mileage of 160 000 km on the first roadworthiness test after the vehicle was first registered, it shall be subject to a roadworthiness test thereafter annually. Members consider that there is a risk of odometers manipulation linked to the proposed provision. Therefore, they propose to delete this provision.

**Historic cars:** historical cars should be exempted from the scope of EU legislation. According to the committee, the Member States should have more discretion in setting their own national requirements to defining and testing those vehicles. It suggests changing the definition to make it more flexible.

**Re-registration:** the vehicles holders should be allowed to rely on the valid roadworthiness test in case of reregistration. With a view to better application of the principle of free movement within the Union, the roadworthiness certificate issued in the original Member State of registration should be mutually recognised among Member States for the purpose of re-registration.

**Roadworthiness certificate:** a roadworthiness certificate shall also be available in electronic format. The Commission shall draw up a standard European Union form for roadworthiness tests. For the sake of document security and efficiency the report of the test should always be electronically and not demanded from the person presenting the vehicle for test, who often will not be the same as the owner of the vehicle. This should also apply as concerns the access of the enforcement authorities during roadside inspections.

**Testing facilities and equipment:** testing centres in which inspectors perform roadworthiness tests shall be authorised by a Member State or by its competent authority. Testing centres for roadworthiness tests, whether privately or publicly operated, must meet minimum requirements to ensure good quality management. They must be objective and ensure a high quality of vehicle testing.

**Inspectors:** Member States shall promote adequate training for inspectors in line with the qualification requirements. In order to enhance independency of inspectors it is necessary to ensure that the same person is not involved in both, repairing and maintain the vehicle before testing and testing itself. Another amendment clarifies the differing tasks of inspectors (identification of deficiencies) and repair workshops (performance of repairs to remedy the deficiencies). Each Member State shall ensure that testing centres in its territory are supervised.

**Administrative cooperation between Member States:** the Commission shall examine what is the most efficient and effective way 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 minimize costs and to avoid duplications.

The examination shall consider the most appropriate way to link the existing national systems with a view to exchange information on data related to roadworthiness testing and odometer readings.

**Reporting on two- or three-wheel vehicles:** no later than three years from the date of publication of this Regulation, the Commission shall submit a report to the European Parliament and the Council on the inclusion of two- or three-wheel vehicles in the scope of this Regulation.

**Delegated acts:** the report proposes to limit to 5 years the delegation of powers conferred on the Commission, whereas before it was an indeterminate period of time.

## 2012/0184(COD) - 02/07/2013 Text adopted by Parliament, partial vote at 1st reading/single reading

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The European Parliament adopted by 560 votes to 94, with 60 abstentions, amendments to 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.

The matter was referred back to the committee responsible. The vote was therefore postponed.

**Minimum requirements:** the technical requirements and test methods as laid down in the Annexes should be considered as EU minimum standards and requirements with the aim of ensuring a high level of road safety and environmental protection. Member States should be allowed to maintain or introduce higher standards. The same applies to qualification requirements to inspectors which should also be minimum ones.

**Roadworthiness testing:** the definition should be clarified and adapted to the purpose of the periodic technical inspection test, which is to assess the correct functionality of the safety and environmental systems. The type-approval should only be a time-reference to understand what safety and environmental requirements relate to the vehicle. These requirements should not refer to the parts or components themselves.

Roadworthiness tests shall be carried out, in principle, in the Member State in which the vehicle is registered by the competent authority of that Member State or by a public body entrusted with the task by the State or by bodies or establishments certified and supervised by the State, including authorised private bodies. Member States state that it is important that test equipment manufacturers have access to data they need to develop properly functioning equipment.

Scope: the Regulation shall apply to, inter alia : (i) motor vehicles designed and constructed primarily for the carriage of persons and their luggage ; (ii) trailers designed and constructed for the carriage of goods or of persons as well as for the accommodation of persons ; (iii) from 1 January 2016 two- or three-wheel vehicles vehicle categories L3e, L4e, L5e and L7e ; (iv) wheeled tractors of category T5 used mainly on public roads with a maximum design speed exceeding 40km/h.

In addition, this Regulation shall apply as from 1 January 2018 to the following vehicle categories unless the Commission demonstrates in its report that such a measure would be ineffective: (i) two- or three-wheel vehicles vehicle categories L1e, L2e and L6e and (ii) vehicles used by armed forces, fire services, civil protection, emergency or rescue services.

Mandatory periodic roadworthiness tests may be extended by Member States to other vehicle categories. Member States shall inform the Commission of any extension decisions taken by them, giving reasons for those decisions.

Frequency of tests: Parliament proposes that vehicles of category M1, N1 and O2: be tested four years after the date on which the vehicle was first registered, and thereafter every two years. Vehicles of category T5 (tractors with a maximum design speed exceeding 40km/h) used mainly on public roads: one year after the date on which the vehicle was first registered, and thereafter annually.

Members have also introduced a measure whereby mandatory periodic roadworthiness tests may be extended by Member States to other vehicle categories.

The proposal provides that in the case where a vehicle of categories M1 or N1 reaches a mileage of 160 000 km on the first roadworthiness test after the vehicle was first registered, it shall be subject to a roadworthiness test thereafter annually. Members consider that there is a risk of odometers manipulation linked to the proposed provision. Therefore, they propose to delete this provision.

Historic cars: historical cars should be exempted from the scope of EU legislation. According to Parliament, the Member States should have more discretion in setting their own national requirements to defining and testing those vehicles. It suggests changing the definition to make it more flexible.

Re-registration: the vehicles holders should be allowed to rely on the valid roadworthiness test in case of re-registration. With a view to better application of the principle of free movement within the Union, the roadworthiness certificate issued in the original Member State of registration should be mutually recognised among Member States for the purpose of re-registration.

Roadworthiness certificate: a roadworthiness certificate shall also be available in electronic format. The Commission shall draw up a standard European Union form for roadworthiness tests. For the sake of document security and efficiency the report of the test should always be electronically and not demanded from the person presenting the vehicle for test, who often will not be the same as the owner of the vehicle. This should also apply as concerns the access of the enforcement authorities during roadside inspections.

Follow-up of deficiencies: the amended text stipulates that in the case of major deficiencies, the national competent authority may decide on the conditions under which a vehicle may be used before undergoing another roadworthiness test. In the case of dangerous deficiencies, the Member State or the competent authority may prevent or restrict the use of the vehicle on public roads until any dangerous deficiencies are rectified.

Testing facilities and equipment: testing centres in which inspectors perform roadworthiness tests shall be authorised by a Member State or by its competent authority. Testing centres for roadworthiness tests, whether privately or publicly operated, must meet minimum requirements to ensure good quality management. They must be objective and ensure a high quality of vehicle testing.

Inspectors: Member States shall promote adequate training for inspectors in line with the qualification requirements. In order to enhance independency of inspectors it is necessary to ensure that the same person is not involved in both, repairing and maintain the vehicle before testing and testing itself. Another amendment clarifies the differing tasks of inspectors (identification of deficiencies) and repair workshops (performance of repairs to remedy the deficiencies). Each Member State shall ensure that testing centres in its territory are supervised.

Administrative cooperation between Member States: the Commission shall examine what is the most efficient and effective way 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 minimize costs and to avoid duplications.

The examination shall consider the most appropriate way to link the existing national systems with a view to exchange information on data related to roadworthiness testing and odometer readings.

The information on the history of a vehicle should be made available to inspectors testing that vehicle and, in anonymised form, to Member States, so as to help them plan and carry out measures to improve road safety, and also to the holder of the registration certificate or the vehicle owner.

Reports: no later than three years from the date of publication of this Regulation, the Commission shall submit a report to the European Parliament and the Council on the inclusion of two- or three-wheel vehicles in the scope of this Regulation.

No later than five years from the date of publication of this Regulation, the Commission shall submit a report on the implementation and the effects of this Regulation. It shall analyse the frequency of testing, the level of harmonisation of periodic roadworthiness tests and the effectiveness of the provisions on the mutual recognition of roadworthiness certificates and whether there is a need for higher European standards in order to achieve that goal.

Delegated acts: the report proposes to limit to 5 years the delegation of powers conferred on the Commission, whereas before it was an indeterminate period of time.

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.

## 2012/0184(COD) - 03/04/2014 Final act

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**PURPOSE:** to improve road safety by laying down minimum common requirements and harmonised rules concerning roadworthiness tests of vehicles within the Union (Roadworthiness certificate).

**LEGISLATIVE ACT:** Directive 2014/45/EU of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC.

**CONTENT:** the Directive establishes minimum requirements for a regime of periodic roadworthiness tests of vehicles used on public roads. It is part of a package of measures on roadworthiness tests which include: i) [a Directive](#) on the technical roadside inspection of commercial vehicles and ii) [a Directive](#) on registration documents for vehicles.

**Scope:** the Directive applies to vehicles with a design speed exceeding 25km/h of the following categories:

- passenger cars and light commercial vehicles (categories M1 and N1): these vehicles will be tested four years after the date on which the vehicle was first registered, and thereafter every two years;
- category M1 vehicles used as taxis or ambulances, buses or minibuses (M2, M3), heavy goods vehicles (N2, N3) and heavy trailers (O3, O4): these vehicles will be tested one year after the date on which the vehicle was first registered, and thereafter annually;
- fast tractors with a maximum design speed exceeding 40km/h (T5) and which are used for commercial road haulage purposes: they will be tested four years after the date on which the vehicle was first registered, and thereafter every two years.

Only powerful motorcycles (category L vehicles with an engine displacement of more than 125cm<sup>3</sup>) will be subject to scrutiny from 2022. Member States may be exempted from this obligation if they demonstrate, on the basis of road safety statistics for the previous five years, the same level of road safety could be achieved by effective alternative road safety measures. In any case, Member States may decide for themselves the elements, methods and frequency of technical checks on these categories of vehicles.

Notwithstanding the date of a vehicle's last roadworthiness test, the vehicle may be required to undergo a roadworthiness test before the dates referred to: i) after an accident affecting the main safety-related components of the vehicle, such as wheels, suspension, deformation zones, airbag systems, steering or brakes; ii) where the holder of the registration certificate of a vehicle has changed; iii) when the vehicle has reached a mileage of 160 000 km; iv) in cases where road safety is seriously affected.

Among the vehicles which Member States may exclude from mandatory tests are vehicles of historic interest, diplomatic vehicles, vehicles used by the armed forces, forces responsible for law and order, fire services, vehicles used for agricultural and forestry purposes only on the territory of the Member State concerned, as well as vehicles used exclusively on small islands.

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

Before 20 May 2018, the Commission will adopt, by means of implementing acts, 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.

**Testing centres:** minimum technical specifications shall be adopted for the centres and test equipment. Testing centres will have to be authorised by a Member State or by the competent authority. They will have to ensure the objectivity and the high quality of the vehicle testing.

The new inspectors who will carry out the tests must have a certain level of fitness and be free from any conflict of interest.

**Assessment of deficiencies:** deficiencies, assessed on the basis of the common rules, are classified into three categories: minor, major and critical. In the case of minor deficiencies only, the test shall be deemed to have been passed. 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.

**Roadworthiness certificate:** 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. This measure does not apply to large motorcycles.

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

As from 20 May 2018 and at the latest by 20 May 2021, testing centres shall communicate electronically, to the competent authority of the Member State concerned, the information mentioned in the roadworthiness certificates which they issue.

The Commission should also examine the feasibility, costs and benefits of establishing an European electronic vehicle information platform.

**Odometer fraud:** in order to detect odometer fraud, the information included in the previous roadworthiness test is made available to the inspectors as soon as it is available electronically. Where an odometer is found to have been manipulated with the aim of reducing the distance covered, such manipulation shall be punishable by penalties.

**Reports:** no later than 30 April 2020, the Commission shall submit on the implementation and effects of this Directive.

No later than 30 April 2019, it shall submit a report on the effectiveness of the possible inclusion in the scope of this Directive, of light trailers (with a mass exceeding 0.75 tonnes but not exceeding 3.5 tonnes category O2) and two- or three-wheeled vehicles.

**ENTRY INTO FORCE:** 19.05.2014.



TRANSPOSITION: no later than 20.05.2017. The measures shall apply from 20.05.2018.

DELEGATED ACTS: the Commission may adopt delegated acts in order to update the categories of vehicles as well as Annex 1 in respect of the list of test items, methods, reasons for failure and assessment of deficiencies. The power to adopt delegated acts shall be conferred on the Commission for a period of five years as from 19 May 2014. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (this period can be extended for two months). If the European Parliament or the Council make objections, the delegated act will not enter into force.