











Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Awaiting Council's 1st reading position
Cross-border exchange of information on road-safety-related traffic offences Amending Directive 2015/413 2014/0218(COD)	
Subject 1.20.09 Protection of privacy and data protection 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Transport and Tourism		14/04/2023
		 ZŁOTOWSKI Kosma	
		Shadow rapporteur	
		 LUTGEN Benoît	
		 LIBERADZKI Bogusław	
		 BILBAO BARANDICA Izaskun	
	 CUFFE Ciarán		
	 KOUNTOURA Elena		
	Committee for opinion	Rapporteur for opinion	Appointed
	 Budgets	The committee decided not to give an opinion.	
	 Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
Council of the European Union	Commission DG	Commissioner	
European Commission	Mobility and Transport	VÁLEAN Adina	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
01/03/2023	Legislative proposal published	COM(2023)0126	Summary
16/03/2023	Committee referral announced in Parliament, 1st reading		
29/11/2023	Vote in committee, 1st reading		
29/11/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
05/12/2023	Committee report tabled for plenary, 1st reading	A9-0396/2023	Summary
11/12/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/12/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
09/04/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE760.876 GEDA/A/(2024)001673	
24/04/2024	Results of vote in Parliament		
24/04/2024	Decision by Parliament, 1st reading	T9-0324/2024	Summary

Technical information	
Procedure reference	2023/0052(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2015/413 2014/0218(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 091-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	TRAN/9/11407

Documentation gateway					
Legislative proposal		COM(2023)0126	01/03/2023	EC	Summary
Document attached to the procedure		SEC(2023)0351	01/03/2023	EC	
Document attached to the procedure		SWD(2023)0126	01/03/2023	EC	
Document attached to the procedure		SWD(2023)0127	01/03/2023	EC	
Economic and Social Committee: opinion, report		CES1806/2023	27/04/2023	ESC	
Committee draft report		PE749.236	01/06/2023	EP	
Amendments tabled in committee		PE750.086	08/07/2023	EP	

Committee report tabled for plenary, 1st reading/single reading	A9-0396/2023	05/12/2023	EP	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)001673	20/03/2024	CSL	
Text agreed during interinstitutional negotiations	PE760.876	20/03/2024	EP	
Text adopted by Parliament, 1st reading/single reading	T9-0324/2024	24/04/2024	EP	Summary
Commission response to text adopted in plenary	SP(2024)394	08/08/2024	EC	

Additional information

Research document	Briefing	18/01/2024
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Cross-border exchange of information on road-safety-related traffic offences

PURPOSE: to lay down new measures to facilitate cross-border exchange of information on road-safety-related traffic offences in the EU.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Directive \(EU\) 2015/413](#) on facilitating cross-border exchange of information on road-safety-related traffic offences (the CBE Directive) facilitates the cross-border exchange of information on road-safety-related traffic offences and thereby lowers the impunity of non-resident offenders. An effective cross-border investigation and enforcement of road-safety-related traffic offences improves road safety as it encourages non-resident drivers to commit fewer offences and drive more safely.

In the EU, road safety has improved quite significantly over the last 20 years. The number of road fatalities has gone down by 61.5% from around 51 400 in 2001 to around 19 800 in 2021. Nevertheless, the improvement in road safety has not been strong enough to meet the EUs political ambition to decrease the number of road deaths by 50% between 2001 and 2010, and by additional 50% between 2011 and 2020 (i.e. by 75% between 2001 and 2020).

The European Parliament adopted a [resolution](#) on the EU Road Safety Policy Framework 2021-2030 in October 2021. While the Parliament acknowledges the progress made, it called on the Commission to review the CBE Directive, as the existing framework does not adequately ensure investigation of the offences in order to enforce penalties with around 20% of all investigations concerning the offences committed with vehicles registered abroad failing because of technical issues, such as availability of accurate information in national vehicle registers and identification of the liable person. Furthermore, procedural and fundamental rights of non-resident drivers are not always respected in the context of cross-border investigations, in particular due to a lack of transparency in the setting of the amount of the fines and in the appeal procedures.

This proposal forms part of a package that concerns the revision of two other related directives:

- Directive 2006/126/EC on [driving licences](#).
- a proposal for a Directive on the Union-wide effect of certain [driving disqualifications](#).

CONTENT: this Commission proposal seeks to further enhance road safety by extending the scope of the CBE Directive to other road-safety-related traffic offences and streamlining (i.e. simplifying, digitising and refining) the investigation of road-safety-related traffic offences committed abroad, thus facilitating the cross-border enforcement of sanctions. It also aims to improve the protection of fundamental rights of non-resident drivers.

The objectives to unlock the full potential of the Directive are to:

1. Increase compliance of non-resident drivers with additional road-safety-related traffic rules;
2. Streamline mutual assistance procedures between Member States in the cross-border investigation of road-safety-related traffic offences;
3. Strengthen the protection of fundamental rights of non-resident offenders, including alignment with new EU rules on personal data protection.

The proposal amends the existing Directive or adds new elements such as:

- the extension of the scope of the CBE Directive to other road-safety-related traffic offences, namely: (i) not keeping sufficient distance from the vehicle in front; (ii) dangerous overtaking; (iii) dangerous parking; (iv) crossing one or more solid white lines; (v) wrong-way driving; (vi) not respecting the rules on the creation and use of emergency corridors; and (vii) use of an overloaded vehicle;
- the clarification of existing definitions and adding definitions of the newly included road-safety-related traffic offences;
- new provisions on increased responsibilities and competences of national contact points;
- the exchange of vehicle registration data (VRD) should be carried out through a single electronic system the European Vehicle and Driving Licence Information System (Eucaris) so as to ensure the expeditious, cost-efficient, secure and reliable exchange of specific VRD between

Member States. Member States are also required to keep certain VRD available and up to date. In the cases where a vehicle has been leased (or subject to a long-term rental arrangement), Member States are allowed to conduct automated searches in vehicle registers to retrieve the data on end users of vehicles where available. A data retention period is established as regards the identity of the previous owners, holders, and end users of the vehicles to provide authorities with the appropriate information they need for the investigation of the offences;

- the specification of the minimum content of the information letter, which has to include, in particular, the information on the committed offence, sanctions imposed, appeal procedures, payment of financial penalties including mitigating measures, the applicable data protection rules, and if applicable, information on the entity empowered by a Member State to collect financial penalties which sent the information letter;

- the obligation for the Commission to establish a dedicated IT portal to facilitate exchanging information between national contact points, other relevant authorities of Member States, and road users, e.g. on road-safety-related traffic rules in force in Member States, appeal procedures and applied sanctions;

- the provision of financial support to promote cross-border cooperation in the enforcement of road-safety-related traffic rules in the EU. A legal basis is established for EU funding of activities aimed at exchanging best enforcement practices, the application of smart enforcement methodologies and techniques in Member States, increasing the capacity building of enforcement authorities and awareness raising campaigns.

Budget implications

The implementation of the proposal requires the establishment and maintenance of a new IT system. This system should connect existing networks of national IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, to ensure a secure and reliable cross-border exchange of information on road-safety-related traffic offences. The one-off costs in 2025 and ongoing adjustment costs of the Commission until 2050 mainly related to the establishment of the IT system to support interactions between governmental authorities/organisations, natural and legal persons in cross-border administrative and criminal proceedings are estimated at EUR 1.531 million.

Cross-border exchange of information on road-safety-related traffic offences

The Committee on Transport and Tourism adopted the report by Kosma Z?OTOWSKI (ECR, PL) on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Scope

The amended text extends the scope of the Directive to apply to the following road-safety-related traffic offences:

- not keeping the required distance from the vehicle in front;
- dangerous overtaking that does not comply with traffic regulations;
- dangerous parking in an unauthorised place posing a serious risk to other road users;
- driving an overloaded vehicle;
- hit-and-run.

Exchange of information between Member States

A competent authority may first request access to the data relating to vehicles in order to determine if an offence has been committed. Where, on the basis of such data, it is established that an offence was committed, the competent authority should request access to the data concerning the owner, holder or end user of the vehicles.

Member States should retain the relevant data elements in the national vehicle registers for at least 6 months after any modification of the ownership or use of the vehicle in question, and for no longer than 4 years.

Where the Member State of registration or the Member State of residence receives a request, it should transmit the requested information electronically within a period not exceeding 30 working days via its national contact point to the national contact point of the Member State of the offence.

Member States should decide as soon as possible, but at the latest within 15 days after receiving the request, whether they invoke a ground for refusal.

In addition, and with a view to reducing the administrative burden and to simplifying the procedure of providing information, the Commission may introduce uniform templates. Data should be exchanged and accessed by automated and electronic means to make the exchange as simple as possible.

Information letter on the road-safety-related traffic offences

The amended text stated that Member States should ensure that in cases where the liable person is a non-resident driver who was checked on the spot in the course of a road control and where the enforcement of the committed offence was finalised by the competent authority by the imposition of the financial penalty paid by the liable person on the spot, this person should receive at least the following information:

- a receipt for the financial transaction;
- the contact information of the competent authority;
- information on the offences committed and, if relevant, how to ensure compliance in future;

- a link and, if possible, a QR code to the portal.

Member States should ensure that a link to the online portal is provided on the websites of their national contact points. Any personal data processes should be retained for a maximum of four years.

Enforcement

Members proposed that revenues generated from financial penalties for road safety-related traffic offences, or the equivalent in the financial value of those revenues, should be used to increase road safety. By 6 May 2026, and every three years thereafter, Member States should make public in aggregate form a report on the use of revenues generated from financial penalties.

Exchange of information with neighbouring third countries

With the view to addressing road-safety-related traffic offences committed by third-country nationals, it should be possible for third countries to participate in the exchange of Vehicle Registration Data (VRD), provided that they have concluded an agreement with the Union to this effect.

In case of a long waiting time for the conclusion of such an agreement, Member States, in cooperation with the Commission, should develop a dedicated solution to detect presumed traffic offenders on the spot while they try to cross external borders of the Union in order to charge a financial penalty for the road-safety-related traffic offence that took place on its territory.

Cross-border exchange of information on road-safety-related traffic offences

The European Parliament adopted by 570 votes to 36, with 24 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Objective

This Directive aims to ensure a high level of protection for all road users in the Union by facilitating the cross-border exchange of information on road-safety-related traffic offences and by facilitating the enforcement of sanctions, where those offences are committed with a vehicle registered in a Member State other than the Member State in which the offence took place.

The updated rules will expand the list of traffic offences committed by non-resident drivers that trigger cross-border assistance and can result in a fine. In addition to speeding, drink-driving or failing to stop at a red light, the new rules added dangerous parking, dangerous overtaking, crossing a solid line, hit and run offences, not respecting the rules on vehicle-access-restrictions, not respecting the rules at a railway level-crossing, amongst other offences.

National contact points

Each Member State should designate one or more national contact points for the automated exchange of vehicle registration data, incoming and outgoing mutual assistance requests and replies to identify the person concerned and incoming and outgoing mutual assistance requests and replies to serve the traffic offence notice or follow-up documents on the person concerned.

Traffic offence notice on the road-safety-related traffic offences

Where the competent authority of the Member State of the offence decides to initiate such proceedings, that competent authority should inform the person concerned about the road-safety-related traffic offence and, where appropriate, of the decision to initiate follow-up proceedings. The traffic offence notice should contain *inter alia*, the date and time of the offence, the nature of the offence.

The traffic offence notice addressed to the holder, owner or end-user of the vehicle should be issued no later than 11 months after the traffic offence.

Where the competent authority of the Member State of the offence decides to initiate follow-up proceedings in relation to the traffic offences, it should issue the traffic offence notice and any essential follow-up documents in the language of the registration document of the vehicle.

Both the traffic offence notice and any follow-up documents should be sent in the language of the registration document of the vehicle. The competent authorities should take into account that the person concerned needs to understand the accusations and should be able to fully exercise the right of defence. This includes, in particular, all relevant information concerning the offence, the nature of the offence committed, the penalty imposed, the legal remedies available against that decision, the time limit laid down for that purpose and the identification of the body before which the appeal must be lodged.

Mutual assistance in identifying the person concerned

Member States should provide mutual assistance to each other where the competent authorities of the Member State of the offence, after exhausting all other means available to them, in particular once they have conducted an automated search and consulted other databases explicitly allowed.

Unless it decides to invoke one of the grounds for refusal or it is not possible to gather the requested information, the competent authorities of the Member State of registration or residence should gather the requested information without any undue delay.

No later than 2 months from the day when the competent authority of the Member State of registration or Member State of residence decides to apply a ground for refusal, or establishes that it is not possible to gather the requested information, it should inform the Member State of the offence thereof via its national contact point.

Mutual assistance in enforcement activities

Member States should provide enforcement assistance to each other in the case of non-payment of a road traffic fine imposed for the commission of a road-safety-related traffic offences.

After the service of the traffic offence notice to the person concerned and in the case of non-payment of a road traffic fine imposed by the

competent authority of the Member State of the offence, the latter may request the competent authority of the Member State of the registration or the Member State of residence to assist in the enforcement of administrative decisions on road traffic fines related to road safety-related traffic offences where the decision relating to a road traffic offence fine is administrative in nature, final and enforceable and the road traffic offence fine exceeds EUR 70.

If the person concerned can demonstrate that the payment of the road traffic fine has been made, the competent authority of the Member State of the registration or the Member State of residence should promptly notify the competent authority of the Member State of the offence about this. The sum of money obtained from the enforcement of the decision on a road traffic fine should accrue to the Member State of the registration or the Member State of the residence unless otherwise agreed between the Member State of the offence and the Member State of the registration or the Member State of the residence.

The competent authority of the requested Member State may refuse to recognise and enforce the administrative decision on a road traffic fine in certain cases.

Member States should use a specifically designed and highly secured software application of the European Vehicle and Driving Licence Information System (Eucaris), and amended versions of this software to exchange the information or process the mutual assistance.

Private legal entities

After two years following the transposition of this Directive, Member States should ensure that competent authorities do not empower privately owned or managed legal entities with distinct legal personality for conducting any activities related to the application of this Directive.

Online portal

To increase transparency and facilitate the implementation of the new rules, the Commission is tasked with creating an online portal listing the rules, appeal options and the relevant road traffic fines, amongst other information.

Transparency				
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	27/02/2024	EUOTRAN Conseil
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	15/02/2024	Presidencia Belga del Consejo
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	11/01/2024	European Transport Safety Council
ZOTOWSKI Kosma	Rapporteur	TRAN	09/11/2023	Polish Organisation of Parking Industry
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	07/11/2023	REPER BE
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	26/10/2023	REPER España
ZOTOWSKI Kosma	Rapporteur	TRAN	12/07/2023	European Parking Association
ZOTOWSKI Kosma	Rapporteur	TRAN	29/06/2023	Federation of European Motorcyclists' Associations
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	28/06/2023	European Transport Safety Council
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	26/06/2023	European Parking Association