



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 July 2013

11353/13

**TRANS 351
CODEC 1556**

NOTE

From: General Secretariat

To: Delegations

No. Cion prop.: 12786/12 TRANS 249 CODEC 1954
12809/12 TRANS 251 CODEC 1961
12803/12 TRANS 250 CODEC 1960

Subject: Roadworthiness package - Recitals:

- 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
 - Proposal for a Regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC
 - Proposal for a Directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles
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Following the adoption of the general approaches on the articles of the above mentioned legislative proposals on 10 June 2013 and the meeting of the Land Transport Working Party on 20 June 2013, delegations will find in the annexes the revised Presidency compromise proposal on the recitals of the three legislative proposals of the roadworthiness package, notably:

- recitals of the proposal for a Directive on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (ANNEX I);
- recitals of the proposal for a Directive on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (ANNEX II);
- recitals of the proposal for a Directive amending Council Directive 1999/37/EC on the registration documents for vehicles (ANNEX III).

Changes with regards to the previous version as contained in W. Doc. 2013/83 are marked in **bold** and ~~strikethrough~~.

Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive
2009/40/EC

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In its White Paper of 28 March 2011 ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’³ the Commission sets out a ‘vision zero’ objective in which the Union should move close to zero fatalities in road transport by 2050. To reach this objective, vehicle technology is expected to contribute a great deal to the improvement of the safety record of road transport.

¹ OJ C , , p. .

² OJ C , , p. .

³ COM(2011) 144 final.

- (2) The Commission, in its Communication on 'Towards a European road safety area: policy orientations on road safety for 2011-2020'⁴, proposed to further halve the overall number of road fatalities in the Union by 2020, starting from 2010. With a view to reach this goal, the Commission defined seven strategic objectives, including actions for safer vehicles, a strategy to reduce the number of injuries and the improvement of the safety of vulnerable road users.
- (3) Roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmentally acceptable condition during their use. This regime should cover periodic roadworthiness testing of vehicles and technical roadside inspection of vehicles used for commercial road transport activities as well as provisions on a vehicle registration procedure to allow for the suspension of a vehicle's authorisation to be used in road traffic where it constitutes an immediate risk to road safety.
- (4) A number of technical standards and requirements on vehicle safety have been adopted within the Union. It is ~~however~~ necessary to ensure, through a regime of periodic roadworthiness tests, that vehicles continue to meet safety standards ~~after being placed on the market~~. This regime should apply to certain categories of vehicles as defined in Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval for motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles⁵ and Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC⁶.

⁴ COM (2010) 389 final.

⁵ OJ L 263, 9. 10. 2007, p. 1.

⁶ OJ L 171, 9. 7. 2003, p. 1.

- (5) ~~Technical deficiencies in~~ Vehicles **with malfunctioning technical systems** have an impact on road safety, and may contribute to road crashes involving injuries or fatalities. This impact could be reduced if adequate improvements to the roadworthiness testing system were put in place.
- (6) Vehicles with malfunctioning emission control systems have a greater environmental impact than properly maintained vehicles. Therefore, a periodic regime of roadworthiness tests would contribute to improve the environment through the reduction of average vehicle emissions.
- (7) *[deleted]*
- (8) Wheeled tractors with a maximum design speed exceeding 40 km/h are more and more used to replace trucks in local transport activities. Their risk potential is comparable to that of trucks and therefore vehicles in this category, which are used mainly on public roads, should be treated in the same way as trucks regarding roadworthiness testing.
- (9) Vehicles of historic interest are supposed to conserve **the** heritage of the epoque when they have been built and **are** considered to be hardly used on public roads. It should be left to Member States to determine the period of periodic roadworthiness testing for such vehicles. It should also be for Member States to regulate roadworthiness testing for other types of specialised vehicles.
- (9a) Vehicles used exclusively on remote territories of Member States, notably on small islands with less than 5 000 inhabitants or in sparsely populated areas with a population density below five persons per square kilometre, are used under conditions that may require a specific roadworthiness testing regime. Therefore, Member States should be empowered to exempt these vehicles from the application of this Directive.

- (10) Roadworthiness testing is a sovereign activity and should therefore be done by the Member States or by public or private entrusted bodies under their supervision. Member States should remain responsible for roadworthiness testing in any cases even if the national system allows for authorisation of private bodies, including those which also perform vehicle repairs.
- (10a) Testing during the lifecycle of a vehicle should be relatively simple, quick and inexpensive, while at the same time effective in achieving the objectives of this Directive.
- (10b) When authorising testing centres on their territory, Member States should take into account that Directive 2006/123/EC on services in the internal market excludes from its scope services of general interest in the field of transport.
- (10c) Member States should be empowered to authorise testing centres not located in their territory to perform roadworthiness tests for vehicles registered in their territory, if these testing centres have already been authorised to perform tests for foreign vehicles by the Member State in which they are located.
- (10d)⁷ With a view to better applying the free movement principle within the Union, for the purpose of re-registration of a vehicle, Member States should recognise roadworthiness certificates issued by other Member States. This does not affect the right of a Member State to verify the roadworthiness certificate and the vehicle identification during re-registration **and to ask for a new roadworthiness test under the conditions set out in this Directive.**

⁷ BE and UK: scrutiny reservation on the text of this recital.

- (11) For the inspection of vehicles and especially for their electronic safety components it is crucial to have access to the technical specifications of each single vehicle. Therefore vehicle manufacturers should ~~not only provide the complete set of data as covered by the certificate of conformity (CoC) but also the access to~~ data necessary for verification of the functionality of safety and environmental related components. The provisions related to access to repair and maintenance information should be applied similarly for this purpose, allowing inspection centres to have access to those information-elements necessary for roadworthiness testing. This is of crucial importance especially in the field of electronic controlled systems and should cover all elements that have been installed by the manufacturer.
- (12) To achieve a high quality of testing throughout the Union, test equipment to be used during testing, its maintenance and calibration should be ~~specified~~ **verified** with reference to specifications provided by the Member States or by manufacturers.
- (13) Inspectors, when performing roadworthiness tests, should act independently and their judgement should not be affected by conflicts of interest, including those of an economic or personal nature. Reward of inspectors should not thus be directly related to the results of roadworthiness tests. This does not prevent a Member State from authorising a private body to perform both roadworthiness tests and vehicle repairs, even on the same vehicle.
- (14) Results of a roadworthiness test should not be altered for commercial purposes. Only, if the findings of the roadworthiness test performed by an inspector are manifestly incorrect, the supervising body should be able to modify the results of a roadworthiness test.
- (15) High standards of roadworthiness testing require that testing personnel have a high level of skills and competences. A training system including initial and periodic refresher training or appropriate examination should be introduced. A transitional period should be defined to allow for the smooth transition of existing testing personnel into the periodic training or examination regime.

- (16) With a view to ensure that ~~the~~ a high quality of testing is kept over time, Member States should set up a quality assurance system that covers the processes of authorisation, supervision and withdrawal, suspension or cancellation of the authorisation to perform roadworthiness tests.
- (16a) Accreditation of testing centres under Regulation (EC) No 765/2008 on the requirements for accreditation and market surveillance relating to the marketing of products cannot constitute an obligation for the Member States.
- (17) *[deleted]*
- (18) To allow ~~for~~ some flexibility for vehicle owners and operators, Member States should have the possibility to define a period of several weeks in which the periodic roadworthiness test would have to be performed.
- (19) Roadworthiness tests should cover all items relevant to the specific design, construction and equipment of the tested vehicle. Within these items and considering the current state of vehicle technology, modern electronic systems should be included in the list of items to be tested. To achieve a harmonisation of roadworthiness testing, recommended testing methods should be provided for each of the test items.
- (20) In order to facilitate harmonisation and to ensure consistency of standards, a non-exhaustive list of the main reasons for failure should be provided for all test items. To achieve consistency in the judgement of the condition of the tested vehicle, detected failures should be assessed to a common standard.
- (20a) The holder of the registration certificate and, where applicable, the operator of the vehicle should be responsible for keeping the vehicle in a roadworthy condition.

- (21) The holder of the registration certificate and, where applicable, the operator of a vehicle subject to a roadworthiness test during which deficiencies are found, in particular those which represent a risk to road safety, should rectify such deficiencies without delay. In case of dangerous deficiencies, it may be necessary to restrict the use of the vehicle until those deficiencies are fully rectified.
- (22) A roadworthiness certificate should be issued after each test, including inter alia information related to the identity of the vehicle and information on the results of the test. With a view to ensure a proper follow-up of roadworthiness tests, Member States should collect and keep such information in a database.
- (23) **Odometer fraud should be considered as an offence liable to a penalty because manipulation of an odometer may lead to an incorrect evaluation of the roadworthiness condition of a vehicle. The recording of mileage in the roadworthiness certificate and inspectors' access to this information may **should** facilitate the detection of odometer tampering or manipulation. ~~Odometer fraud should be considered as an offence liable to a penalty.~~**
- (24) 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.
- (25) Roadworthiness testing is part of a wider regulatory scheme, governing vehicles throughout their lifetime from approval via registrations, inspections until scrapping. Sharing of the information contained in national and manufacturers' electronic vehicle databases should in principle contribute to improve the efficiency of the whole vehicle administrative chain and reduce costs and administrative burdens. The Commission should therefore carry out a study on the feasibility, costs and benefits of setting-up a European electronic vehicle information platform for this purpose.

- (25a) Technical roadworthiness has a direct impact on road safety and should therefore be reviewed periodically. The Commission should report on the effectiveness of the provisions of this Directive, including on the scope, frequency of testing, further enhancement of the roadworthiness system through electronic information exchange, as well as the potential future mutual recognition of roadworthiness certificates.
- (26) In order to update the vehicle category designation in Article 2(1) and Article 5(1) and (2) to take account of the evolution of the Union type-approval legislation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.
- (27) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. The implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers⁸.
- (28) Testing facilities and equipment used in the testing centres should fulfil the requirements set out for carrying out roadworthiness tests. Since this implies important investments and adaptations which may not be carried out immediately, a period of five years should be granted to comply with these requirements. A similar period of five years should be granted for the supervisory bodies to fulfil all the criteria and requirements concerning authorisation and supervision of the testing centres.

⁸ OJ L 55, 28.2.2011, p. 13.

- (29) Since the objective of this Directive, namely **to improve road safety by laying down** minimum common requirements and harmonised rules concerning the conduct of roadworthiness tests of vehicles within the Union, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (30) This Directive respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union as referred to in Article 6 of the Treaty on European Union.
- (31) This Directive updates the technical requirements of Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers⁹ and enlarges its scope in order to include in particular the setting up of testing centres and of their supervisory bodies as well as designating inspectors entrusted with performance of roadworthiness tests. Therefore this Directive should be repealed. In addition, this Directive integrates and updates the rules contained in the Commission Recommendation 2010/378/EU of 5 July 2010 on the assessment of defects during roadworthiness testing in accordance with Directive 2009/40/EC¹⁰ with the view to better regulate the roadworthiness testing outcomes.
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⁹ OJ L 141, 6.6.2009, p. 12.

¹⁰ OJ L 173, 8.7.2010, p. 74.

Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the technical roadside inspection of the roadworthiness of commercial vehicles circulating
in the Union and repealing Directive 2000/30/EC

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In its White Paper of 28 March 2011 ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’³ the Commission set out a ‘vision zero’ objective in which the Union should by 2050, move close to zero fatalities in road transport. To reach this objective, vehicle technology is expected to contribute a great deal to the improvement of the safety record of road transport.

¹ OJ C, p .

² OJ C, , p .

³ COM(2011) 144 final.

- (2) The Commission, in its Communication on 'Towards a European road safety area: policy orientations on road safety for 2011-2020'⁴, proposed to further halve the overall number of road fatalities in the Union by 2020, starting from 2010. With a view to reach this goal, the Commission defined seven strategic objectives, including actions for safer vehicles, a strategy to reduce the number of injuries and the improvement of the safety of vulnerable road users.
- (3) Roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmentally acceptable condition during their use. This regime should cover periodic roadworthiness testing of vehicles and technical roadside inspection of vehicles used for commercial road transport activities as well as provisions on a vehicle registration procedure to allow for the suspension of a vehicle's authorisation to be used in road traffic where it constitutes an immediate risk to road safety.
- (4) A number of technical standards and requirements on vehicle safety have been adopted within the Union. It is ~~however~~ necessary to ensure, through a regime of unexpected roadside inspections, that vehicles continue to meet safety standards.
- (5) Technical roadside inspections are a crucial element to achieve a continuous high level of roadworthiness of commercial vehicles throughout their use. Such inspections contribute not only to road safety and a reduction of vehicle emissions but also to avoid unfair competition in road transport due to acceptance of different inspection levels between the Member States.
- (6) *[deleted]*

⁴ COM (2010) 389 final.

- (7) This Directive should apply to certain commercial vehicles with a design speed exceeding 25 km/h of the categories defined in Directive 2007/46/EC of the European Parliament and the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles⁵. It should however not prevent the Member States from carrying out roadside inspections on vehicles not covered by this Directive or to check other aspects of road transport, in particular those related to driving and resting time, or the transport of dangerous goods.
- (8) Reports on the implementation of Directive 2000/30/EC⁶ clearly show the importance of technical roadside inspections. During the period 2009-2010, more than 350 000 vehicles subject to roadside inspection throughout the Union were reported to be in a condition requiring immobilisation. Those reports also show very significant differences between the results of inspections carried out in different Member States. During the period 2009-2010 the rate of detection for certain deficiencies ranged from 2.1% of all vehicles inspected in one Member State to 48.3% in another. Finally, those reports show the significant differences in the number of roadside inspections performed between Member States. To reach a more balanced approach, Member States should commit to carry out an appropriate number of inspections, proportionate to the number of commercial vehicles registered and/or operating on their territory.
- (9) **Vans, such as N1 vehicles, and their trailers are not subject to the same road safety requirements at European Union level as heavy duty vehicles such as driving time rules, training for professional drivers or the installation of speed limitation devices. Although not in the scope of this Directive, Member States should take these N1 vehicles into account in their overall road safety and roadside inspection strategies.**

⁵ OJ L 263, 9.10.2007, p. 1.

⁶ COM(2010) 754 final.

- (10) To avoid unnecessary administrative burden and costs and to improve the efficiency of inspections, vehicles operated by undertakings not complying with road safety and environmental standards could be selected as a priority, while vehicles operated by responsible and safety-minded operators and properly maintained should be rewarded with less frequent inspections.
- (10a) Roadside inspections should be supported by the use of a risk rating system. Regulation (EC) No 1071/2009 on conditions for the occupation of road transport operators requires Member States to extend the risk classification system established under Directive 2006/22/EC concerning the implementation of the rules on driving-time and resting-periods to cover other specified areas related to road transport, including the roadworthiness of commercial vehicles. Therefore the information concerning the number and severity of deficiencies found on vehicles should be introduced into the risk rating system established under Article 9 of Directive 2006/22/EC. Member States may decide on the appropriate technical and administrative arrangements for the operation of risk rating systems.
- (10b) The holder of the registration certificate and, where applicable, the operator of the vehicle should be responsible for keeping the vehicle in a roadworthy condition.
- (10c) Inspectors, when performing technical roadside inspections, should act independently and their judgement should not be affected by conflicts of interest, including those of an economic or personal nature. Reward of inspectors should not thus be directly related to the results of technical roadside inspections. **This does not prevent a Member State from authorising a private body to perform both more detailed roadside inspections and vehicles repairs, even on the same vehicle.**
- (11) Technical roadside inspections should consist of initial and, where necessary, more detailed inspections. In both cases they should cover relevant parts and systems of vehicles. To achieve harmonisation of more detailed inspections at Union level, recommended test methods, and examples of deficiencies and their categorisation according to severity should be introduced for each test item.

- (11a) Securing of cargo is crucial for road safety. Cargo should therefore be secured in such a way to cope with accelerations occurring during the use of the vehicle on road. For the sake of practicality the mass-forces resulting from these accelerations should be used as limit values based on European standards. Personnel involved in cargo securing checks should be appropriately trained.
- (11b) All parties involved in the logistics process, including packers, loaders, transport companies and drivers, have a role to play in ensuring that cargo is properly packed and loaded on a suitable vehicle.
- (12) Reports of technical roadside inspections are, in several Member States, elaborated by electronic means. In such cases, a copy of the inspection report should be provided to the driver. All the data and information gathered during roadside inspections should be transferred to a common repository of the Member State so that the data can be easily processed and information transfer can be performed without additional administrative burden.
- (12a) In order to reduce administrative burden on inspection authorities, reports of initial roadside inspections, including on vehicles registered in third countries, should cover essential information only to record that such a check took place on a particular vehicle and the outcome of that check. A detailed report is only required where a more detailed inspection takes place following an initial inspection.
- (12b) The Commission should examine the possibility of integrating the report form contained in Annex V of this Directive with other reports.
- (13) The use of mobile inspection units reduces the delay and costs for operators as more detailed inspections can be performed directly at the roadside. Testing centres and designated roadside facilities may also be used to carry out more detailed inspections.

- (14) Personnel conducting roadside inspections should be appropriately trained or qualified. Inspectors performing more detailed roadside inspections should have at least the same skills and fulfil the same requirements as those performing roadworthiness tests in accordance with Directive (EU) No XX/XX/XX of the European Parliament and of the Council of [date] on roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC⁷. Member States ~~may~~ **should** provide that inspectors carrying out inspections in designated roadside inspection facilities or using mobile inspection units ~~shall~~ fulfil these requirements or alternative requirements.
- (15) Cooperation and exchange of best practices between Member States is crucial to achieve a more harmonised system of technical roadside inspections throughout the Union. Therefore Member States should work more closely together during operational activities where possible. This cooperation should include the periodical organisation of concerted roadside inspections.
- (16) In order to ensure the efficient exchange of information between Member States, there should be, within each Member State, a contact point for liaising with other relevant competent authorities. That contact point should also compile relevant statistics. Furthermore, Member States should apply a coherent national enforcement strategy on their territory and may designate a body to coordinate its implementation. The competent authorities in each Member State should designate procedures setting out time limits and the contents of the information to be forwarded.
- (16a) When designating contact points, constitutional provisions and the resulting level of competencies ~~shall~~ **should** be respected.
- (17) In order to allow a monitoring of the roadside inspection regime implemented in the Union Member States should communicate on a biennial basis to the Commission the results of the roadside inspections performed. The Commission should report the data collected to the European Parliament and the Council.

⁷ OJ L [XXX].

- (18) Member States should lay down rules on penalties applicable to infringements of the provisions of this Directive and ensure that they are implemented. Those penalties should be effective, proportionate, dissuasive and non-discriminatory.
- (19) *[deleted]*
- (20) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. The implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers⁸.
- (21) Since the objective of this Directive, namely to **to improve road safety by laying down** minimum common requirements and harmonised rules concerning the conduct of roadside inspections of vehicles circulating within the Union, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (22) This Directive respects fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union as referred to in Article 6 of the Treaty on European Union.

⁸ OJ L 55, 28.2.2011, p. 13.

(23) This Directive develops the existing regime of technical roadside inspections, updates the technical requirements of Directive 2000/30/EC and integrates the rules contained in Commission Recommendation 2010/379/EU of 5 July 2010 on the risk assessment of deficiencies detected during technical roadside inspections (of commercial vehicles) in accordance with Directive 2000/30/EC of the European Parliament and of the Council⁹. As a result, Directive 2000/30/EC should be repealed.

⁹ OJ L 173, 8.7.2010, p. 97.

Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Council Directive 1999/37/EC on the registration documents for vehicles

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmentally acceptable condition during their use. This regime should cover periodic roadworthiness testing of vehicles and technical roadside inspection of vehicles used for commercial road transport activities as well as provisions on a vehicle registration procedure to allow for the suspension of a vehicle's authorisation to be used in road traffic where it constitutes an immediate risk to road safety.

¹ OJ C, p.

² OJ C, p.

- (2) The registration of a vehicle provides administrative authorisation for its entry into service in road traffic. Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles³ only applies to the granting of a registration for vehicles. Nevertheless, especially in cases where the use of the vehicle on public roads would create a risk, due to the technical condition of the vehicle, it should be possible to suspend authorisation to use a vehicle for a certain period of time. To reduce the administrative burden resulting from suspension, it should not be necessary to go through the process of registration when the suspension is lifted again.
- (3) An obligation to cancel permanently the registration of a vehicle notified as having been treated as an end-of-life vehicle in accordance with Directive 2000/53/EC should be introduced. Member States ~~may~~ **have the possibility to** define in national law other reasons for cancelling a vehicle registration⁴.
- (3a) Even where a vehicle registration has been cancelled, **it should be possible to retain** a record of this registration ~~may be retained~~.
- (4) To reduce administrative burdens and ease the exchange of information between Member States, vehicle related information should be recorded electronically.
- (4a) This directive should not prevent a Member State from considering the electronic dataset kept by their competent authorities to be the main source of information about a vehicle **registered in its territory**.
- (5) In cases where dangerous deficiencies have been found during a roadworthiness test, and a vehicle's authorisation for use on public roads has been suspended, that suspension ~~shall~~ **should** be recorded until the vehicle has passed a new roadworthiness test.

³ OJ L 138 of 1.6.1999, p.57.

⁴ HU: scrutiny reservation on the text of this recital.

(6) *[deleted]*

(7) *[deleted]*
