



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles - Outcome of the European Parliament's proceedings (Strasbourg, 1 to 4 July 2013)

I. INTRODUCTION

The Rapporteur, Mrs Vilja SAVISAAR-TOOMAST (ALDE - EE), presented a report consisting of eleven amendments (amendments 1-11) to the proposal for a Directive, on behalf of the Committee on Transport and Tourism.

The ALDE political group tabled one further amendment (amendment 12).

II. DEBATE

See information note, doc. 11619/13, on the Joint debate on Roadworthiness which took place on 1 July 2013.

III. VOTE

When it voted on 2 July 2013, the Parliament adopted the eleven amendments from the Committee (amendments 1-11) the text of which is annexed to this note.

The vote on the legislative resolution was postponed to a later session, thereby not closing the first reading. The matter was referred back to the Committee on Transport and Tourism, pursuant to Rule 57(2) of the European Parliament's Rules of Procedure, and in order to start negotiations with the Council.

Registration documents for vehicles ***I

Amendments adopted by the European Parliament on 2 July 2013 on the proposal for a directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles (COM(2012)0381 – C7-0187/2012 – 2012/0185(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) The possibility of cancelling a registration of a vehicle in cases where inter alia a vehicle has been re-registered in another Member State or dismantled and scrapped should be introduced.

Amendment

(3) The possibility of cancelling a registration of a vehicle ***in the Member State of its registration*** in cases where inter alia a vehicle has been re-registered in another Member State or dismantled and scrapped should be introduced.

Amendment 2

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) To reduce administrative burdens and ease the exchange of information between Member States, vehicle related information should be kept in national registers.

Amendment

(4) To reduce administrative burdens and ease the exchange of information between Member States, vehicle related information should be kept in national ***electronic*** registers.

Amendment 3

Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission

Amendment

¹ The matter was referred back to the committee responsible for reconsideration pursuant to Rule 57(2), second subparagraph (A7-0199/2013).

(4a) Whereas, in order to facilitate those checks specifically intended to combat fraud and the illegal trade in stolen vehicles and to check the validity of the roadworthiness certificate, it is appropriate to establish close cooperation between Member States, based on an effective exchange of information, by using national electronic databases.

Amendment 4

Proposal for a directive

Article 1 – point 2

Directive 1999/37/EC

Article 2 – points e and f

Text proposed by the Commission

(e) '**withdrawal** of a registration': shall mean a limited period of time **in which** the vehicle is not authorised to be used in road traffic, **not involving** a new process of registration;

(f) 'cancellation of a registration': shall mean a permanent cancellation of the authorisation for the vehicle to be used in road traffic, **involving** a new process of registration.

Amendment

(e) '**suspension** of a registration': shall mean **an administrative act whereby, for** a limited period of time, the vehicle is not authorised to be used in road traffic, **following which – provided the reasons for suspension have ceased to apply – it may be used again without** a new process of registration;

(f) 'cancellation of a registration': shall mean a permanent cancellation **by the competent authority** of the authorisation for the vehicle to be used in road traffic, **necessitating – if the vehicle is to be used again in road traffic –** a new process of registration. **The holder of the registration certificate may submit a request to the competent authority for cancellation of the registration.**

(In line with this amendment "withdrawal" shall be replaced by "suspension" throughout the text)

Amendment 5

Proposal for a directive

Article 1 – point 3

Directive 1999/37/EC

Article 3 – paragraph 4

Text proposed by the Commission

4. Member States shall keep the data on all vehicles registered on their territory in an

Amendment

4. Member States shall keep the data on all vehicles registered on their territory in an

electronic register. The data in this register shall contain ***all elements in accordance with*** Annex I as well as the results of mandatory roadworthiness tests in accordance with Regulation XX/XX/XX [on periodic roadworthiness tests]. They shall make the technical data on vehicles available to the competent authorities or testing centres involved in roadworthiness testing.

electronic register. The data in this register shall contain ***the data specified in points II.4 to II.7 of*** Annex I as well as the results of ***periodic or other*** mandatory roadworthiness tests in accordance with Regulation XX/XX/XX [on periodic roadworthiness tests]. They shall make the technical data on vehicles available to the competent authorities or testing centres involved in roadworthiness testing.

Amendment 6

Proposal for a directive

Article 1 – point 3

Directive 1999/37/EC

Article 3 a – paragraph 1 – subparagraph 2

Text proposed by the Commission

The withdrawal shall be effective until the vehicle has passed a new roadworthiness test. On successful completion of the roadworthiness test, the registration authority shall without delay re-authorise the use of the vehicle in road traffic.

Amendment

The withdrawal shall be effective until the vehicle has passed a new roadworthiness test. On successful completion of the roadworthiness test, the registration authority shall without delay re-authorise the use of the vehicle in road traffic; ***no new process of registration shall be necessary.***

Amendment 7

Proposal for a directive

Article 1 – point 3

Directive 1999/37/EC

Article 3 a – paragraph 2

Text proposed by the Commission

2. In *case* that a Member State registration authority receives a notification that a vehicle has been treated as an end-of-life vehicle in accordance with Directive 2000/53/EC the registration shall be cancelled and this information shall be added to its electronic register.

Amendment

2. In *the event* that a Member State registration authority receives a notification that a vehicle has been treated as an end-of-life vehicle in accordance with Directive 2000/53/EC ***of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles*** the registration shall be cancelled and this information shall be added to its electronic register. ***Such cancellation shall not involve a new process of registration.***

Amendment 8

Proposal for a directive

Article 1 – point 4

Directive 1999/37/EC

Article 5

Text proposed by the Commission

4. The following *paragraph is* added to Article 5:

"3. In *case* that a Member State receives a notification that a vehicle has been re-registered in another Member State, it shall cancel the registration of *this* vehicle on its territory."

Amendment

5. The following *paragraphs are* added to Article 5:

"3. In *the event* that a Member State receives a notification that a vehicle has been re-registered in another Member State, it shall cancel the registration of *that* vehicle on its territory.

3a. In the event that a vehicle is re-registered in another Member State and the proof of the last roadworthiness test and the date for the next roadworthiness test appear on the registration certificate, the Member State in which the vehicle is re-registered, when issuing the new registration certificate, shall recognise the validity of the roadworthiness certificate and, provided the certificate is valid in terms of the testing intervals applied in the Member State of re-registration, shall include a statement to that effect on the new registration certificate.

3b. In the event that the ownership of the vehicle changes and the proof of the last roadworthiness test and the date for the next roadworthiness test appear on the registration certificate, the Member State concerned, when issuing the new registration certificate to the new owner, shall recognise the validity of the roadworthiness certificate and shall include a statement to that effect on the new registration certificate."

Amendment 9

Proposal for a directive

Article 1 – point 5

Directive 1999/37/EC

Article 7 – paragraph 2

Text proposed by the Commission

2. The *delegation of power* referred to in Article 6 shall be conferred for *an indeterminate period of time* from the date of entry into force of this *Regulation*.

Amendment

2. The *power to adopt delegated acts* referred to in Article 6 shall be conferred *on the Commission for a period of five years* from the date of entry into force of this *Directive*. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Amendment 10

Proposal for a directive
Article 1 – point 6 a (new)
Directive 1999/37/EC
Article 9

Text proposed by the Commission

Amendment

6a. Article 9 shall be replaced by the following:
"Member States shall assist one another in the implementation of this Directive. They may exchange information at bilateral or multilateral level in particular so as to check, before any registration of a vehicle, the latter's legal status, where necessary in the Member State in which it was previously registered. Such checking may in particular involve the use of an electronic network, with national electronic databases being made available to other Member States."

Amendment 11

Proposal for a directive
Article 1 – point 6 b (new)
Directive 1999/37/EC
Annex I – point II.5

Text proposed by the Commission

Amendment

6b. The following point shall be added to point II.5 of Annex I:

"(Y) proof (for example stamp, date, signature) of roadworthiness and date for next roadworthiness test (to be repeated as often as necessary)."