



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 July 2013**

**11619/13**

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**Interinstitutional File:  
2012/0184 (COD)**

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**CODEC 1616  
TRANS 359  
PE 317**

#### **INFORMATION NOTE**

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from: General Secretariat  
to: Permanent Representatives Committee/Council

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Subject: 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  
- Outcome of the European Parliament's proceedings (Strasbourg, 1 to 4 July 2013)

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#### **I. INTRODUCTION**

The Rapporteur, Mr Werner KUHN (EPP-DE), presented a report consisting of 109 amendments (amendments 1-109) to the proposal for a Regulation, on behalf of the Committee on Transport and Tourism.

Ten further amendments were tabled: the EPP political group tabled one amendment (amendment 110), the ECR political group two (amendments 111 and 112), the ALDE political group two (amendments 113 and 114), the S&D political group two (amendments 115 and 118) and the Greens/EFA and the S&D political groups together three amendments (amendments 116, 117 and 119).

## II. DEBATE

The debate, which took place on 1 July 2013, was a joint debate which covered the three following dossiers:

1. Proposal for a Regulation on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC [2012/0184 (COD) / Rapporteur: Mr Werner KUHN (EPP - DE)] - see section III below for the voting results;
2. Proposal for a Regulation on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC [2012/0186 (COD) / Rapporteur: Mrs Olga SEHNALOVA (S&D - CZ)] - see doc. 11618/13 for the voting results;
3. Proposal for a directive amending Council Directive 1999/37/EC on the registration documents for vehicles [2012/0185 (COD) / Rapporteur: Mrs Vilja SAVISAAR-TOOMAST (ALDE - EE)] - see doc. 11617/13 for the voting results;

The Rapporteur for the proposed Regulation on periodic roadworthiness tests for motor vehicles and their trailers, Mr Werner KUHN (EPP - DE) opened the debate and:

- thanked the Commission for presenting this proposal in the form of a Regulation, since a Directive would have left too much room for manoeuvre to the Member States.
- stressed the impact of the proposed Regulation on European citizens and the Member States, and stated that the technical requirements and the test methods were updated, 80 pages of Annexes show this work. These requirements should be seen as minimum standards, the Member States should be allowed to maintain or introduce higher standards. The same should apply to the frequency of the tests, regarding which a compromise was found in the sense that the vehicle needs to be tested four years after the date of its first registration and every two years thereafter.
- noted that, regarding the scope of the Regulation, an agreement has been found for trailers, caravans and tractors; trailers with a weight of up to 2000 kg and tractors with a speed up to 50 km/h and which do not drive on public roads do not need to be checked, while caravans need to undergo regular technical controls.

- argued that, regarding the inclusion of motorbikes, the situation is more difficult, and therefore more information is needed. Up to now, motorbikes needed to undergo technical controls in half of the Member States, while in the other half technical inspections are not required. The Commission is invited to present a new proposal for the roadworthiness test of these categories of vehicles by 2016, this is the point from which newly registered motorbikes and mopeds need to be presented for technical inspection before their registration.
- noted that historic cars will be excluded from technical controls if they are older than 30 years and produced in the historic context.

The Rapporteur for the proposed Regulation on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union,

Mrs Olga SEHNALOVA (S&D -CZ):

- stressed that Europe-wide rules are needed in order to increase the quality and number of controls. Those controls should be based on risk profiles which are established on the basis of a "roadside inspection risk rating system" and the number and severity of deficiencies found during periodic tests. The controls should be without discrimination on grounds of the nationality of the driver or the country of registration.
- argued that periodic testing should be the main tool to ensure roadworthiness, technical roadside inspections of commercial vehicles should only be complementary. The initial roadside inspections should correspond to at least 5 % of the total number of commercial vehicles registered in the territory. Furthermore, at least 5 % of the commercial vehicles that are not registered in the territory of a Member State but operating there should be checked.
- spoke in favour of a step by step approach; only in the third year after the first registration should additional tests be introduced. Profiles for each category of vehicle should be established and additional tests should be carried out according to those profiles.
- argued that more inspections of cargo securing in accordance with existing technical standards should be carried out. The outcome of such inspections should not be introduced into the risk rating system until the rules on cargo securing are harmonised at Union level.

The Rapporteur for the proposed Directive on the registration documents for vehicles,  
Mrs Vilja SAVISAAR-TOOMAST (ALDE - EE)

- stressed that the aim of the proposed Directive is to harmonise Member States' rules on the registration of vehicles and to reduce bureaucracy.
- spoke in favour of the creation of a Europe-wide database with all the registration documents. Such a database would include technical information and the environmental requirements of the vehicle, the result of the last technical test and the date for the next roadworthiness test. Such a system would help to improve the recognition and the validity of a technical control carried out in another Member State.
- argued that there should be the possibility of de-registration of vehicles and the deletion of the old data in the system, for example when a car was sold or stolen and is no longer operated by the previous owner.
- noted that she personally saw the need for harmonising the rule on the size of the registration document, even though this amendment had not received the support of the Committee on Transport and Tourism.

Vice-President of the Commission, Mr Siim KALLAS:

- welcomed the progress made on the provisions that prevent conflicts of interest when carrying out roadworthiness tests. He also pointed out that, with the roadside inspections for vehicles presenting the greatest risk, the administrative burden would be reduced.
- regretted however that motorcycles, which represent the group of drivers with the most fatal accidents, would not need to undergo regular mandatory roadworthiness tests and that they are excluded from the legislation. The group of 17 Member States that introduced testing for such vehicles reported significantly lower numbers of fatalities.
- noted that the rules for light vans, which are used as commercial vehicles in order to replace heavy-duty vehicles and which often cause fatal accidents, are also not very ambitious.
- showed disappointment that the proposed increased frequency of roadworthiness tests for historic cars was also not carried.

Speaking on behalf of the EPP political group, Mr Markus FERBER (EPP - DE):

- thanked the Rapporteur Mr Kuhn for the compromises found and stressed that not the frequency of the roadworthiness tests but their quality will be decisive for road safety.
- noted that, as far as roadside inspections are concerned, the number of controls should not only be taken in relation to the trucks registered in each country, but also in relation to the number of trucks crossing each Member State.
- argued that, regarding the roadside inspection risk rating system, the possibility should be given to improve the risk evaluation grade by carrying out own-initiative technical controls, in addition to the mandatory roadworthiness test.
- spoke in favour of excluding commercial vans, since the Commission could not show that the higher numbers of registration of these vehicles also lead to more accidents. Therefore only trucks with a weight of more than 3,5 t are subject to the new rules.

Speaking on behalf of the S&D political group, Mr Said EL KHADRAOUI (S&D - BE):

- thanked the Commission for the proposal and supported the Commission in its approach. He pointed out that, regarding the frequency of the roadworthiness test, his group would have liked a 4-2-1 frequency, but this proposal did not get the necessary majority in the Committee. Therefore his group now supports the compromise of 4-2-2, but it hopes that Member States will make use of the possibility to introduce stricter rules at national level.
- regretted, in line with the Commission, that two wheel vehicles will not be controlled regularly, as the Commission had proposed. He spoke in favour of carrying out further studies which would show the positive results in the Member States where roadworthiness tests for motorcycles exist. On the basis of this information the Commission could propose the necessary rules at a later stage.
- stressed that the proposed new rules will help to fight fraud and the manipulation of odometers.

Speaking on behalf of the ALDE political group, Mr Phil BENNION (ALDE - UK):

- stressed the need for harmonised minimum standards of technical rules regarding the roadworthiness tests at European level, as vehicles can circulate freely in Europe. As in many Member States these standards are already relatively high they should be maintained and raised across the Union as whole.
- supported the Commission proposal in general, including roadside testing of trailers and caravans and the inclusion of those vehicles in the risk rating system. However, he asked the Commission to give a justification and evidence why regular testing of trailers and caravans should be requested; even now at this stage of the procedure the information would be very welcome.

Speaking on behalf of the Greens/EFA political group, Mrs Isabelle DURANT (Greens/EFA - FR):

- stressed the need for the inclusion of motorcycles in the application of the Regulation on roadworthiness tests. There is no justification why vehicles with four wheels need to be controlled while two and three wheelers are exempted, in particular if one looks at the high rates of fatal accidents of the latter group.
- spoke in favour of having rules regarding the technical control of large motorcycles by 2016, and for smaller ones by 2018, on the basis of Commission studies.

Speaking on behalf of the ECR political group, Mr Philip BRADBURN (ECR - UK) welcomed in particular the report on the registration documents and thanked the rapporteur for the agreement which was found and which should work for the United Kingdom. The concerns on a mandatory exchange of database information have been addressed, safeguarding national sovereignty over the data that Member States collect. The new system of vehicle re-registration across Europe should be easier and less bureaucratic.

Speaking on behalf of the GUE/NGL political group, Mr Jacky HENIN (GUE/ NGL - FR)

- supported the introduction and the harmonisation of the roadworthiness test at European level.
- recalled that due to austerity, the citizens with the lowest income often have old cars and would be particularly concerned by the technical controls. He proposed to increase the purchasing power of the citizens and improve road safety and road security.

Speaking on behalf of the EFD political group, Mr Jaroslav PASKA (EFD - SK)

- warned that increased technical controls would lead to fines and unfair costs, if the owner continues to use those vehicles.
- pointed out that, in future, vehicles could not be used and would need to stay in the garage because spare parts are often not available.
- stressed that good rules on their own are often not enough and everything depends on the implementation.

### **III. VOTE**

When it voted on 2 July 2013, the Parliament adopted 109 amendments (amendments 1 - 6, 8 - 36, 38 - 48, 50 - 109, 110, 115 and 117) 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.

## Roadworthiness tests for motor vehicles and their trailers \*\*\*I

Amendments adopted by the European Parliament on 2 July 2013 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 (COM(2012)0380 – C7-0186/2012 – 2012/0184(COD))<sup>1</sup>

(Ordinary legislative procedure: first reading)

### Amendment 1

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) Roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmental acceptable condition during their use. This regime should cover periodic roadworthiness tests for all vehicles and roadside technical inspection for vehicles used for commercial road transport activities as well as provisions on a vehicle registration procedure to ensure *that* vehicles which constitute an immediate risk to road safety *are not used on roads*.

*Amendment*

(3) Roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmental acceptable condition during their use. This regime should cover periodic roadworthiness tests for all vehicles and roadside technical inspection for vehicles used for commercial road transport activities as well as provisions on a vehicle registration procedure. ***Periodic testing should be the main tool to ensure roadworthiness. Roadside inspections of commercial vehicles should only be complementary to periodic tests and should be targeted at*** vehicles which constitute an immediate risk to road safety.

### Amendment 2

#### Proposal for a regulation

##### Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) All vehicles used on public roads, without prejudice to requirements of periodic roadworthiness testing, are required to be roadworthy at all times***

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<sup>1</sup> The matter was referred back to the committee responsible for reconsideration pursuant to Rule 57(2), second subparagraph (A7-0210/2013).



*when they are used.*

### Amendment 3

#### Proposal for a regulation

##### Recital 3 b (new)

*Text proposed by the Commission*

*Amendment*

***(3b) Enforcement of roadworthiness measures should include awareness campaigns focusing on vehicle owners and aimed at developing good practices and habits resulting from basic checks on their vehicle.***

### Amendments 4 and 115

#### Proposal for a regulation

##### Recital 4

*Text proposed by the Commission*

*Amendment*

(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 after being placed on the market, vehicles continue to meet safety standards throughout their lifetime. ***This regime should apply to*** categories of vehicles as defined in Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC, 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 vehicles 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/EEC.***

(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 after being placed on the market, vehicles continue to meet safety standards throughout their lifetime. ***Any retrofitted equipment affecting the safety and environmental characteristics of the vehicle should not adversely affect those characteristics as they were at the time of approval, first registration or entry into service. Member States might introduce national requirements concerning roadworthiness tests for*** categories of vehicles as defined in Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles ; ***that national roadworthiness regime should apply to 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 vehicles 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.

## Amendment 5

### Proposal for a regulation

#### Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

***(5a) Early disclosure of a motor-vehicle roadworthiness deficiency helps to remedy that deficiency and hence prevent accidents, and accident-related costs saved should be used to part-fund the establishment of a bonus scheme.***

## Amendment 6

### Proposal for a regulation

#### Recital 6

*Text proposed by the Commission*

*Amendment*

(6) A large fraction of total emissions of road transport, in particular CO<sub>2</sub> emissions, is due to a minority of vehicles with malfunctioning emission control systems. It is estimated that 5% of the vehicle fleet causes 25% of all pollutant emissions. Therefore, a periodic regime of roadworthiness tests would also contribute to improve the environment through the reduction of the average vehicle emissions.

(6) A large fraction of total emissions of road transport, in particular CO<sub>2</sub> emissions, is due to a minority of vehicles with malfunctioning emission control systems. It is estimated that 5% of the vehicle fleet causes 25% of all pollutant emissions. ***This also applies to an increase in particulates and NO<sub>x</sub> emissions from engines of modern design which require a more comprehensive emissions test, including a check, by means of an electronic control device, of the integrity and functionality of the vehicle's own on-board diagnostic (OBD) system, verified by existing tailpipe testing to ensure a complete emissions system test, since testing by reference to the OBD alone is not reliable.*** Therefore, a periodic regime of roadworthiness tests would also contribute to improve the environment through the reduction of the average vehicle emissions.

## Amendment 8

### Proposal for a regulation Recital 8

*Text proposed by the Commission*

(8) Agricultural vehicles 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 this vehicle category should be** treated in the same way as trucks regarding roadworthiness testing.

*Amendment*

(8) Agricultural vehicles with a maximum design speed exceeding 40 km/h are **in some instances being** used to replace trucks **for commercial road haulage purposes. It is important to ensure, where agricultural vehicles are used in this way, that they are** treated in the same way as trucks regarding roadworthiness testing.

## Amendment 9

### Proposal for a regulation Recital 9

*Text proposed by the Commission*

(9) Vehicles of historic interest **are supposed to** conserve heritage of the *époque* **they have been built and considered to be hardly used on public roads,** it should be left to Member States to extend the period of periodic roadworthiness testing for such vehicles. It should also be for Member States to regulate roadworthiness testing of other types of specialised vehicles.

*Amendment*

(9) Vehicles of historic interest conserve heritage of the *age in which they were* built, **are maintained in a historically correct condition and are rarely used as everyday vehicles.** It should be left to Member States to extend the period of periodic roadworthiness testing for such vehicles **or to otherwise regulate the regime for testing their roadworthiness.** It should also be for Member States to regulate roadworthiness testing of other types of specialised vehicles.

## Amendment 10

### Proposal for a regulation Recital 10

*Text proposed by the Commission*

(10) Roadworthiness testing is a sovereign activity and should **therefore** be done by the Member **States** or by **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 involved in performing repairs.**

*Amendment*

(10) Roadworthiness testing is a sovereign activity and **as such** should be done by the Member **State concerned,** or by **a public body entrusted with that task by the State or by bodies or establishments designated and directly supervised by the State, including duly authorised private bodies. In particular, where establishments designated as vehicle testing centres also**

*perform motor vehicle repairs, Member States should **make every effort to ensure the objectivity and high quality of the vehicle testing.***

## **Amendment 11**

### **Proposal for a regulation Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) 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.*

## **Amendment 12**

### **Proposal for a regulation Recital 10 b (new)**

*Text proposed by the Commission*

*Amendment*

*(10b) When there is evidence that harmonisation of roadworthiness testing has been achieved to a sufficient degree, provisions for full mutual recognition of roadworthiness certificates throughout the Union should be established.*

## **Amendment 13**

### **Proposal for a regulation Recital 11**

*Text proposed by the Commission*

*Amendment*

(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*

(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 *systems. The data should include*

*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.*

*the details that allow the functionality of the vehicle safety systems to be monitored in a way that allows them to be tested in a periodic technical inspection environment, in such a way as to establish a predictable pass or fail rate.*

#### Amendment 14

##### Proposal for a regulation

##### Recital 12

*Text proposed by the Commission*

(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 **on** Union level.

*Amendment*

(12) To achieve a high quality of testing throughout the Union **of** test equipment to be used during testing, its maintenance and calibration should be specified **at** Union level. ***Incentives should be created for innovations in the areas of testing systems, procedures and equipment, thus making it possible to achieve further cost reductions and improvements in use.***

#### Amendment 15

##### Proposal for a regulation

##### Recital 13

*Text proposed by the Commission*

(13) Inspectors, when performing roadworthiness tests, should act independently and any conflict of interests should be avoided. ***The result of roadworthiness tests should not thus be linked to salary or any economic or personal benefit.***

*Amendment*

(13) Inspectors, when performing roadworthiness tests, should act independently and any conflict of interests should be avoided. ***Member States should ensure that assessments are carried out properly and should pay particular attention to their objectivity.***

#### Amendment 16

##### Proposal for a regulation

##### Recital 13 a (new)

*Text proposed by the Commission*

*Amendment*

***(13a) The quality and impartiality of roadworthiness testing centres is crucial***

*for achieving the target of higher road safety. Therefore, testing centres carrying out roadworthiness tests should, for example, meet the minimum requirements in respect of ISO 17020 on general criteria for the operation of various types of bodies performing inspection.*

## Amendment 17

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) Results of a 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.

*Amendment*

(14) Results of a test should not be altered for commercial purposes. Only if the findings of the roadworthiness test performed by an inspector are manifestly incorrect **should** the supervising body be able to modify the results of a roadworthiness test **and impose the appropriate penalties on the body which issued the certificate.**

## Amendment 18

### Proposal for a regulation

#### Recital 15

*Text proposed by the Commission*

(15) High standards of roadworthiness testing require a high level of skills and competences of the testing personnel. A training system including an initial training and periodic refresher trainings should be introduced. A transitional period should be defined to allow for a smooth transition of existing testing personnel into the periodic training regime.

*Amendment*

(15) High standards of roadworthiness testing require a high level of skills and competences of the testing personnel. A training system including an initial training and periodic refresher trainings should be introduced. A transitional period should be defined to allow for a smooth transition of existing testing personnel into the periodic training regime. **Member States which already apply more stringent training, competence and testing requirements than the minimum requirements should be allowed to maintain their high standards.**

## Amendment 19

### Proposal for a regulation

#### Recital 17

*Text proposed by the Commission*

(17) Frequency of tests should be adapted according to the type of vehicle **and to their mileage**. Vehicles are more likely to present technical deficiencies when they reach a certain age **and, in particular when intensively used, after a certain mileage**. It is therefore appropriate to **increase the test frequency for older vehicles and for vehicles with high mileage**.

**Amendment 20**

**Proposal for a regulation**

**Recital 19**

*Text proposed by the Commission*

(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, testing methods should be provided for each of the test items.

**Amendment 21**

**Proposal for a regulation**

**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

(17) Frequency of tests should be adapted according to the type of vehicle. Vehicles are more likely to present technical deficiencies when they reach a certain age. It is therefore appropriate to **test older vehicles more frequently**.

*Amendment*

(19) Roadworthiness tests should cover all items relevant to the specific design, construction and equipment of the tested vehicle. **Those items should be updated to take account of evolving research and technical progress on vehicle safety. Substandard wheels fitted onto non-standard axles should be treated as a critical safety item and should therefore be included in roadworthiness testing.** 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, testing methods should be provided for each of the test items.

*Amendment*

**(20a) Roadworthiness test standards should be set at a common Union-wide high minimum level, allowing those Member States which already have roadworthiness test standards at a level higher than required by this Regulation to maintain their higher standards and to**

*adapt them to technical progress where appropriate.*

## Amendment 22

### Proposal for a regulation

#### Recital 21

*Text proposed by the Commission*

(21) The holder of the registration 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, the **registration of the** vehicle should be **withdrawn** until those deficiencies are fully rectified.

*Amendment*

(21) The holder of the registration of a vehicle subject to a roadworthiness test during which deficiencies are found, in particular *a vehicle* which *represents* a risk to road safety, should rectify such deficiencies without delay. In *the* case of dangerous deficiencies, the vehicle should **not** be **driven on public roads** until those deficiencies are fully rectified.

## Amendment 23

### Proposal for a regulation

#### Recital 22

*Text proposed by the Commission*

(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.

*Amendment*

(22) ***To ensure the proper follow-up of testing results,*** a roadworthiness certificate should be issued after each test ***and should also be created in electronic format, with the same level of detail in relation to vehicle identity and test results as is contained in the original test certificate. Furthermore,*** Member States should collect and keep such information in a ***centralised*** database ***in order to ensure that the authenticity of the periodic technical inspection results can be easily verified.***

## Amendment 24

### Proposal for a regulation

#### Recital 22 a (new)

*Text proposed by the Commission*

*Amendment*

***(22a) Since some Member States do not require the registration of certain categories of vehicles, such as light trailers, the information on the successful***



*passing of a roadworthiness test should be made available by a proof of test displayed in a visible manner on the vehicle.*

## Amendment 25

### Proposal for a regulation

#### Recital 23

##### *Text proposed by the Commission*

(23) Odometer fraud is considered to affect between 5% and 12% of used *cars* sales, resulting in a very *important* cost to society of several *billions Euros* yearly and in an incorrect evaluation of *a* roadworthiness *condition* of a vehicle. With a view to *combat* odometer fraud, the recording of mileage in the roadworthiness certificate combined with the obligation to present the certificate of the previous test would facilitate the detection of tampering or manipulation of the odometer. Odometer fraud should be more systematically considered as an offence liable to a penalty.

##### *Amendment*

(23) Odometer fraud is considered to affect between 5% and 12% of used *car* sales ***within a single country, while the figure is far higher in the case of cross-border sales***, resulting in a very *significant* cost to society of several *billion euros* yearly and in an incorrect evaluation of *the* roadworthiness of a vehicle. With a view to *combating* odometer fraud, the recording of mileage in the roadworthiness certificate combined with the obligation to present the certificate of the previous test would facilitate the detection of tampering *with*, or manipulation of, the odometer. ***The establishment of an electronic vehicle information platform recording the mileage of vehicles and the serious accidents in which they have been involved throughout their lifetime, with due regard for data protection, would also help to prevent manipulation and to make important information accessible.*** Odometer fraud should ***moreover*** be more systematically considered as an offence liable to a penalty.

## Amendment 26

### Proposal for a regulation

#### Recital 25

##### *Text proposed by the Commission*

(25) Roadworthiness testing is part of a wider regulatory scheme, governing vehicles throughout their lifetime from approval via registrations, inspections until scrapping. The development and interconnection of national and manufacturers' electronic vehicle databases ***should in principle*** contribute to improve

##### *Amendment*

(25) Roadworthiness testing is part of a wider regulatory scheme, governing vehicles throughout their lifetime from approval via registrations, inspections until scrapping. The development and interconnection of national and manufacturers' electronic vehicle databases ***would*** contribute to improve the efficiency

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.***

of the whole vehicle administrative chain and reduce costs and administrative burdens.

#### Amendment 27

##### Proposal for a regulation Recital 25 a (new)

*Text proposed by the Commission*

*Amendment*

***(25a) Since the objective of this Regulation should be to encourage further harmonisation and standardisation of periodic roadworthiness testing of vehicles, which should eventually lead to the establishment of a single market for periodic roadworthiness testing in the Union with a system of mutual recognition of roadworthiness testing certificates which allows vehicles to be tested in any Member State, the Commission should draft a report on progress in the harmonisation process in order to determine when such a mutual recognition system could be established.***

#### Amendment 28

##### Proposal for a regulation Recital 26

*Text proposed by the Commission*

*Amendment*

(26) In order to ***supplement*** this Regulation ***with further technical details***, 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 with a view to take into account, when appropriate, evolution of the Union type-approval legislation in relation with vehicle categories, as well as the need to update the Annexes in the light of technical progress. It is of particular importance that the Commission carry out appropriate consultations during its

(26) In order to ***update*** this Regulation, 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 with a view to take into account, when appropriate, evolution of the Union type-approval legislation in relation with vehicle categories, as well as the need to update the Annexes in the light of technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,

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.

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.

## Amendment 29

### Proposal for a regulation

#### Recital 29

##### *Text proposed by the Commission*

(29) Since the objective of this Regulation, namely to lay 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 Regulation does not go beyond what is necessary in order to achieve that objective.

##### *Amendment*

(29) Since the objective of this Regulation, namely to lay 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 Regulation does not go beyond what is necessary in order to achieve that objective. ***Member States may decide to lay down requirements more stringent than the minimum standards.***

## Amendment 30

### Proposal for a regulation

#### Article 1

##### *Text proposed by the Commission*

This Regulation establishes a regime of periodic roadworthiness tests of vehicles.

##### *Amendment*

This Regulation establishes a regime of periodic roadworthiness tests of vehicles ***carried out on the basis of minimum technical standards and requirements with the aim of ensuring a high level of road safety and environmental protection.***

## Amendment 31

### Proposal for a regulation

#### Article 2 – paragraph 1 – indent 1

*Text proposed by the Commission*

– motor vehicles **having at least four wheels, used** for the carriage of **passengers and with** not more than eight seats in addition to the driver’s seat – vehicle category M1,

*Amendment*

– motor vehicles **designed and constructed primarily** for the carriage of **persons and their luggage, comprising** not more than eight seats in addition to the driver’s seat – vehicle category M1,

**Amendment 32**

**Proposal for a regulation**

**Article 2 – paragraph 1 – indent 2**

*Text proposed by the Commission*

– motor vehicles **used** for the carriage of **passengers and with** more than eight seats, excluding the driver’s seat – vehicle category M2 and M3,

*Amendment*

– motor vehicles **designed and constructed primarily** for the carriage of **persons and their luggage, comprising** more than eight seats, excluding the driver’s seat – vehicle category M2 and M3,

**Amendment 33**

**Proposal for a regulation**

**Article 2 – paragraph 1 – indent 3**

*Text proposed by the Commission*

– motor vehicles **having at least four wheels, normally used** for the **road** carriage of goods **and with** a maximum **permissible** mass not exceeding **3 500 kg** – vehicle category N1,

*Amendment*

– motor vehicles **designed and constructed primarily** for the carriage of goods, **having** a maximum mass not exceeding **3,5 tonnes** – vehicle category N1,

**Amendment 34**

**Proposal for a regulation**

**Article 2 – paragraph 1 – indent 4**

*Text proposed by the Commission*

– motor vehicles **used** for the carriage of goods **and** having a maximum **permissible** mass exceeding **3 500kg** - vehicle categories N2 and N3,

*Amendment*

– motor vehicles **designed and constructed primarily** for the carriage of goods, having a maximum mass exceeding **3,5 tonnes** – vehicle categories N2 and N3,

**Amendment 35**

**Proposal for a regulation**

**Article 2 – paragraph 1 – indent 5**

*Text proposed by the Commission*

– trailers **and semi-trailers with a** maximum **permissible** mass not exceeding **3 500 kg** – vehicle **categories O1 and O2**,

*Amendment*

– trailers **designed and constructed for the carriage of goods or of persons as well as for the accommodation of persons, having a maximum mass of more than 750 kg but not exceeding 3,5 tonnes**– vehicle **category O2**

### **Amendment 36**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – indent 6**

*Text proposed by the Commission*

– trailers **and semi-trailers with a** maximum **permissible** mass exceeding **3 500 kg** – vehicle categories **O3 and O4**,

*Amendment*

– trailers **designed and constructed for the carriage of goods or of persons as well as for the accommodation of persons, having a maximum mass exceeding 3,5 tonnes** – vehicle categories **O3 and O4**,

### **Amendment 117/1**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – indent 7**

*Text proposed by the Commission*

– two- or three-wheel vehicles – vehicle categories **L1e, L2e, L3e, L4e, L5e, L6e** and **L7e**,

*Amendment*

– **from 1 January 2016** two- or three-wheel vehicles – vehicle categories **L3e, L4e, L5e and L7e**,

### **Amendment 38**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – indent 8**

*Text proposed by the Commission*

– wheeled tractors with a maximum design speed exceeding **40 km/h** – **vehicle category T5**.

*Amendment*

– wheeled tractors **of category T5 used mainly on public roads** with a maximum design speed exceeding **40km/h**.

### **Amendment 39**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. 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.*

#### **Amendment 117/2**

##### **Proposal for a regulation Article 2 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. This Regulation shall apply as from 1 January 2018 to the following vehicle categories unless the Commission demonstrates in its report under Article 18a that such a measure would be ineffective:  
– two- or three-wheel vehicles – vehicle categories L1e, L2e and L6e.***

#### **Amendment 40**

##### **Proposal for a regulation Article 2 – paragraph 2 – indent 2**

*Text proposed by the Commission*

*Amendment*

– vehicles ***belonging to*** armed forces, fire services, civil protection, emergency or rescue services,

– vehicles ***used by*** armed forces, fire services, civil protection, emergency or rescue services,

#### **Amendment 41**

##### **Proposal for a regulation Article 2 – paragraph 2 – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***– O2 category trailers having a maximum mass not exceeding 2,0 tonnes but not including O2 category trailers of the trailer caravan type.***

## Amendment 42

### Proposal for a regulation

#### Article 3 – point 5

*Text proposed by the Commission*

(5) *‘two- or three-wheel vehicles’ means any power-driven vehicle on two wheels with or without sidecar, tricycles and quadricycles;*

*Amendment*

*deleted*

## Amendment 43

### Proposal for a regulation

#### Article 3 – point 7

*Text proposed by the Commission*

(7) ‘vehicle of historic interest’ means any vehicle which fulfils all the following conditions:

- It was manufactured at least 30 years ago,
- *It is maintained by use of replacement parts which reproduce the historic components of the vehicle;*
- *It has not sustained any change in the technical characteristics of its main components such as engine, brakes, steering or suspension and*
- *It has not been changed in its appearance;*

*Amendment*

(7) ‘vehicle of historic interest’ means any vehicle which *is considered to be historic by the Member State of registration or one of its appointed authorising bodies and which* fulfils all the following conditions:

- it was manufactured *or registered for the first time* at least 30 years ago;
- *its specific type, as defined by the relevant legal acts of the Union on type approval, is no longer in production;*
- *it is preserved and maintained in a historically correct condition, and therefore* has not *undergone major changes in its* technical characteristics;

## Amendment 44

### Proposal for a regulation

#### Article 3 – point 9

*Text proposed by the Commission*

(9) ‘roadworthiness test’ means *a verification that the parts and components of a vehicle comply with its* safety and environmental characteristics *in force* at the time of approval, first registration or entry into service, *as well as* at the time of retrofitting;

*Amendment*

(9) ‘roadworthiness test’ means *an inspection to ensure that* a vehicle *is safe to be used on public roads and complies with required* safety and environmental characteristics at the time of approval, first registration or entry into service, *or* at the time of retrofitting;

## Amendment 45

### Proposal for a regulation Article 3 – point 13

#### *Text proposed by the Commission*

(13) ‘inspector’ means a person authorised by a Member State to carry out roadworthiness tests in a testing centre or on behalf of a competent authority ;

#### *Amendment*

(13) ‘inspector’ means a person authorised by a Member State ***or its competent authority*** to carry out roadworthiness tests in a testing centre or on behalf of a competent authority;

## Amendment 46

### Proposal for a regulation Article 4 – paragraph 2

#### *Text proposed by the Commission*

2. Roadworthiness tests shall be carried out ***only*** by the competent authority of a Member State or by ***testing centres authorised by Member States***.

#### *Amendment*

2. 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***.

## Amendment 47

### Proposal for a regulation Article 4 – paragraph 3

#### *Text proposed by the Commission*

3. Vehicle manufacturers shall provide the testing centres or, when relevant, the competent authority, with access to the technical information necessary for roadworthiness testing, as set out in Annex I. The Commission shall adopt detailed rules concerning the procedures on access to the technical information set out in Annex I in accordance with the examination procedure referred to in Article 16(2).

#### *Amendment*

3. Vehicle manufacturers shall provide, ***free of charge***, the testing centres ***and test equipment manufacturers*** or, when relevant, the competent authority, with access to the technical information necessary for roadworthiness testing, as set out in Annex I. ***For test equipment manufacturers, that information shall include the information required to allow the test equipment to be used for the purposes of conducting a pass or fail assessment of the functionality of vehicle electronic control systems***. The Commission shall adopt detailed rules concerning the procedures on access to the technical information set out in Annex I



*and examine the feasibility of a single point of access* in accordance with the examination procedure referred to in Article 16(2).

#### **Amendment 48**

##### **Proposal for a regulation Chapter 3 – title**

*Text proposed by the Commission*

REQUIREMENTS CONCERNING  
ROADWORTHINESS TESTS

*Amendment*

**MINIMUM** REQUIREMENTS  
CONCERNING ROADWORTHINESS  
TESTS

#### **Amendment 50**

##### **Proposal for a regulation Article 5 – paragraph 1 – indent 2**

*Text proposed by the Commission*

– Vehicles of category M1, N1 and O2:  
four years after the date on which the  
vehicle was first registered, *then two years*  
and thereafter *annually*;

*Amendment*

– Vehicles of category M1, N1 and O2:  
four years after the date on which the  
vehicle was first registered, and thereafter  
*every two years*;

#### **Amendment 51**

##### **Proposal for a regulation Article 5 – paragraph 1 – indent 3**

*Text proposed by the Commission*

– Vehicles of category M1 registered as  
taxis or ambulances, vehicles of categories  
M2, M3, N2, N3, **T5**, O3 and O4: one year  
after the date on which the vehicle was first  
registered, and thereafter annually.

*Amendment*

– Vehicles of category M1 registered as  
taxis or ambulances, vehicles of categories  
M2, M3, N2, N3, O3 and O4: one year  
after the date on which the vehicle was first  
registered, and thereafter annually;

#### **Amendment 52**

##### **Proposal for a regulation Article 5 – paragraph 1 – indent 3 a (new)**

*Text proposed by the Commission*

*Amendment*

– *Vehicles of category T5 used mainly on  
public roads: one year after the date on  
which the vehicle was first registered, and  
thereafter annually*;

## Amendment 53

### Proposal for a regulation

#### Article 5 – paragraph 1 – indent 3 b (new)

*Text proposed by the Commission*

*Amendment*

***– Other categories of vehicles: at intervals defined by the Member State of registration.***

## Amendment 54

### Proposal for a regulation

#### Article 5 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Any Member State may provide funding for roadworthiness tests should a vehicle owner decide to reduce the inspection interval to one year. The funding period shall begin no sooner than 10 years following the date of first registration of the vehicle.***

## Amendment 55

### Proposal for a regulation

#### Article 5 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. A Member State may require that vehicles of any class registered in its territory be subject to more frequent periodic roadworthiness testing.***

## Amendment 56

### Proposal for a regulation

#### Article 5 – paragraph 2

*Text proposed by the Commission*

*Amendment*

***2. 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.***

***deleted***

## Amendment 57

### Proposal for a regulation Article 5 – paragraph 3

*Text proposed by the Commission*

3. The holder of the registration certificate may request the testing centre, or the competent authority if relevant, to carry out the roadworthiness test during a period extending from the beginning of the month preceding the month of the anniversary date referred to in paragraph 1 until the end of the second month following this date, without affecting the date for the next roadworthiness test.

*Amendment*

3. The holder of the registration certificate may request the testing centre, or the competent authority ***or the bodies or establishments certified and supervised by the State*** if relevant, to carry out the roadworthiness test during a period extending from the beginning of the month preceding the month of the anniversary date referred to in paragraph 1 until the end of the second month following this date, without affecting the date for the next roadworthiness test.

## Amendment 58

### Proposal for a regulation Article 5 – paragraph 4 – indent 3

*Text proposed by the Commission*

***– in case of a change of the holder of the registration certificate of a vehicle.***

*Amendment*

***deleted***

## Amendment 59

### Proposal for a regulation Article 5 – paragraph 4 – indent 3 a (new)

*Text proposed by the Commission*

*Amendment*

***– when the vehicle has reached a mileage of 160 000 km.***

## Amendment 60

### Proposal for a regulation Article 6 – paragraph 1

*Text proposed by the Commission*

1. The roadworthiness test shall cover the areas referred to in Annex II, point 2.

*Amendment*

1. The roadworthiness test shall cover ***at least*** the areas referred to in Annex II, point 2.

## Amendment 61

### Proposal for a regulation Article 6 – paragraph 2

*Text proposed by the Commission*

2. For each area referred to in paragraph 1, the competent authorities of the Member State or the testing centre shall carry out a roadworthiness test covering at least the items and using the method **applicable to** the testing of those items, as set out in Annex II, point 3.

*Amendment*

2. For each area referred to in paragraph 1, the competent authorities of the Member State or the testing centre shall carry out a roadworthiness test covering at least the items and using the method applicable to the testing of those items, as set out in Annex II, point 3, **or an equivalent alternative approved by a competent authority.**

## Amendment 62

### Proposal for a regulation Article 8 – paragraph 1

*Text proposed by the Commission*

1. The testing centre or, if relevant, the competent authority that has conducted a roadworthiness test on a vehicle shall issue a roadworthiness certificate to that vehicle **that contains** at least the elements laid down in Annex IV.

*Amendment*

1. The testing centre or, if relevant, the competent authority that has conducted a roadworthiness test on a vehicle shall issue a roadworthiness certificate to that vehicle, **which shall also be available in electronic format, containing** at least the elements laid down in Annex IV. **To that end, the Commission shall draw up a standard European Union form for roadworthiness tests.**

## Amendment 63

### Proposal for a regulation Article 8 – paragraph 2

*Text proposed by the Commission*

2. The testing centre or, if relevant, the competent authority, shall provide the person presenting the vehicle to the test with **the** roadworthiness certificate or, **in case of electronic established roadworthiness certificate, a duly certified printout of such certificate.**

*Amendment*

2. **As soon as the test has been satisfactorily completed,** the testing centre or, if relevant, the competent authority shall provide the person presenting the vehicle to the test with **a** roadworthiness certificate or, **where the certificate is in electronic form, shall make available a printout of the test results.**

## Amendment 64

### Proposal for a regulation Article 8 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2a. Where an application for re-registration of a vehicle has been received, and the vehicle originates from another Member State, the registration authorities shall recognise the vehicle's roadworthiness certificate, once its validity has been verified at the time of re-registration. Such recognition shall cover the same period as the original validity period of the certificate, except where that original validity period extends beyond the maximum legal duration in the Member State where the vehicle is being re-registered. In that event, validity shall be aligned downwards, and calculated from the date on which the original roadworthiness certificate was issued for the vehicle. Before the date of application of this Regulation, Member States shall communicate to each other the format of the roadworthiness certificate recognised by their respective competent authorities as well as instructions on how to verify authenticity.***

## Amendment 65

### Proposal for a regulation Article 8 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. For the purposes of checking the odometer reading, and where *this* information was not communicated electronically following the previous roadworthiness test, the inspector shall require the person presenting the vehicle to the test to show the certificate issued following the previous roadworthiness test.

4. For the purposes of checking the odometer reading, ***where fitted***, and where *the information on that reading* was not communicated electronically following the previous roadworthiness test, the inspector shall require the person presenting the vehicle to the test to show the certificate issued following the previous roadworthiness test, ***if that certificate has not been issued electronically.***

## Amendment 66

### Proposal for a regulation Article 8 – paragraph 5

*Text proposed by the Commission*

5. The results of the roadworthiness test shall be notified to the registration authority of the vehicle. *This* notification shall contain the information mentioned in the roadworthiness certificate.

*Amendment*

5. The results of the roadworthiness test shall be notified **by electronic means** to the registration authority of the vehicle **without delay**. *That* notification shall contain the information mentioned in the roadworthiness certificate.

## Amendment 67

### Proposal for a regulation Article 9 – paragraph 2

*Text proposed by the Commission*

2. In the case of major deficiencies, the competent authority **shall** decide on the conditions under which a vehicle may be used before undergoing another roadworthiness test. The latter test shall take place within six weeks following the initial test.

*Amendment*

2. 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. The latter test shall take place within six weeks following the initial test.

## Amendment 68

### Proposal for a regulation Article 9 – paragraph 3

*Text proposed by the Commission*

3. In the case of dangerous deficiencies, the **vehicle shall not be used on publicly accessible roads and its registration shall be withdrawn in accordance with Article 3a of Directive XXX of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles** until the deficiencies are rectified **and a new roadworthiness certificate is issued testifying that the vehicle is in a roadworthy condition**.

*Amendment*

3. 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.

## Amendment 69

### Proposal for a regulation Article 10 – paragraph 1

*Text proposed by the Commission*

The testing centre or, if relevant, the competent authority of the Member State that has carried out a roadworthiness test on a vehicle registered in its territory shall issue a proof to each vehicle having successfully passed such a test. The proof shall indicate the date of the next roadworthiness test.

*Amendment*

The testing centre or, if relevant, the competent authority of the Member State that has carried out a roadworthiness test on a vehicle registered in its territory shall issue a proof to each vehicle having successfully passed such a test. The proof shall indicate the date of the next roadworthiness test. ***No proof of roadworthiness need be issued if it is possible to indicate in the vehicle registration document that the roadworthiness test has been conducted and the date of the next such test.***

## Amendment 70

### Proposal for a regulation Article 10 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Where the tested vehicle belongs to a vehicle category not subject to registration in the Member State where it has been put into service, the proof of test shall be displayed in a visible manner on the vehicle.***

## Amendment 71

### Proposal for a regulation Article 10 – paragraph 2

*Text proposed by the Commission*

*Amendment*

Each Member State shall recognise the proof issued in accordance with paragraph 1.

Each Member State shall recognise the proof issued ***by another Member State*** in accordance with paragraph 1 ***or a corresponding record in the vehicle registration document, provided that it was issued for a vehicle registered in that Member State.***

## Amendment 72

### Proposal for a regulation Article 11 – paragraph 1

*Text proposed by the Commission*

1. Testing facilities and equipment used for carrying out roadworthiness tests shall comply with the minimum technical requirements laid down in Annex V.

*Amendment*

1. Testing facilities and equipment used for carrying out roadworthiness tests shall comply with ***at least*** the minimum technical requirements laid down in Annex V.

## Amendment 73

### Proposal for a regulation Article 11 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Testing centres in which inspectors perform roadworthiness tests shall be authorised by a Member State or by its competent authority.***

## Amendment 74

### Proposal for a regulation Article 11 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. Testing centres which have already been authorised by Member States prior to the entry into force of this Regulation shall be retested for compliance with the minimum standards following a period of at least five years from the entry into force of this Regulation.***

## Amendment 75

### Proposal for a regulation Article 11 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2a. To meet minimum requirements in terms of quality management, testing centres shall comply with the requirements of the authorising Member State. Testing centres shall ensure the***



*objectivity and the high quality of the vehicle testing.*

#### **Amendment 76**

##### **Proposal for a regulation Article 12 – paragraph 1**

*Text proposed by the Commission*

1. Roadworthiness tests shall be carried out by inspectors fulfilling the minimum competence and training requirements laid down in Annex VI.

*Amendment*

1. Roadworthiness tests shall be carried out by inspectors fulfilling the minimum competence and training requirements laid down in Annex VI. ***Member States may lay down additional competence and training requirements.***

#### **Amendment 77**

##### **Proposal for a regulation Article 12 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Member States shall prescribe adequate training for inspectors in line with the qualification requirements.***

#### **Amendment 78**

##### **Proposal for a regulation Article 12 – paragraph 2**

*Text proposed by the Commission*

2. ***Member States*** shall deliver a certificate to inspectors who fulfil the minimum competence and training requirements. This certificate shall include at least the information mentioned in Annex VI, point 3.

*Amendment*

2. ***The competent authorities or, where applicable, approved training centres*** shall deliver a certificate to inspectors who fulfil the minimum competence and training requirements. This certificate shall include at least the information mentioned in Annex VI, point 3.

#### **Amendment 79**

##### **Proposal for a regulation Article 12 – paragraph 3**

*Text proposed by the Commission*

3. Inspectors employed by competent authorities of the Member States or a

*Amendment*

3. Inspectors employed ***or authorised*** by competent authorities of the Member States

testing centre at the date of application of this Regulation shall be exempted from the requirements laid down in Annex VI, point 1. The Member States shall deliver a certificate of equivalence to these inspectors.

or a testing centre at the date of application of this Regulation shall be exempted from the requirements laid down in Annex VI, point 1. The Member States shall deliver a certificate of equivalence to these inspectors.

## Amendment 80

### Proposal for a regulation

#### Article 12 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***4a. A person who has performed repairs or maintenance on a vehicle shall not be involved as an inspector in the subsequent conducting of a periodic roadworthiness test of that same vehicle unless the supervising body has established to its satisfaction that a high level of objectivity can be guaranteed. Member States may prescribe stronger requirements regarding the separation of activities.***

## Amendment 81

### Proposal for a regulation

#### Article 12 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The testing centre shall inform the person presenting the vehicle to the test of the ***necessary repairs to be carried out*** and shall not alter the results of the test for commercial purposes.

5. The testing centre shall inform the person ***or repair workshop*** presenting the vehicle to the test of the ***deficiencies identified on the vehicle*** and shall not alter the results of the test for commercial purposes.

## Amendment 82

### Proposal for a regulation

#### Article 13 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Each Member State shall ensure that testing centres in its territory are supervised.***

## Amendment 83

### Proposal for a regulation Article 13 – paragraph 2

*Text proposed by the Commission*

2. Testing centres directly operated by a competent authority shall be exempted from the requirements regarding authorisation and supervision.

*Amendment*

2. Testing centres directly operated by a **Member State's** competent authority shall be exempted from the requirements regarding authorisation and supervision.

## Amendment 84

### Proposal for a regulation Article 15

*Text proposed by the Commission*

The Commission shall examine the **feasibility, costs and benefits of the establishment of** an electronic vehicle information platform with a view to **exchange** information on data related to roadworthiness testing between the competent authorities of Member States responsible for testing, registration and vehicle approval, the testing centres and the vehicle manufacturers.

*Amendment*

The Commission shall examine the **most efficient and effective way to establish** 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. The examination shall consider the most appropriate way to link the existing national systems** with a view to **exchanging** information on data related to roadworthiness testing **and odometer readings** between the competent authorities of Member States responsible for testing, registration and vehicle approval, the testing centres, the test equipment manufacturers and the vehicle manufacturers.  
**The Commission shall also examine the collection and storage of existing safety-related data concerning vehicles which have been involved in serious accidents. Those data should include at least information concerning components with a safety function which have been replaced and repaired.**  
**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**

*It shall*, on the basis of that examination, put forward and evaluate different policy options, including the possibility *to remove* the requirement of a proof of test as provided for in Article 10. Within two years after the date of application of this Regulation, the Commission shall report to the European Parliament and to the Council on the results of the examination, and accompany it with a legislative proposal, if appropriate.

## Amendment 85

### Proposal for a regulation Article 17

#### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 19 with a view:

- *to update* Article 2(1) and Article 5(1) and (2) as appropriate in ***order to take account of the*** changes to the vehicle categories stemming from amendments to the legislation referred to in Article 3(1),

- *to update the Annexes in the light of technical progress or in order to take account of the modification in international or Union legislation.*

***holder of the registration certificate or the vehicle owner.***

On the basis of that examination, ***the Commission shall*** put forward and evaluate different policy options, including the possibility *of removing* the requirement of a proof of test as provided for in Article 10 ***and the establishment of a system for exchanging information between Member States, in the event of cross-border sales of vehicles, about the mileage readings of, and serious accidents suffered by, those vehicles throughout their lifetime.*** Within two years after the date of application of this Regulation, the Commission shall report to the European Parliament and to the Council on the results of the examination, and accompany it with a legislative proposal, if appropriate.

#### *Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 18 with a view ***to updating:***

- (a) the designation of vehicle categories in*** Article 2(1) and Article 5(1) and (2) as appropriate in ***the event of*** changes to the vehicle categories stemming from amendments to the ***type approval*** legislation referred to in Article 2(1), ***without affecting the scope or the frequency of testing;***

- (b) point 3 of Annex II in respect of methods and reasons for failure, and Annex V, in the event of the availability of more efficient and effective test methods, and Annex I, should additional information be required in order to carry out roadworthiness tests;***
- (c) point 3 of Annex II in respect of the list of test items, methods, reasons for***

*failure, Annex III in respect of the assessment of deficiencies, and Annex V, in order to adapt them to developments in Union safety or environmental legislation, and Annex I, should additional information be required in order to carry out roadworthiness tests.*

## Amendment 86

### Proposal for a regulation Article 18 – paragraph 2

*Text proposed by the Commission*

2. The *delegation of* power referred to in Article 17 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 17 shall be conferred *on the Commission for a* period of *five years* from [the date of entry into force of this Regulation]. *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 87

### Proposal for a regulation Article 18 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 18a*

*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. The report shall assess the road safety situation in the Union for that category of vehicles. In particular, the Commission shall compare road safety results for that category of vehicles in Member States which carry out roadworthiness testing of that category of vehicles with those in*

*Member States which do not test that category of vehicles, in order to assess whether roadworthiness testing of two- or three-wheel vehicles is proportionate to the road safety objectives set. The report shall be accompanied, if appropriate, by legislative proposals.*

## Amendment 110

### Proposal for a regulation Article 18 b (new)

*Text proposed by the Commission*

*Amendment*

#### **Article 18b Reporting**

*No later than [five years from the date of publication of this Regulation], the Commission shall submit a report to the European Parliament and the Council on the implementation and the effects of this Regulation, in particular as regards 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 in cases of registration of vehicles originating from another Member State. The report shall also analyse whether there is a sufficient level of harmonisation to allow for full mutual recognition of roadworthiness certificates throughout the Union and whether there is a need for higher European standards in order to achieve that goal. The report shall be accompanied, if appropriate, by legislative proposals.*

## Amendment 88

### Proposal for a regulation Article 19 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Each Member State shall take the necessary measures to ensure that *the* manipulation or tampering *of* an odometer is regarded as an offence and is punishable by effective, proportionate, dissuasive and

2. Each Member State shall take the necessary measures to ensure that manipulation *of*, or tampering *with*, *vehicle components and systems which have a bearing on compliance with safety and*

non-discriminatory penalties.

*environmental requirements or an odometer is regarded as an offence and is punishable by effective, proportionate, dissuasive and non-discriminatory penalties, and to ensure the accuracy of the odometer reading during the entire lifetime of a vehicle.*

## Amendment 89

### Proposal for a regulation

#### Annex I – part 5 – point 5.3 – indent 8 a (new)

*Text proposed by the Commission*

*Amendment*

*– Recommended tyre pressure*

## Amendment 90

### Proposal for a regulation

#### Annex II – part 1 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*Where it is not possible to test a vehicle using a recommended test method set out in this Annex, the test centre may conduct the test in accordance with an alternative method which has been approved in writing by the appropriate competent authority. The competent authority must be satisfied that safety and environmental standards will be maintained.*

## Amendment 91

### Proposal for a regulation

#### Annex II – part 3 – item 1.8 – point a

*Text proposed by the Commission*

1.8 Brake fluid

Measuring of boiling temperature or water content

*Amendment by Parliament*

(a) Brake fluid boiling temperature to low **or water content to high**

1.8 Brake fluid

Measuring of boiling temperature or water content

(a) Brake fluid boiling temperature to low

## Amendment 92

### Proposal for a regulation

#### Annex II – part 3 – item 3.3 – point a

*Text proposed by the Commission*

3.3. Rear-view mirrors or devices

Visual inspection.

(a) Mirror or device missing or not fitted according to the requirements<sup>(1)</sup>.

*Amendment by Parliament*

3.3. Rear-view mirrors or devices

Visual inspection.

(a) Mirror or device missing or not fitted according to the requirements<sup>(1)</sup> **including those outlined in Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the Community.**

## Amendment 93

### Proposal for a regulation

#### Annex II – part 3 – item 4.1.2

*Text proposed by the Commission*

4.1.2. Alignment

Determine the horizontal aim of each headlamp on dipped beam using a headlamp aiming device **or a screen.**

Aim of a headlamp not within limits laid down in the requirements.

*Amendment by Parliament*

4.1.2. Alignment

Determine the horizontal **and vertical** aim of each headlamp on dipped beam using a headlamp aiming device **and an electronic control device in order to check the dynamic functionality where relevant.**

Aim of a headlamp not within limits laid down in the requirements.

## Amendment 94

### Proposal for a regulation

#### Annex II – part 3 – item 4.1.3



*Text proposed by the Commission*

4.1.3. Switching

Visual inspection and by operation.

- (a) Switch does not operate in accordance with the requirements<sup>(1)</sup> (Number of headlamps illuminated at the same time)
- (b) Function of control device impaired.

*Amendment by Parliament*

4.1.3. Switching

Visual inspection and by operation, **and using where appropriate an electronic control device.**

- (a) Switch does not operate in accordance with the requirements<sup>(1)</sup> (Number of headlamps illuminated at the same time)
- (b) Function of control device impaired.

**Amendment 95**

**Proposal for a regulation  
Annex II – part 3 – item 4.1.5**

*Text proposed by the Commission*

4.1.5. Levelling devices (where mandatory)

Visual inspection and by operation **if possible.**

- (a) Device not operating.
- (b) Manual device cannot be operated from driver's seat.

*Amendment by Parliament*

4.1.5. Levelling devices (where mandatory)

Visual inspection and by operation, **and using where appropriate an electronic control device.**

- (a) Device not operating.
- (b) Manual device cannot be operated from driver's seat.

**Amendment 96**

**Proposal for a regulation  
Annex II – part 3 – item 4.3.2**

*Text proposed by the Commission*

4.3.2. Switching

Visual inspection and by

- (a) Switch does not

operation

operate in accordance with the requirements  
(b) Function of control device impaired.

*Amendment by Parliament*

4.3.2 **Stop lamps – emergency brake light** switching

Visual inspection and by operation, **using an electronic control device to vary the brake pedal sensor input value and verify by observation the emergency brake light functionality.**

(a) Switch does not operate in accordance with the requirements

(b) Function of control device impaired.  
**(ba) Emergency brake light functions fail to operate, or do not operate correctly.**

## Amendment 97

### Proposal for a regulation Annex II – part 3 – item 4.5.2

*Text proposed by the Commission*

4.5.2 Alignment (X)<sup>(2)</sup>

by operation and using a headlamp aiming device

Front fog lamp out of horizontal alignment when the light pattern has cut-off line

*Amendment by Parliament*

4.5.2 Alignment (X)<sup>(2)</sup>

by operation and using a headlamp aiming device

Front fog lamp out of horizontal **and vertical** alignment when the light pattern has cut-off line

## Amendment 98

### Proposal for a regulation Annex II – part 3 – item 5.2.2. – point d a (new)

*Text proposed by the Commission*

5.2.2. Wheels

Visual inspection of both sides of each wheel with vehicle over a pit or on a hoist.

(a) Any fracture or welding defect

(...)

*Amendment by Parliament*

5.2.2. Wheels

Visual inspection of both sides of each wheel with vehicle over a pit or on a hoist.

(a) Any fracture or welding defect

(...)

***(da) Wheel not compatible with wheel hub***

**Amendment 99**

**Proposal for a regulation**

**Annex II – part 3 – item 5.2.3. – column 2**

*Text proposed by the Commission*

5.2.3. Tyres

Visual inspection of the entire tyre by either rotating the road wheel with it off the ground and the vehicle over a pit or on a hoist, or by rolling the vehicle backwards and forwards over a pit.

*Amendment by Parliament*

5.2.3. Tyres

Visual inspection of the entire tyre by either rotating the road wheel with it off the ground and the vehicle over a pit or on a hoist, or by rolling the vehicle backwards and forwards over a pit.

***Use a pressure gauge to measure tyre pressure and compare it with the values given by the manufacturer.***

**Amendment 100**

**Proposal for a regulation**

**Annex II – part 3 – item 8.2.1.2**

*Text proposed by the Commission*

8.2.1.2 Gaseous emissions

Measurement using an exhaust gas analyser in accordance with the

(a) Either, gaseous emissions exceed the specific levels given by

requirements<sup>(1)</sup>.  
***Alternatively, for vehicles equipped with suitable on-board diagnostic systems, the proper functioning of the emission system can be checked by appropriate reading of the OBD device and checks on the proper functioning of the OBD system in place of emission measurements at engine idle in accordance with the manufacturer's conditioning recommendations and other requirements<sup>(1)</sup>.***

the manufacturer;

- (b) Or, if this information is not available, the CO emissions exceed,
- i) for vehicles not controlled by an advanced emission control system,
    - 4.5%, or
    - 3.5%according to the date of first registration or use specified in requirements<sup>(1)</sup>.
  - ii) for vehicles controlled by an advanced emission control system,
    - at engine idle: 0.5%
    - at high idle: 0.3%or
    - at engine idle: 0.3%<sup>6</sup>
    - at high idle: 0.2%according to the date of first registration or use specified in requirements<sup>(1)</sup>.
- (c) Lambda outside the range  $1 \pm 0.03$  or not in accordance with the manufacturer's specification
- (d) OBD readout indicating significant malfunction

8.2.1.2 Gaseous emissions

Measurement using an exhaust gas analyser in accordance with the requirements<sup>(1)</sup>. ***The tailpipe testing shall always be the default method of exhaust emission assessment, even if combined with OBD.***

***For vehicles equipped with OBD in accordance with requirements<sup>(1)</sup>, reading of OBD information and checks (readiness) on the proper functioning of the OBD system at engine idle in accordance with the manufacturer's recommendations and other requirements<sup>(1)</sup>.***

***Measurement of NO<sub>x</sub> levels by means of a suitable equipment/suitably equipped gas analyser, using existing tailpipe test methods.***

(a) Either, gaseous emissions exceed the specific levels given by the manufacturer;

(b) Or, if this information is not available, the CO emissions exceed,

i) for vehicles not controlled by an advanced emission control system,  
– 4.5%, or  
– 3.5%

according to the date of first registration or use specified in requirements<sup>(1)</sup>.

ii) for vehicles controlled by an advanced emission control system,  
– at engine idle: 0.5%  
– at high idle: 0.3%

or

– at engine idle: 0.3%<sup>6</sup>  
– at high idle: 0.2%

or

– ***at engine idle: 0.2%*** <sup>(6a)</sup>

– ***at high idle: 0.1%*** <sup>(6a)</sup>

according to the date of first registration or use specified in requirements<sup>(1)</sup>.  
(c) Lambda outside the range  $1 \pm 0.03$  or not in accordance with the manufacturer's specification  
(d) OBD readout indicating significant malfunction *at engine idle speed*.  
***NOx level not in accordance with the requirements or in excess of the specific levels given by the manufacturer.***

<sup>(6a)</sup> *Type-approved according to limits of Table 1 of Annex I to Regulation (EC) No 715/2007 or first registered or put into service after 1 July 2007 (Euro 5).*

## Amendment 101

### Proposal for a regulation Annex II – part 3 – item 8.2.2.2

#### *Text proposed by the Commission*

#### 8.2.2.2 Opacity

Vehicles registered or put into service before 1 January 1980 are exempted from this requirement

(a) Exhaust gas opacity to be measured during free acceleration (no load from idle up to cut-off speed) with gear lever in neutral and clutch engaged.

(b) Vehicle preconditioning:

1. Vehicles may be tested without preconditioning although for safety reasons checks should be made that the engine is warm and in a satisfactory mechanical condition.

2. precondition requirements:

(i) Engine shall be fully

(a) For vehicles registered or put into service for the first time after the date specified in requirements<sup>(1)</sup>,

opacity exceeds the level recorded on the manufacturer's plate on the vehicle;

(b) Where this information is not available or requirements<sup>(1)</sup> do not allow the use of reference values,

for naturally aspirated engines:  $2.5 \text{ m}^{-1}$ ,  
for turbo-charged engines:

warm, for instance the engine oil temperature measured by a probe in the oil level dipstick tube to be at least 80 °C, or normal operating temperature if lower, or the engine block temperature measured by the level of infrared radiation to be at least an equivalent temperature. If, owing to vehicle configuration, this measurement is impractical, the establishment of the engine's normal operating temperature may be made by other means, for example by the operation of the engine cooling fan.

(ii) Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method.

(c) Test procedure:

1 Engine and any turbocharger fitted, to be at idle before the start of each free acceleration cycle. For heavy-duty diesels, this means waiting for at least 10 seconds after the release of the throttle.

2. To initiate each free acceleration cycle, the throttle pedal must be fully depressed quickly and continuously (in less than one second) but not violently, so as to obtain maximum delivery from the injection pump.

3. During each free acceleration cycle, the engine shall reach cut-off speed or, for vehicles with

3.0 m<sup>-1</sup>,

or, for vehicles identified in requirements<sup>(1)</sup>, or first registered or put into service for the first time after the date specified in requirements<sup>(1)</sup>, 1.5 m<sup>-1 7</sup>.

automatic transmissions, the speed specified by the manufacturer or if this data is not available then two thirds of the cut-off speed, before the throttle is released. This could be checked, for instance, by monitoring engine speed or by allowing a sufficient time to elapse between initial throttle depression and release, which in the case of vehicles of category 1 and 2 of Annex 1, should be at least two seconds.

4. Vehicles shall only be failed if the arithmetic means of at least the last three free acceleration cycles are in excess of the limit value. This may be calculated by ignoring any measurement that departs significantly from the measured mean, *or the result of any other statistical calculation that takes account of the scattering of the measurements*. Member States may limit the number of test cycles.

5. To avoid unnecessary testing, Member States may fail vehicles which have measured values significantly in excess of the limit values after less than three free acceleration cycles or after the purging cycles. Equally to avoid unnecessary testing, Member States may pass vehicles which have measured values significantly below the limits after less than three free acceleration cycles or



after the purging cycles  
*Amendment by Parliament*

#### 8.2.2.2 Opacity

Vehicles registered or put into service before 1 January 1980 are exempted from this requirement

(a) Exhaust gas opacity to be measured during free acceleration (no load from idle up to cut-off speed) with gear lever in neutral and clutch engaged. ***The tailpipe testing shall always be the default method of exhaust emission assessment, even if combined with OBD.***

***For vehicles equipped with OBD in accordance with requirements <sup>(1)</sup>, reading of OBD information and checks (readiness) on the proper functioning of the OBD system at engine idle in accordance with the manufacturer's recommendations and other requirements <sup>(1)</sup>.***

(b) Vehicle preconditioning:

1. Vehicles may be tested without preconditioning although for safety reasons checks should be made that the engine is warm and in a satisfactory mechanical condition.

2. precondition requirements:

(i) Engine shall be fully warm, for instance the engine oil temperature measured by a probe in the oil level dipstick tube to be at least 80 °C, or normal operating temperature if lower, or the engine block temperature measured by

(a) For vehicles registered or put into service for the first time after the date specified in requirements<sup>(1)</sup>,

opacity exceeds the level recorded on the manufacturer's plate on the vehicle;

(b) Where this information is not available or requirements<sup>(1)</sup> do not allow the use of reference values,

for naturally aspirated engines: 2.5 m<sup>-1</sup>,  
for turbo-charged engines: 3.0 m<sup>-1</sup>,

the level of infrared radiation to be at least an equivalent temperature. If, owing to vehicle configuration, this measurement is impractical, the establishment of the engine's normal operating temperature may be made by other means, for example by the operation of the engine cooling fan.

(ii) Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method.

(c) Test procedure:

1 Engine and any turbocharger fitted, to be at idle before the start of each free acceleration cycle. For heavy-duty diesels, this means waiting for at least 10 seconds after the release of the throttle.

2. To initiate each free acceleration cycle, the throttle pedal must be fully depressed quickly and continuously (in less than one second) but not violently, so as to obtain maximum delivery from the injection pump.

3. During each free acceleration cycle, the engine shall reach cut-off speed or, for vehicles with automatic transmissions, the speed specified by the manufacturer or if this data is not available then two thirds of the cut-off speed, before the throttle is released. This could be checked, for instance, by monitoring engine speed

or, for vehicles identified in requirements<sup>(1)</sup> or first registered or put into service for the first time after the date specified in requirements<sup>(1)</sup>,  
 $1.5 \text{ m}^{-1.7}$

*or*

$0.5 \text{ m}^{-1.6a}$

or by allowing a sufficient time to elapse between initial throttle depression and release, which in the case of vehicles of category 1 and 2 of Annex 1, should be at least two seconds.

4. Vehicles shall only be failed if the arithmetic means of at least the last three free acceleration cycles are in excess of the limit value. This may be calculated by ignoring any measurement that departs significantly from the measured mean. Member States may limit the number of test cycles.

5. To avoid unnecessary testing, Member States may fail vehicles which have measured values significantly in excess of the limit values after less than three free acceleration cycles or after the purging cycles. Equally to avoid unnecessary testing, Member States may pass vehicles which have measured values significantly below the limits after less than three free acceleration cycles or after the purging cycles

*Measurement of NOx levels and particulates by means of suitable equipment/a suitably equipped gas analyser, using existing free acceleration test methods.*

*NOx level or particulate values not in accordance with the requirements or in excess of the specific levels given by the manufacturer.*

<sup>6a</sup> *Type-approved according to limits of Table 1 of Annex I to Regulation (EC) No 715/2007 or first registered or put into service after 1 July 2007 (Euro 5).*

## Amendment 102

### Proposal for a regulation Annex III – item 1.8 – point a

*Text proposed by the Commission*

1.8 Brake fluid	(a) Brake fluid boiling temperature too low <b>or water content too high</b>
	<i>Amendment by Parliament</i>
1.8 Brake fluid	(a) Brake fluid boiling temperature too low

## Amendment 103

### Proposal for a regulation Annex III – item 5.2.2 – point d a (new)

*Text proposed by the Commission*

5.2.2. Wheels	(a) Any fracture or welding defect. (...)	Minor	Major	Dangerous x
	<i>Amendment by Parliament</i>			
5.2.2. Wheels	(a) Any fracture or welding defect. (...) <b>(da) Wheel not compatible with wheel hub.</b>	Minor	Major  x	Dangerous x

## Amendment 104

### Proposal for a regulation Annex III – item 5.2.3

*Text proposed by the Commission*

5.2.3. Tyres	(a) Tyre size, load capacity, approval mark or speed rating not in accordance with the requirements <sup>(1)</sup> and <i>effecting</i> road safety Insufficient load capacity or speed rating for actual use, tyre	Minor	Major x	Dangerous  x
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	touches other fix vehicle parts impairing safe driving			
	(b) Tyres on same axle or on twin wheels of different sizes.		x	
	(c) Tyres on same axle of different construction (radial / cross-ply).		x	
	(d) Any serious damage or cut to tyre. Cord visible or damaged		x	x
	(e) Tyre tread <b><i>depth not in accordance with the requirements<sup>(1)</sup>.</i></b> <b><i>Less than 80% of required</i></b> tread depth		x	x
	(f) Tyre rubbing against other components (flexible anti spray devices). Tyre rubbing against other components (save driving not impaired)	x		
	(g) Re-grooved tyres not in accordance with requirements <sup>(1)</sup> . Cord protection layer affected		x	x
	(h) <b><i>Air</i></b> pressure monitoring system malfunctioning obviously inoperative	x		
	<i>Amendment by Parliament</i>			
		Minor	Major	Dangerous
5.2.3. Tyres	(a) Tyre size, load capacity, approval mark or speed rating not in accordance with the requirements <sup>(1)</sup> and <b><i>affecting</i></b> road safety Insufficient load capacity or speed rating for actual use, tyre touches other fix vehicle parts impairing safe driving		x	x
	(b) Tyres on same axle		x	

or on twin wheels of different sizes.				
(c) Tyres on same axle of different construction (radial / cross-ply).			X	
(d) Any serious damage or cut to tyre. Cord visible or damaged			X	X
(e) Tyre tread <i>wear indicator becomes visible.</i>			X	
<i>Tyre at legal tread depth. Tyres below legal tread depth.</i>				X
(f) Tyre rubbing against other components (flexible anti spray devices).	X			
Tyre rubbing against other components (save driving not impaired)			X	
(g) Re-grooved tyres not in accordance with requirements <sup>(1)</sup> . Cord protection layer affected			X	X
(h) <i>Tyre</i> pressure monitoring system malfunctioning <i>or tyre obviously underinflated</i>	X			
obviously inoperative			X	
(i) <i>In-service operating pressure in one of the vehicle tyres reduced by 20%, but not below 150 kPa</i>			X	
<i>Tyre pressure below 150 kPa</i>				X

**Amendment 105**

**Proposal for a regulation  
Annex III – item 8.2.1.2 – point b**

*Text proposed by the Commission*

8.2.1.2	(b) Or, if this information	Minor	Major x	Dangerous
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Gaseous emissions is not available, the CO emissions exceed, (...)  
 ii) for vehicles controlled by an advanced emission control system,  
 –at engine idle: 0.5%  
 –at high idle: 0.3%  
 or  
 –at engine idle: 0.3%  
 –at high idle: 0.2%  
 according to the date of first registration or use specified in requirements<sup>(1)</sup>.

*Amendment by Parliament*

		Minor	Major	Dangerous
8.2.1.2 Gaseous emissions	(b) Or, if this information is not available, the CO emissions exceed, (...) ii) for vehicles controlled by an advanced emission control system, – at engine idle: 0.5% – at high idle: 0.3% or – at engine idle: 0.3% – at high idle: 0.2% <b>or</b> – <b>at engine idle: 0.2%</b> <sup>6a</sup> – <b>at high idle: 0.1%</b> <sup>6a</sup> according to the date of first registration or use specified in requirements <sup>(1)</sup> .		x	

<sup>6a</sup> *Type-approved according to limits of Table 1 of Annex I to Regulation (EC) No 715/2007 or first registered or put into service after 1 July 2007 (Euro 5).*

## Amendment 106

### Proposal for a regulation Annex III – item 8.2.2.2 – point b

*Text proposed by the Commission*

		Minor	Major	Dangerous
8.2.2.2 Opacity Vehicles registered	Where this		x	

or put into service before 1 January 1980 are exempted from this requirement

information is not available or requirements<sup>(1)</sup> do not allow the use of reference values, for naturally aspirated engines: 2.5 m<sup>-1</sup>, for turbo-charged engines: 3.0 m<sup>-1</sup>, or, for vehicles identified in requirements<sup>(1)</sup> or first registered or put into service for the first time after the date specified in requirements<sup>(1)</sup>, 1.5 m<sup>-1</sup>.

*Amendment by Parliament*

		Minor	Major	Dangerous
8.2.2.2 Opacity				
Vehicles registered or put into service before 1 January 1980 are exempted from this requirement	Where this information is not available or requirements <sup>(1)</sup> do not allow the use of reference values, for naturally aspirated engines: 2.5 m <sup>-1</sup> , for turbo-charged engines: 3.0 m <sup>-1</sup> , or, for vehicles identified in requirements <sup>(1)</sup> or first registered or put into service for the first time after the date specified in requirements <sup>(1)</sup> , 1.5 m <sup>-1</sup> . <i>or</i> <b>0.5 m-1</b> <sup>6a</sup>		x	

<sup>6a</sup> *Type-approved according to limits of Table 1 of Annex I to Regulation (EC) No 715/2007 or first registered or put into service after 1 July 2007 (Euro 5).*



**Amendment 107**

**Proposal for a regulation  
Annex IV – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6a) Details of major repairs necessitated  
by an accident***

**Amendment 108**

**Proposal for a regulation  
Annex V – part I – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***Alternative equipment implementing  
technological innovation in a neutral way  
may be used provided it ensures an  
equivalent high quality level of testing.***

**Amendment 109**

**Proposal for a regulation  
Annex V – part 1 – paragraph 1 – point 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***15a) A pressure gauge to measure tyre  
pressure;***