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*Committee on Transport and Tourism*

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**2012/0184(COD)**

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## **DRAFT REPORT**

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))

Committee on Transport and Tourism

Rapporteur: Werner Kuhn

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (COM(2012)0380 – C7-0186/2012 – 2012/0184(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0380),
  - having regard to Article 294(2) and Article 91 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0186/2012),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, the Netherlands House of Representatives, the Netherlands Senate, the Swedish Parliament and the Cypriot House of Representatives asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 12 December 2012<sup>1</sup>,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism and the opinions of the Committee on Industry, Research and Energy and on the Committee on the Internal Market and Consumer Protection (A7-0000/2013),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C ... /Not yet published in the Official Journal.

**Amendment 1**  
**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 époque **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 their roadworthiness testing regime**. It should also be for Member States to regulate roadworthiness testing of other types of specialised vehicles.

Or. en

*Justification*

*It relates to AMs 15, 16 and 17.*

**Amendment 2**  
**Proposal for a regulation**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**(10a) With a view to better applying the free movement principle 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.**

Or. en

*Justification*

*As a first step towards the PTI internal market, it is proposed that Member States would mutually recognise the roadworthiness certificates in case of cross-border re-registration.*

*This amendment is linked to amendment 26.*

**Amendment 3**  
**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.***

Or. en

*Justification*

*Possibilities for further development of PTI internal market, where holders of vehicles registered in one Member State could undergo roadworthiness testing in other Member State should be explored. This would enable to allow unnecessary journey back to the Member States of registration for commercial vehicles used in international transport.*

**Amendment 4**  
**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 related to access to repair and maintenance information should be applied similarly for this purpose, allowing inspection centres to have access***

(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 the details that allow the functionality of the vehicle safety systems to be controlled in a way that allows them to be tested in a periodic technical inspection environment***

*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.*

*to create a predictable pass or fail rate.*

Or. en

**Amendment 5**  
**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. The result of roadworthiness tests should not thus be linked to salary or any economic or personal benefit. ***Economic operators involved in the production, sales, rental, maintenance or repair of vehicles should keep such activities separate from the organisational, personnel and financial aspects of performing roadworthiness tests..***

Or. en

**Amendment 6**  
**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***

*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.



*test frequency for older vehicles and for vehicles with high mileage.*

Or. en

**Amendment 7**  
**Proposal for a regulation**  
**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20a) Roadworthiness test standards should be set at a common Union-wide applicable high minimum level, allowing those Member States which already have a higher than requested level of roadworthiness tests to maintain their higher standards and to adapt them to technical progress if appropriate.***

Or. en

*Justification*

*The Regulation lays down minimum level of technical standards. Member States may maintain or introduce higher standards.*

**Amendment 8**  
**Proposal for a regulation**  
**Article 1**

*Text proposed by the Commission*

*Amendment*

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

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.***

Or. en

**Amendment 9**  
**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,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 10**  
**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,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 11**  
**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

*Amendment*

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

*permissible* mass not exceeding **3 500 kg** – vehicle category N1,  
vehicle category N1, – vehicle category N1,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 12**  
**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,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 13**  
**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 not exceeding **3,5 tonnes** – vehicle categories O1 and O2,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 14**  
**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,

Or. en

*Justification*

*Terminology adapted to the revision of Directive 2007/46/EC.*

**Amendment 15**  
**Proposal for a regulation**  
**Article 3 – point 7 – introductory part**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

*Justification*

*Member States should get more discretion in defining vehicle of historic interest.*

**Amendment 16**  
**Proposal for a regulation**  
**Article 3 – point 7 – indent 3**

*Text proposed by the Commission*

– It has not sustained any change in the technical characteristics of its main components such as engine, brakes,

*Amendment*

– It has not sustained any *substantial* change in the technical characteristics of its main components such as engine, brakes,

steering or suspension and

steering or suspension and **bodywork**.

Or. en

*Justification*

*Many historic vehicles have been changed during their existence. Therefore, only substantial changes should disqualify the vehicle from being considered as historic.*

**Amendment 17**  
**Proposal for a regulation**  
**Article 3 – point 7 – indent 4**

*Text proposed by the Commission*

*Amendment*

***– It has not been changed in its appearance;***

***deleted***

Or. en

*Justification*

*The proposed condition would be too restrictive as a change in the appearance is quite common in then life cycle of historic vehicles, particularly for the older ones.*

**Amendment 18**  
**Proposal for a regulation**  
**Article 3 – point 9**

*Text proposed by the Commission*

*Amendment*

***(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;***

***(9) ‘roadworthiness test’ means an inspection to ensure that a vehicle is safe to be used on public roads and complies with required environmental characteristics;***

Or. en

*Justification*

*The definition should be clarified and adapted to the purpose of the periodic technical*

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

**Amendment 19**  
**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 conduct 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 in accordance with the examination procedure referred to in Article 16(2).

Or. en

*Justification*

*It is important that test equipment manufactures have access to data they need to develop properly functioning equipment.*

**Amendment 20**  
**Proposal for a regulation**  
**Article 5 – paragraph 1 – indent 1**

*Text proposed by the Commission*

– Vehicles of categories L1e, L2e, L3e, L4e, L5e, L6e and L7e: four years after the date on which the vehicle was first

*Amendment*

– Vehicles of categories L1e, L2e, L3e, L4e, L5e, L6e and L7e: four years after the date on which the vehicle was first

registered, *then two years* and thereafter *annually*;

registered, and thereafter *every two years*;

Or. en

*Justification*

*The frequency of motorcycles' testing should also be assessed against financial and administrative burden on motorcycles holders. To reach the objective of enhanced road safety, we need to strike the right balance between the frequency of tests and additional burden on citizens. We should avoid unnecessary and inappropriate burden on motorcycles holders. The '4+2+2' formula is more proportionate in this regard.*

**Amendment 21**

**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*;

Or. en

*Justification*

*The '4+2+2' frequency of testing for these categories of vehicles is proportionate to the objectives pursued.*

**Amendment 22**

**Proposal for a regulation**

**Article 5 – paragraph 1 – indent 3 a (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. en

*Justification*

*Member States should be allowed to set frequency of testing for categories of vehicles not governed by other provisions of Article 5.*

**Amendment 23**  
**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*

Or. en

*Justification*

*There is a risk of odometers manipulation linked to the proposed provision.*

**Amendment 24**  
**Proposal for a regulation**  
**Article 5 – paragraph 4 – indent 3**

*Text proposed by the Commission*

*Amendment*

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

Or. en

*Justification*

*The vehicles holders should be allowed to rely on the valid roadworthiness test in case of re-registration. The cross-border aspect of re-registration is governed by amendment 26.*

**Amendment 25**  
**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. ***The test may also include verification of whether the respective parts and components of the vehicle correspond to the required safety and environmental characteristics in force at the time of approval or, if applicable, at the time of retrofitting.***

Or. en

**Amendment 26**  
**Proposal for a regulation**  
**Article 8 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. Roadworthiness certificates shall be mutually recognised by all Member States for the purpose of re-registration of a vehicle transferred from one Member State to another, provided that the certificate is valid in terms of the frequency of the re-registering Member State.***

Or. en

*Justification*

*The mutual recognition of roadworthiness certificates in case of cross-border re-registration is crucial step forward in developing genuine PTI internal market. The amendment takes into account the recent EU Court of Justice case law (C-150/11).*

**Amendment 27**  
**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 introduce additional competence and training requirements.***

Or. en

*Justification*

*The competence and training requirements laid down in Annex VI are the minimum ones and Member States may set additional requirements.*

**Amendment 28**  
**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 conduct of a periodic roadworthiness test of that same vehicle.***

Or. en

*Justification*

*In order to enhance independency of inspectors it is necessary to ensure that the same person is not involved in both, repairing and maintain the vehicle before testing and testing itself.*

**Amendment 29**  
**Proposal for a regulation**  
**Article 15 – paragraph 1**

*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 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, **the test equipment manufacturers** and the vehicle manufacturers.

Or. en

**Amendment 30**  
**Proposal for a regulation**  
**Article 17 – introductory part**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

**Amendment 31**  
**Proposal for a regulation**  
**Article 17 – indent 1**

*Text proposed by the Commission*

– 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)**,

*Amendment*

– to update **only the vehicle category designation 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,**

*Justification*

*The text has been clarified in order to make it sure that any change in categories of vehicles is linked to the changes in type approval legislation. This would give the Commission necessary flexibility to ensure consistency between changes in vehicles' categories in type approval and PTI legislation while at the same set clear limits of that delegation.*

**Amendment 32**  
**Proposal for a regulation**  
**Article 17 – indent 2**

*Text proposed by the Commission*

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

*Amendment*

– to update *non-essential elements of:*

Or. en

**Amendment 33**  
**Proposal for a regulation**  
**Article 17 – indent 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*- Annex II point 3 in respect of methods, reasons for failure and Annex V, in the event of the availability of more efficient and effective test methods,*

Or. en

*Justification*

*To clarify limits for delegation of powers to the Commission.*

**Amendment 34**  
**Proposal for a regulation**  
**Article 17 – indent 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**- Annex II point 3 in respect of the list of test items, methods, reasons for failure and assessment of deficiencies and Annex V, in order to adapt them to the evolution of Union safety or environmental legislation.**

Or. en

*Justification*

*To clarify limits for delegation of powers to the Commission.*

**Amendment 35**  
**Proposal for a regulation**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

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].

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.***

Or. en

**Amendment 36**  
**Proposal for a regulation**  
**Article 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 18a***

***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 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 re-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. The report shall be submitted after consultation of the committee referred to in Article 16. The report shall be accompanied, if appropriate, by legislative proposals.***

Or. en

*Justification*

*The Commission should be obliged to report back to the co-legislators on the implementation of the Regulation. The report should, inter-alia, analyse options for further development towards the full PTI internal market.*

## EXPLANATORY STATEMENT

### Commission's proposal

#### *I. Existing EU rules on periodic roadworthiness tests of motor vehicles*

Directive 2009/40/EC sets minimum standards for the regular vehicle checks. The Directive applies to passenger cars, buses and coaches and heavy goods vehicles and their trailers, but not to scooters and motorbikes.

#### *II. New proposal for roadworthiness testing*

The Commission put forward new rules on roadworthiness testing with the aim to further enhance the road safety and ensure high level of environmental protection. The Proposal is in line with the road safety objectives laid down in the White Paper on 'Roadmap to a Single European Transport Area'.

The Proposal is based on setting common EU wide minimum standards for vehicle checks, with Member States free to go further and introduce higher standards, if appropriate.

The main elements of the Proposal are:

1. Compulsory EU wide testing for scooters, motorbikes. The scope of vehicles to be tested would be extended to this highest risk group of road users. The light trailers (under 3,5 tons) would also be tested. These categories of vehicles are currently excluded from EU-based system. Their testing remains in Member States' discretion.
2. Increasing the frequency of periodic roadworthiness tests for certain categories of vehicles. Currently, cars and vans (up to 3,5 tons) older than six years are checked minimum once every 2 years. It is proposed to have them checked at least annually after the six years. This means a change to 4-2-1 instead of the current 4-2-2. The 4-2-1 formula is also proposed for scooters and motorbikes. Moreover, it is proposed to increase the frequency of tests for cars and vans with high mileage (160.000 km). These vehicles would be inspected annually after the first test (4-1-1 instead of the existing 4-2-2) if they reach at the date of the first inspection (after 4 years) a mileage of more than 160 000 km. This would bring their tests in line with other high mileage vehicles such as taxis, ambulances etc.
3. It is proposed to set minimum level of skills and training requirements for inspectors.
4. Improving the quality of vehicle tests by setting common minimum standards for deficiencies and equipment.
5. Clamping down on mileage fraud, with registered mileage readings
6. Making electronic safety components subject to mandatory testing.

National parliaments: FR, NL, SE and CY national parliaments formally objected that the Proposal infringes the principle of EU subsidiarity.

## **The Rapporteur's view**

It should be carefully considered during the parliamentary debate whether the proposed measures are proportionate to the pursued objectives. The impact of the proposal on citizens and business should be carefully assessed in order to avoid unnecessary financial and administrative burden. We need to strike a balanced outcome.

In the light of the above mentioned, your Rapporteur would propose:

1. Frequency of tests and categories of vehicles: Your Rapporteur supports the Commission proposal to extend roadworthiness testing to scooters and motorbikes as they represent a higher risk group of users. However, it seems to be more proportionate to change the frequency from 4-2-1 to 4-2-2 for these categories of vehicles. The 4-2-2 formula also represents a balanced approach to testing of cars and light vehicles are concerned as various studies concerning the link between the accidents and technical failures come to ambiguous results in terms of impact of more frequent tests on road safety. Nevertheless, the Commission should further monitor and evaluate this issue and report back to co-legislators. Member States would be allowed to introduce more frequent tests. The mileage criterion could raise questions relating to odometers manipulation. It is therefore proposed to take this element out of the Proposal.
2. The technical requirements and test methods as laid down in the Annexes should be considered as EU minimum standards. The Member States should be allowed to maintain or introduce higher standards. This principle has been laid down in Article 6(2) of the Proposal. Your Rapporteur suggests amendments aiming at strengthening that principle. The same applies to qualification requirements to inspectors which should also be minimum ones.
3. It is crucial that roadworthiness testing is carried out by well educated, trained and independent inspectors. It is proposed to strengthen the independency of inspectors as well as to further eliminate potential conflicts of interest.
4. Historic cars: It has been recognised that historical cars should be exempted from the scope of EU legislation. The Member States should have more discretion in setting their own national requirements to defining and testing those vehicles. While the Proposal represent a solid base for further debate, your Rapporteur found the definition of historical vehicles quite rigorous and suggests changing the definition to make it more flexible.
5. In case of cross-border re-registration of vehicles, it recommended to take into account the recent EU Court of Justice case law (C-150/11).
6. Delegated acts: While some degree of flexibility is needed in order to ensure that legislation catches up with technological development, the Commission's text is rather ambiguous. Therefore, your Rapporteur would suggest setting more precise limits to delegation of powers to the Commission.