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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council
on simplifying the transfer of motor vehicles registered in another Member
State within the Single Market
(COM(2012)0164 – C7-0092/2012 – 2012/0082(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: Toine Manders

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 simplifying the transfer of motor vehicles registered in another Member State within the Single Market

(COM(2012)0164 – C7-0092/2012 – 2012/0082(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0164),
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0092/2012),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 12 July 2012¹,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on Transport and Tourism (A7-0278/2013),
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.

¹ OJ C 299, 4.10.2012, p. 89.

Amendment 1
Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles harmonises the form and content of the registration certificate in order to facilitate its comprehension and thus facilitate the free movement, on the roads in the territory of the other Member States, of vehicles registered in a Member State. Pursuant to that Directive, the registration certificate issued by a Member State should be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State. Directive 1999/37/EC, however, does not contain any provisions determining the competent Member State for the registration and the applicable formalities and procedures. Consequently, in order to eliminate the barriers to the free movement of motor vehicles within the internal market, it is necessary to establish separate harmonised rules on determining the Member State in which motor vehicles must be registered and on simplified procedures for the re-registration of motor vehicles registered in another Member State.

Amendment 2
Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The registration of motor vehicles

Amendment

(3) Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles harmonises the form and content of the registration certificate in order to facilitate its comprehension and thus facilitate the free movement, on the roads in the territory of the other Member States, of vehicles registered in a Member State. Pursuant to that Directive, the registration certificate issued by a Member State should be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State. Directive 1999/37/EC, however, does not contain any provisions determining the competent Member State for the registration and the applicable formalities and procedures. Consequently, in order to eliminate the barriers to the free movement of motor vehicles within the internal market, it is necessary to establish separate harmonised rules on determining the Member State in which motor vehicles must be registered and on ***faster and*** simplified procedures for the re-registration of motor vehicles registered in another Member State.

Amendment

(5) The registration of motor vehicles

registered in another Member State is hampered by burdensome registration formalities in the Member States, in particular by the obligation to submit these vehicles to complementary tests in order to assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified registration procedure that includes the recognition of documents and roadworthiness tests issued in another Member State and that would organise the administrative cooperation between the competent authorities on the exchange of missing data.

registered in another Member State is hampered by burdensome registration formalities in the Member States, in particular by the obligation to submit these vehicles to complementary tests in order to assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified ***and citizen-friendly*** registration procedure that includes the recognition of documents and roadworthiness tests issued in another Member State, ***as provided for in Union legislation***, and that would organise the administrative cooperation between the competent authorities on the exchange of missing data.

Amendment 3
Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) This Regulation should contribute to facilitating the free movement of goods within the Union as well as to strengthening important principles and safeguards linked to road safety. Harmonised rules in Union legislation on roadworthiness testing of motor vehicles and their trailers are essential in order to reduce the administrative burden for citizens and businesses while ensuring the dynamic development of testing methods and test content. National roadworthiness tests and certificates should be mutually recognised by Member States. Mutual recognition of technical controls between

Member States requires common definitions and comparable test standards which are respected by all Member States.

Justification

In order for this regulation to work in practice, this amendment stresses the need of full implementation of applicable Union legislation and cooperation from Member States.

**Amendment 4
Proposal for a regulation
Recital 5 b (new)**

Text proposed by the Commission

Amendment

(5b) To make it easier for citizens or businesses, especially those acquiring a motor vehicle registered in another Member State, to recognise the registration certificate, its form should be aligned in all Member States in accordance with Council Directive 1999/37/EC. This would also help minimise the risk of re-registration of stolen vehicles with falsified registration certificates.

**Amendment 5
Proposal for a regulation
Recital 5 c (new)**

Text proposed by the Commission

Amendment

(5c) Citizens and businesses, in particular vehicle rental and leasing companies, face obstacles when transferring their vehicles from one Member State to another, including as regards their re-registration there. Those obstacles can range from time-consuming administrative formalities to the risk of vandalism. All those obstacles could be offset if there were a possibility, should citizens and businesses so wish, of equipping their

vehicles with number plates of common appearance. Such a possibility would be particularly beneficial to citizens who often move from one Member State to another for personal or occupational reasons, rental, leasing and transport companies, as well as businesses such as vehicle dealers. Citizens and businesses should have the possibility to choose number plates, temporary transfer or professional number plates either in colours determined by national law or in Union colours, in order to have the vehicles acquired in another Member State re-registered or, where appropriate, temporarily registered for transfer purposes. Therefore, it is necessary, in order to eliminate the barriers to free movement of vehicles within the internal market, to offer citizens and businesses the possibility to choose between colours determined by national law and Union colours of the number plates.

Amendment 6
Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Since lack of insurance against civil liability constitutes a ground for refusal of registration under this Regulation, it is necessary that Member States take the appropriate measures required by Directive 2009/103/EC of the European Parliament and of the Council¹ to ensure that civil liability in respect of the use of vehicles is covered by insurance.

¹ *Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use*

of motor vehicles, and the enforcement of the obligation to insure against such liability (OJ L 263, 7.10.2009, p. 11).

Amendment 7
Proposal for a regulation
Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) This Regulation should take account of the provisions of Directive 2011/82/EU of the European Parliament and of the Council¹ in order to enable the authorities of a Member State to which an application to register a vehicle registered in another Member State has been submitted to check whether that vehicle is linked to any unresolved proceedings relating to traffic offences.

¹ Directive 2011/82/EU of the European Parliament and of the Council of 25 October 2011 facilitating the cross-border exchange of information on road safety related traffic offences (OJ L 288, 5.11.2011, p. 1).

Justification

The proposal should include provisions to improve road safety and to tackle impunity for traffic offences. Authorities should therefore have the possibility to check whether the vehicle in question is linked to any proceedings relating to traffic offences before registering that vehicle.

Amendment 8
Proposal for a regulation
Recital 6 c (new)

Text proposed by the Commission

Amendment

(6c) Certain vehicles of historic interest do not have complete original documentation, either because the vehicles in question have been discarded and then restored, or because they were manufactured before Member State registration systems were established, or because they were originally racing or military vehicles. Therefore, it is appropriate to enable that those vehicles may be transferred legitimately from one Member State to another and re-registered by referring only to available documented evidence concerning the date of manufacture or the first registration, where those vehicles are at least 30 years old.

Amendment 9
Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) This Regulation should pursue administrative simplification for citizens, businesses and registration authorities, in particular through electronic exchange of vehicle registration data. Therefore, it is necessary for the administrative simplification of registration formalities that Member States grant each other the right of access to their vehicle registration data in order to improve the exchange of information and to speed up the registration procedures.

(7) This Regulation should pursue administrative simplification for citizens, businesses and registration authorities, in particular through ***mutual recognition and*** electronic exchange of vehicle registration data. Therefore, it is necessary ***that the European Vehicle and Driving Licence Information System (Eucaris) is fully implemented and operational in order to be used for the purposes of this Regulation. It is also necessary*** for the administrative simplification of registration formalities that Member States grant each other the right of access to their vehicle

registration data in order to improve the exchange of information and to speed up the registration procedures.

Amendment 10
Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Owing to the progressive integration of the internal market, the cross-border trade in vehicles, including second-hand vehicles, has increased, but has also a potential to increase further. In order to fulfil that potential, free movement of and trade with vehicles should be accompanied by measures preventing fraudulent use of vehicles and number plates and detecting fraudulent swapping of number plates between vehicles. New technologies could also contribute to further improvement of enforcement and the prevention of fraud in cross-border movement and re-registration of vehicles. Therefore, it is appropriate to introduce safeguards against fraudulent use of number plates by equipping vehicles, when re-registered, and number plates with radio-frequency identification (RFID) tags, in order to eliminate the barriers to free movement of vehicles within the internal market.

Justification

New innovative technologies, such as smart cameras on roads and RFID tagging, are effective tools to combat fraud with number plates and vehicles.

Amendment 11
Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) In order to achieve the objective of exchange of information between Member States through interoperable means, 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 in respect of amendments to Annexes I and II of this Regulation in the light of technical progress, in particular, in order to take into account relevant amendments to Directive 1999/37/EC or amendments to other Union acts directly relevant for the updating of Annexes I and II of this Regulation, ***in respect of the conditions which should be met by undertakings using professional vehicle registration certificates in order to satisfy the requirements of a good reputation and the requisite professional competence, and*** in respect of the duration of the validity of the professional vehicle registration certificates. It is of particular importance that the Commission *carries out* appropriate consultation during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment 12
Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) In order to ensure uniform conditions

Amendment

(13) In order to achieve the objective of exchange of information between Member States through interoperable means, 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 in respect of amendments to Annexes I and II of this Regulation in the light of technical progress, in particular, in order to take into account relevant amendments to Directive 1999/37/EC or amendments to other Union acts directly relevant for the updating of Annexes I and II of this Regulation, in respect of the duration of the validity of the professional vehicle registration certificates, ***and in respect of the provision of RFID tags as a safeguard against fraudulent use of number plates.*** It is of particular importance that the Commission *carry out* appropriate consultation during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(14) In order to ensure uniform conditions

for the implementation of this Regulation, implementing powers should be conferred on the Commission to lay down the common procedures and specifications for the software application that is necessary for the electronic exchange of vehicle registration data, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms, and to establish the format and the model of the professional vehicle registration certificate. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers .

for the implementation of this Regulation, implementing powers should be conferred on the Commission to lay down the common procedures and specifications for the software application, **namely Eucaris**, that is necessary for the electronic exchange of vehicle registration data, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms, and to establish the format and the model of the professional vehicle registration certificate. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.

Amendment 13
Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation shall apply to the following vehicles:

Amendment

1. This Regulation shall apply to **registration of** the following vehicles:

Justification

Clarification of the purpose of the Regulation.

Amendment 14
Proposal for a regulation
Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. This Regulation is without prejudice to the sovereign fiscal rights of Member States to charge and levy the applicable taxes with regard to vehicles to which this Regulation applies.

Justification

It is preferable to insert this text under Article 1 to guarantee that fiscal rights will not be affected by the introduction of this Regulation. As the aim of the proposed Regulation is to simplify the formalities and conditions for the registration of vehicles already registered in other Member States, it should therefore in no way impinge on the right to levy taxation on vehicles entering a particular Member State.

Amendment 15
Proposal for a regulation
Article 1 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. This Regulation is without prejudice to the right of Member States to take the necessary legal measures to prevent tax avoidance with respect to vehicles to which this Regulation applies.

Justification

It would be preferable if reference to the right of Member States to take the necessary measures in circumstances where tax avoidance occurs is embedded within Article 1, to counter circumstances where the proposed Regulation may unintentionally lead to practices that result in tax avoidance.

Amendment 16
Proposal for a regulation
Article 2 – point 3

Text proposed by the Commission

(3) 'holder of the registration certificate' means the person in whose name a vehicle is registered in a Member State;

Amendment

(3) 'holder of the registration certificate' means the **natural or legal** person in whose name a vehicle is registered in a Member State;

Amendment 17
Proposal for a regulation
Article 2 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) 'vehicle holder' means the natural or legal person, other than the holder of the registration certificate, who has acquired the right to use the vehicle for a fixed period of time in agreement with the owner of the vehicle;

Amendment 18
Proposal for a regulation
Article 2 – point 3 b (new)

Text proposed by the Commission

Amendment

(3b) 'registration certificate' means the document which certifies that the vehicle is registered in a Member State;

Justification

Definition follows Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles.

Amendment 19
Proposal for a regulation
Article 2 – point 4 a (new)

Text proposed by the Commission

Amendment

(4a) ‘national contact point’ means a body designated by each Member State, responsible for the official register of vehicles on its territory and exchange of information on vehicle registration.

Justification

There can be either a single or numerous registration authorities in a Member State. To simplify the cross-border re-registration, the national contact point and its definition has been introduced. This point should serve as one contact point for the exchange of information on vehicle registration.

Amendment 20
Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from paragraph 1, a Member State may require the registration on its territory of a vehicle registered in another Member State if the vehicle holder has normal residence in that Member State and uses the vehicle essentially in the Member State of normal residence on a permanent basis, that is for at least 185 days each calendar year.

Amendment 21
Proposal for a regulation
Article 3 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) for a company or other body, corporate

(a) for a company or other body, corporate

or unincorporated, the Member State where the central administration is **located**;

or unincorporated, the Member State where the central administration is **registered**;

Justification

'Registered' is an objective and verifiable criterion, clearer than using 'located' in this regulation.

Amendment 22

Proposal for a regulation

Article 3 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) for a branch, agency or any other establishment of a company or other body, the Member State where the branch, agency or any other establishment is **located**;

(b) for a branch, agency or any other establishment of a company or other body, the Member State where the branch, agency or any other establishment is **registered**;

Justification

'Registered' is an objective and verifiable criterion, clearer than using 'located' in this regulation.

Amendment 23

Proposal for a regulation

Article 3 – paragraph 2 – subparagraph 1 – point d – point i

Text proposed by the Commission

Amendment

(i) the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties because of personal ties which show close links between that person and the place where he is living;

(i) the place where a person **is registered or has other proof of residence and** usually lives, that is for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties because of personal ties which show close links between that person and the place where he is living;

Justification

Companies, citizens and other legal entities should only be allowed to transfer a vehicle to other Member State if they are registered or have other proof of residence in that new

Member State.

Amendment 24
Proposal for a regulation
Article 3 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The condition set out in point (ii) shall not apply where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer of normal residence.

Amendment

The condition set out in point (ii) shall not apply where the person is living in a Member State in order to carry out a task of a definite duration **of a maximum of 185 days**. Attendance at a university or school shall not imply transfer of normal residence.

Justification

The definite duration of the task should be clearly defined in this regulation.

Amendment 25
Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Where the holder of the registration certificate moves his normal residence to another Member State, he shall request registration of a vehicle registered in another Member State within a period of **six** months following **his arrival**.

Amendment

1. Where the holder of the registration certificate moves his normal residence to another Member State, he shall request registration of a vehicle registered in another Member State within a period of **three** months following **the date on which he has moved his normal residence as referred to in Article 3**.

In the event of a change of owner of a vehicle registered in a Member State and transfer of that vehicle to another Member State which is the place of normal residence of the new owner of the vehicle, the new owner shall request registration of the vehicle within 30 days following the transfer of the vehicle.

During the **period** referred to in the first **subparagraph**, the use of the vehicle shall

During the **periods** referred to in the first **and second subparagraphs**, the use of the

not be restricted.

vehicle shall not be restricted.

Amendment 26
Proposal for a regulation
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall provide for effective, proportionate and dissuasive penalties if the holder of the registration certificate fails to request re-registration of the vehicle within the deadlines referred to in paragraph 1. Those penalties may include restrictions on the use of the vehicle until a successful re-registration.

Amendment 27
Proposal for a regulation
Article 4 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The gathering and processing of the data items referred to in the first subparagraph shall respect Union and national law related to the protection of individuals with regard to the processing of personal data.

Justification

This amendment aims at reflecting the opinion of the European Data Protection Supervisor of 9 July 2012.

Amendment 28
Proposal for a regulation
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may identify the vehicle before re-registration by comparing the vehicle identification number with the information in the registration certificate and in the official vehicle register of the Member State where the vehicle is registered.

Amendment 29
Proposal for a regulation
Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Vehicle registration authorities may **only** carry out **physical checks** of the vehicle registered in another Member State prior to its registration in any of the following cases:

4. Vehicle registration authorities may carry out **technical inspections** of the vehicle registered in another Member State prior to its registration in any of the following cases:

Amendment 30
Proposal for a regulation
Article 4 – paragraph 4 – point d

Text proposed by the Commission

Amendment

(d) if **roadworthiness tests are required in case of any change of ownership of the vehicle, or for seriously damaged vehicles.**

(d) if the vehicle **is** seriously damaged.

Amendment 31
Proposal for a regulation
Article 4 – paragraph 4 – point d a (new)

Text proposed by the Commission

Amendment

(da) if the vehicle has no valid roadworthiness certificate.

Justification

In order to ensure road safety, the vehicle registration authority must be able to carry out a check on a vehicle if the roadworthiness certificate date has passed.

Amendment 32
Proposal for a regulation
Article 4 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In order to be able to comply with point (c) of the first subparagraph, Member States shall ensure that detailed national procedures they use for national and individual approval of vehicles pursuant to Directive 2007/46/EC of the European Parliament and of the Council¹ are published online.

¹ ***Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).***

Amendment 33
Proposal for a regulation
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. For the purpose of re-registration, Member States shall mutually recognise roadworthiness certificates issued by other Member States, once their validity has been recognised at the time of re-registration, in accordance Regulation (EU) xx/2013¹.

¹ Regulation (EU) xx/2013 of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (2012/0184(COD)).

Amendment 34
Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. Where a vehicle registered in ***another*** Member State is ***registered***, the relevant vehicle registration authority shall immediately report this to the vehicle registration authority of the Member State where the vehicle was last registered, in accordance with Article 7.

5. Where a vehicle registered in ***one*** Member State is ***re-registered in another Member State***, the relevant vehicle registration authority shall immediately report this to the vehicle registration authority of the Member State where the vehicle was last registered, in accordance with Article 7.

Amendment 35
Proposal for a regulation
Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. When a Member State receives a report pursuant to paragraph 5, it shall without undue delay cancel the registration of the vehicle on its territory in accordance with Directive 2013/xx/EU¹ and its national cancellation procedures applicable to vehicle registers.

¹ Directive 2013/xx/EU of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles (2012/0185(COD)).

Justification

The regulation should be clear that Member States need to inform other Member States when a vehicle is re-registered in order to make sure that a vehicle is never registered twice in different Member States.

Amendment 36
Proposal for a regulation
Article 4 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5b. By ...* , Member States shall provide for the possibility of paperless online re-registration of vehicles via a secure online database. The request for re-registration shall be made directly in the national database of the Member State where the vehicle is re-registered.

**** OJ: please insert the date: three years after the date of entry into force of this Regulation.***

Justification

A secure database will make it possible, with the use of modern techniques, to register a vehicle without paper because all necessary documents and information could be traced in the interconnected databases (EUCARIS). A paperless registration will save time and costs for European citizens and will be safeguarded by electronic control mechanisms.

Amendment 37
Proposal for a regulation
Article 5 – paragraph -1 a (new)

Text proposed by the Commission

Amendment

-1a. Vehicle registration authorities shall refuse to register a vehicle registered in another Member State where:

(a) vehicle registration documents are lost or stolen, unless the natural or legal person seeking to register the vehicle can clearly demonstrate either the ownership of the vehicle or that he is the holder of the registration certificate;

(b) the technical inspections, as referred to in Article 4(4), were not successfully passed;

(c) the holder of the registration certificate is unable to provide proof of his identity;

(d) the holder of the registration certificate has no normal residence, as referred to in Article 3(2), in the Member State where he is seeking to register the vehicle.

Justification

Some aspects are so important for a registration that it should be clear to citizens that a vehicle cannot be registered if vehicle registration documents are absent, when technical inspections were not passed, when holder of the vehicle cannot provide proof of his residence or when the holder of registration certificate does not have a registered establishment in the Member States where the vehicle is going to be registered.

Amendment 38
Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) where applicable, if the levies or fees imposed by *that* Member State for the registration referred to in Article 4 were not paid;

Amendment

(b) where applicable, if the levies or fees imposed by *the* Member State *of the vehicle registration authorities* for the registration referred to in Article 4 were not paid;

Amendment 39
Proposal for a regulation
Article 5 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) where applicable, if the relevant taxes were not paid;

Amendment 40
Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) where the physical checks as referred to in Article 4(4) were not successfully passed;

deleted

Justification

Successfully completed technical inspection should be a mandatory precondition for a registration, and is therefore included in paragraph -1a of this Article.

Amendment 41
Proposal for a regulation
Article 5 – paragraph 1 – point d – point i

Text proposed by the Commission

Amendment

(i) the vehicle is seriously damaged, stolen or destructed;

(i) the vehicle is seriously damaged, stolen, *destroyed or has been fraudulently acquired*;

Justification

'Fraudulently obtained' has been added to broaden the definition and to ensure that a vehicle that has been fraudulently obtained may be refused a re-registration.

Amendment 42

Proposal for a regulation

Article 5 – paragraph 1 – point d – point ii

Text proposed by the Commission

Amendment

(ii) the vehicle registration documents are *deleted* stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle;

Justification

This case is included in paragraph -1a of this Article.

Amendment 43

Proposal for a regulation

Article 5 – paragraph 1 – point d – point iii

Text proposed by the Commission

Amendment

(iii) the date of the next mandatory *deleted* roadworthiness certificate has passed.

Justification

This amendment has to be seen in connection with the amendment to Article 4, meaning that it should be possible for the vehicle registration authority to carry out a technical inspection on a vehicle if the data of the mandatory roadworthiness certificate has passed.

Amendment 44
Proposal for a regulation
Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) where a vehicle is denied access to an environmental zone in a Member State or where a vehicle fails to comply with environmental standards as provided for in applicable Union and national law, unless the vehicle can be qualified as vehicle of historic interest as defined in Regulation (EU) No xx/2013¹.

¹ 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 (2012/0184(COD)).

Justification

Member States should be allowed to refuse re-registration of vehicles that severely damage health and the environment.

Amendment 45
Proposal for a regulation
Article 5 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) where civil liability in respect of the use of the vehicle is not covered by insurance, if such insurance is a precondition for registration of the vehicle.

Justification

Motor vehicle civil liability insurance makes a major contribution towards providing protection for road casualties and therefore should be used as a precondition for registration.

Amendment 46
Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. Any decision taken by a vehicle registration authority refusing to register a vehicle registered in another Member State shall be duly substantiated. The person concerned may within a period of **one month** from receipt of the negative decision request the competent vehicle registration authority to review the decision. That request shall include reasons for such review. Within **one month** from receipt of that request, the competent vehicle registration authority shall confirm or reverse its decision.

Amendment

2. Any decision taken by a vehicle registration authority refusing to register a vehicle registered in another Member State shall be duly substantiated **and shall include information about the appeal procedure and time-limits**. The person concerned may within a period of **six weeks** from receipt of the negative decision request **that** the competent authority review the decision. That request shall include reasons for such review. Within **six weeks** from receipt of that request, the competent vehicle registration authority shall confirm or reverse its decision. **During the review period, the vehicle shall not be used on public roads.**

Upon refusal of registration, the Member State that has refused the registration shall send information on refusal to the Member State where the vehicle was previously registered, in accordance with Article 7.

Justification

In order to strengthen cooperation among Member States, Member States should notify each other when a re-registration has been refused.

Amendment 47
Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Any person that has **purchased** a vehicle in **another** Member State and where that

Amendment

1. Any person that has **acquired** a vehicle in **a** Member State **other than his Member**

vehicle does not have a registration certificate may request ***the vehicle registration authority to issue*** a temporary registration certificate ***of a*** vehicle *in* view of its transfer to ***another*** Member State. The temporary registration certificate shall be valid for a period of 30 days.

State of normal residence and where that vehicle does not have a registration certificate may request ***that*** a temporary registration certificate ***be issued for that*** vehicle *with a* view *to* its transfer to ***the*** Member State ***of normal residence***.

The first subparagraph applies to vehicles purchased, inherited, won or received as a gift, as long as the person that has acquired the vehicle can prove its rightful use or possession.

The request for a temporary registration certificate may be submitted to:

(a) the vehicle registration authority of the Member State where the vehicle is acquired, or

(b) the vehicle registration authority of the Member State of normal residence.

The temporary registration certificate shall be valid for a period of 30 days.

Amendment 48
Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Within the period of validity of the temporary registration certificate, the person that has acquired the vehicle shall register the vehicle in his Member State of normal residence.

Amendment 49
Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

2. Upon receipt of the request for the temporary registration certificate referred

2. Upon receipt of the request for the temporary registration certificate referred

to in paragraph 1, the vehicle registration authority shall immediately gather the information on the data items set out in Annex I directly from the vehicle registration authority of the Member State where the vehicle *is* registered, in accordance with Article 7, and transfer the data to its own register.

to in *point (b) of the third subparagraph of paragraph 1 in the Member State of normal residence of the person that has acquired the vehicle*, the vehicle registration authority *of that Member State* shall immediately gather the information on the data items set out in Annex I directly from the vehicle registration authority of the Member State where the vehicle *was last* registered, in accordance with Article 7, and transfer the data to its own register.

Amendment 50
Proposal for a regulation
Article 6 – paragraph 3 – point b – point ii

Text proposed by the Commission

(ii) the vehicle registration documents *are* stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle;

Amendment

(ii) the vehicle registration documents *have been lost or* stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle *or that he is the legitimate holder of the registration documents*;

Justification

This amendment seeks to make it clear that the legitimate holder of the registration documents may be legally different from the owner of the vehicle and consequently, by clearly demonstrating his situation, can ensure that the authorities do not refuse registration.

Amendment 51
Proposal for a regulation
Article 6 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) where civil liability in respect of the use of the vehicle is not covered by insurance, if such insurance is a precondition for registration of the vehicle;

Amendment 52
Proposal for a regulation
Article 6 – paragraph 3 – point b b (new)

Text proposed by the Commission

Amendment

(bb) where the person seeking to register the vehicle cannot provide proof of his identity.

Amendment 53
Proposal for a regulation
Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where a temporary registration certificate is issued in accordance with paragraph 1, the Member State of the authority issuing that certificate shall include the data on that vehicle in the official electronic register in accordance with Annex I to this Regulation and Annex I to Council Directive 1999/37/EC.

Amendment 54
Proposal for a regulation
Article 6 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The temporary registration certificate issued by a vehicle registration authority of one Member State shall be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State.

Amendment 55
Proposal for a regulation
Article 7 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The vehicle registration authorities of each Member State shall recognise the data stored in the official vehicle registers of the other Member States.

Amendment 56
Proposal for a regulation
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For the purpose of paragraph 1, Member States shall designate one national contact point responsible for the exchange of vehicle information and information about national and individual type approval issues relating to re-registration.

Justification

There can be multiple registration authorities in a Member State or one, but there should be one National Contact Point for dealing with cross-border registration. Moreover there should be one National Contact Point for the exchange of information of national and individual type approval issues. Otherwise it will become very complex in practice for other Member States to find the contact point quickly to ensure efficient exchange of information between Member States on cross-border issues.

Amendment 57
Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

2. For the purposes of paragraph 1, vehicle registration authorities shall use the

2. For the purposes of paragraph 1, vehicle registration authorities shall use ***the most***

software application as set out in Annex II.

up-to-date version of the European Vehicle and Driving Licence Information System (Eucaris) software application, especially designed for the purposes of this Regulation as set out in Annex II.

Justification

A fully operational software application - European vehicle and driving license information system (EUCARIS), already exists and is used and owned by the Member States. As demonstrated at the IMCO hearing on this file, EUCARIS is already used for re-registration. This approach is more effective and cost efficient than introducing new systems other than EUCARIS.

Amendment 58

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission and the Member States shall ensure that Eucaris is implemented by all Member States and that it is fully operational.

Justification

Currently, some number of Member States exchange vehicle and driving licence information through the EUCARIS, but the system is not implemented and operational in all Member States. Therefore, in order to make the current Regulation efficient, the European Commission shall make sure that the EUCARIS system works in the whole European Union.

Amendment 59

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – introductory part

Text proposed by the Commission

Amendment

Only vehicle registration authorities ***may*** have direct access to the data stored and ready for retrieval under the software

Only vehicle registration authorities ***and enforcement authorities shall*** have direct access to the data stored and ready for

application. Vehicle registration authorities shall take the necessary measures to ensure the prevention of the following:

retrieval under the software application. Vehicle registration authorities shall take the necessary measures to ensure the prevention of the following:

Justification

Authorities such as police and customs (enforcement authorities) should also have access to the data stored and ready for retrieval under the software application regarding vehicle registration to effectively combat fraud with re-registration.

Amendment 60

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

(c) unauthorised interrogation *or* transmission of information;

Amendment

(c) unauthorised interrogation, transmission *or publication* of information;

Amendment 61

Proposal for a regulation

Article 7 – paragraph 3 – subparagraph 5

Text proposed by the Commission

If it becomes evident that incorrect information or information that should not have been provided has been provided, the vehicle registration authority receiving the information shall be informed immediately. The vehicle registration *authority receiving the information* shall then delete or correct the information that has been received.

Amendment

If it becomes evident that incorrect information or information that should not have been provided has been provided, the vehicle registration authority receiving the information shall be informed immediately. The vehicle registration *authorities of the Member State where the vehicle was last registered and of the Member State where the vehicle is registered* shall then delete or correct the information that has been received.

Amendment 62
Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Commission shall adopt implementing acts to lay down the common procedures and specifications for the software application referred to in paragraph 2, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

Amendment

4. The Commission shall adopt implementing acts to lay down the common procedures and specifications for the software application referred to in paragraph 2 ***to meet the requirements of this Regulation***, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

Amendment 63
Proposal for a regulation
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall regularly evaluate the adequacy of the security measures relating to the protection of the data exchanged, taking into account technological developments and the evolution of risks.

Justification

Follows the opinion of the European Data Protection Supervisor of 9 July 2012.

Amendment 64
Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. A vehicle registration authority may issue one or several professional vehicle registration certificates to ***any undertaking that complies with the following criteria:***

- (a) it is established on its territory;***
- (b) it distributes vehicles or provides repair, maintenance or testing services for vehicles;***
- (c) it has a good reputation and has the requisite professional competence.***

Amendment 65
Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. Vehicle registration authorities shall ensure that the vehicle data as referred to in Annex I are recorded in their register for each professional vehicle registration.

Amendment

1. A vehicle registration authority may issue one or several professional vehicle registration certificates to ***manufacturers of vehicles, manufacturers of vehicle parts, automotive repair shops, dealers and undertakings conveying vehicles across borders, technical services and inspection authorities.***

Vehicles carrying a professional vehicle registration certificate may only be used for professional purposes by the employer and employees of the undertaking that has been issued with such a certificate.

deleted

Amendment 66
Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. Vehicles carrying a professional vehicle registration certificate may only be used if the vehicle does not constitute a direct and immediate risk to road safety. Those vehicles may not be used for commercial transport of persons or goods.

Amendment

3. Vehicles carrying a professional vehicle registration certificate may only be used if the vehicle does not constitute a direct and immediate risk to road safety **and carries a valid roadworthiness certificate**. Those vehicles may not be used for commercial transport of persons or goods.

Amendment 67
Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Professional vehicle registration certificates shall be mutually recognised by all Member States for journeys which are for the purpose of transferring, checking or testing vehicles.

Amendment 68
Proposal for a regulation
Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Choice of vehicle number plate

1. Member States shall offer the choice of re-registration, temporary registration for transfer purposes or professional registration of a vehicle with a number plate either in colours determined by national law or Union colours, where consistent with national rules on the use

of Union colours.

2. Where a number plate is offered in Union colours, it shall be composed of yellow codes against a blue background, in accordance with the colour scheme provided for in Council Regulation (EC) No 2411/98.

3. Where a temporary transfer or a professional number plate is offered in Union colours, it shall be composed of blue codes against a yellow background, in accordance with the colour scheme provided for in Council Regulation (EC) No 2411/98.

4. The choice referred to in paragraph 1 shall be without prejudice to the right of Member States to determine the code schemes.

Justification

For some industries as the rental and lease companies, it would be useful to have the possibility of using a common colour for their number plates for their vehicles. This would offer a possibility for companies to choose a uniform appearance for their fleet of vehicles. The registration of the vehicle remains under the competence of the Member State where the vehicle is registered.

Amendment 69 **Proposal for a regulation** **Article 9 – paragraph 1 – subparagraph 1**

Text proposed by the Commission

1. Member States shall inform the Commission of the names and contact details of the vehicle registration authorities which are responsible for managing the official registers of vehicles on their territory and for the application of this Regulation.

Amendment

1. Member States shall inform the Commission of the names and contact details of the ***national contact points and*** vehicle registration authorities which are responsible for managing the official registers of vehicles on their territory and for the application of this Regulation.

Amendment 70
Proposal for a regulation
Article 9 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission shall publish a list of vehicle registration authorities and any updates to that list on its website.

Amendment

The Commission shall publish a list of vehicle registration authorities and ***national contact points and*** any updates to that list on its website.

Amendment 71
Proposal for a regulation
Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) the information on the registration of vehicles in the Member State of the ***relevant*** authority;

Amendment

(a) the information on the ***procedures related to the*** registration of vehicles in the Member State of the ***vehicle registration*** authority, ***including relevant documents needed for re-registration, time-limits and expected waiting time for a decision, grounds for refusal, and relevant rights of Union citizens to re-registration in the official language or languages of that Member State and in English, French or German;***

Justification

If a citizen or legal entity wants to appeal to re-register time limits, grounds of refusal, relevant documents needed for re-registration should be clear in advance.

Amendment 72
Proposal for a regulation
Article 9 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the rules governing the processing of data relating to the registration of vehicles, including information on time-limits for retention as well as the necessary information listed in Articles 10

and 11 of Directive 95/46/EC.

Justification

If a citizen or legal entity wants to appeal to re-register time limits, grounds of refusal, relevant documents needed for re-registration should be clear in advance.

Amendment 73
Proposal for a regulation
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

***Safeguards against fraudulent use of
number plates***

- 1. Upon the registration of a vehicle, the vehicle registration authority shall provide that vehicle and its number plate with a radio-frequency identification (RFID) tag.***
- 2. The vehicle registration authority shall provide a new set of RFID tags in the event of loss of the original number plate or replacement of the vehicle by another vehicle.***
- 3. If the use or registration of a vehicle is found to have been improper by the Member State during a check of vehicles registered in other Member States, the Member State may undertake measures in respect of that vehicle in accordance with national law.***

Justification

In order to tackle crime regarding cross border registration Member States should provide the re-registration with a tag (chip) with radio-frequency identifier. In this way, law enforcement authorities can always check if a number plate corresponds with the right vehicle.

Amendment 74
Proposal for a regulation
Article 10 – point 2

Text proposed by the Commission

(2) the conditions to be met by undertakings in order to satisfy the requirements laid down in Article 8(1)(c);

Amendment

deleted

Amendment 75
Proposal for a regulation
Article 10 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) the format of the data exchanged, the technical procedures, access procedures and security mechanisms, and the format and the model of RFID tags referred to in Article 9a.

Amendment 76
Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Article 10 shall be conferred on the Commission for *an indeterminate* period of *time* from the date of entry into force of this Regulation.

Amendment

2. The delegation of power referred to in Article 10 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 six 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.*

Justification

Reflects Parliament's position that delegation should not be for an indefinite period and that the Commission should report on how it has used its powers before an extension is considered.

Amendment 77 **Proposal for a regulation** **Article 13**

Text proposed by the Commission

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by [**four** years after the entry into force of this Regulation]. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

Amendment

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by [**two** years after the entry into force of this Regulation]. ***The report shall in particular contain information on national application in the various Member States.*** The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

Justification

Reducing the delay after which a report shall be submitted to the Parliament and the Council by the Commission will improve the legislative control.

Amendment 78 **Proposal for a regulation** **Article 14 – paragraph 2**

Text proposed by the Commission

It shall apply from xxxx [date to be inserted: **one year** after entry into force of this Regulation].

Amendment

It shall apply from xxxx [date to be inserted: **three years** after entry into force of this Regulation].

Amendment 79
Proposal for a regulation
Annex I

Text proposed by the Commission

Item	Harmonised Codes Directive 1999/37/E C
1. Country of registration	--
2. Registration number	(A)
3. Date of first registration of the vehicle	(B)
4. Registration certificate identification number(s)	--
5. Name of issuing authority of the registration certificate	--
6. Vehicle: make	(D.1)
7. Vehicle: type - Variant (if available); - Version (if available)	(D.2)
8. Vehicle: commercial description (s)	(D.3)
9. Vehicle Identification Number (VIN)	(E)
10. Mass: maximum technically permissible laden mass, except for motorcycles	(F.1)
11. Mass: maximum permissible laden mass of the vehicle in service in the Member State of registration	(F.2)
12. Mass of the vehicle in service with bodywork, and with coupling device in the case of a towing vehicle in service from any category other than M1	(G)
13. Period of validity, if not unlimited	(H)
14. Date of the registration to which this certificate refers	(I)
15. Type-approval number (if available)	(K)
16. Number of axles	(L)
17. Wheelbase (in mm)	(M)
18. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 1 (in kg)	(N.1)
19. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 2 (in kg), where appropriate	(N.2)
20. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 3 (in kg), where appropriate	(N.3)
21. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 4 (in kg), where appropriate	(N.4)
22. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the	(N.5)

technically permissible maximum laden mass among the axles: axle 5 (in kg), where appropriate	
23. Technically permissible maximum towable mass of the trailer: braked (in kg)	(O.1)
24. Technically permissible maximum towable mass of the trailer: unbraked (in kg)	(O.2)
25. Engine: capacity (in cm ³)	(P.1)
26. Engine: maximum net power (in kW) (if available)	(P.2)
27. Engine: type of fuel or power source	(P.3)
28. Engine: rated speed (in min ⁻¹)	(P.4)
29. Engine identification number	(P.5)
30. Power/weight ratio (in kW/kg) (only for motorcycles)	(Q)
31. Colour of the vehicle	(R)
32. Seating capacity: number of seats, including the driver's seat	(S.1)
33. Seating capacity: number of standing places (where appropriate)	(S.2)
34. Maximum speed (in km/h)	(T)
35. Sound level: stationary (in dB(A))	(U.1)
36. Sound level: engine speed (in min ⁻¹)	(U.2)
37. Sound level: drive-by (in dB(A))	(U.3)
38. Exhaust emissions: CO (in g/km or g/kWh)	(V.1)
39. Exhaust emissions: HC (in g/km or g/kWh)	(V.2)
40. Exhaust emissions: NO _x (in g/km or g/kWh)	(V.3)
41. Exhaust emissions: HC + NO _x (in g/km)	(V.4)
42. Exhaust emissions: particulates for diesel (in g/km or g/kWh)	(V.5)
43. Exhaust emissions: corrected absorption coefficient for diesel (in min ⁻¹)	(V.6)
44. Exhaust emissions: CO ₂ (in g/km)	(V.7)
45. Exhaust emissions: combined fuel consumption (in l/100 km)	(V.8)
46. Exhaust emissions: indication of the environmental category of EC type-approval; reference to the version applicable pursuant to Directive 70/220/EEC or Directive 88/77/EEC	(V.9)
47. Fuel tank(s) capacity (in litres)	(W)
48. Date of last roadworthiness test	--
49. Date for next roadworthiness test	--
50. Mileage (<i>if available</i>)	--
51. Vehicle destructed (Yes/No)	--
52. Date of issue of certificate of destruction ¹	--
53. Establishment or undertaking issuing the certificate of destruction	--
54. Reason for destruction	--
55. Vehicle stolen (Yes/No)	--
56. Stolen registration certificate and/or plates (Yes/No)	--
57. Inactive registration	--
58. Suspended registration	--
59. Change of registration number	--
60. Roadworthiness test required after accident with serious damage	--
61. Additional testing required after altering or modification of any of the items 9 to 47	

¹ As referred to in Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ L269, 21.10.2000, p.34) as amended.

Amendment

Item	Harmonised Codes Directive 1999/37/EC
1. Country of registration	--
2. Registration number	(A)
3. Date of first registration of the vehicle ¹	(B)
4. Registration certificate identification number(s)	--
4a. Registered keeper	(B)
4b. Recorded financial interest (if applicable)	--
5. Name of issuing authority of the registration certificate	--
6. Vehicle: make	(D.1)
7. Vehicle: type - Variant (if available); - Version (if available)	(D.2)
8. Vehicle: commercial description (s)	(D.3)
9. Vehicle Identification Number (VIN)	(E)
10. Mass: maximum technically permissible laden mass, except for motorcycles	(F.1)
11. Mass: maximum permissible laden mass of the vehicle in service in the Member State of registration	(F.2)
12. Mass of the vehicle in service with bodywork, and with coupling device in the case of a towing vehicle in service from any category other than M1	(G)
13. Period of validity, if not unlimited	(H)
13a. Certificate of Conformity (CoC)	(H)
14. Date of the registration to which this certificate refers	(I)
15. Type-approval number (if available)	(K)
16. Number of axles	(L)
17. Wheelbase (in mm)	(M)
18. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 1 (in kg)	(N.1)
19. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 2 (in kg), where appropriate	(N.2)
20. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 3 (in kg), where appropriate	(N.3)
21. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the	(N.4)

¹ For vehicles of historic interest as defined in Regulation 2013/xx/EU (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 (2012/0184(COD)), in the absence of a registration document, the competent authority may refer to available documented evidence concerning date of manufacture or first registration.

technically permissible maximum laden mass among the axles: axle 4 (in kg), where appropriate	
22. For vehicles with a total permissible mass exceeding 3500 kg, distribution of the technically permissible maximum laden mass among the axles: axle 5 (in kg), where appropriate	(N.5)
23. Technically permissible maximum towable mass of the trailer: braked (in kg)	(O.1)
24. Technically permissible maximum towable mass of the trailer: unbraked (in kg)	(O.2)
25. Engine: capacity (in cm ³)	(P.1)
26. Engine: maximum net power (in kW) (if available)	(P.2)
27. Engine: type of fuel or power source	(P.3)
28. Engine: rated speed (in min ⁻¹)	(P.4)
29. Engine identification number	(P.5)
30. Power/weight ratio (in kW/kg) (only for motorcycles)	(Q)
31. Colour of the vehicle	(R)
32. Seating capacity: number of seats, including the driver's seat	(S.1)
33. Seating capacity: number of standing places (where appropriate)	(S.2)
34. Maximum speed (in km/h)	(T)
35. Sound level: stationary (in dB(A))	(U.1)
36. Sound level: engine speed (in min ⁻¹)	(U.2)
37. Sound level: drive-by (in dB(A))	(U.3)
38. Exhaust emissions: CO (in g/km or g/kWh)	(V.1)
39. Exhaust emissions: HC (in g/km or g/kWh)	(V.2)
40. Exhaust emissions: NO _x (in g/km or g/kWh)	(V.3)
41. Exhaust emissions: HC + NO _x (in g/km)	(V.4)
42. Exhaust emissions: particulates for diesel (in g/km or g/kWh)	(V.5)
43. Exhaust emissions: corrected absorption coefficient for diesel (in min ⁻¹)	(V.6)
44. Exhaust emissions: CO ₂ (in g/km)	(V.7)
45. Exhaust emissions: combined fuel consumption (in l/100 km)	(V.8)
46. Exhaust emissions: indication of the environmental category of EC type-approval; reference to the version applicable pursuant to Directive 70/220/EEC or Directive 88/77/EEC	(V.9)
47. Fuel tank(s) capacity (in litres)	(W)
48. Date of last roadworthiness test	--
49. Date for next roadworthiness test	--
50. Mileage	--
51. Vehicle destructed (Yes/No)	--
52. Date of issue of certificate of destruction ¹	--
53. Establishment or undertaking issuing the certificate of destruction	--
54. Reason for destruction	--
55. Vehicle stolen (Yes/No)	--
56. Stolen registration certificate and/or plates (Yes/No)	--
57. Inactive registration	--
58. Suspended registration	--
59. Change of registration number	--

¹ As referred to in Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ L269, 21.10.2000, p.34) as amended.

59a. Vehicle converted (Yes/No)	--
60. Roadworthiness test required after accident with serious damage	--
61. Additional testing required after altering or modification of any of the items 9 to 47	
61a. Vehicle exported (Yes/No)	
61b. Date of issue of temporary registration certificate	
61c. Mileage at time of issue of temporary registration certificate	

Justification

On 4b: In case of some types of leases, legal title is transferred to the lessee. However, for the duration of the lease, the driver is not free to re-register the vehicle. Member States where these products are offered tend to register the party which has a 'financial interest'. On 13a: Import/export of vehicles will not be possible without CoC. On 50: Member States should share information on mileage of a vehicle when re-registering to combat fraud. On 59a: Leased or rented vehicles are generally not classified as 'stolen'. Most police services use a classification 'converted'.

Amendment 80
Proposal for a regulation
Annex II – point 1

Text proposed by the Commission

1. The exchange of information shall be carried out by interoperable electronic means without exchange of data involving other databases. This exchange of information shall be conducted in a cost efficient and secure manner and ensure the security and protection of the data transmitted, ***as far as possible*** using ***existing software applications***.

Amendment

1. The exchange of information shall be carried out by interoperable electronic means without exchange of data involving other databases. This exchange of information shall be conducted in a cost efficient and secure manner and ensure the security and protection of the data transmitted, using ***Eucaris***.

Justification

There is already existing, fully operational information, used and owned by the Member States. EUCARIS that is already used for re-registration as demonstrated at the IMCO hearing on this file. This approach is more effective and cost efficient than introducing new systems other than EUCARIS.

Amendment 81
Proposal for a regulation
Annex II – point 3

Text proposed by the Commission

3. Each Member State shall bear its costs arising from the administration, use and maintenance of the software application referred to in point 1.

Amendment

3. Each Member State shall bear its costs arising from the administration, use and maintenance of the software application referred to in point 1, ***without causing additional financial burdens for citizens and businesses.***

EXPLANATORY STATEMENT

Your Rapporteur welcomes the proposal for a regulation of the European Parliament and of the Council simplifying the transfer of motor vehicles registered in another Member State as a good starting point and supports the efforts to establish a legal framework at the EU level for re-registration of vehicles. Your Rapporteur however considers that both the objectives and the content of the proposed Regulation could be further clarified and that it is important that the legislators consider the full extent of the proposal carefully. Only then can re-registration of vehicles in the European Union become fully operational.

In 2011, taking a car to another country was identified as one of the 20 main citizens' concerns related to the obstacles in the Single Market. Hence, your Rapporteur aims to reduce to minimum the formalities for re-registering a car in another EU country while ensuring closer cooperation among vehicle registration authorities. The main aim of the proposal is to make certain that a vehicle is registered where it is normally used. To prevent fraud and tax avoidance, your Rapporteur wants to guarantee that international companies will not register their vehicles in one Member State while using vehicles in other Member State.

The proposal will benefit people who buy or sell second-hand car in another country as they will no longer be under the obligation to present a new roadworthiness test they will be mutually recognised among Member States. To enhance safety on the roads, your Rapporteur differentiates between mandatory and optional grounds for refusal of re-registration. And if a vehicle is not insured, the holder of registration certificate might be refused to re-register a vehicle.

Citizens often have major difficulties when using a temporary registration certificate to transfer a vehicle from one Member State to another. Those difficulties have to be addressed. In addition, your Rapporteur believes that citizens and the businesses should be offered a choice between a national and Union colour of a number plate so the plates could take uniform appearance while the registration would remain national.

For your Rapporteur, technological progress and cost efficiency are of utmost importance. Hence, the exchange of information on vehicle registration data has to be conducted in electronic manner via already existent system EUCARIS – the European CAR and driving license information system, which is used by majority of the Member States. Use of EUCARIS not only streamlines the process of registration but helps to fight car theft and registration fraud. When suggesting electronic means for re-registration of vehicles, your Rapporteur pays utmost attention to data protection issues. For this reason, security measures related to the protection of data exchanged will need to be regularly assessed and updated.

Last but not least, to limit fraudulent use of number plates, your Rapporteur proposes that the number plate and a vehicle shall be equipped with a tag (chip) with radio frequency identifier.

18.12.2012

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on the Internal Market and Consumer Protection

on the proposal for a regulation of the European Parliament and of the Council simplifying the transfer of motor vehicles registered in another Member State within the Single Market (COM(2012)0164 – C7-0092/2012 – 2012/0082(COD))

Rapporteur: Hubert Pirker

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SHORT JUSTIFICATION

1. Introduction

The proposal for a regulation concerns the simplification of the formalities and conditions for the registration of motor vehicles registered in another Member State. It is limited to re-registration modalities and shall not apply to initial vehicles registration procedures in a Member State nor to the registration of motor vehicles registered in a third country.

Within this precise scope, the Commission wishes to reduce and simplify the current registration formalities in order to attain the following main objectives:

- Ensure the free movement of motor vehicles within the European Union.
- Reduce administrative burdens for citizens, businesses and registration authorities, in line with the 2010 EU Citizenship Report "Dismantling the obstacles to EU citizens' rights" (COM(2010)0603 of 27.10.2010).
- Ensure road safety.
- Maintain the fight against abuse and theft of vehicle registration documents in line with Council Decision 2004/919/EC of 22 December 2004 on tackling vehicle crime with cross-border implications (OJ L389, 30.12.2004, p.28).

To this end the proposal will:

- Clarify in which Member State a motor vehicle transferred between Member States should be registered, through the concept of "normal residence" for which criteria are defined in the

text.

- Establish a harmonised period of six months after which the holder of a registration certificate who has moved his normal residence to another Member State shall request re-registration.
- Organise the cooperation and exchange of data between the different registration authorities through electronic means.
- Organise recognition of documents and roadworthiness tests issued in another Member State.
- Define precisely in which cases registration authorities are entitled to refuse the registration of a motor vehicle registered in another Member State.

2. The "Transport" dimension of the proposal

Your Rapporteur welcomes the proposal of the Commission that aims reducing administrative burdens for citizens and businesses in a transport related matter. The Committee on Transport and Tourism already expressed its opinion on the 20 main concerns of European citizens and business with the functioning of the Single Market (2012/2044(INI)) pointing out its position on the simplification of cross-border transferability of cars.

Hence the amendments of your Rapporteur aim at incorporating the Committees opinion and focusing on simplification of procedure while ensuring the highest possible level of road safety, he therefore stresses the need of full implementation of the principles of EU law on the registration of cars in another Member State.

Your Rapporteur also acknowledged the "Road worthiness Package" proposed by the European Commission on 13 July 2012 and underlines the importance of a coherent approach with this proposal.

Your Rapporteur welcomes that data protection requirements have been appropriately considered in the proposal and that several specific data protection safeguards have been expressly included. With regard to the Opinion of the European Data Protection Supervisor of 9 July 2012 he suggests further specifications that basically aim to clarify the Commission's proposal.

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The free movement of goods is a cornerstone of the European Union. Nevertheless EU citizens are faced with cumbersome formalities, related in particular to the re-registration of their vehicles in another Member State and the additional costs¹. The simplification of the cross-border transferability of cars implies a full implementation of the principles of EU law on the registration of cars in another Member State and requires high standards in security of harmonised registration certificates in order to minimise the risk or re-registration of stolen vehicles with falsified registration certificates.

¹[http://www.europarl.europa.eu/registre/docs/autres_institutions/commission_europeenne/sec/2011/1003/COM_SEC\(2011\)1003_EN.pdf](http://www.europarl.europa.eu/registre/docs/autres_institutions/commission_europeenne/sec/2011/1003/COM_SEC(2011)1003_EN.pdf)

Justification

This amendment reflects the Opinion of the Committee on Transport and Tourism on the 20 main concerns of European citizens and business with the functioning of the Single Market (2012/2044(INI)) and stresses the need of full implementation of applicable EU legislation.

Amendment 2

Proposal for a regulation Recital 5

Text proposed by the Commission

Amendment

(5) The registration of motor vehicles registered in another Member State is hampered by burdensome registration formalities in the Member States, in particular by the obligation to submit these

(5) The registration of motor vehicles registered in another Member State is hampered by burdensome registration formalities in the Member States, in particular by the obligation to submit these

vehicles to complementary tests in order to assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified registration procedure that includes the recognition of documents and roadworthiness tests issued in another Member State and that would organise the administrative cooperation between the competent authorities on the exchange of missing data.

vehicles to complementary tests in order to assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified registration procedure that includes the recognition of documents and roadworthiness tests (*as provided for in the Regulation on periodic roadworthiness tests for motor vehicles and their trailers 2013/...xx as well as the Regulation on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union 2013/...xx and the Directive 2013/...xx on the registration documents for vehicles*) issued in another Member State and that would organise the administrative cooperation between the competent authorities on the exchange of missing data.

Justification

Link to the roadworthiness package that the European Parliament is currently discussing.

Amendment 3

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) The registration of motor vehicles registered in another Member State is hampered by burdensome registration formalities in the Member States, in particular by the obligation to submit these vehicles to complementary tests in order to

Amendment

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assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified registration procedure that includes the recognition of documents and roadworthiness tests issued in another Member State and that would organise the administrative cooperation between the competent authorities on the exchange of missing data.

assess their general condition prior to registration or in order to identify them. Therefore, it is necessary to reduce these formalities in order to ensure the free movement of motor vehicles and to reduce the administrative burden for citizens, businesses and registration authorities. Especially for citizens or businesses acquiring a motor vehicle registered in another Member State, it is appropriate to provide for a simplified registration procedure that includes the recognition of documents and roadworthiness tests issued in another Member State and that would organise the administrative cooperation between the competent authorities on the exchange of missing data. ***Particular emphasis needs to be placed on tackling the problem of tampering with odometers, and the impact this is having on consumer confidence in cross-border trade, as well as the impact "clocking" is having on road safety.***

Amendment 4

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) This Regulation shall not weaken important principles and safeguards linked to road safety. Harmonised rules on the roadworthiness testing of motor vehicles and their trailers are an essential element to reduce the administrative burden for citizens and industry while guaranteeing the dynamic development of testing methods and test content. Mutual recognition of technical controls between Member States requires common definitions and comparable test standards which are respected by all Member States.

Justification

Simplified registration procedure for vehicles registered in another Member State should not require an extra roadworthiness test, except in limited and well motivated cases. It is therefore of utmost importance that European standards are respected and implemented by all Member States. See also: Opinion of the Committee on the 20 main concerns of European citizens and business with the functioning of the Single Market (2012/2044(INI)).

Amendment 5

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) This Regulation should take account of the provisions of Directive 2011/82/EU of the European Parliament and of the Council of 25 October 2011 facilitating the cross-border exchange of information on road safety related traffic offences in order to enable the authorities of a Member State to which an application to register a vehicle registered in another Member State has been submitted to check whether that vehicle is linked to any unresolved proceedings relating to traffic offences.

Justification

The proposal should include provisions to improve road safety and to tackle impunity for traffic offences. Authorities should therefore have the possibility to check whether the vehicle in question is linked to any proceedings relating to traffic offences before registering that vehicle.

Amendment 6

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Member States must ensure that vehicle registration authorities act in accordance with what is set out in this Regulation. Consequently, mutual recognition and electronic exchange of

data are essential.

Amendment 7

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation shall apply to the following vehicles:

Amendment

1. This Regulation shall apply to **registration of** the following **motor** vehicles:

Justification

Clarification of the purpose of the Regulation.

Amendment 8

Proposal for a regulation Article 4 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

After the six-month period, the owner of a vehicle registered and located in another Member State may still request registration of his vehicle in the Member State of residence .

Justification

The amendment clarifies the registration rules applicable where a citizen has the use of a vehicle in his Member State of residence and has another vehicle in another Member State.

Amendment 9

Proposal for a regulation Article 4 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The process of gathering and processing the data items mentioned in the first

paragraph shall respect European and national laws related to the protection of individuals with regard to the processing of personal data.

Justification

This amendment aims at reflecting the opinion of the European Data Protection Supervisor of 9 July 2012.

Amendment 10

Proposal for a regulation

Article 4 – paragraph 4 – point d a (new)

Text proposed by the Commission

Amendment

(da) if the date of the next mandatory roadworthiness certificate has passed.

Justification

In order to ensure road safety, the vehicle registration authority must be able to carry out a check on a vehicle if the roadworthiness certificate date has passed.

Amendment 11

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. Where a vehicle registered in ***another*** Member State is ***registered***, the relevant vehicle registration authority shall immediately report this to the vehicle registration authority of the Member State where the vehicle was last registered, in accordance with Article 7.

5. Where a vehicle registered in ***one*** Member State is ***re-registered in a different Member State***, the relevant vehicle registration authority shall immediately report this to the vehicle registration authority of the Member State where the vehicle was last registered, in accordance with Article 7.

Amendment 12

Proposal for a regulation
Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) where no motor vehicle civil liability insurance exists, but is a precondition for registration of the vehicle.

Justification

Motor vehicle civil liability insurance makes a major contribution towards providing protection for road casualties and, in countries which have enshrined the principle in their national legislation, should continue to be a precondition for registration.

Amendment 13

Proposal for a regulation
Article 5 – paragraph 1 – point d – subpoint ii

Text proposed by the Commission

Amendment

(ii) the vehicle registration documents are stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle;

(ii) the vehicle registration documents are ***lost or*** stolen unless the holder of the registration certificate can clearly demonstrate ***either the*** ownership of the vehicle ***or that he is the legitimate holder of the registration documents;***

Justification

This amendment aims at clarifying that the legitimate holder of the registration documents can be legally different from the owner of the vehicle and, consequently, on the basis of a clear demonstration of his situation, can avoid a decision of refusal from the authorities.

Amendment 14

Proposal for a regulation
Article 5 – paragraph 1 – point d – point iii

Text proposed by the Commission

Amendment

(iii) the date of the next mandatory roadworthiness certificate has passed.

deleted

Justification

This amendment has to be seen in connection with the amendment to Article 4, i.e. it should be possible for the registration authority to carry out a check on a vehicle if the date of the mandatory roadworthiness certificate has passed.

Amendment 15

Proposal for a regulation

Article 6 – paragraph 3 – point b – point ii

Text proposed by the Commission

(ii) the vehicle registration documents **are** stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle;

Amendment

(ii) the vehicle registration documents **have been lost or** stolen unless the holder of the registration certificate can clearly demonstrate ownership of the vehicle **or that he is the legitimate holder of the registration documents**;

Justification

This amendment seeks to make it clear that the legitimate holder of the registration documents may be legally different from the owner of the vehicle and consequently, by clearly demonstrating his situation, can ensure that the authorities do not refuse registration.

Amendment 16

Proposal for a regulation

Article 7 – paragraph 4

Text proposed by the Commission

4. The Commission shall adopt implementing acts to lay down the common procedures and specifications for the software application referred to in paragraph 2, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

Amendment

4. The Commission shall adopt implementing acts to lay down the common procedures and specifications for the software application referred to in paragraph 2, including the format for the data exchanged, the technical procedures for electronic consultation of and access to the national electronic registers, access procedures and security mechanisms.

The Commission shall also evaluate regularly the adequacy of the security measures related to the protection of the data exchanged, taking into account technological developments and the evolution of risks. The Commission shall adopt implementing acts to update the security measures where necessary.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

Justification

This amendment aims at reflecting the opinion of the European Data Protection Supervisor of 9 July 2012.

Amendment 17

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

(b) it distributes vehicles or provides repair, maintenance or testing services for vehicles;

Amendment

(b) it ***builds or*** distributes vehicles or provides repair, maintenance or testing services for vehicles;

Justification

It is important that the activities of vehicle makers be incorporated into this paragraph, since they also require professional registration on the same footing as the other activities referred to.

Amendment 18

Proposal for a regulation

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) it ***has a good reputation and*** has the requisite professional competence.

Amendment

(c) it has the requisite professional competence.

Justification

Reputation is a subjective assessment criterion and does not belong in a regulation.

Amendment 19

Proposal for a regulation

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4a) The duration of the validity of the professional vehicle registration certificates shall not exceed 3 months. The validity of the certificates shall expire as soon as one of the criteria listed under paragraph 1 of this Article is no longer fulfilled.

Justification

The duration of the validity of the professional vehicle should be considered as being too substantial to be determined by delegated acts.

Amendment 20

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission shall adopt implementing acts to establish the format and the model of the professional vehicle registration certificate.

deleted

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12(2).

Justification

The format of, and model for, the professional vehicle registration certificate come under Directive 1999/37/EC. This aspect should therefore be addressed in connection with revision of that directive, currently under consideration in Parliament and the Council, rather than in this regulation.

Amendment 21

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

Text proposed by the Commission

Amendment

(5a) The provisions of this Article shall have no effect on existing national rules related to temporary and professional registrations.

Justification

The scope of this Regulation is defined by re-registrations of motor vehicles in another Member State. This is to clarify that national provisions related to temporary and professional registrations are not affected.

Amendment 22

Proposal for a regulation Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) The vehicles registration authorities shall make easily accessible to the public the rules governing the processing of data related to the registration of vehicles, including information on time limits for retention as well as the necessary information foreseen in Articles 10 and 11 of Directive 95/46/EC.

Justification

This amendment aims at reflecting the opinion of the European Data Protection Supervisor of 9 July 2012.

Amendment 23

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Article 10 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the date of entry into force of this Regulation.

Amendment

2. The delegation of power referred to in Article 10 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. Provided this report has been drawn up, the delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such an extension not later than three months before the end of each period.***

Justification

Reflecting Parliament's usual position that delegation should not be for an indefinite period and that the Commission should report on how it has used its powers before and extension is considered.

Amendment 24

Proposal for a regulation Article 13

Text proposed by the Commission

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by ***four*** years after the entry into force of this Regulation]. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

Amendment

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by ***two*** years after the entry into force of this Regulation]. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

Justification

Reducing the delay after which a report shall be submitted to the Parliament and the Council by the Commission will improve the legislative control.

Amendment 25

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by [four years after the entry into force of this Regulation]. The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

Amendment

The Commission shall submit a report on the evaluation of this Regulation to the European Parliament and the Council by [four years after the entry into force of this Regulation]. The ***report shall also contain information on national implementation in the various member states.*** The Commission shall, if necessary, submit appropriate proposals with a view to amending this Regulation, and aligning other Union acts, in particular taking account of the possibilities of further administrative simplification for citizens and businesses.

PROCEDURE

Title	Simplification of the transfer of motor vehicles registered in another Member State within the Single Market
References	COM(2012)0164 – C7-0092/2012 – 2012/0082(COD)
Committee responsible Date announced in plenary	IMCO 18.4.2012
Opinion by Date announced in plenary	TRAN 18.4.2012
Rapporteur Date appointed	Hubert Pirker 29.5.2012
Discussed in committee	8.10.2012 17.12.2012
Date adopted	18.12.2012
Result of final vote	+ : 37 - : 1 0 : 0
Members present for the final vote	Inés Ayala Sender, Georges Bach, Erik Bánki, Izaskun Bilbao Barandica, Philip Bradbourn, Antonio Cancian, Michael Cramer, Philippe De Backer, Luis de Grandes Pascual, Saïd El Khadraoui, Ismail Ertug, Carlo Fidanza, Jacqueline Foster, Mathieu Grosch, Jim Higgins, Dieter-Lebrecht Koch, Georgios Koumoutsakos, Bogusław Liberadzki, Eva Lichtenberger, Marian-Jean Marinescu, Gesine Meissner, Hubert Pirker, Petri Sarvamaa, David-Maria Sassoli, Vilja Savisaar-Toomast, Olga Sehnalová, Brian Simpson, Silvia-Adriana Țicău, Giommaria Uggias, Patricia van der Kammen, Artur Zasada, Roberts Zīle
Substitute(s) present for the final vote	Spyros Danellis, Markus Ferber, Eider Gardiazábal Rubial, Dominique Riquet, Sabine Wils
Substitute(s) under Rule 187(2) present for the final vote	Amelia Andersdotter

PROCEDURE

Title	Simplification of the transfer of motor vehicles registered in another Member State within the Single Market			
References	COM(2012)0164 – C7-0092/2012 – 2012/0082(COD)			
Date submitted to Parliament	4.4.2012			
Committee responsible Date announced in plenary	IMCO 18.4.2012			
Committee(s) asked for opinion(s) Date announced in plenary	ENVI 18.4.2012	ITRE 18.4.2012	TRAN 18.4.2012	LIBE 18.4.2012
Not delivering opinions Date of decision	ENVI 26.4.2012	ITRE 23.4.2012	LIBE 16.5.2012	
Rapporteur(s) Date appointed	Toine Manders 8.5.2012			
Discussed in committee	20.3.2013	30.5.2013	27.6.2013	8.7.2013
Date adopted	9.7.2013			
Result of final vote	+: 34 -: 0 0: 3			
Members present for the final vote	Claudette Abela Baldacchino, Pablo Arias Echeverría, Adam Bielan, Preslav Borissov, Sergio Gaetano Cofferati, Birgit Collin-Langen, Lara Comi, Anna Maria Corazza Bildt, Cornelis de Jong, Vicente Miguel Garcés Ramón, Evelyne Gebhardt, Thomas Händel, Małgorzata Handzlik, Philippe Juvin, Sandra Kalniete, Edvard Kožušník, Toine Manders, Hans-Peter Mayer, Franz Obermayr, Sirpa Pietikäinen, Phil Prendergast, Robert Rochefort, Heide Rühle, Andreas Schwab, Catherine Stihler, Róza Gräfin von Thun und Hohenstein, Emilie Turunen, Bernadette Vergnaud, Barbara Weiler			
Substitute(s) present for the final vote	Jürgen Creutzmann, Ashley Fox, María Irigoyen Pérez, Othmar Karas, Roberta Metsola, Olle Schmidt, Olga Sehnalová, Sabine Verheyen			
Date tabled	22.7.2013			