



Plenary sitting

A9-0396/2023

5.12.2023

*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences (COM(2023)0126 – C9-0034/2023 – 2023/0052(COD))

Committee on Transport and Tourism

Rapporteur: Kosma Złotowski

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

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences (COM(2023)0126 – C9-0034/2023 – 2023/0052(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0126),
 - having regard to Article 294(2) and Article 91(1)(c) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0034/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A9-0396/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Approves its statement annexed to this resolution;
 3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Directive (EU) 2015/413 facilitates the cross-border exchange of information on road-safety-related traffic offences and thereby lowers the impunity of non-

Amendment

(1) Directive (EU) 2015/413 facilitates the cross-border exchange of information on road-safety-related traffic offences and thereby lowers the impunity of non-

resident offenders. An effective cross-border investigation and enforcement of road-safety-related traffic offences improves road safety as it encourages non-resident drivers to commit fewer offences and drive more safely.

resident offenders. An effective cross-border investigation and enforcement of **strictly** road-safety-related traffic offences improves road safety as it encourages non-resident drivers to commit fewer offences and drive more safely.

Amendment 2

Proposal for a directive Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) It is necessary to understand that there is a high probability of an unavoidable penalty to reduce road traffic hazards. Knowledge of the rules in force in the various Member States promotes road safety and a reduction in traffic offences.

Amendment 3

Proposal for a directive Recital 4

Text proposed by the Commission

Amendment

(4) The scope of the Directive should be extended to other road-safety-related traffic offences to ensure equal treatment of drivers. Considering the legal basis on which Directive (EU) 2015/413 was adopted, namely Article 91(1), point (c), of the Treaty on the Functioning of the European Union, additional offences should demonstrate a strong link to road safety, by addressing dangerous and **reckless** behaviours which pose a serious risk to road users. The extension of the scope should also reflect the technical progress in the automatic detection of road-safety-related traffic offences.

(4) The scope of the Directive should be extended to other **strictly** road-safety-related traffic offences to ensure equal treatment of drivers. Considering the legal basis on which Directive (EU) 2015/413 was adopted, namely Article 91(1), point (c), of the Treaty on the Functioning of the European Union, additional offences should demonstrate a strong **and direct** link to road safety, by addressing dangerous and **unlawful** behaviours which pose a serious risk to road users. The extension of the scope should also reflect the technical progress in the automatic detection of road-safety-related traffic offences.

Amendment 4

Proposal for a directive Recital 6

Text proposed by the Commission

(6) The responsibilities and competences of national contact points should be defined to ensure that they seamlessly cooperate with other authorities involved in the investigation of the road-safety-related traffic offences which fall within the scope of this Directive. National contact points should always be available for such authorities and answer their requests ***within reasonable time***. This should be the case regardless of the nature of the offence or the legal status of the authority, and in particular regardless of whether the authority has national or subnational or local competence.

Amendment

(6) The responsibilities and competences of national contact points should be defined to ensure that they seamlessly cooperate with other authorities involved in the investigation of the road-safety-related traffic offences which fall within the scope of this Directive. National contact points should always be available for such authorities and answer their requests ***without undue delay***. This should be the case regardless of the nature of the offence or the legal status of the authority, and in particular regardless of whether the authority has national or subnational or local competence.

Amendment 5

Proposal for a directive Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) A number of Member States are now facing a phenomenon where serious road offences are being committed in cars rented in other Member States. The drivers of such rental cars who committed a traffic offence are going unpunished because they can exploit differences in rules from one Member State to another, as well as shortcomings as regards the exchange of information

Amendment 6

Proposal for a directive Recital 8

Text proposed by the Commission

(8) The Member State of the offence should also be allowed to conduct automated searches in vehicle registers to retrieve **data on** end users of vehicles where such information is already available. Furthermore, a data retention period should be established as regards the identity of the previous owners, holders and end users of the vehicles to provide authorities with the appropriate information they need for the investigation.

Amendment

(8) The Member State of the offence should also be allowed to conduct automated searches in vehicle registers to retrieve **the data needed to identify** end users of vehicles where such information is already available. Furthermore, a data retention period should be established as regards the identity of the previous owners, holders and end users of the vehicles to provide authorities with the appropriate information they need for the investigation.

Amendment 7

**Proposal for a directive
Recital 12**

Text proposed by the Commission

(12) The Member State of registration or Member State of residence should provide the additional information requested by the Member State of the offence necessary for the identification of the liable person within **reasonable time**. If it is not possible to gather or provide the information, or it is not possible to do **so without undue delay**, a clear explanation should be given as regards the reasons thereof, and the delay **be minimised as far as possible**.

Amendment

(12) The Member State of registration or Member State of residence should provide the additional information requested by the Member State of the offence necessary for the identification of the liable person within **a period not exceeding 30 working days**. If it is not possible to gather or provide the information, or it is not possible to do **within the period set out**, a clear explanation should be given as regards the reasons thereof, and the delay **may not exceed 20 working days from the date of the notification of these reasons**.

Amendment 8

**Proposal for a directive
Recital 17**

Text proposed by the Commission

(17) As a minimum, the information letter should include detailed information on the legal classification and legal

Amendment

(17) As a minimum, the information letter should **use wording that is understandable to those without legal**

consequences of the offence, in particular as the sanctions for the offences covered by the scope of Directive (EU) 2015/413 can be of a non-pecuniary nature, such as restrictions placed on the offender's right to drive. The right of appeal should also be supported by providing detailed information on where and how to exercise the rights of defence or lodge an appeal in the Member State of the offence, in a language that the person concerned understands. A description of in absentia procedures should also be provided when applicable, as the presumed liable person may not plan to return to the Member State of offence to participate in the proceedings. Payment options and ways to mitigate the volume of the sanctions should also be made easily understandable in order to incentivise voluntary cooperation. Finally, as the information letter should be the first document the owner, holder or end user of the vehicle or any other presumed liable person receives, it should contain the information under Article 13 of Directive (EU) 2016/680 of the European Parliament and of the Council⁶³, which, pursuant to Article 13(2)(d) should include information from which source the personal data originate, and Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council⁶⁴. This information should be provided in the information letter either directly or by way of reference to the place where it is made available.

⁶³ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free

training and include detailed information on the legal classification and legal consequences of the offence, in particular as the sanctions for the offences covered by the scope of Directive (EU) 2015/413 can be of a non-pecuniary nature, such as restrictions placed on the offender's right to drive. The right of appeal should also be supported by providing detailed information on where and how to exercise the rights of defence or lodge an appeal in the Member State of the offence, in a language that the person concerned understands. A description of in absentia procedures should also be provided when applicable, as the presumed liable person may not plan to return to the Member State of offence to participate in the proceedings. Payment options and ways to mitigate the volume of the sanctions should also be made easily understandable in order to incentivise voluntary cooperation. Finally, as the information letter should be the first document the owner, holder or end user of the vehicle or any other presumed liable person receives, it should contain the information under Article 13 of Directive (EU) 2016/680 of the European Parliament and of the Council⁶³, which, pursuant to Article 13(2)(d) should include information from which source the personal data originate, and Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council⁶⁴. This information should be provided in the information letter either directly or by way of reference to the place where it is made available.

⁶³ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free

movement of such data, and repealing Council Framework Decision 2008/977/JHA, (OJ L 119, 4.5.2016, p. 89).

⁶⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), (OJ L 119, 4.5.2016, p. 1).

movement of such data, and repealing Council Framework Decision 2008/977/JHA, (OJ L 119, 4.5.2016, p. 89).

⁶⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), (OJ L 119, 4.5.2016, p. 1).

Amendment 9

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) When non-resident persons are checked on the spot in a road control, and such action leads to the initiation of follow-up proceedings in relation to the commission of a road-safety-related traffic offence, the information letter should contain only certain essential elements, **and** be given to the person concerned directly as part of the road control procedures.

Amendment

(18) When non-resident persons are checked on the spot in a road control, and such action leads to the initiation of follow-up proceedings in relation to the commission of a road-safety-related traffic offence, the information letter should contain only certain essential elements ***including, in particular, a description of the appeal procedure, and, if possible, be given to the person concerned directly as part of the road control procedures or sent as soon as possible after their completion. Non-resident drivers should also be given sufficient time to avail themselves of any right to appeal or to the mitigation of sanctions.***

Amendment 10

Proposal for a directive

Recital 20

Text proposed by the Commission

(20) In the case where it is not possible to deliver documents through registered

Amendment

(20) In the case where it is not possible to deliver documents through registered

delivery or electronic means of equal value, the Member State of the offence should be allowed to rely on the Member State of registration or of residence to service the documents and communications to the person concerned under their own national legislation governing the service of documents.

delivery, **registered mail**, or electronic means of equal value, the Member State of the offence should be allowed to rely on the Member State of registration or of residence to service the documents and communications to the person concerned under their own national legislation governing the service of documents.

Amendment 11

Proposal for a directive Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Currently, there are no Union-wide means of electronic identification or a certificate recognised by all Member States that would enable Union citizens to access the content of the notifications deposited in the electronic register of the authority issuing the notification, and to submit written claims and appeals electronically. The Commission, in collaboration with Member States, should therefore carry out a review of models for electronic access to registers of traffic offences managed by national authorities and, if appropriate, develop a dedicated digital solution.

Amendment 12

Proposal for a directive Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) The Commission should explore different means for enhancing the cooperation and exchange of information on road-safety traffic offences to improve enforcement, between the Member States and neighbouring third countries . While this Directive aims to reduce the impunity

of non-resident drivers within the Union, road safety-related offences by non-resident drivers registered outside the Union are a not insignificant problem. This Directive and the use of Eucaris provide a model for the Union and its Member States to establish similar mechanisms for the exchange of information on the covered offences with neighbouring third countries, provided that equivalent protections are afforded to the drivers concerned, particularly as regards data protection.

Amendment 13

Proposal for a directive Recital 25 b (new)

Text proposed by the Commission

Amendment

(25b) To attain the objectives put forward in the EU Road Safety Policy Framework 2021-2030 – Next steps towards “Vision Zero”, the effective implementation of Directive (EU) 2015/413 should be complemented by further measures to address road-safety-related traffic offences committed by third-country nationals. It should be possible for third countries to participate in the exchange of Vehicle Registration Data (VRD), provided that they have concluded an agreement with the Union to this effect. Such an agreement would need to include necessary provisions for data protection. In the event of a long delay before such an agreement is concluded, Member States, in cooperation with the Commission, could develop a dedicated solution to ensure that a traffic offence is signalled at the external border of the Union when the traffic offender intends to cross it, so that the financial penalty can be imposed on the offender by the Member State where the offense took place before he or she leaves the territory

of the Union..

Amendment 14

Proposal for a directive Recital 25 c (new)

Text proposed by the Commission

Amendment

(25c) Since the withdrawal of the United Kingdom from the Union, there is no longer a directive concerning the sharing of data between Member States' police forces and the United Kingdom's Driver Vehicle Licensing Agency (DVLA. A mutual assistance scheme exists instead, but, since it is no longer automatic, it is not as efficient as it would otherwise be. As the conclusion of the UK-EU Trade and Cooperation Agreement (TCA) does not include a reference to Directive (EU) 2015/413 and Decision 2005/214/JHA, the Commission should analyse in the light of a legal opinion how best to effectively enforce the offences defined by this Directive under the European Convention on the Mutual Assistance in Criminal Matters of 1959 and its protocols (MLA), identifying effective and efficient measures to improve road safety and at the same time safeguarding data protection requirements, in particular of the Union's vehicle holders and drivers.

Amendment 15

Proposal for a directive Recital 31

Text proposed by the Commission

Amendment

(31) An online portal (the “CBE Portal”) should be established to provide road users in the Union with comprehensive information on road-safety-related traffic rules in place in Member States and allow

(31) An online portal (the “CBE Portal”) should be established to provide road users in the Union with comprehensive information on road-safety-related traffic rules in place in Member States and allow

road users to communicate with Member State authorities in an effective and secure manner. The portal should also facilitate communication between Member States' authorities on various issues related to the cross-border investigation of road-safety-related traffic offences, such as for the verification of the authenticity of information letters and follow-up documents to eliminate the possibility of fraud. The exchanged personal data should be limited to what is necessary for the cross-border investigations and enforcement of sanctions, particularly the payment of financial penalties. The CBE Portal should be able to connect to other relevant portals, networks, websites or platforms to facilitate the exchange of information related to the enforcement of road-safety-related traffic rules. **The** Commission should be the **controller** of the CBE Portal, in accordance with Regulation 2018/1725.

road users to communicate with Member State authorities in an effective and secure manner. **Such information should be understandable and accessible.** The portal should also facilitate communication between Member States' authorities on various issues related to the cross-border investigation of road-safety-related traffic offences, such as for the verification of the authenticity of information letters and follow-up documents to eliminate the possibility of fraud. The exchanged personal data should be limited to what is necessary for the cross-border investigations and enforcement of sanctions, particularly the payment of financial penalties. The CBE Portal should be able to connect to other relevant portals, networks, websites or platforms to facilitate the exchange of information related to the enforcement of road-safety-related traffic rules. Commission **and the Member States** should be the **joint controllers** of the CBE Portal, in accordance with Regulation 2018/1725

Amendment 16

Proposal for a directive Recital 32

Text proposed by the Commission

(32) The Commission should provide proportionate financial support **to** initiatives which improve the cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union.

Amendment

(32) The Commission should provide proportionate financial support **for Member States' initiatives and projects**, which improve the cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union, **including support for the digitisation of the data covered by Annex III to Directive 2010/40/EU relevant for the offences covered under this Directive. Financial support should also cover information campaigns throughout the Union on differences in national legislation, with a particular focus on neighbouring**

countries.

Amendment 17

Proposal for a directive Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) EU Member States should be encouraged to set up a transparent system for the allocation of revenues generated by fines and channel revenues from enforcement back into road safety work. This would also increase public confidence in the traffic law enforcement system and contribution it can make to improving road safety.

Amendment 18

Proposal for a directive Recital 32 b (new)

Text proposed by the Commission

Amendment

(32b) Given significant increases in the level of cross-border road traffic, and continued divergences between the Member States in the field of road safety enforcement, it is appropriate to update the Commission's Recommendation 2004/345/EC on enforcement in the field of road safety, which dates from 2004 in order to take account of advancements since then.

Amendment 19

Proposal for a directive Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) It is necessary to highlight that

there is a significant problem of non-enforcement of road traffic offences committed by non-residents and that the amendments to Article 1 of Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties, as amended by Framework Decision 2009/299/JHA, which lays down the definition of a decision, may not be sufficient to tackle this problem effectively. Therefore, the current situation should be assessed, inter alia in the light of a dedicated legal opinion, following which the Commission should, if appropriate, adopt a legislative proposal with a view to improving cooperation between Member States on this issue.

Amendment 20

Proposal for a directive Recital 35 b (new)

Text proposed by the Commission

Amendment

(35b) Member States should ensure that adequate and effective mechanisms are in place for the enforcement or recovery of financial penalties.

Amendment 21

Proposal for a directive Article 1 – paragraph 1 – point 1 – point a Directive (EU) 2015/413 Article 2 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) not keeping *sufficient* distance from the vehicle in front;

(i) not keeping *the required* distance from the vehicle in front;

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

Article 2 – paragraph 1 – point j

Text proposed by the Commission

(j) dangerous overtaking;

Amendment

(j) dangerous overtaking ***that does not comply with traffic regulations;***

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

Article 2 – paragraph 1 – point k

Text proposed by the Commission

(k) dangerous parking;

Amendment

(k) dangerous parking ***in an unauthorised place posing a serious risk to other road users;***

Amendment 24

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

Article 2 – paragraph 1 – point l

Text proposed by the Commission

(l) crossing one or more solid ***white*** lines;

Amendment

(l) crossing one or more solid lines;

Amendment 25

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

Article 2 – paragraph 1 – point o

Text proposed by the Commission

Amendment

(o) ***use of*** an overloaded vehicle.;

(o) ***driving*** an overloaded vehicle;

Amendment 26

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

Article 2 – paragraph 1 – point o a (new)

Text proposed by the Commission

Amendment

(oa) ***hit-and-run***;

Amendment 27

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point -a (new)

Directive (EU) 2015/413

Article 3 – paragraph 1 – point a

Present text

Amendment

(a) ‘vehicle’ means any ***power-driven*** vehicle, ***including motorcycles***, which is normally used for carrying persons or goods by road;

(-a) point a is replaced by the following:

(a) ‘vehicle’ means any ***motorised*** vehicle ***propelled exclusively by mechanical power***, which is normally used for carrying persons or goods by road;

(32015L0413)

Amendment 28

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a

Directive (EU) 2015/413

Article 3 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) ‘use of a forbidden lane’ means illegally using part of an already existing

(j) ‘use of a forbidden lane’ means illegally using part of an already existing

permanent or temporary road section, such as a public transport lane or a temporarily closed lane for reasons of congestion or road works, as defined in the law of the Member State of the offence;

permanent or temporary road section, such as a public transport lane, *footpath or cycle lane* or a lane which is temporarily closed for reasons of congestion or road works, as defined in the law of the Member State of the offence’;

Amendment 29

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive (EU) 2015/413

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(l) ‘national contact point’ means a competent *authority designated for the purposes of this Directive*;

Amendment

(l) ‘national contact points’ means competent *authorities through which information is exchanged between Member State of offence and Member State of registration*;

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point o

Text proposed by the Commission

(o) ‘not keeping *sufficient* distance from the vehicle in front’ means not maintaining the distance necessary to avoid collision with the vehicle in front of the vehicle driven by the driver, if the preceding vehicle were to suddenly slow down or stop, as defined in the law of the Member State of the offence;

Amendment

(o) ‘not keeping *the required* distance from the vehicle in front’ means not maintaining the *safe* distance necessary to avoid collision with the vehicle in front of the vehicle driven by the driver, if the preceding vehicle were to suddenly slow down or stop, as defined in the law of the Member State of the offence;

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413
Article 3 – paragraph 1 – point p

Text proposed by the Commission

(p) ‘dangerous overtaking’ means overtaking another vehicle or another road user in a way that infringes the applicable rules on dangerous overtaking in the Member State of the offence;

Amendment

(p) ‘dangerous overtaking **that does not comply with traffic regulations**’ means overtaking another vehicle or another road user in a way that infringes the applicable rules on dangerous overtaking in the Member State of the offence;

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point q

Text proposed by the Commission

(q) ‘dangerous parking’ means parking the vehicle in a way that infringes the applicable rules on dangerous parking in the Member State of the offence. Failure to pay parking fees and other similar offences shall not be considered dangerous parking;

Amendment

(q) ‘dangerous parking **in an unauthorised place posing a serious risk to other road users**’ means parking the vehicle in a way that infringes the applicable rules on dangerous parking in the Member State of the offence **and that has a negative impact on road safety, with the exception of** failure to pay parking fees and other similar offences;

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point r

Text proposed by the Commission

(r) ‘crossing one or more solid **white** lines’ means changing lanes with the vehicle through unlawfully crossing at least one solid **white** line, as defined in the law of the Member State of the offence;

Amendment

(r) ‘crossing one or more solid lines’ means changing lanes with the vehicle through unlawfully crossing at least one solid line, as defined in the law of the Member State of the offence;

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point t a (new)

Text proposed by the Commission

Amendment

(ta) ‘hit-and-run’ means a situation in which the offender drives away after causing an accident or traffic collision in order to avoid facing the criminal consequences of the offence associated with serious injuries and fatalities;

Amendment 35

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point z a (new)

Text proposed by the Commission

Amendment

(za) ‘debt collection service provider’ is a private entity with separate legal personality which administers the follow-up proceedings initiated under Article 5(1) of this Directive, or a part thereof, including the enforcement of financial penalties, accredited at a national contact point to request the vehicle registration data, and a subject to Regulation (EU) 2016/679 and Directive (EU) 2016/680;

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 1 – point z b (new)

Text proposed by the Commission

Amendment

(zb) ‘competent authority’ is an

authority designated for the purposes of this Directive;

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive (EU) 2015/413

Article 3a – paragraph 1

Text proposed by the Commission

1. For the purposes of the exchange of information under this Directive, each Member State shall designate a national contact point. The powers of the national contact points shall be governed by the applicable law of the Member State concerned.

Amendment

1. For the purposes of the exchange of information ***and the provision of mutual assistance*** under this Directive, each Member State shall designate a national contact point. The powers of the national contact points shall be governed by the applicable law of the Member State concerned.

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) data relating to owners, holders, or ***end users of the vehicles*** where available.

Amendment

(b) data relating to owners, ***or holders of vehicles*** or, where ***applicable and available, data identifying the end users thereof.***

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

A competent authority may first request

access to the data relating to vehicles, as detailed in Section 2, Part 1 of the Annex in order to determine if an offence has been committed. Where, on the basis of such data, it is established that an offence was committed, the competent authority shall request access to the data concerning the owner, holder or end user of the vehicles, as detailed in Section 2, Parts II, III, IV or V of the Annex.

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 3

Text proposed by the Commission

3. Member States shall retain the data elements referred to in Section 2, Part IV and, when available, Section 2, Part V of the Annex, in the national vehicle registers for at least 6 months after any modification of the ownership or use of the vehicle in question.

Amendment

3. Member States shall retain the data elements referred to in Section 2, Part IV and, when available, Section 2, Part V of the Annex, in the national vehicle registers for at least 6 months after any modification of the ownership or use of the vehicle in question, ***and for no longer than 4 years.***

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

(b) the vehicle's full registration number is not provided in the search conducted in the form of an outgoing request under paragraph 1;

Amendment

(b) the vehicle's full registration number is not provided in the search conducted in the form of an outgoing request under paragraph 1 ***or is provided but is invalid;***

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) to ask the owner, holder or end user of the vehicle, or any person presumed to be liable for one of the road-safety-related traffic offences listed in Article 2(1) to provide information on the identity of the liable person, in accordance with its national law.

Amendment

(b) to ask the owner, holder or end user of the vehicle, or any person presumed to be liable for one of the road-safety-related traffic offences listed in Article 2(1) to provide information on the identity **and contact information** of the liable person, in accordance with its national law.

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 4 – subparagraph 1

Text proposed by the Commission

Where the Member State of registration or the Member State of residence receives a request referred to in paragraph 3, it shall gather the requested information, unless it decides to invoke one of the grounds for refusal listed in paragraph 7 or it is not possible to gather the requested information. The Member State of registration or Member State of residence shall transmit the requested information electronically **without undue delay** via its national contact point to the national contact point of the Member State of the offence.

Amendment

Where the Member State of registration or the Member State of residence receives a request referred to in paragraph 3, it shall gather the requested information, unless it decides to invoke one of the grounds for refusal listed in paragraph 7 or it is not possible to gather the requested information. The Member State of registration or Member State of residence shall transmit the requested information electronically **within a period not exceeding 30 working days** via its national contact point to the national contact point of the Member State of the offence.

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 5 – subparagraph 1 and 2

Text proposed by the Commission

Member States shall ensure that they provide the requested information without any undue delay from the receipt of the request.

Where it is not possible to gather the information ***without undue delay*** from the receipt of the request, the national contact points of the Member State of registration or the Member State of residence shall transmit that information to the Member State of the offence as soon as possible, with an adequate explanation of the reasons for the delay.

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 7 – subparagraph 2

Text proposed by the Commission

Member States shall decide as soon as possible, but at the latest within 15 days after receiving the request, whether they invoke a ground for refusal. Member States which decide to apply a ground for refusal shall inform the Member State of the offence thereof via its national contact point, ***without any undue delay***.

Amendment

Member States shall ensure that they provide the requested information without any undue delay from the receipt of the request, ***within a period not exceeding 30 working days***. Where it is not possible to gather the information, ***within a period not exceeding 30 working days*** from the receipt of the request, the national contact points of the Member State of registration or the Member State of residence shall transmit that information to the Member State of the offence as soon as possible ***and may not exceed 20 working days from the date of the notification of those reasons***, with an adequate explanation of the reasons for the delay.

Amendment

Member States shall decide as soon as possible, but at the latest within 15 days after receiving the request, whether they invoke a ground for refusal. Member States which decide to apply a ground for refusal shall inform the Member State of the offence thereof via its national contact point ***no later than 15 working days after a decision to refuse the request. Requested***

Member States shall as a minimum indicate which specific ground for refusal they have decided to apply.

Amendment 46

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 10 – subparagraph 2

Text proposed by the Commission

The information provided in response to the request shall be communicated in the language or languages of the Member State of the offence notified to the Commission in accordance with Article 5a(8).

Amendment

The information provided in response to the request shall be communicated in the language or languages of the Member State of the offence notified to the Commission in accordance with Article 5a(8). ***In addition, and with a view to reducing the administrative burden and to simplifying the procedure, the Commission may introduce uniform templates, which may also include codes once these are deemed to be sufficiently well-developed, provided that the content and format of the request and response remain sufficiently clear for the addressees and authorities to clearly and easily understand them. If the Commission chooses to do so, the Commission is empowered to adopt delegated acts in accordance with Article 10 in order to introduce these templates and codes.***

Amendment 47

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 11 – point a a (new)

Text proposed by the Commission

Amendment

(aa) name of the competent authority which is making the request and why;

Amendment 48

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4a – paragraph 11 – point a b (new)

Text proposed by the Commission

Amendment

(ab) offence or offences listed in Article 2(1) which the request relates to;

Amendment 49

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4c – paragraph 1

Text proposed by the Commission

Amendment

‘Member States may exchange or access data by using other databases such as driving licence registers or population registers for the sole purpose of the identification of the liable person. They shall do so only in so far as such exchange or access is **explicitly** based on Union legislation.’

‘Member States may exchange or access data by using other databases such as driving licence registers or population registers for the sole purpose of the identification of the liable person. They shall do so only in so far as such exchange or access is **allowed** based on Union legislation. **The exchange or access of data shall be facilitated by automated and electronic means.**’

Justification

Data should be exchanged and accessed by automated and electronic means in order not to create additional administrative burden for authorities and make the exchange as simple as possible.

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where the Member State of the offence decides to initiate such proceedings, that Member State shall promptly inform the presumed liable person about the road-safety-related traffic offence and of the decision to initiate follow-up proceedings by an information letter.

Amendment

Where the Member State of the offence decides to initiate such proceedings, that Member State shall promptly inform the presumed liable person about the road-safety-related traffic offence and of the decision to initiate follow-up proceedings by an information letter, ***whilst respecting the time limit set out in Article 5a, paragraph 2.***

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2 – point g

Text proposed by the Commission

(g) where applicable, detailed information on the name, address and International Bank Account Number (IBAN) of the authority where an imposed financial penalty can be settled, on the deadline for the payment and on alternative payment methods, in particular specific software applications, as long as those methods are accessible to both residents and non-residents;

Amendment

(g) where applicable, detailed information on the name, address and International Bank Account Number (IBAN) of the authority where an imposed financial penalty can be settled, on the deadline for the payment and on ***viable and accessible*** payment methods, in particular specific software applications, as long as those methods are accessible to both residents and non-residents;

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2 – point h

Text proposed by the Commission

(h) information on the applicable data protection rules, the rights of the data subjects and the availability of further

Amendment

(h) ***clear and comprehensive*** information on the applicable data protection rules, the rights of the data

information *or* reference to the place where this information may be easily retrieved pursuant to Article 13 of Directive (EU) 2016/680 of the European Parliament and of the Council, including information from which source the personal data originate, or Article 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council;

subjects and the availability of further information *and* reference to the place where this information may be easily retrieved pursuant to Article 13 of Directive (EU) 2016/680 of the European Parliament and of the Council, including information from which source the personal data originate, or Article 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council;

Amendment 53

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2 – point j a (new)

Text proposed by the Commission

Amendment

(ja) a link and, if possible, a QR code to the portal referred to in Article 8

Amendment 54

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. By way of derogation from paragraph 2, Member States shall ensure that in the case where the liable person is a non-resident driver who was checked on the spot in a road control, the information letter contains at least the data listed in paragraph 2, points (c), (d), (e) *and (g)*.

3. By way of derogation from paragraph 2, Member States shall ensure that in the case where the liable person is a non-resident driver who was checked on the spot in a road control, the information letter contains at least the data listed in paragraph 2, points (c), (d), (e), *(g) and (i)*.

Amendment 55

Proposal for a directive

Article 1 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

3a. Member States shall ensure that in cases where the liable person is a non-resident driver who was checked on the spot in the course of a road control and where the enforcement of the committed offence was finalised by the competent authority by the imposition of the financial penalty paid by the liable person on the spot, this person shall receive at least the following information:

(a) a receipt for the financial transaction;

(b) the contact information of the competent authority;

(c) information on the offences committed and, if relevant, how to ensure compliance in future;

(d) a link and, if possible, a QR code to the portal referred to in Article 8.

Amendment 56

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that the start of the time limits for non-residents to exercise their rights of appeal or to mitigate sanctions, in accordance with paragraph 2, points (e) and (i) points (e) and (i), correspond to the date of the receipt of the information letter.

5. Member States shall ensure that the start of the time limits for non-residents to exercise their rights of appeal or to mitigate sanctions, in accordance with paragraph 2, points (e) and (i) points (e) and (i), **are proportionate to ensure the effective exercise of such rights and** correspond to the date of the receipt of the information letter.'

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 1

Text proposed by the Commission

1. Member States shall send the information letter and the follow-up documents to the presumed liable persons by registered delivery or electronic means with equal value in accordance with Chapter III, Section 7 of Regulation (EU) 910/2014 of the European Parliament and of the Council*, or in the case referred to in Article 5(3) of this Regulation give the information letter directly to the presumed liable person.

Amendment

1. Member States shall send the information letter and the follow-up documents to the presumed liable persons by registered delivery, **registered mail** or electronic means with equal value in accordance with Chapter III, Section 7 of Regulation (EU) 910/2014 of the European Parliament and of the Council*, or in the case referred to in Article 5(3) of this Regulation give the information letter directly to the presumed liable person.

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 2

Text proposed by the Commission

2 Member States shall ensure that the information letter is sent no later than one month from the registration of a road-safety-related traffic offence listed in Article 2(1), or where more information letters need to be sent during the investigation, 15 days from the event that made sending the subsequent information letters necessary.

Amendment

2 Member States shall ensure that the information letter is sent no later than one month from the registration of a road-safety-related traffic offence listed in Article 2(1), **counting from the day of the incident**, or where more information letters need to be sent during the investigation, 15 days from the event that made sending the subsequent information letters necessary.

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 3 – point b

Text proposed by the Commission

(b) the procedural rules under the national law of the Member State of the offence require proof of service of the document, other than proof that can be obtained by registered delivery or by equivalent electronic means;

Amendment

(b) the procedural rules under the national law of the Member State of the offence require proof of service of the document, other than proof that can be obtained by registered delivery, **registered mail** or by equivalent electronic means;

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 3 – point c

Text proposed by the Commission

(c) it has not been possible to serve the document by registered delivery or by equivalent electronic means;

Amendment

(c) it has not been possible to serve the document by registered delivery, **registered mail** or by equivalent electronic means;

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 3 – point d

Text proposed by the Commission

(d) the Member State of the offence has justified reasons for considering that the service of the document by registered delivery or by equivalent electronic means in that particular case will be ineffective or is inappropriate.

Amendment

(d) the Member State of the offence has justified reasons for considering that the service of the document by registered delivery, **registered mail** or by equivalent electronic means in that particular case will be ineffective or is inappropriate.

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 7

Text proposed by the Commission

7. The request referred to in paragraph 4 shall be communicated in the language or one of the languages of the Member State of registration or Member State of residence notified to the Commission in accordance with paragraph 8. The certificate referred to in paragraph 6 shall be communicated in the language of the Member State of the offence notified of the Commission in accordance with paragraph 8.

Amendment

7. The request referred to in paragraph 4 shall be communicated in the language or one of the languages of the Member State of registration or Member State of residence notified to the Commission in accordance with paragraph 8. The certificate referred to in paragraph 6 shall be communicated in the language of the Member State of the offence notified of the Commission in accordance with paragraph 8. ***With a view to reducing the administrative burden and simplifying the procedure, the Commission may, for both documents referred to in the present paragraph, introduce uniform templates, which may also involve the use of codes once these are deemed to be sufficiently well-developed, provided that the content and format of the request and certificate remain sufficiently clear for the addressees and authorities to clearly and easily understand them. If the Commission chooses to do so, the Commission is empowered to adopt delegated acts in accordance with Article 10 in order to introduce these templates and codes.***

Amendment 63

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5a – paragraph 9

Text proposed by the Commission

9. Member States shall ensure that the presumed liable persons are allowed to communicate with the authorities of the Member State of the offence, until the stage of appeal before a court, in any of the languages communicated by either the Member State of registration or the Member State of residence, or by the

Amendment

9. Member States shall ensure that the presumed liable persons are allowed to communicate with the authorities of the Member State of the offence, until the stage of appeal before a court, in any of the languages communicated by either the Member State of registration or the Member State of residence, or by the

Member State of the offence to the Commission in accordance with paragraph 8, or, if the concerned person has insufficient knowledge of those languages, in a Union language that the person speaks or understands.

Member State of the offence to the Commission in accordance with paragraph 8, or, if the concerned person has insufficient knowledge of those languages, in a Union language that the person speaks or understands. ***Member States are encouraged to permit persons who are presumed to be liable to connect remotely to court proceedings by video link.***

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5b – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that such a private entity enforcing financial penalties acts in accordance with data protection requirements, pursuant to Regulation (EU) 2016/679 and Directive (EU) 2016/680.

Amendment 65

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 6 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

1 At the latest on ***the following dates:*** 6 May 2024, ***6 May 2026 (...)***, each Member State shall send a comprehensive report to the Commission in accordance with the second and third subparagraph of this paragraph.

1 At the latest on 6 May 2024, ***and every two years thereafter***, each Member State shall send a comprehensive report to the Commission in accordance with the second and third subparagraph of this paragraph. (...)

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 6 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

The report shall also include a description of the situation at national level in relation to the follow-up given to the road-safety-related traffic offences. The description shall at least specify:

Amendment

The report shall also include a description of the situation at national level in relation to the follow-up given to the road-safety-related traffic offences **and any related problems encountered by Member States**. The description shall at least specify: (...)

Amendment 67

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 6 – paragraph 4

Text proposed by the Commission

4. The Commission shall assess the reports sent by the Member States and inform the Committee referred to in Article 10a on their content no later than 6 months after receiving the reports from all the Member States.

Amendment

4. The Commission shall assess the reports sent by the Member States and inform the Committee referred to in Article 10a on their content no later than 6 months after receiving the reports from all the Member States. **Those reports shall also be published on the website of the portal referred to in Article 8.**

Amendment 68

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 8 – paragraph 1 – point a

Text proposed by the Commission

(a) sharing information with road users on the rules in force in Member States in the field covered by this Directive, in particular road-safety-related traffic rules, appeal procedures, applied sanctions, and

Amendment

(a) sharing information with road users on the rules in force in Member States in the field covered by this Directive, in particular road-safety-related traffic rules **and how drivers can comply with them,**

the schemes and available means for the payment of financial penalties;

appeal procedures, applied sanctions, and the schemes and available means for the payment of financial penalties;

Amendment 69

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 8 – paragraph 3

Text proposed by the Commission

3. Member States shall help road users in verifying the authenticity of the information letters and follow-up documents. For this purpose, Member States shall share with each other and with the Commission through the CBE Portal the templates of information letters and follow-up documents issued by their authorities, which are used in cross-border cases. Member States shall also inform each other on the authorities and empowered legal entities that have the right to issue those letters and documents. The Commission shall be the **controller** of the CBE Portal, in accordance with Regulation 2018/1725**.

** Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, (OJ L 295, 21.11.2018, p. 39).

Amendment

3. Member States shall help road users in verifying the authenticity of the information letters and follow-up documents. For this purpose, Member States shall share with each other and with the Commission through the CBE Portal the templates of information letters and follow-up documents issued by their authorities, which are used in cross-border cases. Member States shall also inform each other on the authorities and empowered legal entities that have the right to issue those letters and documents. The Commission **and Member States** shall be the **joint controllers** of the CBE Portal, in accordance with Regulation 2018/1725**.

** Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, (OJ L 295, 21.11.2018, p. 39).

Amendment 70

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive (EU) 2015/413
Article 8 – paragraph 5

Text proposed by the Commission

5. Member States shall provide up-to-date information to each other and to the Commission, for the purposes of this Article, and interact with road users through the CBE Portal on a regular basis.

Amendment

5. Member States shall provide up-to-date information to each other and to the Commission, for the purposes of this Article, and interact with road users through the CBE Portal on a regular basis. ***Member States shall ensure that a link to the online portal is provided on the websites of their national contact points. Any personal data processes under this Article shall be retained for a maximum of four years.***

Amendment 71

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/413
Article 8a

Text proposed by the Commission

Article 8a
Financial support for cross-border cooperation in enforcement activities
The Commission shall provide financial support to initiatives that contribute to cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union, in particular the exchange of best practices, the application of smart enforcement methodologies and techniques in the Member States, increasing the capacity building of enforcement authorities and awareness raising campaigns regarding cross-border enforcement actions.

Amendment

Article 8a
Financial support for cross-border cooperation in enforcement activities
The Commission shall provide financial support to initiatives that contribute to cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union, in particular the exchange of best practices, the application of smart enforcement methodologies and techniques in the Member States increasing the capacity building of enforcement authorities and awareness raising campaigns regarding cross-border enforcement actions. ***The exchange of best practices should be based on the publishing of new and revised Commission's Recommendation 2004/345 on enforcement and sanctions in the field***

of road safety. These new and revised recommendations should encourage Member States to achieve high standards on enforcement.

The Commission and Member States shall also support Member States in digitising the data covered in Annex III of Directive 2010/40/EU that are relevant for the offences set out in Article 2(1).

Amendment 72

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)
Directive (EU) 2015/413
Article 8 a a (new)

Text proposed by the Commission

Amendment

(9a) the following article is inserted:

‘Article 8aa

Enforcement

Revenues generated from financial penalties for road safety-related traffic offences, or the equivalent in the financial value of those revenues, shall be used to increase road safety.

Where such revenues are allocated to the general budget of a Member State, a Member State shall be deemed to have complied with the first subparagraph of this paragraph if it implements financial support policies to increase road safety which have a value equivalent to the revenues generated from financial penalties to road-safety-related traffic offences defined in Article 3 of this Directive.

By [6 May 2026], and every [three] years thereafter, Member States shall make public in aggregate form a report on the use of revenues generated from financial penalties.

Amendment 73

Proposal for a directive
Article 1 – paragraph 1 – point 9 b (new)
Directive (EU) 2015/413
Article 8 ab (new)

Text proposed by the Commission

Amendment

(9b) the following article is inserted:

‘Article 8ab

Exchange of information on traffic offences with neighbouring third countries

By no later than [two years after the entry into force of this Directive], the Commission shall analyse in the light of a legal opinion how to effectively enforce the offences defined by this Directive under European Convention on the Mutual Assistance in Criminal Matters of 1959 and its protocols (MLA) identifying effective and efficient measures to improve road safety and at the same time safeguarding data protection requirements, in particular of the Union vehicle holders and drivers;

With the view to addressing road-safety-related traffic offences committed by third-country nationals, it shall be possible for third countries to participate in the exchange of Vehicle Registration Data (VRD), provided that they have concluded an agreement with the Union to this effect. Such an agreement shall include necessary provisions for data protection.

In case of a long waiting time for the conclusion of such an agreement, Member States, in cooperation with the Commission, shall develop a dedicated solution to detect presumed traffic offenders on the spot while they try to cross external borders of the Union in order to charge a financial penalty for the road-safety-related traffic offence that

took place on its territory.

Amendment 74

Proposal for a directive
Annex – point 1 – table
 Directive (EU) 2015/413
 Annex I – table 1

Text proposed by the Commission

Item	M/O ⁽¹⁾	Remarks
Member State of registration	M	Distinguishing sign ⁽²⁾ of the Member State of registration of the detected vehicle
Registration number	M	Full registration number of the detected vehicle
Data relating to the offence	M	
Member State of the offence	M	Distinguishing sign ⁽²⁾ of the Member State of the offence
Reference date of the offence	M	
Reference time of the offence	M	
Purpose of the search	M	Code indicating the type of road-safety-related traffic offence as listed in Article 2(1) 1. = Speeding 2. = Drink-driving 3. = Failing to use a seat belt 4. = Failing to stop at a red traffic light 5. = Use of a forbidden lane 10. = Driving under the influence of drugs 11. = Failing to wear a safety helmet 12. = Illegally using a mobile phone or any other communication devices while driving [...] = Not keeping sufficient distance from the vehicle in front [...] = Dangerous overtaking [...] = Dangerous parking [...] = Crossing one or more solid white lines [...] = Wrong-way driving [...] = Not respecting the rules on the creation and use of emergency corridors [...] = Using an overloaded vehicle

⁽¹⁾ M = Mandatory communication of the data element, O = Optional communication of the data element.

⁽²⁾ ⁽²⁾ Distinguishing sign in accordance with Article 37 of Vienna Convention of 8 November 1968 concluded under the auspices of the

Amendment

Item	M/O ⁽¹⁾	Remarks
Member State of registration	M	Distinguishing sign ⁽²⁾ of the Member State of registration of the detected vehicle
Registration number	M	Full registration number of the detected vehicle
Data relating to the offence	M	
Member State of the offence	M	Distinguishing sign ⁽²⁾ of the Member State of the offence
Reference date of the offence	M	
Reference time of the offence	M	
Purpose of the search	M	Code indicating the type of road-safety-related traffic_offence as listed in Article 2(1) 1. = Speeding 2. = Drink-driving 3. = Failing to use a seat belt 4. = Failing to stop at a red traffic light 5. = Use of a forbidden lane 10. = Driving under the influence of drugs 11. = Failing to wear a safety helmet 12. = Illegally using a mobile phone or any other communication devices while driving [...] = Not keeping the required distance from the vehicle in front [...] = Dangerous overtaking that does not comply with traffic regulations ; [...] = Dangerous parking in an unauthorised place posing a serious risk to other road users ; [...] = Crossing one or more solid white lines [...] = Wrong-way driving [...] = Not respecting the rules on the creation and use of emergency corridors [...] = driving an overloaded vehicle [...] = hit and run

⁽¹⁾ M = Mandatory communication of the data element, O = Optional communication of the data element.

⁽²⁾ ⁽³⁾ Distinguishing sign in accordance with Article 37 of Vienna Convention of 8 November 1968 concluded under the auspices of the United Nations Economic Commission for Europe.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
European Transport Safety Council
Federation of European Motorcyclists Associations
European Parking Association
Polish Organisation of Parking Industry

The list above is drawn up under the exclusive responsibility of the rapporteur.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences	
References	COM(2023)0126 – C9-0034/2023 – 2023/0052(COD)	
Date submitted to Parliament	1.3.2023	
Committee responsible Date announced in plenary	TRAN 16.3.2023	
Committees asked for opinions Date announced in plenary	BUDG 16.3.2023	LIBE 16.3.2023
Not delivering opinions Date of decision	BUDG 28.3.2023	LIBE 31.3.2023
Rapporteurs Date appointed	Kosma Złotowski 14.4.2023	
Discussed in committee	27.6.2023	
Date adopted	29.11.2023	
Result of final vote	+: 37 -: 0 0: 5	
Members present for the final vote	Andris Ameriks, José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Karolin Braunsberger-Reinhold, Ciarán Cuffe, Jakop G. Dalunde, Isabel García Muñoz, Jens Gieseke, Elsi Katainen, Elena Kountoura, Bogusław Liberadzki, Peter Lundgren, Benoît Lutgen, Marian-Jean Marinescu, Tilly Metz, Cláudia Monteiro de Aguiar, Jan-Christoph Oetjen, Tomasz Piotr Poręba, Bergur Løkke Rasmussen, Dominique Riquet, Thomas Rudner, Massimiliano Salini, Vera Tax, István Ujhelyi, Achille Variati, Henna Virkkunen, Petar Vitanov, Roberts Zīle, Kosma Złotowski	
Substitutes present for the final vote	Pablo Arias Echeverría, Ignazio Corrao, Andor Deli, Angel Dzhambazki, Roman Haider, Ljudmila Novak, Marianne Vind	
Substitutes under Rule 209(7) present for the final vote	Hildegard Bentele, Theresa Bielowski, Vasile Blaga, Janina Ochojska, Francesca Peppucci, Catharina Rinzema	
Date tabled	5.12.2023	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

37	+
ECR	Angel Dzhambazki, Peter Lundgren, Tomasz Piotr Poręba, Roberts Zīle, Kosma Złotowski
NI	Andor Deli
PPE	Pablo Arias Echeverría, Hildegard Bentele, Vasile Blaga, Karolin Braunsberger-Reinhold, Jens Gieseke, Benoît Lutgen, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Ljudmila Novak, Janina Ochojska, Francesca Peppucci, Massimiliano Salini, Henna Virkkunen
Renew	José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Elsi Katainen, Jan-Christoph Oetjen, Bergur Løkke Rasmussen, Catharina Rinzema, Dominique Riquet
S&D	Andris Ameriks, Theresa Bielowski, Isabel García Muñoz, Bogusław Liberadzki, Thomas Rudner, Vera Tax, István Ujhelyi, Achille Variati, Marianne Vind, Petar Vitanov
The Left	Elena Kountoura

0	-

5	0
ID	Roman Haider
Verts/ALE	Ignazio Corrao, Ciarán Cuffe, Jakop G. Dalunde, Tilly Metz

Key to symbols:

+ : in favour

- : against

0 : abstention