

# First general findings and recommendations

Stakeholder workshop: Assessment of the implementation of the ELV Directive (2000/53/EU) with emphasis on the ELVs of unknown whereabouts

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# Agenda

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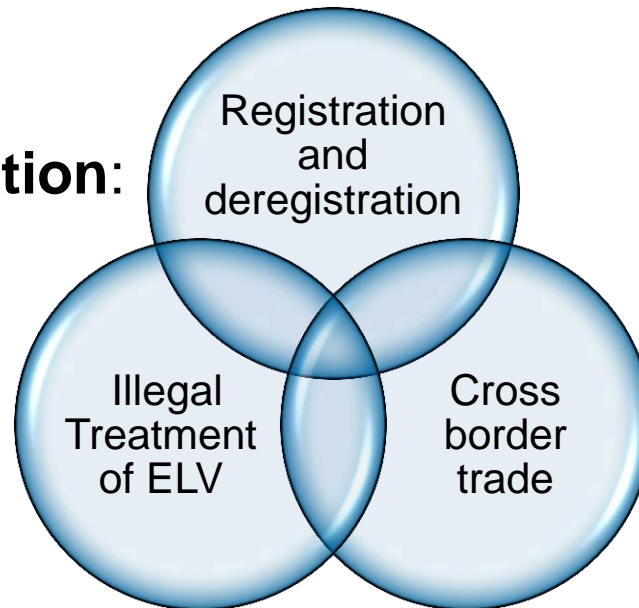
- 1. Background**
- 2. Registration and deregistration - Discussion -**
- 3. Import / export - Discussion -**
- 4. Illegal treatment of ELVs - Discussion -**
- 5. Revision of Com Dec 2005/293 - Discussion -**

# 1. Background (1)

## Reasons for **action at an EU level**:

- Environmental concerns
- Concerns about distortions of the level playing field for legal operators

## Three **fields for action**:



No general objections identified during the public consultation

## 1. Background (2)

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Received **valuable suggestions** from diverse stakeholders that offer:

- New ideas (or specific critical aspects) and
- Details for particular challenges and solutions in MS

These (additional) **suggestions** can:

- Serve as starting point to assess options in detail (impact assessment, if necessary) on EU level and
- Be used in national discussions on how to support enforcement of the ELV Directive.

## 2. Registration and deregistration (1): Links between ELVs and registration documents

Art. 5(3) ELV-Directive 2000/53/EC:

- *“Member States shall set up a system according to which the presentation of a CoD is a condition for **deregistration** of the ELV. This CoD shall be issued **to the holder and/ or owner** when the ELV is transferred to a treatment facility.”*

Art. 3a(3) Dir 1999/37/EC\*:

- *In the event that ... a Member State receives notification that a vehicle has been treated as an ELV ... , the registration of that vehicle shall be **cancelled permanently** and information to that effect shall be added **to the electronic register**.*
- “final deregistration”: No reference (!)

\* As amendment by Directive 2014/46/EU and applicable latest from 20 May 2018

## 2. Registration and deregistration (2): Links between ELVs and registration documents

Other differences in wording:

Art. 2(e) Dir 1999/37/EC\*:

- ... *suspension* means a limited period of time in which a vehicle is not authorised by a Member State to be used in road traffic ... it may be authorised to be used again without involving a new process of registration.

Recital (17) Dir 2000/53/EC:

- *This Directive does not prevent Member States from granting, where appropriate, temporary deregistrations of vehicles.*

\* As amendment by Directive 2014/46/EU and applicable latest from 20 May 2018

## 2. Registration and deregistration (3): Conditions weakening the CoDs

- Not all MS set up systems for **electronic notification of CoDs to** authorities.
- Some MS maintain regulations that help vehicle holders/ owners to **bypass requirements** to submit a CoD to authorities for deregistration:
  - allow “temporary deregistration” with subsequent automatic permanent cancellation;
    - *Important loophole that bypasses the ELV Directive*
  - Change in ownership is not traced while vehicle is “temporary deregistered”
- Few MS have established legal systems that **incentivise/ penalise** vehicle holders/ owners to submit CoDs to authorities

## 2. Registration and deregistration (4): Monitoring and reporting

Art. 3(4) Dir 1999/37/EC\*:

- *Member States shall record electronically data on all vehicles registered on their territory. Those data shall include:*
  - (a) all mandatory elements from Annex I, II5....;*
  - (c) the outcome of mandatory periodic roadworthiness tests ....*
  - **No obligation to record data on indemnity insurance**
  
- Eurostat Transport Statistics: voluntary reporting.

\* As amendment by Directive 2014/46/EU and applicable latest from 20 May 2018



## 2. Registration and deregistration (5): Recommendations

- a) Avoid the term “final deregistration”
- b) ELV Directive 2000/53/EC:
  - Recital (17): Replace “temporary deregistration” with “suspension”, refer to Dir 1999/37/EC
  - Art. 5(3): Replace “deregistration” with “permanent cancellation”, refer to Dir 1999/37/EC
  - Add to Art. 5(3):
    - MS shall set up a system to electronically inform relevant authorities when a CoD is issued.
    - MS shall inform country of last registration, where relevant.

## 2. Registration and deregistration (6): Recommendations

- c) Define the conditions for “permanent cancellation”:
- CoD;
  - Exported;
  - Stolen;
  - Other reasons (statement / documents from owner that the vehicle is no longer available for re-registration)
  - “temporary deregistration” (or “suspension”) shall, after the time limit, not automatically change to “permanent cancellation”.
    - Instead, last owner shall (automatically) be requested for statement on vehicular status.
    - possibly connected with annual administrative fees
    - exemption possible for vintage vehicles.

## 2. Registration and deregistration (7): Recommendations

- d. Make **reporting** on stock of road vehicles **obligatory** along with more **detailed information** on vehicular age

Art. 3 Dir 1999/37/EC\*

*(4) Member States shall record electronically data on all vehicles registered on their territory. Those data shall include:*

- (a) all mandatory elements from Annex I, II5..., where ...available;*
- (c) the outcome of mandatory periodic roadworthiness tests ....*

Add to Art. 3:

(d) the status of the indemnity insurance,

(4a) Member States shall report to the EC data on the number of vehicles registered and selected characteristics of the vehicles.

(4b) The details for such reporting to be agreed by expert groups/ TAC accordingly.

\* As amendment by Directive 2014/46/EU and applicable latest from 20 May 2018

## 2. Registration and Deregistration

Questions or remarks



### 3. Import / export of used vehicles (1): Sources for data on intra-EU import / export

- Foreign Trade Statistics (FTS) Data on intra-EU trade are not reliable for reporting on import / export of used vehicles.
- Article 5 (2) of Directive 1999/37/EC stipulates: *re-registering a vehicle previously registered in another Member State: the MS of destination shall, within two months, inform the authorities of the Member State which delivered the certificate of its withdrawal.*
- Detailed comparison of information on re-registration, according and FTS on intra-EU trade, might motivate further intelligence.

### 3. Import / export of used vehicles (2): Sources for data on extra-EU import / export

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- Data from customs services on extra-EU trade are more reliable than data for intra-EU trade
- Need for agreements with relevant extra-EU countries to exchange information about re-registrations
- Need for standardised procedures to report transit with final extra-EU export

### 3. Import / export of used vehicles (3): Sources used by the countries for reporting

- 26 countries (of 31) provided a Quality Report together with data to Eurostat for ELV reporting in 2016
- 12 could not report on import / export
- 13 reported data based on customs data or without explicit sources or other unexplained estimations.
- One country referred to data exchange for re-registration across Europe according to Article 5 (2) of Directive 1999/37/EC
- Countries do not use the available sources to address this aspect.

### 3. Import / export of used vehicles (4): Recommendation: introduce new table for reporting

Imported during the reference year
from other Member States and re-registered
from non-EU locations and re-registered
additional imports, not registered (estimation is possible)
Exported during the reference year
to other Member States and re-registered in other Member States
to non-EU locations and re-registered in non-EU
additional exports, not re-registered in the country of destination or re-registration not known (estimation is possible)



### 3. Import / export (5): Recommendation: Distinguish ELVs/ used vehicles

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- Make application of Correspondents Guidance No 9 binding
- Establish procedures requiring documents for exporting “old” vehicles (e.g. > 14 years)

### 3. Import / export

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Questions or remarks



## 4. Illegal treatment of ELVs; Recommendations

**Inspections** of the “grey sector”, including the (grey) sector for used spare parts.

- Dir 2000/53/EC: Establish the requirement
  - to prepare national inspection plans
  - to report on the inspection plans and
  - the results of the inspections

To be addressed on the **national level**:

- Obligatory information when selling used spare parts: VIN & ATF origin
- Incentives / (refundable) recycling fees or similar: in principle possible, see examples like Denmark and Netherlands

## 4. Illegal treatment of ELVs

Questions or remarks



## 5. Revision of Commission Decision 2005/293 (1)

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1. Align and make consistent introductions and definitions
2. Simplify reporting on import/ export of ELVs
3. Define the details for reporting on imports/ exports of used vehicles (slide 16)
4. Define the details for reporting on national vehicle markets
5. Make provisions for the level of details in the quality reports and ensure that reports shall be published unless MS explicitly refuses publication
6. Request reporting on inspections/ enforcement actions

# 5. Revision of Commission Decision 2005/293 (2)

## Simplify Table 3 of 2005/263/EC

	Total	Reuse	Recycling	Energy recovery	Other recovery	Disposal
<b>Exported to other Member States:</b>						
<b>End-of-life vehicles</b>						
<b>End-of-life vehicles containing neither liquids nor other hazardous components</b>						
<b>Exported outside the EU:</b>						
<b>End-of-life vehicles</b>						
<b>End-of-life vehicles containing neither liquids nor other hazardous components</b>						

## 5. Revision of Commission Decision 2005/293 (3)

### Details for reporting on national vehicle markets

Number of CoDs notified	
Total number of vehicles stock	
Number of vehicles temporary deregistered/ with suspended registration	
Number of <u>new</u> vehicles, registered for the first time	
Number of (permanent) cancellation of registration	

## 5. Revision of Commission Decision 2005/293

Questions or remarks





## 6. Aspects to be addressed in Directive 2000/53/EC

1. Deregistration → cancellation of registration
2. Temporary deregistration → suspension
3. Notify CoD to competent authority (both nationally or internationally as applicable)
4. Make Correspondents Guideline No 9 binding
5. Establish procedures requiring documents to export old vehicles to extra-EU
6. Establish obligations for inspection plans and reporting on conducted inspections of the grey dismantling and used spare parts sector

## 6. Aspects to be addressed in Directive 1999/37/EC

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1. Include in article 3(4) the obligation to record information on the indemnity insurance
2. Establish obligations for reporting on characteristics of vehicle stock, new registrations and (permanent) cancellation of registration certificate
3. Establish detailed conditions for (permanent) cancellation of registration
4. Omit „automatic“ (permanent) cancellation of registration, install instead yearly procedure to keep track of the vehicle
5. Clarify how long the information on a CoD should be stored.

## 6. Aspects to be addressed at national level

1. Make it attractive (incentives, refundable fees, ...) or necessary (penalties) to bring the vehicle to and ATF and get a CoD.
2. As long as no European provisions: define the conditions for permanent cancellation of the registration & omit automatic cancellation
3. Establish requirements for used spare parts: need to be accompanied by VIN and information on the origin (ATF registration)

## 6. Aspects to be addressed at general EU level

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1. Provide examples for best performance for all areas of action: DG Environment & DG Move
2. Monitor the performance of the Member states in the enforcement of the ELV directive: DG Environment

## Contact

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