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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**ON THE APPLICATION BY THE MEMBER STATES
OF DIRECTIVE 2000/30/EC OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL OF 6 JUNE 2000 ON THE TECHNICAL ROADSIDE INSPECTION OF
THE ROADWORTHINESS OF COMMERCIAL VEHICLES CIRCULATING IN
THE COMMUNITY**

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1. INTRODUCTION

European legislation lays down a set of measures to ensure that commercial vehicles on European roads are in good condition in the interest of road safety, environmental protection and fair competition:

- rules on admission to the occupation which require transport operators to have sufficient financial capacity to ensure the proper maintenance of vehicles (Directive 62/2005¹);
- periodic roadworthiness tests of vehicles carried out in the Member States at fixed intervals, with a minimum frequency laid down at European level, for vehicles registered on their territory (Directive 96/96/EC²);
- technical roadside inspection, which is the subject of this report, ensuring that at any time commercial vehicles are used only if they are maintained to a high degree of technical roadworthiness (Directive 2000/30/EC³).

Under Directive 2000/30/EC, the Member States should bring into force laws, regulations and administrative provisions necessary to comply with the Directive by 10 August 2002.

Article 6 of Directive 2000/30/EC provides that every two years Member States should communicate to the Commission the data collected relating to the previous two years concerning the number of commercial vehicles checked, classified in seven categories in accordance with the Directive and by country of registration, and the items checked and deficiencies discovered. The Directive lists 12 points that may be checked in technical roadside inspections. Non-compliance of the points checked and any ban on using vehicles showing serious deficiencies should be mentioned in the inspection reports. Article 11 of the Directive provides that the Commission should submit a report to the Council, on the basis of the data received from the Member States, on the application of the Directive together with a summary of the results obtained.

The present Commission report is the first report on the application of Directive 2000/30/EC in the Member States; it covers the period 2003-2004. The data collected by the Member States relating to this period had to be communicated to the Commission by 31 March 2005 at the latest.

¹ Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations OJ L 124, 23.5.1996, p. 1–10.

² Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers, OJ L 46, 17.2.1997, pp. 1-19.

³ Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community, OJ L 203, 10.8.2000, pp. 1-8.

By this deadline only three Member States had supplied information concerning technical roadside inspection. In order to get as complete a picture as possible in this area, the Commission has since the end of March 2005 issued several reminders in order to obtain the maximum number of statistical data. By the end of 2005, nine Member States had transmitted information on the implementation of Directive 2000/30/EC. Following a final reminder sent at the beginning of April 2006, this number rose to 17 Member States by the end of June 2006.

In the Commission's opinion, the present report, based on information furnished by 17 Member States, enables it to make a first overall analysis which justifies the length of time it took to obtain the information required to compile the report.

2. DIRECTIVE 2000/30/EC

Directive 2000/30/EC, as amended⁴, lays down a number of conditions for carrying out technical roadside checks on commercial vehicles circulating in the Community.

Technical roadside inspection means an inspection of a technical nature, not announced by the authorities and therefore unexpected, of a commercial vehicle circulating within the territory of a Member State carried out on the public highway by the authorities, or under their supervision.

Every technical roadside inspection should be carried out without discrimination on the grounds of the nationality of the driver or of the country of registration or entry into service of the commercial vehicle, bearing in mind the need to minimise the costs and delays entailed for drivers and operators.

A targeted approach may be adopted in selecting commercial vehicles for technical roadside inspection, placing special importance on identifying vehicles that seem most likely to be poorly maintained.

If the condition of a commercial vehicle may represent a safety risk such that further examination is justified, the commercial vehicle may be subjected to a more elaborate test at a testing centre in the vicinity. If a commercial vehicle with serious deficiencies presents a serious risk to road safety, its use may be prohibited until the dangerous deficiencies discovered have been rectified.

⁴ Commission Directive 2003/26/EC of 3 April 2003 adapting to technical progress Directive 2000/30/EC of the European Parliament and of the Council as regards speed limiters and exhaust emissions of commercial vehicles, OJ L 90, 8.4.2003, pp. 37-40.

3. DATA COMMUNICATED BY THE MEMBER STATES

Below is an overview of the Member States that have and those that have not communicated data to the Commission for the period 2003-2004.

Member States that have transmitted data	Belgium, Czech Republic ¹ , Denmark, Germany, Estonia, Greece, Italy, Latvia, Luxembourg, Hungary, Malta, Netherlands, Austria, Slovenia, Slovakia, Finland, Sweden, United Kingdom
Member States that have not transmitted data	Spain, France, Ireland, Cyprus, Lithuania ² , Poland, Portugal

¹ Unusable data

² Derogation

4. TYPES OF INFRINGEMENT

The points likely to be checked that have to be included in the data communicated by the Member States concern at least the aspects indicated in point 10 of the specimen report included in Annex I to the Directive:

- (1) braking system and components;
- (2) exhaust system;
- (3) smoke opacity (diesel);
- (4) gaseous emissions (petrol, natural gas or liquefied petroleum gas (LPG));
- (5) steering linkages;
- (6) lamps, lighting and signalling devices;
- (7) wheels/tyres;
- (8) suspension (visible defects);
- (9) chassis (visible defects);
- (10) tachograph (installation);
- (11) speed limiting device (installation);
- (12) evidence of fuel and/or oil spillage

5. STATISTICAL DATA

Overall data

Vehicles checked

The number of vehicles registered in the European Union that were checked in the period 2003-2004 varies considerably from one Member State to another (see Table 1 below).

Table 1: Member States classified by descending number of technical roadside inspections

Reporting Member State	Number of vehicles registered in the EU that were checked		Road traffic 2003-2004 ² (in million vehicles*km)	Checked vehicles/traffic ratio (x100)
	Total	of which buses		
Germany	1 826 219	78 873	1 379 363	132
Hungary	670 225	65 891	n.a.	n.a.
United Kingdom	221 875	34 255	988 933	22
Belgium ¹	104 621	6 211	187 634	56
Austria	53 942	4 814	160 708	34
Sweden	41 903	2 310	148 459	28
Finland	7 804	21	100 680	8
Slovakia	4 853	20	n.a.	n.a.
Italy	2 633	1 082	n.a.	n.a.
Netherlands	1 730	1	269 980	1
Estonia	1 705	144	n.a.	n.a.
Denmark	1 485	13	95 880	2
Slovenia	1 313	182	29 625	4
Lithuania	458	0	n.a.	n.a.
Greece	306	n.a.	n.a.	n.a.
Malta	137	13	n.a.	n.a.
Luxembourg	40	2	n.a.	n.a.

¹ Belgium carries out a significant number of roadside checks, but these do not all include technical inspection, as explained below.

² Source: International Road Traffic and Accident Database of the OECD.

n.a.: not available.

The number of technical roadside inspections is commensurate with the volume of road traffic in each Member State, except for the Netherlands which is in third or fourth place in terms of traffic volume (Hungary's road traffic volume is not available). Apart from the Netherlands, Finland, Denmark and Slovenia also carry out relatively few technical roadside inspections in proportion to the volume of their road traffic. Among the six Member States with the largest

number of technical roadside inspections, the inspection intensity in relation to road traffic volume varies by a factor of 1 to 6.

The proportion of buses in relation to the overall number of vehicles checked in each Member State is generally low. It exceeds 10% of vehicles checked only in Slovenia (11.4%), the United Kingdom (15.4%) and Italy (37.6%). Buses make up less than 1% of vehicles checked in Latvia, the Netherlands, Finland, Slovakia and Denmark.

Registration of vehicles checked

The proportion of vehicles checked that are registered in the Member State in relation to all vehicles checked in technical roadside inspections varies considerably from one Member State to another (see Table 2 below).

Of the vehicles checked in six of the 14 Member States for which all the information concerning the country of registration is available, more than 80% are registered in their own territory. There are not enough overall statistical data to make it possible to cross-reference this information with the road traffic recorded by each Member State on the basis of the country where vehicles are registered.

Table 2: Registration of vehicles checked

Reporting Member State	Registered in the Member State	Registered in the EU	Registered outside the EU	Total	% vehicles of the Member State
Belgium	54 356	50 265	7 358	111 979	48.54%
Denmark	1 398	87	7	1 492	93.70%
Germany	1 414 943	411 276	226 046	2 052 265	68.95%
Estonia	1 235	470	n.a.	n.a.	n.a.
Greece	299	7	286	592	50.51%
Italy	2 337	296	247	2 880	81.15%
Latvia	349	109	99	557	62.66%
Luxembourg	14	26	0	40	35.00%
Hungary	653 041	17 184	n.a.	n.a.	n.a.
Malta	137	0	0	137	100.00%
Netherlands	1 607	123	6	1 736	92.57%
Austria	35 319	18 623	11 701	65 643	53.80%
Slovenia	1 140	173	285	1 598	71.34%
Slovakia	3 972	881	85	4 938	80.44%
Finland	6 993	811	2 234	10 038	69.67%
Sweden	34 702	7 201	1 016	42 919	80.85%
United Kingdom	211 822	10 053	n.a.	n.a.	n.a.

Non-compliant vehicles

The information communicated to the Commission by the Member States shows that the proportion of vehicles regarded as not in compliance with the requirements of Directive 2000/30/EC in relation to all checked vehicles registered in the European Union varies considerably from one Member State to another, from the high proportion of 72.1% for Denmark to only 2.6% for Belgium (see Table 3 below).

Table 3: Proportion of non-compliant vehicles
in relation to all vehicles checked

Reporting Member State	Vehicles registered in the EU (including reporting MS)		Vehicles registered in the reporting Member State	
	Vehicles checked	% non-compliant vehicles	Vehicles checked	% non-compliant vehicles
Denmark	1 485	72.1%	1 398	73.0%
Malta	137	65.0%	137	65.0%
Sweden	41 903	46.9%	34 702	47.6%
United Kingdom	221 875	36.9%	211 822	35.5%
Estonia	1 705	11.9%	1 235	n.a.
Slovenia	1 313	11.0%	1 140	9.8%
Hungary	670 225	10.4%	653 041	10.6%
Germany	1 826 219	10.3%	1 414 943	10.1%
Luxembourg	40	10.0%	14	n.a.
Latvia	458	8.5%	349	10.6%
Belgium	104 621	2.6%	54 356	4.9%
Austria	53 942	n.a.	35 319	n.a.
Finland	7 804	n.a.	6 993	n.a.
Slovakia	4 853	n.a.	3 972	n.a.
Italy	2 633	n.a.	2 337	n.a.
Netherlands	1 730	n.a.	1 607	n.a.
Greece	306	n.a.	299	n.a.

n.a.: not available

These differences may reflect the relative importance which each Member State attaches to technical roadside inspections as compared with other checks carried out along the road regarding other aspects of road transport. For instance, the ratio reported by Belgium does not exclusively concern technical roadside inspections but includes all roadside checks. The report in general distinguishes between checks on compliance with social legislation, exceptional loads, transport of dangerous goods, the eurovignette, and other. Technical

roadside inspections are in general not specifically indicated and the relevant information is not provided in detail.

Of the 11 Member States which have supplied information on the number of non-compliant vehicles and the total number of checked vehicles registered in the European Union, six record the level of non-compliance as between 8.5% and 11.9% (see Table 3).

A sizeable proportion of non-compliant vehicles is recorded by Denmark (72.1%), Malta (65.0%), Sweden (46.9%) and the United Kingdom (36.9%). While Denmark and Malta check a relatively small number of vehicles, the statistics on technical roadside inspections transmitted by Sweden and the United Kingdom cover a large number of vehicles, respectively 41 903 and 221 875 checked vehicles registered in the European Union. The relatively high proportion of vehicles found to be non-compliant in relation to all vehicles checked could be the result of specific targeting of vehicles subject to roadside roadworthiness inspections in these two Member States. For instance, the United Kingdom, aware that stopping a vehicle on the road for roadworthiness checks may have major economic consequences because of the generalised use of the system of overall operation on a just-in-time basis adopts an approach based on an analysis of the risks presented by operators based on parameters reflecting their past performance.

Data per Member State

The data per Member State concerning technical roadside inspections carried out on vehicles registered in other Member States, if available, in general concern only small numbers of vehicles and do not make it possible to draw statistically significant conclusions as to the average physical condition of vehicles circulating outside their country of registration. The conclusions which could be drawn from certain of these data on national level seem indeed to contradict more recent in-depth studies⁵, which conclude that vehicles circulating outside the country of registration present a less satisfactory technical state.

Hungary, Sweden and the **United Kingdom** provide statistics per Member State of registration for a relatively high number of vehicles.

In the case of **Hungary** (see Table 4 below), the *non-compliant/checked vehicles* ratios per Member State of registration are in general lower than the corresponding ratio for vehicles registered in Hungary (10.6%). The number of checked EU vehicles not registered in Hungary (17 184), however, is low in relation to all technical roadside checks reported by the Hungarian authorities (670 225).

⁵ South East International Pilot carried out by the Vehicle and Operator Services Agency and the Highway Agency in 2005 and 2006. The Pilot have shown that 30.60% of non GB HGV and 42.79% of non GB trailers are non compliant with roadworthiness rules while these rates are respectively 24.60% and 30.10% for GB HGV and trailers.

Table 4: Vehicles checked by Hungary

State of registration	Checked vehicles	Non-compliant vehicles	Ratio non-compliant vehicles/checked vehicles
Belgium	34	0	0.0%
Czech Republic	1 272	13	1.0%
Denmark	167	0	0.0%
Germany	634	4	0.6%
Estonia	317	7	2.2%
Greece	27	1	3.7%
Spain	41	0	0%
France	13	0	0%
Ireland	0	n.a.	n.a.
Italy	162	5	3.1%
Cyprus	0	n.a.	n.a.
Latvia	246	6	2.4%
Lithuania	225	4	1.8%
Luxembourg	31	0	0%
Hungary	653 041	69 438	10.6%
Malta	0	n.a.	n.a.
Netherlands	1 202	7	0.6%
Austria	122	0	0.0%
Poland	2 010	13	0.6%
Portugal	36	0	0.0%
Slovenia	4 565	13	0.3%
Slovakia	5 979	25	0.4%
Finland	21	0	0.0%
Sweden	79	0	0.0%
United Kingdom	1	0	0.0%
Total EU	670 225	69 536	10.4%

n.a.: not applicable

In the case of **Sweden** (see Table 5), the *non-compliant vehicles/checked vehicles* ratios per Member State vary between 24.2% for vehicles registered in Austria (95 vehicles checked) and 91.7% for Ireland (12 vehicles checked). The ratio for vehicles registered in Sweden is 47.6%. However, the data per Member State of registration in general concern only a small number of vehicles checked and do not provide sufficient data to draw conclusions of any statistical value. However, attention should be drawn to the high proportion of vehicles found to be non-compliant by the Swedish authorities for vehicles registered in Poland, Latvia, Estonia and Lithuania, involving a relatively high number of vehicles checked.

Table 5: Vehicles checked by Sweden

State of registration	Checked vehicles	Non-compliant vehicles	Ratio non-compliant vehicles/checked vehicles
Belgium	94	48	51.1%
Czech Republic	55	17	30.9%
Denmark	1 536	536	34.9%
Germany	587	208	35.4%
Estonia	285	159	55.8%
Greece	6	2	33.3%
Spain	50	22	44.0%
France	26	7	26.9%
Ireland	12	11	91.7%
Italy	28	15	53.6%
Cyprus	0	n.a.	n.a.
Latvia	186	106	57.0%
Lithuania	373	203	54.4%
Luxembourg	1	0	0.0%
Hungary	34	14	41.2%
Malta	0	n.a.	n.a.
Netherlands	558	230	41.2%
Austria	95	23	24.2%
Poland	1 281	766	59.8%
Portugal	16	4	25.0%
Slovenia	38	25	65.8%
Slovakia	18	13	72.2%
Finland	1 865	700	37.5%
Sweden	34 702	16 514	47.6%
United Kingdom	57	31	54.4%
Total EU	41 903	19 654	46.9%

n.a.: not applicable

For all the vehicles checked in the **United Kingdom** registered in another Member State (see Table 6), the ratios relating to non-compliant vehicles and vehicles banned still exceed the corresponding ratios for vehicles registered in the United Kingdom, which are 35.5% and 27.5% respectively. In particular, this is the case – with a relatively high number of vehicles checked in the United Kingdom – for vehicles registered in Portugal, Spain, Ireland, Italy, Belgium, the Czech Republic, Poland and France.

Table 6: Vehicles checked by the United Kingdom

State of registration	Checked vehicles	Non-compliant vehicles	Ratio non-compliant vehicles/checked vehicles	Banned vehicles	Ratio banned vehicles/checked vehicles
Belgium	699	521	74,5 %	428	61,2 %
Czech Republic	181	128	70,7 %	105	58,0 %
Denmark	60	23	38,3 %	22	36,7 %
Germany	797	324	40,7 %	287	36,0 %
Estonia	26	16	61,5 %	10	38,5 %
Greece	34	29	85,3 %	24	70,6 %
Spain	476	405	85,1 %	341	71,6 %
France	885	446	50,4 %	398	45,0 %
Ireland	3.480	2.894	83,2	2.250	64,7 %
Italy	448	355	79,2 %	301	67,2 %
Cyprus	2	2	100,0 %	2	100,0 %
Latvia	18	11	61,1 %	10	55,6 %
Lithuania	87	59	67,8 %	46	52,9 %
Luxembourg	75	32	42,7 %	29	38,7 %
Hungary	134	51	38,1 %	46	34,3 %
Malta	6	6	100,0 %	6	100,0 %
Netherlands	1.750	891	50,9 %	712	40,7 %
Austria	172	70	40,7 %	64	37,2 %
Poland	397	258	65,0 %	210	52,9 %
Portugal	193	172	89,1 %	132	68,4 %
Slovenia	51	30	58,8 %	25	49,0 %
Slovakia	65	40	61,5 %	33	50,8 %
Finland	0	n.a.	n.a.	n.a.	n.a. %
Sweden	17	11	64,7 %	6	35,3 %
United Kingdom	211.822	75.151	35,5 %	58.229	27,5 %
Total EU	221.875	81.925	36,9 %	63.716	28,7 %

n.a.: not applicable

6. TYPES OF PENALTIES

The Directive does not lay down a system of penalties for violations discovered. Penalties are laid down by the Member States without discrimination on grounds of the nationality of the driver or of the country of registration or entry into service of the commercial vehicle.

Directive 2000/30/EC empowers the authority or inspector carrying out the technical roadside inspection to prohibit the use of a vehicle until the dangerous deficiencies discovered have been rectified if it becomes clear that a commercial vehicle presents a serious risk to its occupants or other road users.

Any serious deficiencies found in a commercial vehicle belonging to a non-resident, in particular those leading to the banning of its use, must be notified to the competent authorities of the Member State where it is registered.

The competent authorities of the Member State where a serious deficiency has been found in a commercial vehicle belonging to a non-resident may ask the competent authorities of the Member State where it is registered to take appropriate measures with regard to the offender, for example subjecting the vehicle to a further roadworthiness inspection.

7. CONCLUSIONS

1. There is poor compliance by most Member States with the obligation to provide statistics and information under Directive 2000/30/EC:

- the data are not communicated by all the Member States;
- where data are communicated, this is not done in proper detail, preventing adequate evaluation of the effectiveness of Community policies on road safety and environmental protection.

The Commission is initiating infringement procedures for failure to meet the obligations imposed by Directive 2000/30/EC against the Member States that have not or have incompletely communicated the data required by the said Directive (Infringements 2007-2041 to 2007-2045).

2. The Directive lays down the model for individual roadworthiness reports. It appears from experience gained with this form that in its present shape it is not easy to use for electronic transmission of all the relevant statistical data to the Commission. As the Directive does not specify any format for the transmission of statistical data, Member States communicate this information by very different methods, making it difficult to collate the results.

It would be better if in future the data were communicated in a computer-processable format. It is necessary, therefore, to specify a common exchange format. On the basis of experience gained in this first exercise, the Commission could propose a common format for the electronic transmission of statistical data to the Commission.

Even though the Directive requires the transmission of data with a particular level of detail (vehicles classified by category and by country of registration, details of items checked and deficiencies encountered on the basis of Annex I to Directive 2000/30/EC), the requisite information is often transmitted in a highly aggregate form, rendering detailed analysis impossible.

The Commission could consider convening the Committee on the adaptation to technical progress responsible for providing assistance in the implementation of Directive 2000/30/EC to find solutions to the difficulties encountered by the Member States in collecting, compiling and transmitting statistical data concerning technical roadside inspections, including any amendments to the specimen technical roadside inspection report laid down in Annex I to Directive 2000/30/EC. The major variations in non-compliance levels noted between the

Member States are inexplicable from the analysis of the information transmitted. An explanation will be sought in consultation with the Member States.

3. Many Member States mainly check vehicles registered in their territory. The proportion of vehicles not registered in their territory in relation to all vehicles checked by the Member States varies greatly (see Table 2). The attention of the Member States should be drawn to the fact that verification of vehicles not registered in their territory helps to spread best practice. Consequently, this proportion ought to be as high as possible in relation to road traffic flows.