



2023/0052(COD)

8.7.2023

AMENDMENTS

24 - 180

Draft report

Kosma Złotowski

(PE749.236v01-00)

Amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences

Proposal for a directive

(COM(2023)0126 – C9-0034/2023 – 2023/0052(COD))

Amendment 24

Ciarán Cuffe

on behalf of the Verts/ALE Group

Draft legislative resolution

Citation 2

Draft legislative resolution

— 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),

Amendment

— having regard to Article 294(2) and Article 91(1)(c) **and point (d)**, of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0034/2023),

Or. en

Amendment 25

Bogusław Liberadzki

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-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.

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.

1a. An understanding of the high probability of an unavoidable penalty is necessary for the reduction of road traffic hazards. Knowledge of the rules in force in the various Member States promotes road safety and a reduction in traffic offences.

Or. pl

Amendment 26
Bogusław Liberadzki

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-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.*

Amendment

(1) *This Directive aims to ensure a high level of protection for all road users in the Union by facilitating the cross-border exchange of information on road-safety related traffic offences and offences related to vehicle access regulations, and thereby facilitate the enforcement of sanctions, where those offences are committed with a vehicle registered in a Member State other than the Member State in which the offence took place.*

Or. en

Amendment 27
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 4

Text proposed by the Commission

(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-

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 link to road safety **and related traffic rules, and improve transport safety.** The extension of the scope should also reflect the technical progress in the automatic detection of road-safety-related traffic offences. **For these**

safety-related traffic offences.

reasons, the scope of the Directive should therefore be extended to cover other related traffic offences including not keeping sufficient distance from the road user in front, dangerous overtaking, dangerous and illegal parking, crossing one or more solid lines, using a defective vehicle, driving without required documentation, and not respecting the rules on vehicle access regulations among others. It would therefore be appropriate to extend the legal basis with Article 91(1), point (d), while taking into account that according to Article 11 of the TFEU environmental protection requirements must be integrated into the implementation of the Union's policies.

Or. en

Amendment 28
Caroline Nagtegaal, Vera Tax, Tom Berendsen

Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Member States experience challenges enforcing national or local legislation regarding vehicle access restrictions, based on road safety, traffic management or pollution prevention, in the case of foreign vehicles registered in another Member State. Therefore, the list of road safety related traffic offences in Article 2 should be extended to cover breaches of vehicle access restrictions rules.

Or. en

Amendment 29
Achille Variati

Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) *The scope of the Directive should also be extended to cover other traffic offences in particular not respecting the rules on vehicle access regulations. Vehicle access regulations include Low Emissions Zones, Limited Traffic Zones, pedestrianised zones and ‘school streets’ while they generally may increase road safety by decreasing traffic and reducing pollution.*

Or. en

Amendment 30
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) *Vehicle access regulations have been put in place across the European Union and include Low Emissions Zones, Limited Traffic Zones, pedestrianised zones and ‘school streets’, among others. Such regulations have been introduced for reasons including road safety, traffic management, and reducing pollution, often in combination. Although the primary purpose of each type of regulation can vary, enforcement of such regulations can bring road safety benefits through a combination of factors, including reducing driver impunity, diverting or eliminating traffic, reducing the number of vehicles in circulation in designated areas, a more efficient use of police resources, and more advanced vehicle safety technologies through the renewal of fleets, while studies have also*

found a causal link between air pollution and poor road safety. When it comes to offences by non-resident drivers, enforcement of these rules is challenging for Member States due to the lack of an appropriate and comprehensive legal framework, which can promote impunity amongst these non-resident drivers. Infringement of these rules by non-resident drivers is a problem often faced in border areas. The unequal treatment of residents and non-resident drivers can also create resentment amongst residents. The absence of an appropriate legal framework when it comes to the cross-border exchange of information for these regulations also creates administrative burdens and additional costs for authorities, including a reliance on debt collection services, the authenticity of which can be harder for presumed offenders to ascertain. Moreover, drivers who may have committed offences under these regulations, or who wish to comply with them, often lack information about how to comply, in addition to not being entitled to the appeal procedures in place under this Directive. Empowering authorities to act within a dedicated legal framework therefore increases transparency, fairness and accountability.

Or. en

Amendment 31
Philippe Olivier

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-

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 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.

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. ***That is especially true in connection with offences involving posted drivers travelling from one Member State to another and carrying out more road cabotage activities who, in many instances, commit serious offences in terms of exceeding statutory driving time, thereby posing an additional road safety risk.***

Or. fr

Justification

Les chauffeurs routiers détachés dans le cadre des activités de transports internationaux au sein de l'UE sont régulièrement pointés du doigt pour leur comportement lorsqu'ils circulent sur nos routes : souvent sous la pression de leurs employeurs établis dans différents pays de l'UE où la législation sociale et moins contraignante, les chauffeurs routiers sont confrontés à des cadences infernales de rendement kilométrique liées à des problématiques de rentabilité et de marge commerciale au kilomètre : le camion doit rouler toujours sans cesse pour rapporter de l'argent à l'entreprise, lorsqu'il est à l'arrêt, il fait perdre de l'argent au transporteur.

Amendment 32

Bogusław Liberadzki

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

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 *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.

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.

Or. pl

Amendment 33
Tom Berendsen

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 hire cars from other Member States. The drivers of those cars 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.

Or. nl

Amendment 34
Philippe Olivier

Proposal for a directive
Recital 8

Text proposed by the Commission

Amendment

(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

(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.

available. ***This applies in particular to road haulage vehicles, including light commercial vehicles (LCVs) used to transport goods which are not subject to heavy goods vehicle legislation and which in most instances are vehicles operated by multiple third parties in often complex combinations of cascade subcontracting and vehicle leasing that involve a number of firms or branches located in different countries and employing drivers of different nationalities.*** 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.

Or. fr

Justification

L'échange et le traitement des données concernant les utilisateurs finaux des véhicules doivent tenir compte de la configuration actuelle du marché du transport routier de marchandises : aujourd'hui, de trop nombreuses entreprises de transport, établies en Europe de l'Est notamment, n'hésitent pas à complexifier l'organisation des transports internationaux pour pouvoir "brouiller les pistes" ou gagner du temps en cas d'infractions commises dans les États membres où elles pratiquent le cabotage au moyen de chauffeurs détachés : l'affrètement de sous-traitants en cascade et à différents niveaux de la chaîne logistique, avec parfois des prêts de main-d'oeuvre étrangère ou des locations de matériels entre filiales d'un pays à l'autre sont des pratiques encore très courantes.

Amendment 35

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

Amendment

(8) The Member State of the offence should also be allowed to conduct automated searches in vehicle registers to retrieve data on ***vehicles and*** 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.

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.

Or. en

Amendment 36
Tom Berendsen

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. 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.

Or. nl

Amendment 37
Valter Flego

Proposal for a directive
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Transparency and information accessibility for all drivers across the Union can only be guaranteed by a common EU database on road-safety-related traffic offences;

Or. en

Amendment 38
Izaskun Bilbao Barandica

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 20 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*.

Or. es

Amendment 39
Ciarán Cuffe
on behalf of the Verts/ALE Group

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 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, *while respecting set deadlines*.

Amendment 40
Philippe Olivier

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Where Union legislation or national law of Member States explicitly provides access to or the possibility to exchange information from other national or Union databases for the purposes of Directive (EU) 2015/413, Member States should have the possibility to exchange information by involving such databases, while respecting the fundamental rights of non-resident drivers.

Amendment

(15) Where Union legislation or national law of Member States explicitly provides access to or the possibility to exchange information from other national or Union databases for the purposes of Directive (EU) 2015/413, Member States should have the possibility to exchange information by involving such databases, while respecting the fundamental rights of non-resident drivers. ***In the case of drivers working in international haulage within the EU, this would make it possible to step up action to combat ‘posted worker’ benefit fraud and identify instances of repeat or persistent offences, thus making for more effective tracking and reporting of hauliers and drivers who fail to comply with the Mobility Package rules now in force.***

Or. fr

Justification

Data exchange between Member States should make it possible to combat ‘posted worker’ benefit fraud. Accordingly, mapping the extent to which the journeys made by a goods vehicle matches up with a driver’s work schedule would enable Member States’ competent authorities to establish benefit fraud and breaches of rules under the Mobility Package that is now in force and intended to combat unfair practices within road transport in the EU.

Amendment 41
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Where Union legislation or national law of Member States explicitly provides access to or the possibility to exchange information from other national or Union databases for the purposes of Directive (EU) 2015/413, Member States should have the possibility to exchange information by involving such databases, while respecting the fundamental rights of non-resident drivers.

Amendment

(15) Where Union legislation or national law of Member States explicitly provides access to or the possibility to exchange information from other national or Union databases for the purposes of Directive (EU) 2015/413, Member States should have the possibility to exchange information by involving such databases, while respecting the fundamental rights of non-resident drivers. ***To guarantee transparency, the list of databases accessed shall be communicated to the Commission.***

Or. en

Amendment 42
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Where in parallel to financial penalties for road traffic offences, Member States have introduced a penalty point system linked to driving licences, a decrease in driver impunity and reductions in fatalities and serious injuries have been observed. Allowing non-resident drivers benefit from a pay-to-comply system whereby they might accumulate more penalty points than would otherwise be allowed or be subject to a driving disqualification, presents a greater road safety risk and is a source of unfairness between resident and non-resident drivers. As [Proposal for a Directive on driving licences] introduces cross-border recognition of penalty points,

it would be important to empower the Commission to introduce delegated acts that can allow for the exchange of relevant data relating to this aspect.

Or. en

Amendment 43

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

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 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

Amendment

(17) As a minimum, the information letter should 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, 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).

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. ***Finally, the information letter might serve purposes other than informing the presumed liable person about the road safety-related traffic offence and the decision to initiate follow-up proceedings. The presumed offender should receive all necessary information if such a letter is reclassified.***

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).

Or. en

Amendment 44 **Karolin Braunsberger-Reinhold**

Proposal for a directive **Recital 17**

(17) As a minimum, the information letter should 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

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

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).

Or. de

Amendment 45

Ciarán Cuffe

on behalf of the Verts/ALE Group

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 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

Amendment

(17) As a minimum, the information letter should 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).

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 directly.

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).

Amendment 46

Ciarán Cuffe

on behalf of the Verts/ALE Group

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, ***if possible***, be given to the person concerned directly as part of the road control procedures ***or sent as soon as possible afterwards. Non-resident drivers should also be given sufficient time to avail of any rights concerning an appeal or the mitigation of sanctions.***

Amendment 47

Izaskun Bilbao Barandica

Proposal for a directive

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) There is no European means of electronic identification or certificate recognised by all EU Member States, such as the European Health Insurance Card, that supports and enables any citizen who holds it to access to the content of the notifications deposited in the electronic headquarters of the authority issuing the notification, and to submit written claims and appeals. The European Commission

is asked to analyse the possibility of launching an impact assessment with a view to presenting a proposal for a European e-card.

Or. es

Amendment 48

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 25

Text proposed by the Commission

(25) The scope of the information that Member States report to the Commission should be extended to include elements closely related to the objective of improving road safety, in order to enable the Commission to better analyse the state of play in the Member States and to propose initiatives on a sound factual basis. To offset the additional administrative burden on Member States authorities and to align reporting with the Commission's evaluation calendar the reporting period should be extended. A transitional period should be granted so that the ongoing two-year reporting period may end seamlessly.

Amendment

(25) The scope of the information that Member States report to the Commission **and the European Parliament** should be extended to include elements closely related to the objective of improving road safety, in order to enable the Commission **and the European Parliament** to better analyse the state of play in the Member States and to propose initiatives on a sound factual basis. To offset the additional administrative burden on Member States authorities and to align reporting with the Commission's evaluation calendar the reporting period should be extended. A transitional period should be granted so that the ongoing two-year reporting period may end seamlessly.

Or. en

Amendment 49

Elena Kountoura

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 the exchange of information on road-safety traffic offences to improve enforcement, between EU Member States and neighbouring non-EU countries.

Or. en

Amendment 50
Karolin Braunsberger-Reinhold

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 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

(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 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-

CBE Portal, in accordance with Regulation 2018/1725.

related traffic rules. The Commission should be the controller of the CBE Portal, in accordance with Regulation 2018/1725.

Or. de

Amendment 51

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 31

Text proposed by the Commission

(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.

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 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 **and the Member States** should be the **joint controllers** of the CBE Portal, in accordance with Regulation 2018/1725.

Or. en

Justification

This is to reflect the opinion of the European Data Protection Supervisor - '24 April 2023 Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences'

Amendment 52

Bogusław Liberadzki

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 to initiatives which improve the cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union. ***Financial support should also cover information campaigns throughout the Union on differences in national legislation, with a particular focus on neighbouring countries.***

Or. pl

Amendment 53

Ciarán Cuffe

on behalf of the Verts/ALE Group

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 to initiatives which improve the cross-border cooperation in the enforcement of road-safety-related traffic rules in the Union, ***including support for digitising the data covered in Annex III of Directive 2010/40/EU that is relevant for the***

offences covered under this Directive.

Or. en

Amendment 54
Elena Kountoura

Proposal for a directive
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) EU Member States are 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 will also increase public confidence in the traffic law enforcement system and contribution it can make to improving road safety.

Or. en

Amendment 55
Isabel García Muñoz

Proposal for a directive
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) In order to increase public confidence in the traffic law enforcement as well as to increase the financing of road safety at national level, Member States should set up a transparent system for the allocation and channel of revenues generated by fines into road safety works and improvements.

Or. en

Amendment 56
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) A portion of the revenues generated from fines collected as a result of offences committed by non-resident drivers should be reinvested locally in measures that improve road safety, such as road safety infrastructure, measures for vulnerable road users, awareness and enforcement, among other things.

Or. en

Amendment 57
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 32 b (new)

Text proposed by the Commission

Amendment

(32b) 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 not an 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, on the condition that equivalent protections are afforded to the drivers concerned, particularly as regards data protection.

Or. en

Amendment 58

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 32 c (new)

Text proposed by the Commission

Amendment

(32c) Given significant increases in the level of cross-border road traffic, and continued divergences between Member States in the field of road safety enforcement, it would be 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.

Or. en

Amendment 59

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) In order to promote greater convergence of the enforcement of road traffic rules by Member States as concerns comparable methods and practices, the Commission should assess the need for greater harmonisation in the area of road safety enforcement equipment, and related deployment and operation. As the number of offences covered by this Directive is to be increased, and there is expected growth in the use of equipment to automatically or manually detect road traffic offences, EU-level, standards could improve the reliability of equipment and therefore enforcement. Given the increasing

preponderance of vehicle access restrictions and advancements in technologies regarding vehicle connectivity, the Commission should also explore the possibility of allowing drivers to proactively demonstrate compliance with vehicle access regulations, including for example if exempted from such rules.

Or. en

Amendment 60
Isabel García Muñoz

Proposal for a directive
Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) Non-financial penalties such as demerit point systems have a strong deterrent effect and can improve road safety. It can reduce collisions and deaths when coupled with increased enforcement and effective follow-up and communication campaigns. Considering the latter, the European Commission should encourage Member States to set up and implement a demerit point system for at least the major road safety-related offences in the scope of this Directive as the first step towards a gradual approach to the cross-border recognition of non-financial penalties.

Or. en

Amendment 61
Izaskun Bilbao Barandica

Proposal for a directive
Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) It would be essential to amend Article 1 of Council Framework Decision 2005/214/JAI 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 sets out the definition of a decision, which is essential in order to understand the problem of non-enforcement of road traffic offences committed by non-residents.

Or. es

Amendment 62

Izaskun Bilbao Barandica, Caroline Nagtegaal

Proposal for a directive

Recital 35 b (new)

Text proposed by the Commission

Amendment

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

Or. es

Amendment 63

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Recital 36 a (new)

Text proposed by the Commission

Amendment

(36a) To obtain the objectives put forward in the EU Road Safety Policy Framework 2021-2030 – Next steps towards “Vision Zero”^{70a}, 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 have to 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, could develop a dedicated solution to detect presumed traffic offenders on the spot while trying to cross external borders of the Union to charge a financial penalty for the road-safety-related traffic offence that took place on its territory.

^{70a} EU Road Safety Policy Framework 2021-2030 – Next steps towards “Vision Zero” (SWD(2019)0283)

Or. en

Amendment 64

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Recital 36 b (new)

Text proposed by the Commission

Amendment

(36b) Since Brexit, there is no longer a data-sharing directive between EU police forces and the DVLA (Driver Vehicle Licensing Agency), which existed prior to the UK’s exit from the EU; however, a mutual assistance scheme exists instead, but it lacks efficiency as it is no longer automatic. As the conclusion of the UK-EU Trade and Cooperation Agreement (TCA)^{70c} does not include a reference to Directive (EU) 2015/413 and Decision

2005/214/JHA^{70b}, the Commission should analyse through 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) to identify effective and efficient measures to improve road safety and at the same time safeguarding data protection requirements, in particular of the European vehicle holders and drivers.

^{70b} Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties

^{70c} Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

Or. en

Amendment 65

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

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

Directive (EU) 2015/413

Article 1 – paragraph 1

Present text

1. This Directive aims to ensure a high level of protection for all road users in the Union by facilitating the cross-border exchange of information on road-safety-related traffic offences, and thereby ***facilitating*** the enforcement of sanctions, where those offences are committed with a vehicle registered in a Member State other than the Member State in which the

Amendment

1. This Directive aims to ensure a high level of protection for all road users in the Union by facilitating the cross-border exchange of information on road-safety ***and other*** related traffic offences, and thereby ***facilitate*** the enforcement of sanctions, where those offences are committed with a vehicle registered in a Member State other than the Member State

offence took place.

in which the offence took place.

Or. en

Justification

This amendment in which the term 'road safety-related traffic offences' is changed to 'road safety and other related traffic offences' applies throughout the text. Adopting it will necessitate corresponding changes throughout. Necessary to reflect the expansion of scope in the number of offences covered in Article 2.

Amendment 66

Ciarán Cuffe

on behalf of the Verts/ALE Group

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 sufficient distance from the **road user** in front;

Or. en

Amendment 67

Bogusław Liberadzki

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 **a safe** distance from the vehicle in front;

Or. pl

Amendment 68

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

Amendment

(k) dangerous parking;

(k) dangerous ***or illegal*** parking;

Or. en

Amendment 69

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

Amendment

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

(l) crossing one or more solid lines;

Or. en

Amendment 70

Bogusław Liberadzki

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.?’;

Or. pl

Amendment 71
Elena Kountoura

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) not respecting the rules of UVARs
(Urban Vehicle Access Regulations)**

Or. en

Amendment 72
Isabel García Muñoz

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) not respecting the rules on vehicle
access restriction zones;**

Or. en

Amendment 73
Ciarán Cuffe
on behalf of the Verts/ALE Group

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) not respecting the rules on vehicle
access restrictions;**

Amendment 74
Achille Variati

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) not respecting the rules on vehicle access regulations

Or. en

Amendment 75
Isabel García Muñoz

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

Text proposed by the Commission

Amendment

(ob) not respecting road safety related requirements of access zones e.g. pedestrian zones, speed limit zones;

Or. en

Amendment 76
Ciarán Cuffe
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

(ob) using a defective vehicle;

Or. en

Amendment 77

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

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

Text proposed by the Commission

Amendment

**(oc) driving without required
documentation;**

Or. en

Amendment 78

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2015/413

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

Text proposed by the Commission

Amendment

**(od) driving when subject to a driving
disqualification;**

Or. en

Amendment 79

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

Text proposed by the Commission

Amendment

(oe) other road safety-related traffic offences related to usage of the road

Or. en

Amendment 80
Caroline Nagtegaal, Vera Tax, Tom Berendsen

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

Text proposed by the Commission

Amendment

(oa) not respecting the rules on vehicle access restrictions, such as urban low- and zero-emission zones;

Or. en

Justification

To ensure enforcement of rules concerning urban low- and zero-emission zones, specifically as regards foreign vehicles registered in another Member State.

Amendment 81
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a
Directive (EU) 2015/413
Article 3 – paragraph 1 – point a

Present text

Amendment

(a) ‘vehicle’ means any **power-driven**

(a) ‘vehicle’ means any **motorised**

vehicle, *including motorcycles*, which is normally used for carrying persons or goods by road;

vehicle *propelled exclusively by mechanical power*, which is normally used for carrying persons or goods by road ;

Or. en

Justification

This change to the existing Directive is necessary to align with the same definition in existing EU law such as Directive (EU) 2021/2118

Amendment 82

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

(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;

Amendment

(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, *footpath or cycle 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;

Or. en

Amendment 83

Achille Variati

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a

Directive (EU) 2015/413

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

Text proposed by the Commission

Amendment

(ja) ‘Vehicle access regulations’ means a form of traffic management that

regulates access in specific urban locations according to vehicle type, age, emissions category including other factors such as time of day, or day of the week

Or. en

Amendment 84

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive (EU) 2015/413

Article 3 – paragraph 2 – 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 point’ means *an authority through which information is exchanged between Member State of offence and Member State of registration*;

Or. en

Amendment 85

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – 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 sufficient distance from the *road user* in front’ means not maintaining the distance necessary to avoid collision with the *road user* in front of the vehicle driven by the driver, if the preceding *road user* were to suddenly slow down or stop, as defined in the law of the Member State of the offence;

Or. en

Amendment 86

Isabel García Muñoz

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point o (a) new

Text proposed by the Commission

Amendment

(oa) ‘not respecting road safety related requirements of access zones’ means driving without respect to access zones which have been introduced in urban areas which result in road safety benefits such pedestrian zones.

Or. en

Amendment 87

Isabel García Muñoz

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point o (b) new

Text proposed by the Commission

Amendment

(ob) ‘not respecting the rules on vehicle access restriction zones’ means not respecting the rules on accessing or making use of a zone that is part of the territory of a Member State, as delimited by that Member State for the purpose of ensuring road safety, managing traffic or preventing pollution.

Or. en

Amendment 88

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – 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 ***or illegal*** parking’ means parking ***or stopping*** the vehicle in a way that infringes the applicable rules on dangerous ***or illegal*** parking ***or stopping*** in the Member State of the offence, ***in including in disabled parking spaces, restricted areas, public transport and cycle lanes, and on footpaths.***

Or. en

Amendment 89

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – 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;

Or. en

Amendment 90

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

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

Text proposed by the Commission

(s) ‘wrong-way driving’ means driving a vehicle against the designated direction of traffic, as defined in the law of the Member State of the offence;

Amendment

(s) ‘wrong-way driving’ means driving a vehicle against the designated direction of traffic, as defined in the law of the Member State of the offence, **including requirements regarding reversing of vehicles**;

Or. en

Amendment 91
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c
Directive (EU) 2015/413
Article 3 – paragraph 3 – point u (a) new

Text proposed by the Commission

Amendment

(ua) ‘not respecting the rules on vehicle access restrictions’ means not complying with rules established by a competent authority within a Member State, including:

(a) accessing a restricted area such as a limited traffic zone in violation of the applicable restrictions;

(b) not paying applicable fees or charges for access to restricted areas;

(c) not sharing vehicle information relevant for checking violations, when the applicable rules require that such information be shared through mechanisms established for this purpose;

Or. en

Amendment 92

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point u (a) new

Text proposed by the Commission

Amendment

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

Or. en

Justification

Directive (EU) 2015/413 falls under the public law, not civil law. The proposed definition on ‘hit and run’ is aligning the traffic offence with the scope of the directive. All issues linked to car damage as a consequence of hit-and-run do not fall in scope of this Directive as they are civil law.

Amendment 93

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point u (b) new

Text proposed by the Commission

Amendment

(ub) ‘using a defective vehicle’ means driving with defective or worn tyres, brakes, lights or any other defect that poses a safety risk to other road users, in accordance with the applicable rules on driving a defective vehicle in the Member State of the offence;

Or. en

Amendment 94

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point u (c) new

Text proposed by the Commission

Amendment

(uc) ‘driving without required documentation’ means driving without a driving licence, insurance, roadworthiness certificate or other required documentation, in a way that infringes the applicable rules in the Member State of the offence;

Or. en

Amendment 95

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point u (d) new

Text proposed by the Commission

Amendment

(ud) ‘driving when subject to a driving disqualification’ means driving a vehicle when subject to a decision related to the commission of a major road-safety-related traffic offence, which results in the withdrawal, restriction or suspension of the driving licence or the right to drive of a driver of a motorised vehicle, which is no longer subject to a right of appeal, irrespective of whether it constitutes a primary, secondary or supplementary penalty or a safety measure and irrespective of whether it is qualified as an

administrative or criminal measure;

Or. en

Amendment 96

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point u (e) new

Text proposed by the Commission

Amendment

(ue) (ud) ‘other road safety-related traffic offences related to usage of the road’ means other road safety-related traffic offences committed while driving, as defined in the law of the Member State of the offence, and which are not already covered by the offences listed in Article 2(1);

Or. en

Amendment 97

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

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

Text proposed by the Commission

Amendment

(za) ‘debt collection service provider’ is a private entity with a distinct legal personality to administer the follow-up proceedings or part thereof initiated under Article 5(1), 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;

Or. en

Amendment 98
Elena Kountoura

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c
Directive (EU) 2015/413
Article 3 – paragraph 3 – point z (b) new

Text proposed by the Commission

Amendment

(zb) not respecting the rules of UVARs" means non-compliance with the rules concerning a form of traffic management that regulates access in specific urban locations according to vehicle type, age, emissions category – or other factors such as time of day or day of the week

Or. en

Amendment 99
Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c
Directive (EU) 2015/413
Article 3 – paragraph 3– point z (c) new

Text proposed by the Commission

Amendment

(zc) ‘competent authority’ is an authority designated for the purposes of this Directive;

Or. en

Amendment 100
Caroline Nagtegaal, Vera Tax, Tom Berendsen

PE750.086v01-00

46/93

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Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2015/413

Article 3 – paragraph 3 – point z (d) new

Text proposed by the Commission

Amendment

(zd) 'not respecting the rules on vehicle access restrictions' means a breach of national or local legislation concerning vehicle access restrictions, such as urban low- and zero-emission zones, as determined by the competent authority of the Member State concerned for the purpose of ensuring road safety, traffic management or pollution prevention. This does not concern a breach of legislation related to any other road charges and fees, such as toll charges.

Or. en

Amendment 101

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive (EU) 2015/413

Article 3 a – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that their respective national contact points cooperate with the authorities involved in the investigation of the road-safety-related traffic offences listed in Article 2(1), in particular in order to ensure that all necessary information is shared in due time, and that the time limits laid down in Article 4a(5) and Article 5a(2) are complied with.;

2. Member States shall ensure that their respective national contact points cooperate with the authorities involved in the investigation of the road-safety-related traffic offences listed in Article 2(1), **including competent authorities from geographical sub-divisions within their own Member State or competent authorities from other Member States**, in particular in order to ensure that all necessary information is shared in due time, and that the time limits laid down in Article 4a(5) and Article 5a(2) are

complied with.;

Or. en

Amendment 102
Tom Berendsen

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive (EU) 2015/413
Article 4 – paragraph 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 data identifying the end users thereof.*

Or. nl

Amendment 103
Ciarán Cuffe
on behalf of the Verts/ALE Group

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

Or. en

Amendment 104

Ciarán Cuffe

on behalf of the Verts/ALE Group

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.**

Or. en

Justification

This is to reflect the opinion of the European Data Protection Supervisor - '24 April 2023 Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences'

Amendment 105

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 4 – point a

Text proposed by the Commission

(a) the vehicle was scrapped;

Amendment

deleted

Or. en

Amendment 106

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall return the message ‘Stolen vehicle or registration plate’ instead of the requested data elements where the vehicle or the vehicle registration plate are recorded as stolen in the national vehicle registers.

Amendment

Member States shall return the message ‘Stolen vehicle or registration plate’ instead of the requested data elements where the vehicle or the vehicle registration plate are recorded as stolen in the national vehicle registers, ***or ‘Scrapped vehicle’ where the vehicle has been scrapped. This is without prejudice to the enforcement provisions under this Directive .***

Or. en

Amendment 107

Valter Flego

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/413

Article 4 – paragraph 8 (a) new

Text proposed by the Commission

Amendment

8a. Member States shall establish a common EU database on road-safety-related traffic offences in order to guarantee transparency and information accessibility for citizens;

Or. en

Amendment 108

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 – introductory part

Directive (EU) 2015/413

Article 4 a

Text proposed by the Commission

Amendment

(5) the following Articles 4a, 4b **and 4c** are inserted:

(5) the following Articles 4a, 4b, **4c and 4d** are inserted:

Or. en

Amendment 109

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

The Member State of registration or Member State of residence **may** be requested:

The Member State of registration or Member State of residence **shall** be requested:

Or. en

Amendment 110

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 3– point b

Text proposed by the Commission

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 of the

(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**

liable person, in accordance with its national law.

address and/or contact information of the liable person, in accordance with its national law.

Or. en

Amendment 111
Izaskun Bilbao Barandica

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 a – 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 20 working days*** via its national contact point to the national contact point of the Member State of the offence.

Or. es

Amendment 112
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 a – paragraph 4 – subparagraph 1

Text proposed by the Commission

Where the Member State of registration or

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 *without undue delay* via its national contact point to the national contact point of the Member State of the offence.

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 2 months* via its national contact point to the national contact point of the Member State of the offence.

Or. en

Amendment 113

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 5 – first subparagraph

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.

Amendment

Member States shall ensure that they provide the requested information without any undue delay from the receipt of the request, *and no later than 2 months*.

Or. en

Amendment 114

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 5 – second subparagraph

Text proposed by the Commission

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

Where it is not possible to gather the information ***within 2 months*** 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.

Or. en

Amendment 115

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 6

Text proposed by the Commission

6. The ***requested*** Member States may provide for a prior administrative or judicial validation procedure in order to ensure that the requested information is necessary and proportionate for the purpose of the identification of the liable person, in particular taking into account the rights of presumed liable persons.

Amendment

6. The Member States ***that have submitted a request*** may provide for a prior administrative or judicial validation procedure in order to ensure that the requested information is necessary and proportionate for the purpose of the identification of the liable person, in particular taking into account the rights of presumed liable persons.

Or. en

Amendment 116

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413
Article 4 a – paragraph 7 – second subparagraph

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 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 5 working days after a decision to refuse the request***.

Or. en

Amendment 117
Andor Deli

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 a – paragraph 10 – subparagraph 1

Text proposed by the Commission

The request referred to in paragraph 2 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 Article 5a(8)***.

Amendment

The request referred to in paragraph 2 shall be communicated in ***a language-neutral way by using adequate codes and templates***.

Or. en

Justification

Preparing a request and a response should not be an additional burden for law-enforcement authorities, thus, preparing a request or a response in a unified language-neutral way by using codes and templates is a more effective solution.

Amendment 118
Andor Deli

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 a – paragraph 10 – second subparagraph

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 ***a language-neutral way by using adequate codes and templates.***

Or. en

Justification

Preparing a request and a response should not be an additional burden for the law-enforcement authorities, thus, preparing a request or a response in a unified language-neutral way by using codes and templates is a more effective solution.

Amendment 119
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 a – paragraph 11 – point (a) new

Text proposed by the Commission

Amendment

(a a) which competent authority is making the request and why;

Or. en

Amendment 120
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413
Article 4 a – paragraph 11 – point a b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 121

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 a – paragraph 11 – point b

Text proposed by the Commission

Amendment

(b) data elements relating to the owners, holders or end users of the vehicles obtained as a result of the automated search conducted in accordance with Article 4(1);

(b) data elements relating to the **vehicles**, owners, holders or end users of the vehicles obtained as a result of the automated search conducted in accordance with Article 4(1);

Or. en

Amendment 122

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/413

Article 4 d new

Text proposed by the Commission

Amendment

Article 4d

Procedures for exchange of information on penalty points

1. In accordance with the penalty

point equivalence system included in [Proposal for a Directive on driving licences], Member States shall update and exchange data on the penalty points accumulated by drivers in the different Member States. The Commission is empowered to adopt delegated acts under this Directive in order to clarify how such updates and an exchange of data can take place pursuant to [Proposal for a Directive on driving licences].

Or. en

Amendment 123
Isabel García Muñoz

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 d new

Text proposed by the Commission

Amendment

Article 4d

Non-financial penalties

Member States may set up and implement a demerit point system for at least the major road safety-related offences listed in Article 2.

Where Member States decide to establish such systems, the Commission should encourage the exchange of best practices as a first step towards a gradual approach to the cross-border recognition of non-financial penalties.

Or. en

Amendment 124
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 c – first paragraph

Text proposed by the Commission

‘**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.’

Amendment

'A national contact point 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. **Access to these databases for the purpose of identifying a liable person shall be limited to the national access point. The databases accessed by each Member State's national access point will be communicated on a yearly basis to the Commission. The Commission shall publish the list of these databases by country in the Official Journal of the European Union, and shall update this list each year.**

Or. en

Justification

Changes reflect opinion of the European Data Protection Supervisor: 24 April 2023 Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences

Amendment 125
Andor Deli

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/413
Article 4 c – first subparagraph

Text proposed by the Commission

‘Member States may exchange or access data by using other databases such as

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.’

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.***’

Or. en

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 126

Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Markus Ferber

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 as set out in Article 5a, paragraph 2.***

Or. en

Amendment 127

Markus Ferber, Benoît Lutgen

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/143
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 as laid out in Article 5a, 2)***.

Or. en

Amendment 128
Elżbieta Katarzyna Łukacijewska

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/143
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 as laid out in Article 5a, 2)***.

Or. en

Amendment 129
Izaskun Bilbao Barandica

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive EU 2015/413
Article 5 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The information letter may serve other purposes than those set out in the second subparagraph.

deleted

Or. es

Amendment 130

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The information letter may serve other purposes than those set out in the second subparagraph.

The information letter may serve other purposes than those set out in the second subparagraph, ***provided the purposes fall under this Directive.***

Or. en

Amendment 131

Andor Deli

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. The information letter shall contain at least:

2. ***The European Commission should prepare a template of*** the information letter ***which*** shall contain at least:

Or. en

Justification

An EU-wide template of the information letter would be useful.

Amendment 132

Izaskun Bilbao Barandica

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2 – point b

Text proposed by the Commission

(b) ***the name, postal address,***
telephone number and e-mail address of
the competent authority;

Amendment

(b) telephone number and e-mail
address of the competent authority ***or of***
centralised citizens' contact points;

Or. es

Amendment 133

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/413

Article 5 – paragraph 2 – point e

Text proposed by the Commission

(e) detailed information on where and
how to exercise the rights of defence or to
appeal the decision to pursue the road-
safety-related traffic offence, including the
requirements for the admissibility of such
an appeal and the time limit for lodging the
appeal, and ***on whether and*** under what
conditions in absentia procedures apply, in
accordance with the national law of the
Member State of the offence;

Amendment

(e) detailed information on where and
how to exercise the rights of defence or to
appeal the decision to pursue the road-
safety-related traffic offence, including the
requirements for the admissibility of such
an appeal and the time limit for lodging the
appeal, and under what conditions in
absentia procedures apply, in accordance
with the national law of the Member State
of the offence;

Or. en

Amendment 134
Karolin Braunsberger-Reinhold

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** alternative **and accessible** payment methods, in particular specific software applications, as long as those methods are accessible to both residents and non-residents;

Or. de

Amendment 135
Izaskun Bilbao Barandica

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) where applicable, detailed information on the possibility and manner of payment by credit or debit card;

Or. es

Amendment 136
Ciarán Cuffe
on behalf of the Verts/ALE Group

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 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;

Amendment

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

Or. en

Justification

Changes reflect opinion of European Data Protection Supervisor - 24 April 2023 Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences

Amendment 137
Karolin Braunsberger-Reinhold

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 2 – point i

Text proposed by the Commission

(i) ***where applicable***, detailed information on whether and how the sanctions for the offences listed in Article 2(1) can be mitigated, including by early payment of a financial penalty;

Amendment

(i) detailed information on whether and how the sanctions for the offences listed in Article 2(1) can be mitigated, including by early payment of a financial penalty ***if applicable***;

Or. de

Amendment 138

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

Or. en

Justification

A link and QR code to the portal are useful to inform drivers about offences and enforcement, while also providing transparency in case of poor translation.

Amendment 139

Ciarán Cuffe

on behalf of the Verts/ALE Group

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. 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 ***and where the enforcement procedures have not been finalised, that*** the information letter ***referred to*** in paragraph 2 ***is sent to the person concerned without undue delay***.

Or. en

Amendment 140
Karolin Braunsberger-Reinhold

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 3

Text proposed by the Commission

(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)**.

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), **(g) and (i)**.

Or. de

Amendment 141
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. 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 and where the enforcement of the committed offence has been finalised by the competent authority with a transaction of the financial penalty paid by the liable person, this person shall receive at least the following information:

(a) receipt of the financial transaction;

(b) 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.

Or. en

Amendment 142
Izaskun Bilbao Barandica

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/413
Article 5 – paragraph 4

Text proposed by the Commission

4. Upon request of the presumed liable persons, the Member State of the offence shall ensure that access is granted to all **material information** in the possession of the authorities competent for the investigation of a road-safety-related offence listed in Article 2(1).

Amendment

4. Upon request of the presumed liable persons, the Member State of the offence shall ensure that access is granted to all **information on file** in the possession of the authorities competent for the investigation of a road-safety-related offence listed in Article 2(1).

Or. es

Amendment 143
Ciarán Cuffe
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

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.

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), **are proportionate to ensure effective exercise of such rights and** correspond to the date

of the receipt of the information letter.

Or. en

Amendment 144

Izaskun Bilbao Barandica

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – 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 **or ordinary** delivery, **as appropriate**, 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.

Or. es

Amendment 145

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – 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)

Amendment

1. Member States shall send the information letter and the follow-up documents to the presumed liable persons by registered **mail** or electronic means with equal value in accordance with Chapter III, Section 7 of Regulation (EU) 910/2014 of

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.

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.

Or. en

Amendment 146
Izaskun Bilbao Barandica

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive (EU) 2015/413
Article 5 a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In order to make notifications more effective, the European Commission shall put forward a proposal for an electronic means of identification recognised throughout the European Union.

Or. es

Amendment 147
Markus Ferber, Benoît Lutgen

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive (EU) 2015/413
Article 5 a – paragraph 2

Text proposed by the Commission

Amendment

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

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

letters necessary.

subsequent information letters necessary.

Or. en

Justification

An EU-wide common deadline for the information letter is a good way forward, however, it needs clarification when the one-month period starts.

Amendment 148

Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – paragraph 2

Text proposed by the Commission

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

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.

Or. en

Justification

An EU-wide common deadline for the information letter is a good way forward, however, it needs clarification when the one-month period starts.

Amendment 149

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – paragraph 2

Text proposed by the Commission

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

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.

Or. en

Amendment 150

Karolin Braunsberger-Reinhold

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 – paragraph 2

Text proposed by the Commission

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

Member States shall ensure that the information letter is sent no later than one month from the **commission** 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.

Or. de

Amendment 151

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – 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 **mail** or by equivalent electronic means;

Or. en

Amendment 152

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 a – 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 **mail** or by equivalent electronic means;

Or. en

Amendment 153

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 3 – 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 **mail** or by equivalent electronic means in that particular case will be ineffective or is inappropriate.

Amendment 154
Andor Deli

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive (EU) 2015/413
Article 5 a – 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 *a language-neutral way by using codes and templates*. The certificate referred to in paragraph 6 shall be communicated in *in a language-neutral way by using codes and templates*.

Justification

Using a language-neutral way of communication would make the process more effective.

Amendment 155
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive (EU) 2015/413
Article 5 a – 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

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.

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 States are encouraged to permit presumed liable persons to connect remotely to court proceedings by video link.***

Or. en

Amendment 156

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/413

Article 5 b – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that an empowered private entity enforcing financial penalties act in line with data protection requirements, pursuant to Regulation (EU) 2016/679 and Directive (EU) 2016/680.

Or. en

Amendment 157

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 6 – paragraph 2

Text proposed by the Commission

2. By [**four** years after the date of entry into force of this Directive], and every **four** years thereafter, each Member State shall send a report to the Commission on the application of this Directive.

Amendment

2. By [**three** years after the date of entry into force of this Directive], and every **three** years thereafter, each Member State shall send a report to the Commission **and the European Parliament** on the application of this Directive.

Or. en

Amendment 158

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 6 – paragraph 3 – subparagraph 2

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:

Or. en

Amendment 159

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

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.

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. ***These reports shall also be published on the website of the portal referred to in Article 8.***

Or. en

Amendment 160

Ciarán Cuffe

on behalf of the Verts/ALE Group

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

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

Or. en

Amendment 161

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 8 – paragraph 1 – subparagraph (b)

Text proposed by the Commission

(b) the exchange of information ***and other interactions*** between national contact points ***and other relevant***

Amendment

(b) the exchange of information between national contact points and with other road users, in particular by providing

authorities of Member States with each other and with other road users, in particular by providing access to specific applications of the Member States facilitating the enforcement of sanctions, including for the payment of financial penalties, where applicable. This may include exchanging vehicle registration data and the data on persons presumed to be liable or liable for road-safety-related offences listed in Article 2(1).

access to specific applications of the Member States facilitating the enforcement of sanctions, including for the payment of financial penalties, where applicable. This may include exchanging vehicle registration data and the data on persons presumed to be liable or liable for road-safety-related offences listed in Article 2(1).

Or. en

Justification

As per recommendation of 24 April 2023 from European Data Protection Supervisor. Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences

Amendment 162

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive (EU) 2015/413

Article 8 – paragraph 2

Text proposed by the Commission

2. Access to the CBE Portal shall be provided for the national contact points **and other relevant authorities** that are competent in the identification of the liable persons and in the cross-border enforcement of road-safety-related traffic rules in Member States.

Amendment

2. Access to the CBE Portal shall be provided for the national contact points that are competent in the identification of the liable persons and in the cross-border enforcement of road-safety-related traffic rules in Member States.

Or. en

Justification

As per recommendation of 24 April 2023 from European Data Protection Supervisor. Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on

road-safety-related traffic offences

Amendment 163

Ciarán Cuffe

on behalf of the Verts/ALE Group

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**.

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**.

Or. en

Justification

as per recommendation of 24 April 2023 from European Data Protection Supervisor. Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences

Amendment 164

Ciarán Cuffe

on behalf of the Verts/ALE Group

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.

Or. en

Amendment 165
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive (EU) 2015/413
Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. Any personal data processed under this Article shall be retained for a maximum of 2 years.

Or. en

Justification

as per recommendation of 24 April 2023 from European Data Protection Supervisor in 'Opinion 11/2023 on the Proposal for a Directive of the European Parliament and the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences'

Amendment 166
Ciarán Cuffe
on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 9 – introductory part

Directive (EU) 2015/413

Article 8 – paragraph 6 – point 9

Text proposed by the Commission

(9) The following Article 8a *is* inserted:

Amendment

(9) The following Article 8a, **8b, 8c and 8d are** inserted:

Or. en

Amendment 167

Isabel García Muñoz

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/413

Article 8 a – subparagraph 1

Text proposed by the Commission

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

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 **and developing common minimum standards for enforcement equipment and their deployment and operation**, 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 European 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.

Or. en

Justification

There is a growing need for common minimum EU standards for automated enforcement equipment and their application to improve and align enforcement of the main offences at national level. To give an example, in the case of speed enforcement, technical specifications of safety cameras vary from country to country. Furthermore, new EC recommendations on sanctions are needed to include that the level of sanctions is proportionate to the risk related to non-compliance.

Amendment 168
Elena Kountoura

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

Text proposed by the Commission

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

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, ***by publishing a new and revised EC Recommendation 2004/345 on enforcement and sanctions in the field of road safety and thereby encourage Member States to achieve high standards on enforcement that are ‘state of the art’***, the application of smart enforcement methodologies and techniques in the Member States, ***and developing common minimum standards for enforcement equipment and their deployment and operation***, increasing the capacity building of enforcement authorities and awareness raising campaigns regarding cross-border enforcement actions.

Or. en

Amendment 169

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/413

Article 8 a – subparagraph 1

Text proposed by the Commission

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

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

Or. en

Justification

By increasing the digitisation of the road traffic rules in place in Member States, road safety rule compliance and enforcement can be improved. The Commission and Member States should assist local authorities in doing so.

Amendment 170

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Proposal for a directive

Article 1 – paragraph 1 – point 9 a (new)

Directive (EU) 2015/413

Article 8 b (new)

Text proposed by the Commission

Amendment

(9a) the following Article 8b is inserted:

Article 8b

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 by the Article 3 of Directive (EU) 2015/413.

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 and information on the level of expenditure allocated to road safety as well as sustainable transport and mobility in general.

Or. en

Amendment 171

Elena Kountoura

Proposal for a directive

Article 1 – paragraph 1 – point 9 a (new)

Directive (EU) 2015/413

Article 8 a – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(9a) Exchange of information on traffic offences with neighbouring non-

EU countries

The Commission shall, no later than two years after the entry into force of this Directive, conduct a feasibility study on deploying an effective system for exchanging information on road-safety traffic offences with neighbouring non-EU countries in order to improve enforcement, while ensuring that any sharing of information should be subject to strict safeguards, audits and oversight conditions, in full compliance with the applicable EU rules;

Or. en

Amendment 172

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 9 a (new)

Directive (EU) 2015/413

Article 8 b (new)

Text proposed by the Commission

Amendment

(9a) Article 8b

Use of revenues collected for offences

Member States shall ensure that a value equating to at least 25% of the revenues generated within a calendar year from financial penalties imposed as sanctions on non-resident drivers for the offences listed in Article 2(1), are invested in improving road safety within the territory where the offence occurred.

Or. en

Amendment 173

Benoît Lutgen, Markus Ferber, Elżbieta Katarzyna Łukacijewska

Text proposed by the Commission

Amendment

(9b) the following Article 8c is inserted:

Article 8c

Cross border cooperation in enforcement activities

- 1. Member States can request the enforcement of administrative penalty notices of road-safety-related traffic offences under the following criteria:**
 - a. The final decision requiring a financial penalty must be paid by a natural or legal person**
 - b. The individual financial penalty is equal to or more than 70 euros, excluding the cost of administrative proceedings and including statutory increases.**
 - c. The penalty notice is enforceable according to the applicable laws and regulations of the requesting Member State, and the right of execution has not transpired.**
 - d. The natural person involved is a resident of the requested Member State, or the legal person involved has its registered seat in the requested Member State.**
- 2. The competent authorities in the requested Member State shall recognise a decision which has been transmitted in accordance with this article without any further formality being required and shall forthwith take all the necessary measures for its execution unless the competent authority decides to invoke one of the grounds for non-recognition or non-execution provided for in Article [to be determined].**
- 3. The enforcement of an administrative penalty notice is governed by the laws and regulations applicable in**

the requested Member State. The authorities of the requested Member State alone shall be competent to decide on the procedures for enforcement and to determine all the measures relating thereto, including the grounds for termination of enforcement.

4. If the person from whom the fine is collected demonstrates that payments have already been made to settle the fine, the requested Member State shall promptly notify and consult the requesting Member State about this.

5. The competent authority of the requesting Member State shall transmit the request for the administrative penalty notice in an electronically structured form to the competent authority of the requested Member State.

Or. en

Amendment 174

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 9 b (new)

Directive (EU) 2015/413

Article 8 c (new)

Text proposed by the Commission

Amendment

(9b) Article 8c

Exchange of information with third countries

The Commission and Member States shall endeavour to establish or update agreements with neighbouring third countries that would permit the exchange of information referred to in Article 4(1) points (a) and (b), provided the rights and protections granted to EU citizens under this Directive and EU law are equivalent, especially regarding data protection.

Amendment 175

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 9 c (new)

Directive (EU) 2015/413

Article 8 d (new)

Text proposed by the Commission

Amendment

(9c) Article 8d

Recommendation on enforcement in the field of road safety

The Commission shall update its Recommendation 2004/345/EC on enforcement in the field of road safety by 1 June 2025.

Or. en

Justification

The recommendation has not been updated since 2004 and should take account of developments since then.

Amendment 176

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive (EU) 2015/413

Article 9 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 10 to amend the Annex to update it in the light of technical progress or where this is required by legal acts of the Union directly relevant to the updating of the

The Commission shall be empowered to adopt delegated acts in accordance with ***Article 4d and*** Article 10 to amend the Annex to update it in the light of technical progress or where this is required by legal acts of the Union directly relevant to the

Amendment 177

Ciarán Cuffe

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive (EU) 2015/413

Article 11 – subparagraph 1

Text proposed by the Commission

The Commission shall submit a report to the European Parliament and to the Council on the application of this Directive by the Member States no later than 18 months after receiving the reports referred to in Article 6(2) from all Member States.

Amendment

The Commission shall submit a report to the European Parliament and to the Council on the application of this Directive by the Member States no later than 18 months after receiving the reports referred to in Article 6(2) from all Member States.

The report shall examine the need to further harmonise and digitise data available under Council Directive 1999/37/EC that would help with achieving the objectives of this Directive.

The report shall also assess the possibility under EU law of allowing drivers to voluntarily share data with competent authorities that proves compliance or exemptions from the offence covered in Article 2(1) ‘not respecting the rules on vehicle access regulations’.

The Commission shall assess in this report the need for minimum standards for road safety enforcement equipment and for the deployment and operation of this equipment.

The Commission shall on the basis of this report, propose a revision to this Directive, if appropriate.

Amendment 178
Andor Deli

Proposal for a directive
Article 1 – paragraph 1 – point 14

Text proposed by the Commission

Amendment

(14) Annex II is deleted.

deleted

Or. en

Justification

An updated template of the information letter should be kept as Annex II.

Amendment 179
Ciarán Cuffe

Proposal for a directive
Annex I
 Directive (EU) 2015/413
 Annex I

<i>Text proposed by the Commission</i>		
1. Data elements of initiating search (outgoing request)		
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(3) 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 <i>solid</i> white lines [...] = Wrong-way driving [...] = Not respecting the rules on the creation and use of emergency corridors [...] = Using an overloaded vehicle
<i>Amendment</i>		
1. Data elements of initiating search (outgoing request)		
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(3) 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 [...] = <i>not respecting the rules on vehicles access restrictions</i> [...] = <i>using a defective vehicle</i> [...] = <i>driving without required documentation</i> [...] = Not keeping sufficient distance from the vehicle in front

		[...] = Dangerous overtaking [...] = Dangerous <i>or illegal</i> 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 <i>[...] = Driving when subject to a driving disqualification</i> <i>[...] = other road safety-related traffic offences related to usage of the road</i>
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Or. en

Amendment 180

Ciarán Cuffe

Proposal for a directive

Annex I

Directive (EU) 2015/413

Annex II

Text proposed by the Commission

Part I. Data relating to vehicles		
Item	M/O (4)	Remarks (5)
Registration number	M	(Code A) Full registration number of the requested vehicle
Chassis number/VIN	M	(Code E) Full chassis number/VIN of the requested vehicle
Member State of registration	M	Distinguishing sign(6) of the Member State of registration of the requested vehicle
Make	M	(Code D.1) Make of the requested vehicle e.g. Ford, Opel, Renault
Commercial description(s) of the vehicle	M	(Code D.3) Commercial description of the requested vehicle e.g. Focus, Astra, Megane
EU Category Code	M	(Code J) e.g. N1, M2, N2, L, T
Registration date	M	(Code I) Date of the last registration of the requested vehicle
Language	O	Language of the vehicle registration document
Previous inquires	O	The dates of previous inquiries on the requested vehicle
<i>Amendment</i>		
Part I. Data relating to vehicles		
Item	M/O (4)	Remarks (5)
Registration number	M	(Code A) Full registration number of the requested vehicle

Chassis number/VIN	M	(Code E) Full chassis number/VIN of the requested vehicle
Member State of registration	M	Distinguishing sign(6) of the Member State of registration of the requested vehicle
Make	M	(Code D.1) Make of the requested vehicle e.g. Ford, Opel, Renault
Commercial description(s) of the vehicle	M	(Code D.3) Commercial description of the requested vehicle e.g. Focus, Astra, Megane
EU Category Code	M	(Code J) e.g. N1, M2, N2, L, T
Registration date	M	(Code I) Date of the last registration of the requested vehicle
Language	O	Language of the vehicle registration document
Previous inquires	O	The dates of previous inquiries on the requested vehicle
<i>EURO type</i>		<i>The Euro type (1,2,3... etc.) of the vehicle</i>
<i>Type of fuel or power source</i>		<i>The type of fuel used by the vehicle and/or its power source</i>

Or. en