



**THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC**

9TH TERM

90TH

RESOLUTION OF THE SENATE

Delivered on the 4th session held on 31st January 2013

on Proposal for a Regulation of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive

2009/40/EC

(Senate Press no. N 180/08)

Proposal for a Directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles

(Senate Press no. N 181/08)

Proposal for a Regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union

and repealing Directive 2000/30/EC

(Senate Press no. N 182/08)

I.

1. Supports

European Union's efforts to improve safety on roads and to reduce the environmental burden caused by road traffic;

2. Recalls

that according to Article 4 of the Treaty on European Union, transport policy belongs among those areas where the EU shares competences with the Member States, that are to a large extent responsible for its implementation;

3. Is of the opinion

that in many Member States the issue of roadworthiness tests and vehicle registrations is regulated in a better way than the proposals suggest, and therefore the proposals' adoption would not provide substantial added value at the moment and, in many regards, it would represent a step back;

II.

1. Requires

that the concepts, introduced by the legislative proposals, respect terminology employed in the Member States, in particular in legally complex issues of registration withdrawal, suspension and cancellation;

2. Considers

that the high accident rate is caused not only by poor condition of the vehicle fleet, which would be partially improved by more frequent roadworthiness tests, but also by

unsatisfactory condition of the roads, inadequate drivers' experience or inefficient preventive measures;

3. Calls therefore on the European Commission

to justify the need to extend the legislative proposals' scope to motorcycles and tricycles, since according to statistics, the most common cause of accidents in this vehicle category is the failure to adapt one's driving to the road conditions and inadequate driver's experience; therefore, stricter roadworthiness tests would most likely not significantly reduce the accident rate;

4. Points out

to the risk of unjustified rise of administrative burden, especially with regard to critical factors evaluation during the preventive roadside inspections, while it is necessary that the state authorities affect chiefly the most serious breaches of rules;

5. Recommends

clarification of the issue of historical, atypical and sport vehicles in the legislative proposals in such a way that the legitimate interests of their owners are not affected, whereas those specific categories of vehicles are not taken into account by the legislative package in its current form;

6. Supports

the request to extend the vacatio legis to at least two years, in order to allow the state authorities and motor vehicle operators to prepare for the change in the rules;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Hassan Mezian
sign manual
Senate Verifier