Request for Assistance - Transposition of Directive 2014/45/EU - Periodic Roadworthiness Test - Finland

Response to the Request for Assistance

The Commission has contacted us in relation to the notified national measures transposing Directive 2014/45/EU on the periodic technical inspection of motor vehicles and their trailers. Answers to the questions of the Commission are below.

Article 2(1) – *vehicle categories L3e, L4e, L5e seem to be missing from the scope and it was also not possible to identify potential alternative road safety measures (Article 2(2)) which would apply in case these vehicles would be excluded from the scope*

- Vehicle categories L3e, L4e, L5e are excluded from the scope of the periodic roadworthiness test in accordance with Article 2(2) of the Directive.
- The Finnish Transport and Communications Agency has conducted an analysis in order to identify the alternative road safety measures required by the Directive. The measures put in place are the following:
    - 600 million euros of additional financing have been granted for reparation and maintenance of traffic routes. This will reduce the risk of motorcycle accidents.
    - The Act on Driving Licenses has been amended in 2018. The objective of the amendment is to improve the possibilities of the driver to learn to act safely in traffic. The Finnish Parliament has required the Finnish government to follow the amendment's effects on traffic safety which entails that the Finnish government will regularly have to assess the state of traffic safety.
- Moreover, the Finnish Ministry of Transport and Communications has issued the Finnish Motorbike and Motorcycle Strategy (in Finnish: Mopo- ja moottoripyörästrategia 2025) in 2018. One of its objectives is the development of the traffic system and infrastructure to improve the safety for motorbikes and motorcycles. It is stated in the strategy that the condition of roads should be improved and motorbikes and motorcycles should be taken better into consideration in the planning of local areas. The strategy will be taken into account when drafting national legislation.

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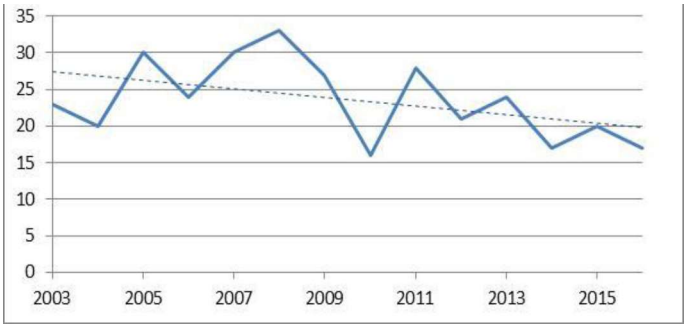
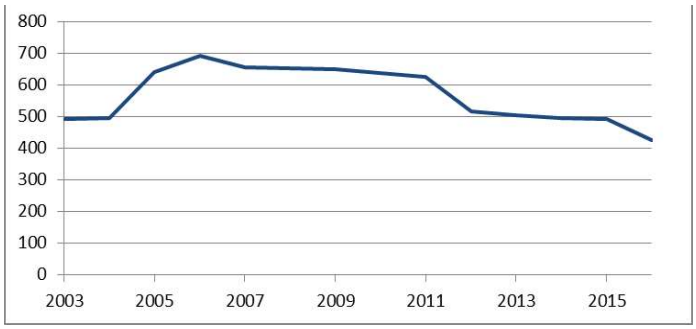
- Furthermore, the figures below show that the number of fatal motorcycle accidents has significantly decreased during the last two decades. (Source: Statistics Finland)



Motorcycle drivers and passengers killed in motorcycle accidents



Injured motorcycle drivers and passengers in motorcycle accidents

- In conclusion, several alternative road safety measures are put in place in Finland and the overall safety for motorcycles has consistently been improving.

Article 5(2) – *frequency of the roadworthiness test for motorcycles of vehicle categories L3e, L4e, L5e*

- Vehicle categories L3e, L4e, L5e are excluded from the scope of the periodic roadworthiness test in accordance with Article 2(2) of the Directive.

Article 6(3) *- Methods for testing – motorcycles of vehicle categories L3e, L4e, L5e*

- Vehicle categories L3e, L4e, L5e are excluded from the scope of the periodic roadworthiness test in accordance with Article 2(2) of the Directive.

Article 8 (6) *- Odometer made available to the testing centres when available electronically*

- Section 4(4) of the Regulation TRAFI/664120/03.04.03.00/2018 provides that the odometer must be checked in the roadworthiness tests. Section 27 of the Act on Roadworthiness Tests for Vehicles (in Finnish: laki ajoneuvojen katsastustoiminnasta) and Section 2 of Chapter 2 of Part V of the Act on Transport Services stipulate that

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the odometer test results are stored for the period of 15 years and included in an electronic register that is maintained by the Finnish Transport and Communications Agency. Hence, the odometer test results are always made available to the inspectors.

Article 8 (6) – *Penalties for manipulated odometers*

- If a person manipulates an odometer and deceives another or takes advantage of an error of another in order to obtain unlawful financial benefit, he or she can be sentenced for fraud to a fine or to imprisonment for at most two years in accordance with Section 1 of Chapter 36 of the Criminal Code.

Article 13(2) *in conjunction with Annex IV point 3 - minimum content of the certificate for inspector*

- Section 18 of the Decree of Ministry of Transport and Communications on further education and professional skills of inspectors (in Finnish: liikenne- ja viestintäministeriön asetus ajoneuvojen katsastushenkilöstön jatkokoulutuksesta ja muusta ammattitaidosta, 199/2014) provides that the certificate of competence is issued for the inspector. Sections 6 and 18 of the decree require the certificate to contain the information mentioned in point 3 of Annex IV of the Directive as they mention the identity of the inspector, the vehicle categories and the issuing authority. Section 44 of the Administrative Procedure Act requires the date of issue to be included in the certificate.

Article 13(3) *in conjunction with Annex IV point 1 - Exemption from requirements of inspectors in Annex IV point 1 if employed on 20/05/2018*

- The competence and training requirements for inspectors have been in force in Finland already before 20 May 2018. There has been no need to amend national legislation with regard to Article 13(3) as it has already been in compliance with it. Therefore, the exemption is not required.

Sincerely,

Elina Immonen
Head of Unit
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