

Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (Text with EEA relevance)

CHAPTER II

TECHNICAL ROADSIDE INSPECTION SYSTEM AND GENERAL OBLIGATIONS

Article 4

Roadside inspection system

The technical roadside inspection system shall include initial technical roadside inspections as referred to in Article 10(1) and more detailed technical roadside inspections as referred to in Article 10(2).

Article 5

Percentage of vehicles to be inspected

- 1 For vehicles referred to in points (a), (b) and (c) of Article 2(1), the total number of initial technical roadside inspections in the Union shall, in every calendar year, correspond to at least 5 % of the total number of these vehicles that are registered in the Member States.
- 2 Each Member State shall make efforts to carry out an appropriate number of initial technical roadside inspections, proportionate to the total number of such vehicles that are registered in its territory.
- 3 Information on vehicles inspected shall be communicated to the Commission in accordance with Article 20(1).

Article 6

Risk rating system

For vehicles referred to in points (a), (b) and (c) of Article 2(1), Member States shall ensure that the information concerning the number and severity of deficiencies set out in Annex II and, where applicable, Annex III found on vehicles operated by individual undertakings is introduced into the risk rating system established under Article 9 of Directive 2006/22/EC. For the attribution of a risk profile to an undertaking, Member States may use the criteria set out in Annex I. That information shall be used to check undertakings with a high risk rating more closely and more often. The risk rating system shall be operated by the competent authorities of the Member States.

For the purpose of implementing the first subparagraph, the Member State of registration shall use the information received from other Member States pursuant to Article 18(1).

Member States may allow additional voluntary roadworthiness tests. Information on compliance with roadworthiness requirements obtained from voluntary tests may be taken into account in order to improve the risk profile of an undertaking.

Article 7

Responsibilities

1 Member States shall require that the roadworthiness certificate corresponding to the most recent periodic roadworthiness test or a copy thereof or, in the case of an electronically produced roadworthiness certificate, a certified or original printout of that certificate, and the report of the most recent technical roadside inspection, be kept on board the vehicle when they are available. Member States may allow their authorities to accept electronic evidence of such inspections when information in that regard is accessible.

2 Member States shall require undertakings and drivers of a vehicle subject to a technical roadside inspection to cooperate with the inspectors and to provide access to the vehicle, its parts and all relevant documentation for the purposes of the inspection.

3 Member States shall ensure that the responsibilities of undertakings for keeping their vehicles in a safe and roadworthy condition are defined, without prejudice to the responsibilities of the drivers of those vehicles.

Article 8

Inspectors

1 When selecting a vehicle for a technical roadside inspection and when carrying out that inspection, inspectors shall refrain from any discrimination on grounds of the nationality of the driver or of the country of registration or entry into service of the vehicle.

2 When carrying out a technical roadside inspection, the inspector shall be free from any conflict of interest that could have any influence on the impartiality and objectivity of his decision.

3 The reward of inspectors shall not be directly related to the results of initial or more detailed technical roadside inspections.

4 More detailed technical roadside inspections shall be carried out by inspectors who fulfil the minimum competence and training requirements laid down in Article 13 and in Annex IV to Directive 2014/45/EU. Member States may provide that inspectors carrying out inspections in designated roadside inspection facilities or using mobile inspection units are to fulfil those requirements or equivalent requirements approved by the competent authority.