Cross-border Enforcement of Road Traffic Rules
Directive (EU) 2015/413

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12th Technical committee on road safety
4th Western Balkans Road Safety Observatory
Brussels, 06/12 2022
The Court ruling of 6 May 2014
Case 43-12

- Directive 2011/82/EU ("CBE Directive") annulled because of an incorrect legal basis (police cooperation)
- New Directive (EU) 2015/413 adopted on 11 March 2015 (transport legal basis)
Objective
Article 1

To improve road safety by facilitating enforcement of sanctions for remotely detected road-safety-related traffic offences (or the offences detected without stopping the vehicle and identification of the driver on the spot) committed by vehicles registered abroad.
Scope
Article 2

8 traffic offences (speeding, non-use of a seat-belt, failing to stop at red traffic light, drink-driving, drug-driving, failing to wear a safety helmet, use of a forbidden lane, illegal use of a mobile phone)
Exchange of vehicle registration data
Article 4

✔ Automatic exchange of vehicle and its owner/holder data via EUCARIS (European Vehicle and Driving Licence Information System)

✔ The obligation to reply to incoming requests/searches

✔ Forbidden exchange of the data from other databases not used for the purpose of the Directive
Information letter
Article 5

✓ Content of the information letter: nature, date, place and time of the offence, national law infringed, applied sanction and possibly the data on the detection device used

✓ Respect of fundamental rights: the letter to be sent in the language of the vehicle registration document or in one of the official languages of the Member State of the vehicle registration

✓ Possible use of the template letter in Annex II of the Directive
Reporting obligations
Article 6

Obligation of Member States to report to the Commission each 2 years on the efficiency of the automated exchange of information (outgoing requests/searches – investigation of the offences), as well on the situation at national level in relation to the follow-up given to the road-safety-related traffic offences (e.g. the number of information letters sent)
Personal data protection
Article 7

- Personal data to be processed have to be used only for the objective set out in Article 1 of the Directive

- Rectification, erasure or block of personal data to be compliant with Article 6 and 12 of Directive 95/46/EC
Information for road users
Article 8

Road safety-related-traffic rules of Member States linked to the offences covered by Article 2 of the Directive published on

Delegated acts
Articles 9 and 10

The Commission may adopt delegated acts to update Annex I of the Directive in the light to technical progress to take into account relevant changes to PRÜM Decisions (Decisions 2008/615/JHA and 2008/616/JHA on cross-border cooperation in combating terrorism and crime) or where it is required by EU law directly. The delegation is tacitly prolonged until 13 March 2025.
Revision
Article 11

✓ The initiative politically validated on 9 November 2018

✓ Inception Impact Assessment (Road Map) published on 15 March 2019


✓ Planned adoption 1Q 2023
CBE Directive revision
Main objective

Improve road safety by better cross-border enforcement of road traffic rules i.e. decreasing socio-economic costs linked to road fatalities, injuries and material damage by better compliance of non-residents with road traffic rules.
CBE Directive revision
Possible measures

Scope

- Extend road safety-related traffic offences, such as:
  - not keeping sufficient distance from the vehicle in front, dangerous overtaking, dangerous parking, crossing white line(s), driving in wrong way, overloaded vehicle

Cross-border investigation of offences

- Making procedures more efficient
  - Digitalisation to make investigation swifter and more effective
  - Standardised communication between authorities
  - Easier identification of the presumed offender (more accurate data, easier access to address of residence and evidence)
CBE Directive revision
Possible policy measures

**Fundamental rights**

- Better informed presumed offenders
  - information on appeal procedures to be included in the penalty notice
- Harmonized deadlines for sending information letter
- Easier communication on the offences
  - Harmonized language regime in communication with presumed offenders/citizens
- Simple, clear and non-discriminatory payment of penalties
- Clear rules on personal data storage and retention, reference to GDPR and LED (Directive on personal data protection in criminal matters)

**Reporting and monitoring**

- More information on road traffic offences, enforced sanctions and functioning of vehicle registration data exchange to be provided by Member States
THANK YOU!