

2023/0284 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on circularity requirements for vehicle design and on management of end-of-life vehicles,
amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and
2005/64/EC**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof *and Article 192(1) thereof in relation to Articles 14 to 37 of this Regulation*,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

¹ OJ C , , p. .

² OJ C , , p. .

- (1) The Communication of the Commission of 11 December 2019 on ‘The European Green Deal’³ (the ‘European Green Deal’) is Europe’s growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net greenhouse gas emissions in 2050 ***at the latest*** and where economic growth is decoupled from resource use. In order for the Union’s product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced, manufactured and treated at their end-of-life in a sustainable manner.
- (2) The automotive sector is an important contributor to the use of energy and material resources by the Union, and hence to the generation of greenhouse gases. The production of vehicles in third countries that are placed on the Union market contributes to the generation of global greenhouse gases, which in turn has a negative environmental impact on the Union. A shift from the use of fossil fuels in vehicles to zero emission mobility, as foreseen in the Fit for 55 package, is one of the prerequisites for reaching the climate neutrality goal in 2050. It will reduce the emissions of greenhouse gases from the automotive sector linked to the use phase of vehicles. The automotive industry is one of the largest users of primary aluminium, steel and plastics, linked to the manufacturing of new vehicles placed on the Union market. This can represent a significant environmental impact, linked to the energy required for the extraction and processing of these materials. The environmental footprint linked to the manufacturing of new vehicles could increase with the ongoing electrification of the fleet, ***the ongoing growth in size and weight of the vehicles***, as well as due to more widespread use ***and complexity*** of electronics in future models, which both require a considerable amount of critical and strategic raw materials and precious metals, such as copper and rare earth elements. The result of these changes is that the production phase could have a larger environmental footprint than the use phase of vehicles, ***and that the European industry could become more and more reliant on imports of critical raw materials and vulnerable to supply disruptions, to the detriment of its competitiveness***. In addition, the current requirements in Union law on waste management result in a suboptimal recovery of resources from end-of-life vehicles, and

³ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

there is *a* high potential to increase the quantity and quality of parts, components and materials to be *repaired*, re-used, remanufactured, refurbished, *retrofitted* or recycled from *vehicles during the use phase and from* end-of-life vehicles. To address these environmental impacts and contribute to the decarbonisation of the sector, *and support competitiveness by increasing the resilience of the automotive industry*, it is necessary to improve the functioning of the single market and enhance the transition of the automotive industry to a circular economy. This is in line with Communication of the Commission of 11 March 2020 on ‘A new Circular Economy Action Plan – For a cleaner and more competitive Europe’⁴ which called for a revision of the current rules to “promote more circular business models by linking design issues to end-of-life treatment, consider rules on mandatory recycled content for certain materials, and improve recycling efficiency”. *This is also in line with Regulation (EU) 2024/1252 of the European Parliament and of the Council*.⁵The Council⁶ and the Parliament⁷ also stressed the need for new Union rules on these matters, replacing the existing rules on type approval of vehicles when it comes to re-usability, recyclability and recoverability and on end-of-life vehicles.

- (3) Directive 2000/53/EC of the European Parliament and of the Council⁸ sets up harmonised treatment requirements for end-of-life vehicles and targets for vehicles’ reuse and recycling and reuse and recovery. It establishes obligations on collection of end-of-life vehicles, as well as obligations for economic operators, in particular restricting the use of heavy metals in vehicles. It also creates basic rules on extended producer responsibility, requiring vehicle producers to cover part of the costs of collection of end-of-life vehicles.

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

⁵ *Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1252/oj>).*

⁶ Council conclusions of 17 December 2020, Making the recovery circular and green.

⁷ European Parliament resolution of 10 February 2021 on the New Circular Economy Action Plan.

⁸ Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269 21.10.2000, p. 34).

- (4) The Commission's evaluation of Directive 2000/53/EC⁹ highlighted that it has been effective in delivering many of its initial objectives, especially the elimination of cadmium, lead, mercury and hexavalent chromium from vehicles, an increase in collection points for end-of-life vehicles and the attainment of the recovery and recycling targets. The evaluation however found that the Directive however insufficiently addressed important issues linked to the collection of end-of-life vehicles and was not adapted any longer to ensure a high quality of treatment of these vehicles.
- (5) Directive 2005/64/EC of the European Parliament and of the Council¹⁰ regulates the type-approval of vehicles in relation to their reusability, recyclability and recoverability, so that these vehicles could meet the targets established in Directive 2000/53/EC at their end-of-life stage. That Directive has not been effective in improving substantially the re-usability, recyclability and recoverability of new vehicles and is not adapted to the features of new vehicles, which have considerably changed since the entry into force of that Directive.

⁹ Evaluation of Directive (EC) 2000/53 of 18 September 2000 on end-of-life vehicles, SWD(2021) 61 final.

¹⁰ Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC (OJ L 310, 25.11.2005, p. 10).

- (6) Regulation (EU) 2018/858 of the European Parliament and of the Council¹¹ introduced a comprehensive type-approval and market surveillance system for motor vehicles, trailers, and for systems, components and separate technical units intended for such vehicles with a view to ensuring the proper functioning of the single market and in order to offer a high level of environmental performance. There is a need for a separate regulatory act for the purposes of the EU type-approval procedure laid down in Annex II to Regulation (EU) 2018/858. It is necessary to lay down provisions and requirements on the circularity of vehicles in the process of EU type approval. To ensure the compliance of vehicles with those requirements it is necessary to ensure their verification in the EU type-approval process. The administrative provisions of Regulation (EU) 2018/858, including the provisions on market surveillance, corrective measures and penalties, apply to type approvals issued this Regulation. The administrative provisions of Regulation (EU) 2018/858, including the provisions on market surveillance, corrective measures, *safeguard clauses*, and penalties, apply to type approvals issued in compliance with the requirements of this Regulation.
- (6a) *It is important to distinguish between existing type-approvals and new type-approvals. It is therefore necessary to clarify which provisions apply to new vehicle types under Regulation (EU) 2018/858. It should therefore be clarified that amendments to the type-approval do not systematically require an extension of type-approval under Regulation (EU) 2018/858.*

¹¹ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151 14.6.2018, p. 1).

- (7) In order to improve the functioning of the single market, while ensuring a high level of protection of the environment, it is essential to harmonise the conditions for the type-approval of vehicles when it comes their reusability, recyclability and recoverability, **■** the production stage **■** of vehicles *and the assessment of the status of the vehicle, and the export of used vehicles. In order to contribute to the objectives of preserving, protecting and improving the quality of the environment, protecting human health, and the prudent and rational utilisation of natural resources, it is essential to lay down rules regarding the management of end-of-life vehicles, taking into account the design of the vehicle as well as measures aiming to prevent illegal dismantling such as better traceability in the case of transfer of ownership of used vehicles ■* . The most efficient way of facilitating the transition of the automotive sector to a circular economy is therefore to establish a uniform regulatory framework at the Union level, covering in an integrated and consistent manner the design, manufacturing, placement on the market in the Union and end-of-life treatment of vehicles. This is also essential for the development of the Union market for secondary raw materials which are included in new vehicles placed on the market, as well as to avoid barriers to trade and distortions of competition, ensure legal clarity and improve the environmental performances of all of the economic operators involved in the design, production and end-of-life treatment of vehicles. In order to achieve these objectives **■** , Directive 2000/53/EC and Directive 2005/64/EC should be replaced by a Regulation, based on Article 114 *and Article 192(1)* of the *Treaty* on the Functioning of the European Union (TFEU).
- (7a) *In the outermost regions referred to in Article 349 TFEU, Member States should be able to adapt producers' obligations in order to guarantee a service and cover the costs of managing end-of-life vehicles with regard to the characteristics of these regions.*

- (8) Directives 2000/53/EC and 2005/64/EC apply only to passenger vehicles (M₁) and light commercial vehicles (N₁), which constitute approximately **85 percent** of all vehicles registered in the Union. The remaining vehicles, namely two- and three- wheel vehicles, **quadracycles**, lorries, busses and trailers, are not subject to any Union legislation concerning their eco-design and management at their end-of-life stages. Therefore, in order to ensure a **comprehensive circularity** framework for all vehicles registered in the Union, including their environmentally sound treatment, as well as to prevent fragmentation of the single market, this Regulation should apply not only to vehicles of categories M₁ and N₁, but, partially, also to certain L-category vehicles ■ , heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O). There is a lack of comprehensive information regarding the treatment of such vehicles at their end-of-life in the Union, which prevents from applying to them the same regime as the one applying to M₁ and N₁ vehicles upon entry into force of this Regulation. However, the requirements regarding the collection of end-of-life vehicles, their mandatory delivery to authorised treatment facilities for treatment as well as their depollution **and mandatory removal of certain parts and components for reuse and recycling prior to shredding and conditions for landfill of non-inert waste from shredding** should apply to L-category vehicles ■ and heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O). To facilitate treatment of these end-of-life vehicles, their manufacturers should be required to provide information on the removal and replacement of parts, components and materials from such vehicles. Also, the provisions governing the extended producer responsibility should apply to these vehicle categories, covering the costs of their collection and depollution at their end-of-life.
- (8a) ***As not all Member States require the registration of vehicles of categories L1e, L2e or L6e, it is necessary to give Member States the possibility to exempt these vehicle categories from requirements linked to registration.***
- (9) Problems with exporting used vehicles concern not only passenger vehicles (M₁) and light commercial vehicles (N₁), but also, as studies show¹², larger vehicles. Therefore, these provisions should also apply to heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O).
- (9a) ***Vehicles designed and constructed or adapted for use by the armed services only as well as vehicles designed and constructed for use by the armed services, civil defence, fire***

¹² <https://www.unep.org/resources/report/global-trade-used-vehicles-report>

services, forces responsible for maintaining public order and emergency medical services should be excluded from the scope of this Regulation. Those vehicles serve specialised operational functions and are subject to specific technical requirements and their design, construction and use differ significantly from those of vehicles intended for general road transport. The application of general circularity requirements for vehicle design and end-of-life management to such vehicles would therefore not be appropriate and their exclusion from the scope of this Regulation is consistent with the specific nature of their functions.

(9b) *In order to preserve Europe's cultural heritage, vehicles of historical interest should be excluded from the scope of this Regulation and should not be subject to the obligations related to ownership transfer, export, or end-of-life requirements.*

Similarly, vehicles, which are recognised by a Member State as having special cultural interest should be excluded from scope. These may for instance be vehicles in the possession of collectors or museums, custom build vehicles or racing vehicles, provided that competent authorities recognise the relevant special cultural interest. However, requirements applicable to vehicles before they are considered vehicles of historical interest or vehicles of special cultural interest, such as for example circularity design requirements, should apply.

Furthermore, when these vehicles are no longer considered by the Member States to be vehicles of historical interest or vehicles of special cultural interest, the vehicles will fall back into scope of this Regulation and requirements such as obligations related to ownership transfer, export, or end-of-life requirements, should apply.

(9c) *To avoid excessive administrative burden and to ensure that the scope of this Regulation is covering to the needs of the internal market, other types of vehicles, such as vehicles of L categories produced in small series or certain cycles designed to pedal of categories L1e A and L1e B, should remain outside this Regulation.*

- (10) *Special purpose vehicles are designed to perform a specific function and require special bodywork arrangements which are not entirely under the control of the manufacturer. This complicates the calculation of reusability, recyclability and recoverability rates. For M1 and N1 based special purpose vehicles the costs of collection, depollution , mandatory removal for parts and components and treatment should be covered by producers within the extended producer responsibility scheme. For special purpose vehicles of categories M2, M3, N2, N3, O only a limited set of rules should apply. Provisions on substances of concern in vehicles should apply to M1 and N1 based special-purpose vehicles, as it is under Directive 2000/53/EC. Other parts of a special purpose vehicle that have been type-approved in multi-stage type approval should be covered to the same extent as the category of the vehicle concerned. Special purpose vehicles of all categories except M1 and N1 that are produced by a small-volume manufacturer should not be covered by this Regulation.*
- (10a) *Motor caravans and trailer caravans are distinct from conventional vehicles or trailers, as their primary function is accommodation rather than transportation. Those caravans are built with non-automotive components like wood, furniture, water systems and household electrical systems, which are outside the scope of vehicle recycling facilities. Many trailer caravans are permanently fixed in place as holiday homes, used for seasonal accommodation, and remain functional for decades. Given their special-purpose nature, distinct material composition, and ongoing use, trailer caravans should be excluded from this Regulation. Motor caravans, often unregistered, should not be classified as end-of-life vehicles as long as they continue to serve as housing. Motor caravans have in their base vehicles parts and components that are also used in other vehicles and that should therefore be subject to the same obligations once they are no longer used for housing purposes.*

- (11) One of the biggest practical challenges related to the application of Directive 2000/53/EC concerns the determination whether or not a vehicle has become an end-of-life vehicle, in particular in cases of transboundary shipments of vehicles. Despite the issuance of guidance¹³ on this issue, such assessment remains problematic. It is therefore necessary to provide legally-binding precise criteria allowing to determine an end-of-life vehicle. Those criteria should be used by all *relevant competent authorities*, economic operators and vehicle owners dealing with end-of-life vehicles. ***It is however also necessary to provide for exemptions in order to preserve the possibility for Member States to determine situations in which individual vehicles should not fall under the scope of this Regulation due to their status as a vehicle of special cultural interest for as long as they maintain that status. In addition, competent authorities of a Member State may exempt a vehicle from the status of end-of-life vehicle when the vehicle concerned is subject to repair, upon request by its owner.***
- (12) The evaluation of Directive 2000/53/EC concluded that the provisions in this Directive on the design of vehicles aimed at facilitating their dismantling and the uptake of recycled materials had a very limited impact on the design and manufacturing of new vehicles, as they were not sufficiently detailed, specific and measurable.

¹³ Correspondents' Guidelines No 9 on shipment of waste vehicles,
https://ec.europa.eu/environment/pdf/waste/shipments/correspondents_guidelines9_en.pdf

- (13) Addressing the design of all vehicles placed on the Union market as well as their end-of-life stage requires the setting up of harmonised circularity requirements verified at the type-approval stage. Designing and manufacturing vehicles to ensure that their parts and components are reusable, and the materials that they contain are recyclable, is essential to avoid that these parts, components and materials cannot be properly valorised when a vehicle reaches the end of its life. Therefore, vehicle manufacturers and their suppliers should integrate design strategies that improve reusability and recyclability at an early stage in the development of new vehicles. Accordingly, new vehicle types should continue to be constructed so as to be reusable or recyclable to a minimum of 85 **percent** by mass and reusable or recoverable to a minimum of 95 **percent** by mass, as already foreseen in Directive 2005/64/EC. In order to ensure that the calculation of the reusability, recyclability and recoverability rates is done in a uniform manner and can be monitored, a new methodology for calculation and verification of the rates of reusability, recyclability and recoverability of a vehicle should be established. This methodology should better reflect the actual potential of a new vehicle to be recycled, reused and recovered at the end-of-life, while taking into account the ongoing technological progress. In order to ensure uniform conditions for the implementation of this Regulation implementing powers should be conferred on the Commission to establish such methodology ***taking into account standard ISO 22628:2002***. Until such methodology is established, the rates of reusability, recyclability and recoverability should continue to be calculated in accordance with the standard ISO 22628:2002, as in Directive 2005/64/EC. ***The Commission should endeavour to ensure that the relevant UN methodology is updated accordingly, in order to avoid inconsistencies with the Union methodology and to reduce the burden on manufacturers.***

- (13a) *The automotive supply chain involves a large number of suppliers, including many small and medium-sized enterprises operating in different regions and with diverse organisational structures. While manufacturers should collect information throughout the supply chain on the materials used in vehicles and establish and implement procedures to verify the accuracy of such information, they should take into account the capacities of SMEs. SMEs often have limited administrative resources, fewer technical tools and, in some cases, no established systems to generate or verify detailed environmental or material-composition data. These constraints may affect the availability and completeness of the information that SMEs are able to provide. Accordingly, when assessing manufacturers' procedures for collecting and verifying supplier information, the specific situation of SMEs in the supply chain should be duly considered.*
- (13b) *Ensuring the reparability of vehicles throughout their lifespan is a fundamental pillar of a truly sustainable and circular automotive economy. Vehicles should not be prematurely classified as end-of-life when they remain repairable, as this would lead to unnecessary waste, economic inefficiencies, and an undue burden on vehicle owners.*
- (13c) *Access of aftermarket operators to the removal of parts from end-of-life vehicles, including in view of their future replacement, should be guaranteed to safeguard consumer choice and ensure the efficient use of resources. It is therefore necessary to ensure that waste management operators and publishers of technical information are provided with the information necessary for safe and effective removal of such parts from the end-of-life vehicles. Furthermore, such information should be provided to operators pursuing an activity involving the repair and maintenance of vehicles, where they do not qualify as waste management operators and only in cases where such provision of information is not already covered by other Union legislation*

- (14) Vehicles should be designed and manufactured in a way as to limit the presence of substances of concern. In its Communication of 14 October 2020 on ‘Chemicals Strategy for Sustainability – Towards a Toxic-Free Environment’ (the ‘Chemicals Strategy for Sustainability’)¹⁴, the Commission stated that substances of concern are to be minimised and substituted as far as possible, phasing out the most harmful ones for non-essential societal use, in particular in consumer products. Accordingly, substances of concern as constituents of materials used in vehicles or of any of the parts or components of vehicles should be minimised as far as possible to ensure that vehicles, as well as materials recycled from vehicles, do not have an adverse effect on human health or the environment, throughout their life-cycle.
- (15) Directive 2000/53/EC already restricts the use of lead, mercury, cadmium and hexavalent chromium in vehicles and provides exemptions, where such substances may be used in certain applications. This Regulation should take over these existing rules. However, in order to ensure the coherence of legislation on chemicals, restrictions regarding placing on the market and use of other substances in vehicles should be addressed under Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹. Similarly, restrictions on the use of substances regulated in Regulation (EU) 2019/1021 of the European Parliament and of the Council², should be *respected* based on provisions of that Regulation. ■

¹⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 14 *October* 2020, Chemicals Strategy for Sustainability – Towards a Toxic-Free Environment, (COM/2020/667 final).

- (15a) *To facilitate compliance with this Regulation and provide guidance on the presence of substances of concern in vehicles and in their parts and components, including those which hamper re-use and recycling of materials, or have adverse effects on health or on the environment, it is appropriate for the Commission to carry out an assessment and mapping of such substances. To that end, the Commission, assisted by the European Chemicals Agency, set up under Regulation (EC) No 1907/2006 ('the Agency'), should prepare a report on the presence of substances of concern in vehicles. That report should identify the extent to which such substances hinder re-use and recycling or adversely affect health or the environment, without duplicating assessments already required under other Union legislation. On the basis of its findings, the Commission should consider and take appropriate follow up measures, including, where relevant the adoption of delegated acts to establish information requirements and restrictions for substances of concern that negatively affect the re-use and recycling of materials for reasons not primarily related to chemical safety.*
- (16) Directive 2000/53/EC provides exemptions to the restrictions on the use of lead and cadmium in batteries used in vehicles, which are taken over by this Regulation. However, the use of substances in batteries is comprehensively regulated in Regulation (EU) *No 2023/1542* of the European Parliament and of the Council¹⁵. Therefore, such substances should be addressed and eventually their restrictions and related exemptions transferred, as appropriate, to that Regulation *by means of an amending provision set out* in this Regulation. ■

¹⁵ Regulation (EU) 2023/1542 of the European Parliament and the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1–117).

- (17) In order to take account of scientific and technical progress, the power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should continue to be delegated to the Commission in respect of amending exemptions from restrictions on the use of lead, mercury, cadmium and hexavalent chromium in vehicles under this Regulation. Modifying or deleting such exemptions should be preceded by an assessment of the socio-economic impacts of such change, which is absent in the Directive 2000/53/EC, including consideration of the availability of alternative substances and the impacts on human health and the environment across the lifecycle of vehicles. ***Before adopting such a delegated act, the Commission should consult relevant experts and stakeholders in order to take into account socio-economic impacts and impacts on human health and the environment.*** To ensure effective decision-making, coordination and management of the technical, scientific and administrative aspects of amending this Regulation with respect to restrictions on use of substances in vehicles, the European Chemicals Agency should assist the Commission in such assessment.

- (18) To increase circularity in the automotive sector, vehicles should progressively be designed and manufactured in such a way which incorporates recycled materials instead of primary raw materials *while maintaining the safety performance of vehicles*. The use of recycled materials allows for a more resource-efficient use of materials, decarbonises production and reduces negative environmental impacts related to the use of primary raw materials. Increased circularity for the vehicles manufactured in third countries that are placed on the Union market will also contribute to reducing greenhouse gas emissions globally, including the Union. It also *strengthens the Union's strategic autonomy and competitiveness by reducing* raw material and energy dependencies linked to the supply of primary raw materials, *particularly by contributing to retain valuable critical raw materials within the Union* and at the same time *reinforcing* the market for secondary raw materials. Although there are no requirements concerning the use of recycled content on a global level, many manufacturers have already incorporated recycled materials in their vehicles. Establishing targets and uniform provisions on how to calculate the recycled content will provide legal certainty and contribute to creating fair competition between manufacturers. The requirements *should* apply to all manufacturers intending to place vehicles on Union's market, *including through online market places*, irrespective of where they are based. Acknowledging the importance of global value chains in the automotive sector, the Regulation should allow for sourcing the secondary raw materials from outside the Union.

- (19) In view of the low recycling rate for plastics, especially from end-of-life vehicles, and the overall negative impacts of other forms of treatment of plastic waste, it is appropriate to increase the uptake of recycled plastics in vehicles. To this end, a mandatory target for plastic recycled from post-consumer waste should be included in new vehicles. Accordingly, each vehicle type should contain ■ plastic recycled from post-consumer plastic waste ***with progressively rising percentages. 20*** percent of this recycled content target for plastics ***in vehicle types*** should be achieved by including plastics recycled from end-of-life vehicles. ***The selection of plastics covered in the scope of targets are based on the recyclable types of plastics as specified in the dedicated Joint Research Centre (JRC)¹⁶ study and the Impact Assessment. In these documents, thermosets other than polyurethane foams in seats and elastomers are not considered in the calculation of the targets, given that thermosets are particularly challenging to recycle. Many common elastomers, thermosets and crosslinked materials do fulfil the polymer definition as referred to in the REACH based definition of plastics. Elastomers, including thermoplastic elastomers, which can be reprocessed into thermoplastics are included within the scope of the recycled content targets for plastics of this Regulation. However, recycled content targets for elastomers in tyres are being considered as those are a priority product under the Ecodesign for Sustainable Products Regulation and therefore not covered by the scope of this Regulation.*** In order to ensure uniform conditions for the implementation of this obligation, implementing powers should be conferred on the Commission to establish methodology for the calculation and verification of the share of plastics ***recycled*** from post-consumer waste, and ***post-consumer waste*** from end-of-life vehicles. ***To allow other recycling methods than mechanical recycling, including chemical recycling, to contribute to the attainment of the recycled content targets, it is necessary to establish additional rules for the calculation, verification and reporting of recycled plastic content. In such cases, it is necessary to introduce so-called mass balance accounting in line with mass balance accounting methodologies applicable to plastics recycling, taking into account the characteristics of dedicated recycling technologies for plastics, such as in heterogeneous shredded automotive waste. Should the lack of availability or excessive prices of specific recycled plastics make compliance with the minimum percentages excessively difficult, the Commission should***

¹⁶ <https://op.europa.eu/en/publication-detail/-/publication/0980feaf-2146-11ee-94cb-01aa75ed71a1/language-en>

be empowered to supplement the Regulation by laying down temporary derogations to the recycled plastic content targets.

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(19b) The promotion of the use of recycled plastic in vehicles is based on the premise that the recycled content itself was produced in an environmentally sustainable way, so that the carbon footprint is reduced and the circular economy is encouraged. To that end, certain safeguards need to be put in place in order to ensure that the way in which recycled content is obtained does not cancel out the environmental benefits of using such recycled content in vehicles. It is therefore necessary to address the related environmental concerns in a non-discriminatory manner with regard to both domestically produced and imported recycled plastic. To that end, in order to be counted towards the recycled content targets set out in the Regulation, recycled plastics should be subject to equivalent conditions with regard to requirements for the protection of human health, climate and environment, including on emissions and waste management, whether the recycling process happens within or outside the European Union.

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(19ca) The conditions applicable to material recycled in third countries, including the audit requirements, should only apply [48 months after the date of entry into force of this Regulation] and the Commission should more comprehensively assess the expected impact of those conditions in the light of the evolution of the market situation and of trade relations and should report its assessment to the Council and the European Parliament [24 months after the date of entry into force of this Regulation.]

(19f) In order to achieve the targets for the integration of recycled content under this Regulation, the Commission should publish, by [72 months after the entry into force of this Regulation], a review of the state of technological development and environmental performance of bio-based plastic and of elastomers derived from the reprocessing of tyres in vehicles, and, where appropriate, present a legislative proposal with sustainability requirements and targets.

(20) The automotive sector is one of the biggest users of steel and the current uptake of recycled steel in new vehicles remains low. In order to contribute to lowering the carbon footprint

linked to the production of new vehicles and support the move of the automotive industry towards climate neutrality, ***a minimum share of steel recycled from post-consumer steel waste and, where relevant, ferrous scrap in new vehicles should be set no later than 84 months after entry into force. In addition,*** the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a minimum share of steel recycled from post-consumer steel waste ***and, where relevant, ferrous scrap including flat and long carbon steel and possibly stainless-steel product families, no later than [24 months after entry into force],*** to be present and incorporated into vehicle types. The establishment of a future target should be preceded by a dedicated study by the Commission covering all relevant technical, environmental and economic factors linked to the feasibility of such target, ***no later than [12 months after entry into force], including impacts on other steel using sectors and global greenhouse gas emissions. It is important to distinguish between various steel product families within the vehicle, as they are produced using different technologies that have various constraints for the utilisation of ferrous scrap regarding their ability to tolerate copper content and other tramp elements.*** In order to ***supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union*** should be ***delegated to*** the Commission ***in respect of establishing a*** methodology for the calculation and verification of the share of steel recovered from post-consumer steel waste ***and, where relevant, ferrous scrap*** present in and incorporated into the vehicle type.

- (20a) *The automotive sector is also one of the biggest users of aluminium, representing more than 40 percent of Union total demand, and the use is increasing. The current uptake of recycled aluminium in new vehicles is low. In order to contribute to lowering the carbon footprint linked to the production of new vehicles and support the move of the automotive industry towards climate neutrality, reduce energy consumption and costs, and enhance resilience by reducing dependencies on primary raw materials supplies, it is appropriate to increase the uptake of recycled aluminium in vehicles. To that end, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a minimum share of aluminium and its alloys recycled from post-consumer waste in vehicle types and, if applicable from pre-consumer waste, incorporated into vehicle types, no later than [84 months after entry into force]. The establishment of a future target should be preceded by a dedicated study by the Commission covering all relevant technical, environmental and economic factors linked to the feasibility of such target. In order to supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a methodology for the calculation and verification of the share of aluminium and its alloys recovered from post-consumer waste and, if applicable from pre-consumer waste present in and incorporated into the vehicle type.*
- (21) There is a potential to increase the use of recycled content in vehicles for other materials commonly used by the automotive industry for which markets for secondary raw materials are underdeveloped, the footprint linked to the production of primary raw materials is high or recycling levels are limited, while sorting and recycling technologies are improving. It is therefore appropriate for the Commission to assess the desirability, feasibility and impacts of setting out targets on recycled content of neodymium, dysprosium, praseodymium, terbium, samarium, **nickel, cobalt**, boron used in permanent magnets as well as for magnesium and its alloys. ■

- (22) In order to boost the underdeveloped markets for secondary raw materials, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a minimum share of establishing a minimum share of magnesium and its alloys, neodymium, dysprosium, praseodymium, terbium, samarium, **nickel, cobalt** or boron recycled from post-consumer waste that shall be present in and incorporated into the vehicles types. In order to ***supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union*** should be ***delegated to*** the Commission to establish methodology for the calculation and verification of the shares of the materials recycled from post-consumer, ***and where relevant, pre-consumer*** waste in vehicle types. The methodology is necessary to clarify the definitions of post-consumer scrap and pre-consumer scrap. This is relevant to incentivise the improvement of quality and the retainment of value ■ for post-consumer ***waste*** fractions . In order to promote decarbonisation via the use of more recycled content, clear definitions are necessary to incentivise the recycling of post-consumer scrap, while minimising the use of pre-consumer scrap, which usually carries the same carbon footprint as the primary raw material.
- (23) In line with the requirements of Regulation (EU) ***2024/1252*** of the European Parliament and of the Council ■ , and considering that it is necessary to establish in this Regulation provisions on recycled content in vehicles and ***information on the removal of*** parts and components ***containing permanent magnet materials in*** vehicles, those provisions should apply as the sector specific implementation of the provisions contained in Regulation (EU) ***2024/1252***. This will ensure streamlining and integrating various ***obligations related to*** information ***on the*** removal ***of such components*** under the procedures of this Regulation with those for other parts ***and*** components. ***The labelling requirements in Article 28 of Regulation (EU) 2024/1252 should apply.***

- (24) In order to ensure that batteries are recycled in accordance with the requirements of the Regulation (EU) **2023/1542**, and that e-drive motors, which contain important quantities of rare earth elements, can also be replaced and recycled, it is necessary to introduce design requirements for new **vehicle** types, ensuring that these batteries **and their battery packs** and e-drive motors can be removed in a readily manner by authorised treatment facilities or repair and maintenance operators during any phase of the life-cycle of a vehicle. ***The Commission should also encourage the development of standards for design and assembly techniques that facilitate the maintenance, repair and repurposing of batteries and battery packs. More broadly, to maximise the potential for replacement, reuse, recycling, remanufacturing or refurbishing of vehicle parts and components, and to minimise waste, vehicles should be designed in a manner that enables the removal of as many parts and components as possible. The notion of technical feasibility should be interpreted in a manner that supports and facilitates those objectives, while recognising that, in certain cases, safety or functional requirements of a part can justify alternative solutions that limit the removability of a part or component. In such instances, manufacturers should demonstrate the necessity of such a choice.*** In order to take into account technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Regulation by revising the list of parts and components that are to be designed for removal and replacement from vehicles. In order to ensure uniform conditions for the implementation of this design requirement, implementing powers should be conferred on the Commission.

- (25) The type-approval system laid down in Regulation (EU) 2018/858 requires manufacturers to construct their vehicles, systems, components and separate technical units in conformity with an approved vehicle type. To ensure that manufacturers comply with the circularity requirements that are applicable to them at type-approval stage and which are laid down in this Regulation, and that type-approval authorities can verify compliance, it is necessary for manufacturers to include the information required for the type-approval procedure in the information folder. To increase transparency and ensure that the required type-approval information is presented in a manner coherent with the requirements in other legislation governing type-approval requirements for vehicles, the Commission should amend the rules established in Commission Implementing Regulation (EU) 2020/683¹⁸ which standardise the documents and information to be included into the information folder and thus specify the administrative requirements for type-approval.
- (26) In order to ensure that manufacturers of passenger cars and light commercial vehicles put in place actions to ensure that they meet the circularity requirements under this Regulation, and to incentivise them to improve the circularity of the *vehicles*, they should draw up a comprehensive circularity strategy. ***The circularity strategy should be prepared at the manufacturer level and updated every five years. A copy should be provided to the type-approval authorities as well as the Commission. Although provided to the type-approval authorities, the circularity strategy should not be linked to the type-approval process. To ensure broader oversight and scrutiny, the Commission should make the manufacturers' circularity strategies, as well as their updated versions, publicly available, with due regard to the safeguarding of any confidential information.*** The Commission should ***at least every six years, prepare and publish a*** report on the circularity of the automotive sector based on, ***among other information***, the circularity strategies provided by the manufacturers. ■

¹⁸ Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 163, 26.5.2020, p. 1).

- (27) In order to increase transparency on the use of recycled materials by the automotive sector and provide incentives to increase recycled content levels, vehicle manufacturers should be required to provide technical documentation showing the percentage of recycled materials present in new vehicle types which are submitted for type-approval. This requirement should apply to a selection of materials for which an increase in recycled content level in vehicles would bring about particularly important environmental benefits. The mandatory declaration should be submitted to the type-approval authority together with other documents as part of the application for type-approval.
- (28) Access to up-to-date information and timely communication between vehicle manufacturers and waste management operators across the automotive value chain are essential to maximise reuse, remanufacturing and refurbishment of parts and components of a vehicle and to ensure high-quality recycling of end-of-life vehicles. Therefore, manufacturers should provide to waste management operators and repair and maintenance operators unrestricted, standardised and non-discriminatory access to information, ***including via existing tools used by the automotive industry***, enabling safe removal of certain parts, components and materials present in a vehicle. ***Manufacturers should not be obliged to provide the information in question to repair and maintenance operators where such information has already been made available pursuant to other Union legislation.*** The information should guide the waste management operators, ***publishers of technical information*** and repair and maintenance operators through the steps and provide clear instructions on the use of tools or technologies required to access and remove electric vehicle batteries ***and their battery packs***, including the tools or technologies enabling their safe discharge, and e-drive motors. This information should also help to identify, locate and remove the parts, components and materials, that should be depolluted and removed from the vehicle prior shredding, as well as parts and components, containing the critical raw materials in permanent magnets referred to in Regulation (EU) 2024/1252. ***Manufacturers should also make available rescue and emergency response guidance information to emergency service. It is important that intellectual property rights are duly respected, ensuring that access to technical information does not compromise proprietary technologies or trade secrets.*** This should be done through communication platforms established by manufacturers and the information should be provided free of charge, excluding ***non-prohibitive*** administrative costs. The type-approval authorities should verify that the required information has been submitted by the manufacturers.

Taking into account the need to support the vehicles retrofitting as a way to reduce emissions, extend vehicle lifespans, and promote sustainability, manufactures should also ensure a proper cooperation with retrofit operators ■ .

- (29) While digital coding is increasingly used to control different parts and components in vehicle, the evaluation of Directive 2000/53/EC identified that such coding could impede the reuse, remanufacturing and refurbishment potential of certain parts and components. It is therefore essential that vehicle manufacturers are requested to provide information allowing professional waste management operators, ***publishers of technical information and repair and maintenance operators***, to overcome the problems posed by these digitally coded parts and components in a vehicle, where such coding prevents repair, maintenance or replacement operations in another vehicle.
- (30) Manufacturers and their suppliers should use component and material coding standards, which were established initially in Commission Decision 2003/138/EC¹⁹, for labelling and identification of vehicles' plastic and elastomer parts, components and materials. They should ensure, that all parts and components of vehicles are marked in accordance with other applicable Union legislation, in particular concerning labelling of batteries and of permanent magnets included in vehicles that they place on the market. In order to take into account the technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex VI specifying how parts and components of vehicles should be labelled.

¹⁹ Commission Decision 2003/138/EC of 27 February 2003 establishing component and material coding standards for vehicles pursuant to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 53, 28.2.2003, p. 58–59).

- (31) In order to facilitate the end-of-life treatment of vehicles, vehicle manufacturers should provide, via digital tools, accurate, complete and up-to-date information on the safe removal and replacement of vehicle parts and components. A **Digital** Circularity Vehicle Passport should therefore be developed and made available as a data carrier for such information, in a manner that is consistent with other digital information tools and platforms that already exist or are in further development in the automotive sector on the environmental performance of vehicles and aligned with corresponding provisions in the Regulation (EU) 2023/1542, the Regulation (EU) 2024/1781 of the European Parliament and of the Council²¹ and the Regulation (EU) 2024/1257 of the European Parliament and of the Council²⁰. In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to lay down the technical design and operation requirements for the passport and rules on location of the data carrier or other identifier enabling accessing the passport on the vehicle. *When laying down the rules for the digital vehicles circularity passport the Commission should take into account the need for the high level of security and privacy including on vehicles' operating data to prevent cybersecurity threats.*
- (32) In order to ensure that producers and other economic operators are subject to the same rules across the Member States, it is necessary to lay down harmonised rules for waste management of end-of-life vehicles. This should lead to a high level of protection of human health and the environment across the Union. It would also result in further harmonisation of the quality of waste management services provided by economic operators and facilitate the functioning of the market for secondary raw materials.

²¹ Proposal for a Regulation (EU) 2024/1781 of the European Parliament and of the Council of **13 June 2024** establishing a framework for *the* setting of ecodesign requirements for sustainable products, **amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542** and repealing Directive 2009/125/EC (OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>).

²⁰ Regulation (EU) 2024/1257 of the European Parliament and of the Council of **24 April 2024** on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), **amending Regulation (EU) 2018/858 of the European Parliament and of the Council** and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, **Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362** (OJ L, 2024/1257, 8.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1257/oj>).

- (33) In order to guarantee the safe and environmentally sound treatment of end-of-life vehicles, any establishment or undertaking intending to perform waste treatment operations for these vehicles should obtain an authorisation from the competent authority. The authorisation should be granted only if the establishment or undertaking has the **■** capacity needed to carry out the end-of-life treatment operations for vehicles in a manner that complies with the applicable EU and national law, including the specific treatment requirements established in this Regulation. Additionally, *only* authorised treatment facilities should have the competence to issue certificates of destruction in accordance with this Regulation.

■

- (33b) *Where producers or producer responsibility organisations conclude contracts with authorised treatment facilities for the purpose of fulfilling their producer responsibility obligations, these contracts should be in compliance with the principles of competition law and should not include provisions that have the purpose or effect of restricting or distorting competition, in particular within the meaning of Articles 101 and 102 of the Treaty on the Functioning of the European Union. Such contracts should be fair, transparent and should not contain discriminatory terms and conditions. In order to facilitate compliance with these requirements, Member States may provide a model contract.*

- (34) Directive 2000/53/EC establishes a basic obligation for vehicle producers to cover part of the costs of collection of end-of-life vehicles. Building on this obligation, in line with the polluter-pays principle and consistent with the general minimum requirements for extended producer responsibility schemes set out in Directive 2008/98/EC of the European Parliament and of the Council²², it is appropriate to lay down at Union level requirements on the responsibilities of vehicle manufacturers relating to the management of end-of-life vehicles. Producers should have extended producer responsibility for the vehicles that they have placed on the market once they reach their end-of-life stage. The extended producer responsibility should cover the obligations to ensure that the vehicles made available by the producers on the market in a Member State are collected and treated in accordance with this Regulation and that waste management operators treating such vehicles meet the recycling targets established by this Regulation.
- (35) In order to facilitate monitoring of compliance of producers with their extended producer responsibility obligations, Member States should establish a register of producers ***or use an existing register***. The registration requirements should be harmonised across the Union to facilitate registration, in particular where producers make vehicles available in different Member States. The register should be also used for the purposes of reporting to competent authorities on the performance of extended producer responsibility obligations. The features and procedural aspects linked to this register should also be consistent with the register of producers established by Regulation (EU) **2023/1542**, to enable producers of vehicles and producers of batteries to use one and the same register. ***In order to facilitate the registration of producers in all Member States, the Commission should also establish a website containing the links to all national registers.***

²² Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

- (35a) *Under Article 30 of Regulation (EU) 2022/2065 of the European Parliament and of the Council (Digital Services Act), providers of online platforms allowing consumers to conclude distance contracts with traders shall ensure that traders can only use those online platforms to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of their services for those purposes, they have obtained certain information, where applicable to the trader. It is recalled that in this context, vehicles constitute products. It is clarified that the register of producers established under this Regulation can constitute a public register for the purpose of compliance with Article 30, paragraph 1, point (d) of the Digital Services Act. It is further clarified that a self-certification by the trader to commit to only offer products or services that comply with the applicable rules of Union law pursuant to Article 30, paragraph 1, point (e) of the Digital Services Act can also cover the extended producer responsibility requirements laid down under this Regulation.*
- Finally, for the purposes of Article 30, paragraph 2 of the Digital Services Act, where the information in the register of producers is not publicly accessible, Member States should ensure that providers of online platforms are granted access, free of charge, to that information, in order to make best efforts to assess whether the information is reliable and complete.*
- (36) In case the producer makes vehicles available on the market for the first time within a territory of a Member State, where the producer is not established, the producer should designate an **authorised** representative for the extended producer responsibility. *If more than one producer is represented in a Member State by one authorised representative, that authorised representative should provide the name and the contact details for each of the represented producers separately.*

- (37) Producers should be able choose whether they will exercise their extended producer responsibility obligations individually or collectively, by means of producer responsibility organisations taking responsibility on their behalf.

Nevertheless, Member States may choose to require that a producer should be represented by a producer responsibility organisation. In such cases, producers should not be required by the Member State to be represented by a specific producer responsibility organisation, since there should be flexibility as regards how many producer responsibility organisations can be present in a Member State. This should also be the case in Member States with state-run producer responsibility organisations which may be subject to more specific arrangements under national law.

While Member States' legal frameworks may allow different governance structures, producer responsibility organisations should in principle operate to ensure that fees collected from producers are used exclusively to fulfil the obligations for collection and treatment of end of life vehicles for the organisation and financing of waste-management obligations.

All producer responsibility organisations should ensure the confidentiality of data provided to them by producers. In order to ensure that the interests of all economic operators are properly taken into consideration and avoid that waste management operators are placed at a disadvantage in the decisions taken in extended producer responsibility schemes, producer responsibility organisations should at least once each year conduct a structured consultation with interested stakeholders, and shall publish on their website a summary report of that consultation, setting out the principal comments received together with an explanation of how those comments have been addressed. Waste management operators should be granted an observer status in the governing bodies of the producer responsibility organisations, including in their executive and advisory boards, in order to improve the overall governance and efficiency of the system, while respecting the need to avoid conflict of interest.

In addition, waste management operators should be selected by producer responsibility organisations in a non-discriminatory procedure based on transparent award criteria.

- (38) Producers should finance part of the costs of collection and treatment of end-of-life vehicles necessary to meet the requirements established in this Regulation, in particular obligations aimed at ensuring higher quality of secondary raw materials retrieved from vehicles. The exact level of the costs of such operations that should be covered by producers should be determined taking into account the revenues of authorised treatment facilities and other waste management operators gained from sale of used spare parts or components and of secondary raw materials retrieved from end-of-life vehicles. To this end, the competent authorities, in cooperation with producers and waste management operators, should monitor the average costs of collection, recycling and treatment operations as well as the level of financial contributions paid by the producers in order to ensure that a fair allocation of costs between all interested operators is in place.
- (39) The financial contributions of producers should also cover the costs of educational campaigns aimed to ***inform the public and*** increase the collection of end-of-life vehicles, establishment of the notification system for issuance and transfer of certificates of destruction and gathering and reporting of data to the competent authorities. ***In addition, since this regulation introduces changes regarding the financial responsibility of producers for the collection of end-of-life vehicles covered by Directive 2000/53/EC, appropriate provisions should be made to take into account the transition from Directive 2000/53/EC to this Regulation.***
- (40) Producers who choose to fulfil their extended producer responsibility obligations individually should also provide a guarantee to be used to cover the costs of management of end-of-life vehicles. Such guarantees may be used in particular in cases where the concerned producers become insolvent or permanently cease their operations.

- (41) In case a producer exercises its extended producer responsibility obligations collectively with a producer responsibility organisation, the financial contributions paid by the producer should be modulated based on harmonised criteria. Such criteria should create economic incentives for the manufacturers to increase circularity in the design and production of new vehicles, taking into consideration the amount of primary and recycled materials in a vehicle, the extent to which it contains parts, components and materials which are difficult to remove, dismantle, reuse or recycled, as well as the amount of hazardous substances that it contains. In order to avoid distortion of the single market, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation by establishing detailed rules on how the criteria for the modulation of the financial contributions paid to producer responsibility organisations should be applied.
- (41a) Certain Member States may already have established extended producer responsibility structures and waste management systems, which are the basis for relevant national authorisations and contractual arrangements, when implementing Directive 2000/53/EC. These Member States should be able to continue to use these systems, provided that they are in line with the obligations under this Regulation.***

(42) ■ Vehicles often become end-of-life vehicles in a different Member State than in the Member State where they were *placed on the market. As long as a producer within the meaning of this Regulation can be identified in the Member State where the vehicle becomes an end-of-life vehicle, that producer should cover the related costs of collection and treatment. However, as it is not always possible to identify a producer in the Member State where the vehicle becomes an end-of-life vehicle after crossing borders*, it is also necessary to introduce rules on *a cross-border cost allocation mechanism which should apply only in this specific situation and only for vehicles in category M1 and N1*. These rules should ensure that the *costs of collection and treatment* ■ incurred by the waste management operators in the Member State where the vehicle becomes an end-of-life vehicle *are covered. The obligations stemming from the cross-border cost allocation mechanism, including the appointment of authorised representatives in each Member State, should not apply to importers or distributors, to avoid administrative burden for such operators. Each manufacturer of a vehicle vehicles in category M1 and N1 should be obliged to appoint an authorised representative for the cross-border mechanism in each Member States, notify the competent authorities about the designations and set up mechanisms for cross-border cooperation with relevant waste management operators. Manufacturers should be able to mandate a producer responsibility organisation to act as their authorised representative for the cross-border mechanism. For manufacturers established outside of the Union the obligation to appoint the authorised representatives for the cross-border mechanism and establish cross-border cooperation mechanisms may be fulfilled on the manufacturer's behalf by the manufacturer's representative in the Union appointed in application of article 13(4) of Regulation (EU) 2018/858.* Introducing such a *cross-border* mechanism contributes to creating a level playing field between the authorised treatment facilities across the Union ■ .

(43) In order to ensure compliance with these obligations and to avoid distortion of the single market, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing further detailed rules on the obligations of the producers, Member States and waste management operators and the features of the cross-border mechanisms.

- (44) A key prerequisite for the sound treatment of end-of-life vehicles is that all end-of-life vehicles are collected. Therefore, this Regulation should impose certain obligations linked to the collection primarily on the producers and, secondarily, on the Member States. Producers should ***ensure that all end-of-life vehicles that they have made available on the market for the first time in the territory of a Member State are collected. To that end, producers or producer responsibility organisations should*** set up or participate in setting up the collection systems ■ and Member States should adopt all necessary measures to ensure that the systems are in place and that those systems enable meeting the objectives of this Regulation. The collection systems should enable vehicle owners and other vehicle holders to deliver the vehicle to an authorised ***treatment facility or collection point*** without unnecessary efforts or costs. This means in practice that such systems should appropriately cover the whole territory of each Member State ***and ensure adequate availability of authorised treatment facilities or collection points***. They should also allow for collection of all brands of end-of-life vehicles, as well as of waste parts from repair of vehicles.
- (45) End-of-life vehicles should be treated only in authorised treatment facilities, thus such facilities play a vital role in collection of the end-of-life vehicles. In order to facilitate collection and ensure adequate availability of facilities collecting end-of-life vehicles, this Regulation provides for a possibility for establishing collection points. The role of such points would be limited to collecting of end-of-life vehicles, storing them in proper conditions and transporting them to the authorised treatment facility. Operating such a point requires a specific permit. Collection points should be required to deliver all collected end-of-life vehicles to authorised treatment facilities.

- (46) In order to effectively collect all end-of-life vehicles it is necessary to inform the public on the existence of collection systems. Vehicle owners should be aware that they can in principle deliver an end-of-life vehicle, with or without the electric vehicle battery, to a collection point or authorised treatment facility free of charge, *unless essential parts such as the e-drive motor, engine or multiple large pieces of the bodywork are missing to curtail illegal dismantling activities.*
- In case of a missing electric vehicle battery, the vehicle owner should prove that the battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542. In order to prevent the illegal dismantling of valuable parts and components from end-of-life vehicles and promote the collection of complete end-of-life vehicles, the free of charge delivery of end-of-life vehicles could be linked to the provision of financial incentives.* The educational campaign by producers or producer responsibility organisations should also present the consequences for the environment and human health of improper collection and treatment of end-of-life vehicles.
- (47) The authorised treatment facility should issue a certificate of destruction to *the last vehicle owner upon delivery of the* end-of-life vehicle ■ . This is necessary to ensure a proper supervision of management of end-of-life vehicles. The minimum requirements for this certificate are currently laid down in Commission Decision 2002/151/EC²³ and the content of this Decision should be included in this Regulation, with necessary adaptations. This certificate should be issued in an electronic format ■ to the last owner of an end-of-life vehicle, and then *provided* by the authorised treatment facilities ■ to the relevant authorities of the Member State *through an electronic notification procedure, as it requires cancellation of* the registration of a vehicle. The electronic notification system should enable *the transmission of* the certificate of destruction *and allow for a copy of the electronic notification to be provided to the last vehicle owner as well as to any economic operator acting on behalf of that owner.*

²³ Commission Decision 2002/151/EC of 19 February 2002 on minimum requirements for the certificate of destruction issued in accordance with Article 5(3) of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 50, 21.2.2002, p. 94–95).

- (48) Despite an obligation in Directive 2000/53/EC to transfer all end-of-life vehicles for treatment to an authorised treatment facility, there is a very significant share of vehicles whose whereabouts are unknown, and which might have been either illegally treated or exported as end-of-life vehicles, or whose status is not properly reported to the Member States registration authorities. Such vehicles are referred to as “missing vehicles”. Member States should strengthen their cooperation so as to reduce the number of missing vehicles. Recognition of certificates of destruction issued in another Member State and obligation to inform the authorities of the Member States, where the vehicle is registered, that a certificate of destruction is issued, should allow for better tracking of end-of-life vehicles’ whereabouts.
- (49) To ensure effective collection of end-of-life vehicles, explicit obligations should be addressed to vehicle owners. They should deliver their vehicle, when it reaches the end-of-life stage, to collection points or authorised treatment facilities. *When vehicles are damaged and insurance companies are involved in declaring them a technical or economic total loss, the insurance company or any other automotive expert acting on its behalf should also assess whether the vehicle is an end-of-life vehicle or not in accordance with this regulation. In case of abandoned vehicles authorities should set out rules for declaring the vehicle as an end-of-life vehicle and proceed accordingly with the provisions of this regulation. Abandoned vehicles may include for example cases where they have been left unattended or illegally on public property, or vehicles that have been parked on private property without the consent of the owner of the property, or vehicles that have not been reclaimed after a notification by competent authorities to the vehicle owner.*

- (50) In order to ensure a uniform and environmentally sound treatment of end-of-life vehicles in the Union, it is essential to ensure that the authorised treatment facilities accept and treat all end-of-life vehicles, parts, components and materials, including waste parts from repairs of vehicles, in compliance with the conditions set out in their permits, as well as in accordance with the requirements set out in this Regulation, the best available techniques, and Directive 2010/75/EU of the European Parliament and of the Council¹. ***For the purpose of compliance with the removal requirements, the quality requirements and the material recovery targets, the complete treatment of an end-of-life vehicle, can, but does not need to be carried out by a single waste management operator or within a single installation.***
- (51) In view of the key role of authorised treatment facilities in managing end-of-life vehicles in a way that does not adversely affect the environment or human health and contributes to the achievement of circular economy objectives of the Union, it is necessary to lay down obligations applying to such facilities and covering all their activities, from acceptance and storage of an end-of-life vehicle until its final treatment.
- (52) In order to ensure traceability on their activities, ***including quality of scrap or other relevant input materials***, the authorised treatment facilities should document the performed treatment operations and electronically store the record for a minimum of three years, and be able to present it, upon request, to relevant national authorities.

- (53) The depollution of an end-of-life vehicle is the first step towards preventing damage to the environment, human health and risks to work safety. It is therefore essential that an end-of-life vehicle undergoes the necessary depollution operations ***within 30 days*** after its delivery to the authorised treatment facility, before the end-of-life vehicle is treated any further. In this phase, waste oils should be collected and stored separately from the other fluids and liquids, and be further treated in accordance with Directive 2008/98/EC. ***Refrigerants should be treated in accordance with Regulation (EU) 2024/573^l***. In addition, the parts, components and materials containing lead, cadmium, mercury and hexavalent chromium, should be removed from the end-of-life vehicle, to avoid adverse effects on humans or the environment.²⁴
- (54) In order to ensure a proper implementation of Regulation (EU) ***2023/1542***, all batteries incorporated in vehicles are to be separately removed from an end-of-life vehicle and stored in a designated area for further treatment.

²⁴ ***Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014.***

- (55) In order to maximise the potential of reuse, remanufacturing and refurbishment of parts and components, and preserve a high value for the secondary materials which derive from end-of-life vehicles, certain parts and components should mandatorily be removed from an end-of-life vehicle prior to shredding. ***These*** parts and components **■** should be removed in a manual dismantling process or a semi-automated disassembly process ***in a non-destructive way***. It should be possible to deviate from the requirement on mandatory ***non-destructive*** removal of parts and components, ***when an authorized treatment facility demonstrates that the manual dismantling or (semi-) automated disassembly in a non-destructive way entails disproportionate economic costs that cannot be compensated by the revenues expected from the reuse, remanufacturing or refurbishment of these parts and components. In such a case, these parts and components can be removed in a destructive way for the purpose of separation of relevant materials prior to shredding. Parts and components can be exempted entirely from mandatory removal, if they are designated in the second column of Part C in Annex VII, if the authorized treatment facility demonstrates that post-shredder technologies separate materials from the parts and components concerned as efficiently as manual or semi-automated processes and that the criteria and limit values of Part G in Annex VII are met.*** In order to take into account technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex VII.
- (56) Once the authorised treatment facilities have removed parts and components from an end-of-life vehicle, they should carefully assess and determine whether those parts and components are fit for reuse, remanufacturing or refurbishment, based on objective criteria linked to the technical features of the parts and components and requirements on vehicle safety.
- (57) Regulation (EU) **2023/1542** sets out rules on the sustainability, performance, safety, collection, recycling and second life of batteries as well as on removal information about batteries for economic operators. The potential for a second life of batteries should be taken into consideration in this Regulation by excluding the electric vehicle battery from the essential parts or components' to allow for handing over the vehicle for treatment, free of charge, without the electric vehicle battery ***if the last vehicle owner provides documentation which proves that the battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542.***

- (58) Recognising the potential of remanufacturing and refurbishment in the automotive sector, and their contribution towards circular economy, it is necessary to provide legal clarity to the economic operators involved in this sector. It should therefore be clarified that parts and components removed from an end-of-life vehicle *or from repair and maintenance operations*, which are *suitable for immediate reuse, or further remanufacturing or refurbishment by professional operators*, *should not be considered waste. In order to respect the waste hierarchy and to boost the circular use of spare parts, the transfer of these parts and components, excluding batteries, between economic operators should not be restricted. Parts and components removed from end-of-life vehicles should be properly checked, cleaned and, where necessary, tested by an authorised treatment facility so that they could be immediately reused without any other pre-processing, or in other cases be suitable for further remanufacturing or refurbishment. Parts and components not* suitable for reuse, remanufacturing or refurbishment **■** should **■** be considered *as waste and their export should be subject to Regulation (EU) 2024/1157 of the European Parliament and of the Council^a*. The relevant national authorities should be in position to request documentation, from the authorised treatment facility that removed the part or component concerned, that confirms, via a dedicated assessment, the technical suitability of the relevant parts and components for remanufacturing, refurbishment, or reuse.
- (59) In its evaluation of Directive 2000/53/EC, the Commission found that used spare parts and components are offered to the public by unidentified providers and often come from illegal activities. Therefore, new requirements should be established concerning the trading of used, remanufactured or refurbished parts and components. Such parts and components should, above all, be marked with a label indicating the *name of* the component or part, *and contact information* of the *authorised treatment facility which* removed *the component or part*, and be *appropriately protected against damage during transportation, loading and unloading of the parts and components. The authorised treatment facility which removed the component or part, should have available a copy of the invoice or contract related to the transfer of these parts, in the event that the competent authority requests such documentation.*

- (59a) *Where the end-user is a consumer, the business-to-consumer sale of used, remanufactured or refurbished parts and components would be covered by Directive (EU) 2019/771 of the European Parliament and of the Council²⁵. That Directive requires goods sold to be in conformity with the sales contract, and stipulates the liability of the seller and consumers' remedies in the event of a lack of conformity, such as free repair or replacement of the goods. Since removed parts and components fit for reuse or refurbished parts and components constitute second-hand goods in the meaning of Directive (EU) 2019/771, the seller and the consumer can agree on a shorter liability or limitation period that is not less than one year if the Member State concerned has provided for such a possibility. The economic operators concerned are encouraged to provide commercial guarantees on the reused, remanufactured and refurbished parts and components to consumers and to their customers in business-to-business transactions.*
- (60) In the interests of road safety and protection of the environment, certain components and parts which have been removed from end-of-life vehicles should not be reused, remanufactured or refurbished. Such parts and components should be used neither for the construction of new vehicles, nor in vehicles that have already been placed on the market, *except where the conducted technical assessment demonstrates their conformity with applicable vehicle requirements. These parts should only be installed by a qualified repair and maintenance operator.*

²⁵ *Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136 22.5.2019, p. 28-50)*

- (61) In order to encourage the development and proper functioning of the market for reusable, refurbished and remanufactured parts and components ***and retrofitting of vehicles*** in the Union, Member States should be encouraged to take the necessary incentives at the national level to promote the reuse, refurbishment, and remanufacturing of parts and components, whether they are removed during the use or end-of-life phase of a vehicle ***as well as incentivise the retrofitting of the vehicles. Those incentives should be reflected in the waste prevention programmes which Member States are required to establish pursuant to Article 29 of Directive 2008/98/EC.*** The Commission should facilitate the exchange of information among Member States by sharing their best practices on the incentives taken at the national level, with a view to monitoring their effectiveness.
- (62) In its evaluation of Directive 2000/53/EC, the Commission found that the definition of recycling in that Directive is too broad and not consistent with Directive 2008/98/EC, as it considers ‘backfilling’ as a recycling operation. Therefore, the Regulation should align the definition of recycling with Directive 2008/98/EC, excluding backfilling from its scope.
- (63) The recycling of all plastics from end-of life vehicles should be continuously improved, and it is important to ensure a sufficient supply of recyclates to meet the demand for recycled plastics in vehicles. It is therefore necessary to lay out a specific recycling target of 30 ***percent*** of plastics from end-of-life vehicles. This target would be complementary to the targets for (85 ***percent***) of end-of-life vehicles as well as re-use and recovery (95 ***percent***) of end-of-life vehicles by average weight per vehicle and year. To facilitate the implementation of those requirements by waste management operators, a transitional period of three years is needed. In the meantime, the current targets for the re-use and recycling (85 ***percent***) as well as re-use and recovery (95 ***percent***) of end-of-life vehicles, as established by the Directive 2000/53/EC, and based on the definition of recycling in that Directive, should continue to apply. ***The weight of the plastic recycled and the total weight of plastics for the specific recycling target of plastics shall exclude elastomers, thermosets other than polyurethane foams used for cushioning and plastics that contain or are contaminated by any substance referred to in Article 7 of Regulation (EU) 2019/1021 when the thresholds of Annex IV of that Regulation are exceeded.***

- (64) It is important to increase the recovery of high-quality secondary materials by improving shredding processes of end-of-life vehicles. Therefore, end-of-life vehicles, their parts, components and materials should ***be allowed to*** be processed in a shredder in combination with other waste, including packaging waste and waste electrical and electronic equipment, ***only if specific criteria and the quality requirements for output fractions are fulfilled.***
- (65) To further increase the treatment quality of end-of-life vehicles, it should ***only*** be possible to landfill waste fractions resulting from shredded end-of-life vehicles, which contain non-inert waste and ***do not exceed the limit values set out in this Regulation.***
- (66) End-of-life vehicles are classified as hazardous waste and cannot be exported to non-OECD countries. Depolluted end-of-life vehicles may still be treated outside the Union, provided that those depolluted end-of-life vehicles are shipped in compliance with Regulation (EU) ***2024/1157.***
- (67) In case an end-of-life vehicle is shipped from the Union to a third country, the exporter should provide documentary evidence approved by the competent authority in the destination country, confirming that the treatment conditions are broadly equivalent to the requirements of this Regulation and to human health and environmental protection requirements laid down in other Union legislation, in line with Regulation (EU) ***2024/1157.***

- (68) In order to ensure that end-of-life vehicles are treated in an environmentally sustainable manner, it is important to establish clarity on a vehicle's status throughout its entire life, particularly in situations when there is a need for distinguishing used vehicles from end-of-life vehicles. A vehicle owner that intends to transfer the ownership of a used vehicle *within the Union* should in *certain circumstances* be required to *present documentation* that the vehicle is not an end-of-life vehicle. *This documentation should demonstrate that the vehicle is roadworthy or provide an assessment according to Annex I, which contains criteria for determining whether a vehicle is an end-of-life vehicle . The assessment of Annex I, with binding criteria in Part A and indicative criteria in Part B, should be carried out in a cascading manner. As soon as one binding criterion of Part A is met, the vehicle is an end-of-life vehicle. If no criteria of part A apply, the indicative criteria of part B should be checked. If one of those indicative criteria apply, a further technical assessment would be necessary to determine the repairs needed to obtain a roadworthiness certificate.*
- Based on this assessment, the vehicle owner should have the possibility to decide whether the vehicle should be discarded. If within five years following that technical assessment, the vehicle owner does not obtain a roadworthiness certificate, the vehicle should be considered an end-of-life vehicle. For the period of these five years, the technical assessment should constitute documentation that the vehicle is not an end-of-life vehicle.*
- The Annex I assessment should be carried out by an independent automotive expert, but it would be up to the Member States to decide how exactly such independent automotive experts should be appointed. The independent automotive experts should be professionals with specialised knowledge in the field of automotive technology, repair and maintenance or vehicle value assessment, appointed to provide unbiased expertise, without conflicting interests with the parties involved. To avoid excessive burden for natural persons who are not economic operators and primarily target the situation of a majority of potential end-of-life vehicles, the documentation requirement should only apply to such vehicle owners in specified circumstances. Such cases should concern the sales of vehicles that were declared economic total loss by an insurance company or when the sale is concluded entirely by means of an online platform, without physical handover of the vehicle between the seller and buyer or any person acting on their behalf.*

(68a) *It is necessary to ensure that, where an insurance company or any automotive expert acting on its behalf carries out an assessment of a damage of a vehicle involved in an accident, such assessment should, in particular, involve a verification of whether the vehicle qualifies as an end-of-life vehicle, in accordance with the criteria laid down in Annex I.*

In order to tackle illegal activities and ensure the proper identification of end-of-life vehicles, the competent authorities of the Member States should be empowered, in cases of doubt as to the status of a used vehicle, to request documentation from the vehicle owner to confirm that the vehicle is not an end-of-life vehicle. Such documentation should be either an assessment conducted in accordance with Annex I or a valid roadworthiness certificate. Competent authorities can make use of this prerogative irrespective of whether the vehicle in question is an accidented or a non-accidented vehicle.

This empowerment is also applicable to special purpose vehicles, which otherwise should not be subject to the rules governing the status of vehicles. Vehicles in categories L1e, L2e, and L6e may be exempted from the rules on status of the vehicle by Member States in national legislation.

The authority to adopt acts under Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to amend Annex I containing criteria for determination whether a vehicle is as an end-of-life vehicle. Under this delegation the Commission should be able to remove criteria according to which a vehicle is considered an end-of-life vehicle where technological advancements in the areas of traceability, repairability, and safety provides sufficient justification for such a deletion.

- (69) **■ In order to ensure that the internal market provisions are not undermined and given that the export of used vehicles raises important environmental and public health challenges as documented by the UN Environmental Programme, it is appropriate to lay down specific requirements regarding the export of used vehicles.** The requirements should be based on objective criteria according to which a used vehicle is not an end-of-life vehicle and is to be roadworthy pursuant to Directive 2014/45/EU of the European Parliament and of the Council²⁸. This should ensure that only used vehicles which are suitable to be driven on the Union roads can be exported to a third country **■** . To allow customs authorities to verify that those requirements are met upon export, any person exporting a used vehicle should be required to provide those authorities with the vehicle identification number and a statement confirming that the used vehicle is not an end-of-life vehicle and that it is considered roadworthy.

²⁸ Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51–128).

- (70) It is important to establish a mechanism where the compliance of used vehicles with the export requirements can be effectively verified without impeding the trade between the Union and third countries. An electronic system should therefore be established by the Commission, enabling authorities in the Member States to exchange *and verify* information in real time on the vehicle identification number and the roadworthiness status of used vehicles to be exported. In view of its existing features and functionalities linked to the sharing, between vehicle registration authorities, of information relating to vehicles registered in the Union, the MOVE-HUB, a message exchange platform has been developed by the Commission for the exchange of messages to interconnect Member State national electronic registers. ***Member States should be able to use the European Car and Driving Licence Information System (EUCARIS) to connect to the MOVE-HUB electronic system.*** The platform currently hosts the interconnection of road transport undertaking registers (ERRU), the driving licence registers (RESPER), the interconnection of professional driver training registers (ProDriveNet), the notification of vehicle roadside inspection failures (RSI) and the interconnection of tachograph driver card registers (TACHOnet). Therefore, the functionalities of the MOVE-Hub should be further extended to enable the exchange *and verify* of information on the vehicle identification number and the roadworthiness status of used vehicles to be exported. To allow customs to verify electronically and automatically whether a used vehicle to be exported complies with the export requirements, the electronic system operated by MOVE-HUB should be interconnected to the EU Single Window Environment for Customs, in accordance with Regulation (EU) 2022/2399 of the European Parliament and of the Council²⁹. That Regulation provides for a comprehensive framework of automated controls, which apply to a specific Union non-customs formality. Therefore, this Regulation should set out the main elements which are to be controlled, while the technical aspects of the implementation of this control would be laid down under Regulation (EU) 2022/2399.
- (71) In order to ensure uniform conditions for the implementation of export requirements, implementing powers should be conferred on the Commission to develop the necessary electronic systems and make them operational with national systems.

²⁹ Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1).

- (72) **Competent authorities of** Member States should collaborate with one another to ensure an effective implementation of the requirements governing the export of used vehicles and to provide mutual assistance. This assistance should include information exchange to verify the status of vehicles prior to their export, including confirming registration information in the Member State where they were previously registered. **Cooperation should entail, inter alia, providing access to relevant documents and information, including inspection findings, while adhering to applicable data protection regulations governing the requested authority.** Furthermore, in pursuit of comprehensive cooperation, **competent authorities of** Member States should cooperate with authorities from third countries.
- (73) It is important that customs authorities are able to carry out controls on used vehicles to be exported in accordance with Regulation (EU) No 952/2013 of the European Parliament and of the Council³⁰. A significant share of used vehicles leaving the Union are destined to countries where import requirements are established or might be established, such as requirements in relation to the age of the vehicle or to its emissions. It is important that customs authorities are able to verify electronically and automatically, via the EU Single Window Environment for Customs, whether a used vehicle to be exported complies with those requirements, when the information on these requirements is officially communicated to the Commission by the third countries concerned. **To facilitate compliance, the Commission should publish and update on a dedicated online portal the notified specific conditions linked to the protection of the environment or road safety imposed by third countries.** In order to protect the environment and road safety in third countries, the power to adopt delegated acts in accordance Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of setting these requirements.

³⁰ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

- (74) To prevent the risk of vehicles being exported without the required documents indicating the vehicle identification number and roadworthiness of the vehicle and of non-compliance with export requirements being detected only when the vehicle has already left the Union, the application of the ***entry in the declarant's records and the self-assessment*** procedures set out in Regulation (EU) No 952/2013 should not be allowed. Those procedures would prevent customs authorities from conducting real-time controls through the EU Single Window Environment for Customs, which would increase the risk of breaching the Union rules on the export of used vehicles.
- (75) In its evaluation of Directive 2000/53/EC, the Commission considered the lack of requirements on mandatory inspections as a shortcoming of the Directive. Therefore, this Regulation should ***impose on the Member States certain obligations related to detecting illegal activities in the area of collection, treatment and export of end-of-life vehicles and their parts and components, as well as*** set out minimum requirements concerning the frequency of inspections, their scope and characteristics of facilities subject to such inspections. The competitiveness of the authorised treatment facilities in relation to the illegal operators would thus be safeguarded and a continued compliance with conditions of permits and requirements on the collection and treatment of end-of-life vehicles would be ensured.
- (76) ***In order to ensure the effective enforcement of this Regulation, it is necessary that Member States establish inspection strategies designed to detect illegal activities in the collection, treatment, and export of end-of-life vehicles, as well as their parts and components. Such strategies should provide for the actions set out in this Regulation to safeguard compliance and contribute to the prevention of unlawful practices in the sector.***
- The Member States should carry out inspections*** ■ ***each calendar year. Such inspections should cover both legally operating entities and suspected illegal activities. The minimum number of inspections to be conducted annually in each Member State should correspond to no less than 10% of authorised treatment facilities and collection points operating within that Member State.*** It needs to be underlined, that inspections carried out under this Regulation should be complementary to inspections on the shipment of end-of-life vehicles, which are comprehensively regulated in Regulation (EU) 2024/1157.

- (77) Member States should establish cooperation mechanisms at national and international level so that inspections can take place in an efficient manner ***with the objective of facilitating the prevention and detection of illegal treatment and export of end-of-life vehicles, and addressing the issue of missing vehicles.*** Such mechanisms should allow for the exchange of vehicle registration data, necessary for tracking the vehicles and checking if they have been properly treated when they reach end-of-life stage. ***In order to foster cooperation across the Union on these topics, the Commission and the Member States should actively use relevant existing agencies, such as the European Union Agency for Law Enforcement Cooperation (EUROPOL), as well as enforcement networks dedicated to address environmental crime across the Union.***
- (78) All necessary enforcement measures should be taken by the Member States to tackle illegal treatment of end-of-life vehicles, in order to prevent damages to the environment or human health due to such activities. Any establishment or undertaking treating end-of-life vehicles without a valid permit, or in breach of conditions or requirements set out in the permit, should therefore be subject to penalties. Also other measures, such as withdrawing the permit or suspending the operations of an operator should be considered by Member States to ensure effective compliance with this Regulation.
- (79) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties should be established in particular for violations of the provisions on export of used vehicles, on delivery of end-of-life vehicles to authorised treatment facilities or collection points and on trading used, remanufactured or refurbished parts and components. The penalties provided for should be effective, proportionate and dissuasive.

- (80) Establishing reporting obligations is necessary to ensure proper implementation, monitoring and evaluation of Union legislation and to provide markets with up-to-date transparency information. Correct and valid data is indispensable for the Commission to assess whether the measures provided for in the Regulation function properly and to propose, where necessary, further adjustments aimed at ensuring environmentally sound treatment of end-of-life vehicles or at streamlining the implementation of the Regulation. With a view to limiting the burden linked to reporting, only data which are indispensable for the purpose of the implementation of this Regulation should be reported and reporting should be facilitated through digital tools. Based on these elements, it should be specified which data is to be reported by economic operators to the relevant authorities and by the Member States to the Commission. In order to ensure uniform conditions for the implementation of reporting requirements, implementing powers should be conferred on the Commission. The implementing acts, which should replace Commission Decision 2005/293/EC³¹, should also lay down a methodology for calculating and verifying whether the reuse, recycling and recovery targets have been attained.
- (81) The competent authorities of the Member States play an important role in verifying compliance with the obligations established under this Regulation relating to the collection and management of end-of-life vehicles, including better tracking by those authorities of the vehicles' whereabouts and combating illegal handling of end-of-life vehicles. Member States should thus require that waste management operators and other relevant economic operators provide the competent authorities with data allowing them to better monitor how the provisions on collection and management of end-of-life vehicles are being implemented.
- (82) The implementing powers that are conferred on the Commission by this Regulation should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³².

³¹ Commission Decision 2005/293/EC of 1 April 2005 laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 94, 13.4.2005, p. 30–33).

³² Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for

- (83) When adopting delegated acts under this Regulation, it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³³. To ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (84) Annex II to Regulation (EU) 2019/1020, which lists Union harmonisation legislation without provisions on penalties, should be amended to delete Directives 2000/53/EC and 2005/64/EC from that list as it is necessary that the current Regulation contains penalty provisions.
- (85) It is necessary to ensure that the type-approval related provisions and requirements of this Regulation are verified during the EU type-approval process. Regulation (EU) 2018/858 should therefore be amended accordingly.

control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

³³ OJ L 123, 12.5.2016, p.1.

- (86) Missing vehicles have been recognised as one of the major implementation challenges of Directive 2000/53/EC. The absence of an efficient system allowing for real time exchange of information between Member States on the registration status of vehicles hinders traceability and has been identified as a reason for the high number of “missing vehicles” in the Union. To address this, the Commission ***proposed*** a revision of Council Directive 1999/37/EC³⁴ on the registration documents for vehicles³⁵. This revision should require Member States to record electronically, for vehicles registered on their territory, data allowing to properly document the reasons for the cancellation of a registration of a vehicle, especially if a vehicle has been treated as end-of-life vehicles in an authorised treatment facility, re-registered in another Member State, exported to a third country outside the Union, or stolen. Moreover, to prevent the illegal dismantling or export of vehicles that have been temporarily de-registered, the vehicle owners should be obliged to promptly report any changes in their ownership to the national vehicle registration authority. These amendments complement and build on the existing requirements for Member States to electronically record data on all vehicles registered on their territory.

³⁴ Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ L 138, 1.6.1999, p. 57).

³⁵ ***Proposal for a Directive on the registration documents for vehicles and vehicle registration data recorded in national vehicle registers and repealing Council Directive 1999/37/EC, COM/2025/179 final.***

- (87) In view of the need to ensure a high level of environmental protection and to take into account scientific progress, the Commission should submit to the European Parliament and to the Council a report on the application of this Regulation and its impact on the functioning of the single market and the environment.

The Commission should include ■ in its report, *inter alia*, an evaluation of the provisions on the design of new vehicles, including the targets for re-usability, recyclability and recoverability, the management of end-of-life vehicles, including the recycling targets, and on penalties as well as an assessment of the need and feasibility of further extending the scope of *provisions applicable to L-category vehicles, heavy-duty vehicles, vehicles that are type-approved in multi-stage type approval and to motor caravans and to include trailer caravans into the scope of this Regulation.*

This assessment should focus not only on aspects concerning treatment of end-of-life vehicles, but also on the relevance and added-value of laying down design requirements *and the extent to which the issue of missing vehicles has been solved, including estimates on the number of missing vehicles and the impact of the measures regarding export of used vehicles and the need to include further measures addressing the issue of the traceability of vehicles. In that respect, the assessment should review the effectiveness, interoperability and reliability of national vehicle registration systems and their cross-border exchange of information in ensuring the accurate identification, status and traceability of vehicles throughout their lifecycle.*

The Commission should also review the state of technological development and environmental performance of bio-based plastic content in vehicles and of elastomers derived from the reprocessing of tyres in new vehicles and could present a legislative proposal to lay down relevant targets where appropriate.

For elastomers, derived from the reprocessing of tyres, priority should be given to assessing the extent to which they can be integrated into the existing targets for plastics recycled content.

- (88) The report from the Commission should also include an assessment of the measures concerning provision of information on substances of concern present in vehicles and whether the traceability of such substances need to be improved. It should also assess whether there is a need to introduce measures addressing the substances that may affect the treatment of vehicles when they reach end-of-life stage, in order to align it more closely with Regulation (EU) 2024/1781.

- (88a) *The Commission should also evaluate, based on the declarations made by manufacturers, whether manufacturers are on track to comply with the recycled plastic targets. The assessment should particularly evaluate the availability of suitable plastic recycling technologies, the sufficient availability of recycled plastic, the level of quality of recycled plastic comparing to the level of safety required and technical and economic difficulties to reach the target. Where appropriate, the assessment should be accompanied by a legislative proposal from the Commission to amend relevant provisions of this Regulation.*
- (89) It is necessary to provide for sufficient time for economic operators to comply with their obligations under this Regulation, and for Member States to set up the administrative infrastructure necessary for its application. The application of this Regulation should therefore be deferred.
- (90) In order to allow Member States to take the necessary administrative measures regarding establishment of collection systems, while keeping continuity for economic operators and waste management operators, repeal of Directive 2000/53/EC should be deferred.
- (91) This Regulation does not change the rules on restrictions on the use of lead, mercury cadmium and hexavalent chromium in vehicles established under Directive 2000/53/EC or exemptions from those restrictions. However, it lays down clearer rules on how compliance with these restrictions, as well as with other circularity requirements, are to be verified during the type-approval process. In order to ensure that manufacturers have sufficient time to comply with those rules, their application should be deferred. Therefore, provisions of Directive 2000/53/EC concerning restrictions on the use of lead, mercury cadmium and hexavalent chromium should remain in force until those rules become applicable, in order to ensure continuity and to assure that vehicles placed on Union's market do not contain such substances, in cases other than provided for in that Directive.

- (92) This Regulation also provides clearer provisions on extended producer responsibility than Directive 2000/53/EC. As establishment of such schemes and necessary national provisions on authorisation of producers and producer responsibility organisations requires some time, the application of those provisions should be deferred. The corresponding provisions of Directive 2000/53/EC should remain in force until those provisions become applicable in order to ensure continuity with regard to the producers financing of the costs of collecting end-of-life vehicles.
- (93) Similarly, this Regulation contains new requirements on the treatment of end-of-life vehicles, in particular on the removal of parts and components for the purpose of promoting their reuse, remanufacturing or refurbishment as well as increasing the quality of recycling processes. Waste management operators require time to adjust to those new requirements and the application of them should therefore be deferred. The corresponding provisions of Directive 2000/53/EC should remain in force until those requirements become applicable in order to ensure continuity with regard to treatment of end-of-life vehicles.
- (94) Obligations under Directive 2000/53/EC on reporting and the related obligations for the transmission of data to the Commission should remain in force for a period of time in order to ensure continuity until the new calculation rules and reporting formats are adopted by the Commission under this Regulation.
- (95) The application of all provisions concerning vehicle of categories L , M₂, M₃, N₂, N₃ and O should be deferred in order to provide sufficient time for operators to comply with the new requirements. This is particularly important with respect to permits for authorised treatment facilities that are capable of conducting depollution and further treatment of such vehicles.
- (96) In the interest of clarity, rationality and simplification, since the rules on type-approval of motor vehicles with regard to their reusability, recyclability and recoverability are all contained in this Regulation, the repeal of Directive **2005/64/EC** should be deferred. This time provides sufficient time for manufacturers to ensure that the vehicles types they design and construct comply with the circularity requirements and for approval authorities to implement the new rules.

- (97) Since the objectives of this Regulation, namely to contribute to the functioning of the single market, to prevent and reduce the adverse impacts from management of end-of-life vehicles and to ensure a high level of protection of human health, and the environment, cannot be sufficiently achieved by the Member States but can rather, by reason of the need for harmonisation, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

(98) *On 1 February 2020, the United Kingdom withdrew from the European Union. The Withdrawal Agreement³⁶ was concluded between the European Union and the European Atomic Energy Community, on the one part, and the United Kingdom, on the other part. It was approved by Council Decision (EU) 2020/135³⁷ of 30 January 2020 and entered into force on 1 February 2020. The Withdrawal Agreement provides for a transition period which ended on 31 December 2020. At the end of the transition period, Union law ceased to apply to the United Kingdom, whilst the Protocol on Ireland / Northern Ireland – now referred to as the Windsor Framework³⁸, which forms an integral part of the Withdrawal Agreement, became applicable. In accordance with Article 5(4) of the Windsor Framework and point 9 of Annex 2 to the Windsor Framework, Directive 2005/64/EC, as well as legal acts of the Union implementing, amending or replacing that legal act, apply to and in the United Kingdom in respect of Northern Ireland. This Regulation replaces Directive 2005/64/EC and would therefore apply to and in the United Kingdom in respect of Northern Ireland. Considering the scope of the Windsor Framework, it is therefore appropriate to stipulate that certain provisions of this Regulation should not apply to and in the United Kingdom in respect of Northern Ireland.*

³⁶ *Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 7).*

³⁷ *Council Decision (EU) 2020/135 of 30 January 2020 on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 1).*

³⁸ *Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 (OJ L 102, 17.4.2023, p. 87).*

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down circularity requirements on vehicle design and production related to reusability, recyclability and recoverability and the use of recycled content, which are to be verified at type-approval of vehicles, and on information and labelling requirements on parts, components and materials in vehicles. It also lays down requirements on extended producer responsibility, collection and treatment of end-of-life vehicles, as well as on the export of used vehicles from the Union to third countries.

Article 2

Scope

1. This Regulation shall apply:
 - (a) to vehicles and end-of-life vehicles of categories M₁ and N₁ as set out in Article 4(1), point (a)(i) and (b)(i), of Regulation (EU) 2018/858 ***with the modifications mentioned in paragraph 6;***
 - (aa) ***from [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] to vehicles and end-of-life vehicles of categories M₁ and N₁ of special purpose vehicles, as defined in Article 3, point (31), of Regulation (EU) 2018/858, except for the articles mentioned in paragraph 5 and with the modifications mentioned in paragraph 6;***
 - (b) from [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] to vehicles and end-of-life vehicles of categories M₂, M₃, N₂, N₃ and O as set out in Article 4(1) of Regulation (EU) 2018/858, ***except for the articles mentioned in paragraph 3 and with the modifications mentioned in paragraph 6;***

- (c) from [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation], *to special purpose vehicles and end-of-life vehicles ■ of categories M₂, M₃, N₂, N₃ and O, as defined in Article 3, point (31), of Regulation (EU) 2018/858, except for the articles listed in paragraph 5 and with modifications mentioned in paragraph 6;*
- (d) *from [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] to vehicles and end-of-life vehicles of L categories , as set out in Article 4(2) of Regulation (EU) 168/2013, except for the articles mentioned in paragraph 4 and with modifications mentioned in paragraph 6;*

2. *Notwithstanding paragraph 1, this Regulation shall not apply to:*

- (a) ■
- (b) ■
- (c) vehicles produced in small series, as defined in Article 3, point (30), of Regulation 2018/858;
- (ca) *vehicles of L categories produced in small series as referred to in Article 42 of Regulation (EU) 168/2013;*
- (cb) *vehicles designed and constructed or adapted for use by the armed services only, as referred to in Article 2(2), point (d), of Regulation (EU) 2018/858;*
- (cc) *vehicles designed and constructed for use by the armed services, civil defence, fire services, forces responsible for maintaining public order and emergency medical services, as referred to in Article 2 (2), point (e), of Regulation (EU) 168/2013;*
-
- (d) vehicles of historical interest as defined in Article 3, point (7), of Directive 2014/45/EU *including their identifiable parts, components required for their maintenance activities and necessary to preserve their historical status for the period during which these vehicles are considered as vehicles of historical interest;*

(da) vehicles of special cultural interest for the period during which these vehicles are officially recognised as such by competent authorities and in accordance with the procedure set out in Annex 0 to this Regulation;

■

(db) trailer caravans as referred to in point 5.6 of Annex I to Regulation 2018/858;

(e) special purpose vehicles as defined in Article 3, point (31), of Regulation 2018/858 belonging to categories M₂, M₃, N₂, N₃ and O that are produced by a small-volume manufacturer;

(f) cycles designed to pedal of vehicle category L1e-A as referred to in Annex I entry (9) of Regulation 168/2013, and L1e-B as referred to in Item 1.1.2. of Annex XIX to Delegated Regulation (EU) No 3/2014

3. Notwithstanding paragraph 1, point (b), the following provisions shall not apply to vehicles and end-of-life vehicles of categories M₂, M₃, N₂, N₃ and O:

(a) Article 4 on reusability, recyclability and recoverability of vehicles;

(b) Article 5 on requirements for substances in vehicles;

(c) Article 6 on minimum recycled content in vehicles;

■

(e) Article 8 on general obligations;

(f) Article 9 on circularity strategy;

(g) Article 10 on declaration on recycled content present in vehicles;

(h) Article 12 on labelling of parts, components and materials present in vehicles;

(i) Article 13 on **digital** circularity vehicle passport;

(j) Article 21 on fee modulation;

(k) Article 22 on cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State;

■

(q) Article 34 on reuse, recycling and recovery targets;

(r) *Article 36, paragraph 2 on shipments of end-of-life vehicles;*

■

4. Notwithstanding paragraph 1, point (d), the following provisions shall not apply to vehicles and end-of-life vehicles of *L* categories ■ :

■

(aa) ■

(a) *Article 4 on reusability, recyclability and recoverability of vehicles;*

(b) *Article 5 on requirements for substances in vehicles;*

(c) *Article 6 on minimum recycled content in vehicles;*

(d) *Article 9 on circularity strategy;*

(e) *Article 10 on declaration on recycled content present in vehicles;*

(f) *Article 13 on circularity vehicle passport;*

(g) *Article 21 on fee modulation;*

(h) *Article 22 on cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State;*

(aj) ■

(j) *Article 34 on reuse, recycling and recovery targets;*

■

(am) *Article 36, paragraph 2 on shipments of end-of-life vehicle*

(an) *Article 37a on competent authority;*

- (b) Article 38 on controls and requirements on the export of used vehicles;
- (c) Article 39 on automated verification of the Vehicle Identification Number and the information on vehicle status;
- (d) Article 40 on risk management and customs controls;
- (e) Article 41 on suspension;
- (f) Article 42 on release for export;
- (g) Article 43 on refusal to release for export;
- (h) Article 44 on cooperation among authorities and exchange of information;
- (i) Article 45 on electronic systems.



5. Notwithstanding paragraph 1, point *(a1) and (c)*, the following provisions shall **not** apply to special purpose vehicles *and end-of-life special purpose vehicles*:

- (a) Article 4 *on reusability, recyclability and recoverability of* vehicles;
- (b) Article 6 *on minimum recycled content in vehicles*;
- (c) Article 7 *on design to enable removal and replacement of certain parts and components in vehicles*;
- (d) Article 8 *on general obligations*;
- (e) Article 9 *on circularity strategy*;
- (f) Article 10 *on declaration on recycled content present in vehicles*;
- (g) Article 11 *on information on removal and replacement of parts, components and materials present in* vehicle;
- (h) Article 12 *on labelling of parts, components and materials present in vehicles*
- (i) Article 13 *on digital circularity vehicle passport*;

- (j) *Article 14 on competent authority;*
- (k) *Article 15 on authorised treatment facilities;*
- (l) *Article 17 on Producer Responsibility Organisations;*
- (m) *Article 18 on authorisation on fulfilment of extended producer responsibility;*
- (n) *Article 19 on registration;*
- (o) *Article 21 on fee modulation;*
- (p) *Article 22 on cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State;*
- (q) *Article 34 on reuse, recycling and recovery targets;*
- (ii) *Article 36, paragraph 2 on shipments of end-of-life vehicles*
- (r) *Article 37 on transfer of ownership and article 37a on distinction between used vehicles and end-of-life vehicles*
- (s) *Article 37a on competent authority;*
- (t) *Article 38 on controls and requirements on the export of used vehicles;*
- (u) *Article 39 on automated verification of the Vehicle Identification Number and the information on vehicle status;*
- (w) *Article 40 on risk management and customs controls;*
- (x) *Article 41 on suspension;*
- (y) *Article 42 on release for export;*
- (z) *Article 43 on refusal to release for export;*
- (za) *Article 44 on cooperation among authorities and exchange of information;*
- (zb) *Article 45 on electronic systems;*

6. Notwithstanding paragraph 1, **■** the following modifications *shall apply*:

- (a) *Articles 4-13 shall not apply to other parts of a vehicle that have been type-approved in multi-stage type approval of category M₂, M₃, N₁, N₂, N₃ or O than the base vehicle; the remaining provisions of the Regulation apply to the extent that they apply to the category of the vehicle concerned.*
- (b) *Article 5 shall not apply to special purpose vehicles of category M₂, M₃, N₂, N₃ and O;*
- (c) **■** *Article 7 shall only apply with respect to entries 1, 2, 3, 4, 5, 7, 10 and 11 of Part C of Annex VII for L categories;*
- (d) **■** *Article 7 shall only apply with respect to entries 1, 3, 4 and 5 of Part C of Annex VII for categories M₂, M₃, N₂, N₃, and O;*
- (e) **■** *Article 8 shall only apply for L categories vehicles with respect to the obligations applicable for such vehicles;*
- (f) *Article 16 point b) shall not apply for vehicle categories L_{1e}, L_{2e}, L₃, L₄, L₅, L₆ L₇, M₂, M₃, N₂, N₃, and O and M₁, M₂, M₃, N₁, N₂, N₃, and O categories of special purpose vehicles;*
- (g) *Member States may exempt L_{1e}, L_{2e} and L_{6e} categories from the obligations under Article 23(5), Article 25 and Article 37 and 37a;*
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- (h) *Article 30 shall only apply with respect of entries 1, 2, 3, 4, 5, 7, 10 and 11 of Part C of Annex VII for vehicle categories L_{1e}, L_{2e}, L₃, L₄, L₅, L₆ L₇, M₂, M₃, N₂, N₃, and O and M₂, M₃, N₂, N₃ and O categories of special purpose vehicles;*
- (i) *Articles 46 to 49 shall apply for vehicle categories L_{1e}, L_{2e}, L₃, L₄, L₅, L₆ L₇, M₂, M₃, N₂, N₃, and O only with respect to reporting and enforcement of obligations applicable for such vehicle categories.*
- (j) *Notwithstanding paragraph 5, point r, Article 37a paragraph 2 shall apply to special purpose vehicles and end of life special purpose vehicles.*
-

Article 3

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
 - (1) ‘vehicle’ means any vehicle as defined in Article 3, point (15), of Regulation (EU) 2018/858 or listed in Article 4(2) ■ of Regulation (EU) 168/2013;
 - (2) ‘end-of-life vehicle’ means a vehicle which is waste as defined in Article 3, point (1), of Directive 2008/98/EC, **or which is waste** according to ■ Annex I;
 - (3) ‘vehicle type’ means any type of vehicle as defined in Article 3, point (32), of Regulation (EU) 2018/858 or vehicle type as defined in Article 3, point (73), of Regulation (EU) No 168/2013;
 - (4) ‘reusability’ means the possibility for reuse of parts or components diverted from an end-of-life vehicle;
 - (5) ‘reuse’ means any operation by which parts or components of **end-of-life** vehicles are used **again** for the same purpose for which they were conceived;
 - (6) ‘recyclability’ means the possibility for recycling of parts, components or materials diverted from an end-of-life vehicle;
 - (7) ‘recoverability’ means the possibility for recovery of parts, components or materials diverted from an end-of-life vehicle;
 -
 - (8) ‘supplier’ means any natural or legal person who supplies parts, components or materials to a manufacturer who uses them to manufacture vehicles;
 - (9) ‘plastic’ means a polymer within the meaning of Article 3, point (5), of Regulation (EC) No 1907/2006, to which additives or other substances may have been added **and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified**
 -

(10) ‘critical raw materials’ means critical raw materials *within the meaning of paragraph 1 of Article 4 of Regulation (EU) 2024/1252*;

(10a) ‘pre-consumer waste’ means material diverted from the waste stream during a manufacturing process, excluding reutilisation of materials such as rework, regrind or scrap generated in a process and capable of being reclaimed within the same process that generated it;

(11) ‘post-consumer waste’ means waste that is generated from products *that* have been placed on the market *or supplied for distribution, consumption or use in a third country in the course of a commercial activity, whether in return for payment or free of charge*;

■

(12) ‘removal’ means manual, mechanical, chemical, thermal or metallurgic handling with the result that the targeted parts, components or materials from end-of-life vehicles are individually identifiable as a separate output stream or part of an output stream;

(13) ‘e-drive motor’ means an electric motor that converts electrical input power into mechanical output power to provide traction to a vehicle;

(14) ‘electric vehicle battery’ means electric vehicle battery as defined in Article 3, point (14), of Regulation (EU) *2023/1542*;

■

(15) ‘authorised treatment facility’ means any establishment or undertaking that is permitted in accordance with Directive 2008/98/EC and this Regulation to carry out collection, *storage* and treatment *operations* of end-of-life vehicles *including their parts and components*;

- (16) ‘treatment’ means any activity after the end-of-life vehicle has been handed over to a facility for depollution, dismantling, compacting, shearing, shredding, recovery or preparation *prior to* disposal of the shredder waste, and any other operation carried out for the recovery or disposal of the end-of-life vehicle and its parts, components and materials;
- (17) ‘shredding’ means any operation used for tearing into pieces or fragmenting end-of-life vehicles;
- (18) ‘repair and maintenance operator’ means *a* natural or legal person who *pursues a professional activity directly or indirectly involving the repair and maintenance of vehicles, and include repairers, manufacturers or distributors of repair equipment, tools or spare parts, as well as publishers of technical information, automobile clubs, roadside assistance operators, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative-fuel vehicles.*;
- (19) ‘placing on the market’ means making available a vehicle for the first time in the Union;
- (20) ‘making available on the market’ means any supply of a vehicle for distribution or use on the market in the course of a commercial activity, whether in return for payment or free of charge;
- (21) ‘waste management operator’ means any natural or legal person dealing on a professional basis with the collection or treatment of end-of-life vehicles *including their parts and components*;
- (22) ‘producer’ means any manufacturer, importer or distributor who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2, point (7), of Directive 2011/83/EU, supplies a vehicle for the first time for distribution or use, within a territory of a Member *State* on a professional basis;
- (23) ‘producer responsibility organisation’ means a legal entity that financially or financially and operationally organises the fulfilment of extended producer responsibility obligations on behalf of several producers;

- (24) ‘**authorised** representative for the extended producer responsibility’ means a natural or legal person established in a Member State in which the producer makes **vehicles** available on the market for the first time **and** which is different from the Member State **or the third country** where the producer is established, and is appointed by the producer in accordance with Article 8a(5), third subparagraph, of Directive 2008/98/EC to fulfil the obligations of that producer under Chapter IV of this Regulation;
- (24a) ‘**authorised representative for the cross-border mechanism**’ means a natural or legal person established in a Member State and appointed by the manufacturer in accordance with Article 22;
- (25) ‘secondary raw materials’ means materials that have been obtained through recycling processes and can substitute primary raw materials;
- (26) ‘vehicle owner’ means any natural or legal person holding the ownership right of a vehicle **or the** holder of the **vehicle** registration certificate **or, if neither the holder of the ownership right nor the holder of the vehicle registration certificate can be identified, the holder of the vehicle**”
- (27) ‘post-shredder technology’ means techniques and technologies used to process materials from end-of-life vehicles, after they have been shredded, for further recovery **in accordance with Part G, point 2, of Annex VII**;
- (28) ‘remanufacturing’ means **professional actions through** which a new part or component is manufactured **to return to same-as-new condition** from parts and components that are ■ removed from vehicles or end-of-life vehicles and **through** which at least one change is made ■ that affects **the** safety, **lifetime**, performance, purpose or type **of the part or component; the process is in compliance with specific technical specifications, including engineering, quality and testing standards.**
- (29) ‘refurbishment’ means actions carried out to prepare, clean, test, **service** and, where necessary, repair a part or component that is removed from vehicles or end-of-life vehicles in order to restore **its** performance or functionality ■ within the intended use and range of performance originally conceived at the design stage ■ at the time of **the placing of the part or component** on the market;

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- (32) ‘non-inert waste’ means waste that does not meet the conditions of definition of ‘inert waste’ laid down in Article 2, point (e), of Council Directive 1999/31/EC³⁹;
- (33) ‘used vehicle’ means a vehicle which has been registered in a Member State or any other country and is not an end-of-life vehicle;
- (34) ‘used vehicle to be exported’ means a used vehicle that is to be placed under the customs procedure laid down in Article 269 of Regulation (EU) No 952/2013;
- (35) ‘economic operators’ means producers, collectors, vehicle insurance companies, suppliers, repair and maintenance operators, waste management operators, ***including dismantlers and recyclers***, and any other operators involved in design of vehicles, trade in used vehicles, ***dismantling, reuse***, or management of end-of-life vehicles, ***remanufacturing and refurbishment of parts, components and materials from vehicles***;

■

(36) ***‘roadworthy vehicle’ means a vehicle that is roadworthy in accordance with Directive 2014/45/EU;***

(35c) ***‘retrofit operators’ means any legal person that manufactures an electric conversion kit or to perform the conversion of internal combustion engine vehicles to battery -electric or fuel cell vehicles;***

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(35g) ***‘collection point’ means an economic operator other than an authorised treatment facility, which temporary stores end-of-life vehicles and prepares for transfer of the collected end-of-life vehicles to authorised treatment facilities for treatment.***

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³⁹ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.7.1999, p. 1–19).

(35j) ‘authorised representative for the cross-border mechanism’ means a natural or legal person established in a Member State and appointed by the manufacturer in accordance with Article 22;

2. In addition to the definitions referred to in paragraph 1, the following definitions shall apply:

(a) ‘waste’, ‘waste oils’, ‘waste holder’, ‘waste management’, ‘collection’, ‘prevention’, ‘recycling’, ‘recovery’, ‘backfilling’, ‘disposal’ and ‘extended producer responsibility scheme’ laid down in Article 3, points (1), (3), (6), (9), (10), (12), (15), (17), (17a), (19) and (21), of Directive 2008/98/EC;

(b) ‘type-approval’, ‘multi-stage type approval’, ‘component’, ‘parts’, ‘spare parts’, ‘base vehicle’, ‘vehicle produced in small series’, ‘special purpose vehicle’, ‘market surveillance authority’, ‘approval authority’, ‘manufacturer’, ‘importer’ and ‘distributor’ laid down in Article 3, points (1), (8), (19), (21), (23), (24), (28), (30), (31), (35), (36), (40), (42) and (43), of Regulation (EU) 2018/858;

(ba) notwithstanding letter (b), for vehicles of L-categories the following definitions shall apply: ‘type-approval’, ‘component’, ‘parts’, ‘spare parts’, ‘base vehicle’, ‘market surveillance authority’, ‘approval authority’, ‘manufacturer’, ‘importer’ and ‘distributor’ as laid down in Article 3, points (1), (16), (18), (21), (11), (57), (56), (47), (49) and (50) of Regulation (EU) No 168/2013, and ‘vehicle produced in small series’ as referred to in Article 42 of that Regulation.

(c) ‘registration’, ‘registration certificate’, ‘suspension’, ‘holder of registration certificate’ and ‘cancellation of registration’ laid down in Article 2, points (b), (c), (d), (e) and (f), of Directive 1999/37/EC;

(d) ‘vehicle of historical interest’, ‘roadworthiness test’ and ‘roadworthiness certificate’ laid down in Article 3, points (7), (9) and (12), of Directive 2014/45/EU;

(e) ‘substance of concern’ and ‘data carrier’ laid down in Article 2, points (27) and (29), of Regulation (EU) 2024/1781;

(f) ‘customs authorities’ laid down in Article 5, point (1), of Regulation (EU) No 952/2013;

■
(h) *'online platform' laid down in Article 3, point (i), of Regulation (EU) 2022/2065;*

■
(ee) *'small-volume manufacturer' laid down in Article 3, point (48), of Regulation (EU) 2024/1257.*

(ef) *'light means of transport battery' or 'LMT battery' laid down in Article 3 point (11), of Regulation (EU) 2023/1542;*

(eg) *'packaging waste' laid down in Article 3, point (25), of Regulation (EU) 2025/40;*

(eh) *'waste electrical and electronic equipment' laid down in Article 3(1), point (e), of Directive 2012/19/EU of the European Parliament and of the Council⁴⁰;*

(ei) *'biobased plastics' laid down in Article 3, point 53 of (EU) 2025/40.*

(ej) *'reclamation' laid down in Article 3, point (13) of Regulation (EU) 2024/573.*

⁴⁰ *Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (OJ L 197 24.7.2012, p. 38).*

CHAPTER II

CIRCULARITY REQUIREMENTS

Article 4

Reusability, recyclability and recoverability of vehicles

1. Each vehicle belonging to a vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] under Regulation (EU) 2018/858 shall be constructed so that it is:
 - (a) reusable or recyclable to a minimum of 85 % by mass;
 - (b) reusable or recoverable to a minimum of 95 % by mass.
2. For each vehicle type referred to in paragraph 1, manufacturers shall take the following measures:
 - (a) collect the necessary data through the full chain of supply, in particular the nature and the mass of all materials used in the construction of the vehicles, to ensure continued compliance with the requirements;
 - (b) keep all the other appropriate vehicle data required by the calculation process referred to in point (e);
 - (c) ***to establish procedures to*** verify the correctness and completeness of the information received from ***the*** suppliers;
 - (d) the breakdown of the materials shall be managed and documented;
 - (e) calculate the reusability, recyclability and recoverability rates for the purposes of paragraph 1 in accordance with the methodology established by the Commission under paragraph 3 or, before such methodology has been adopted ***and entered into application***, in accordance with ISO standard 22628:2002 in combination with the elements set out in Part A of Annex II;

- (f) mark the parts and components of the vehicles made of polymers and elastomers in accordance with Article 12(1);
- (g) ensure that parts and components listed in Part E of Annex VII are not reused in the construction of new vehicles.

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3. The Commission shall, by [***OP: please enter the date = the last day of the month following 29 months after the date of entry into force of this Regulation***], adopt an implementing act establishing a new methodology for calculation and verification of the rates of reusability, recyclability and recoverability of a vehicle, taking into account the elements set out in Annex II ***and ISO standard 22628:2002***.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 51(2).

Article 5

Requirements for substances in vehicles

1. The presence of substances of concern in vehicles and in their parts and components shall be minimised as far as possible.
1a. By [Insert a date not later than 18 months after entry into force of this Regulation], the Commission, shall prepare a report on the presence of substances of concern in vehicles, to determine the extent to which they negatively affect the re-use and recycling of materials or having an adverse effect on health or the environment. The Commission shall be assisted by the European Chemicals Agency on aspects of chemical safety . The report shall not cover substances of concern in vehicle parts and components for which an identification or assessment is already required by other Union legislation. The Commission shall submit the report to the European Parliament and to the Council, detailing its findings, and consider the appropriate follow-up measures.
If a Member State considers that a substance negatively affects the re-use and recycling of materials in a vehicle in which it is present it shall, by [insert date], supply such information to the Commission and on aspects of chemical safety also to the European Chemicals Agency and, where available, refer to the relevant risk assessments or other relevant data.

1b. The Commission is empowered to adopt delegated acts in accordance with Article 50 to supplement this Regulation by establishing information requirements and restrictions for the presence of substances of concern that negatively affect the re-use and recycling of materials in vehicles and in their parts and components for reasons not relating primarily to chemical safety.

2. **■** Any vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation], under Regulation (EU) 2018/858, ***or any new parts or components placed on the market for such a vehicle*** shall not contain lead, mercury, cadmium or hexavalent chromium.

-
3. By way of derogation from paragraph 2, vehicle types ***or parts and components placed on the market for such vehicles*** may contain lead, mercury, cadmium or hexavalent chromium under the conditions and up to the maximum concentration values laid down in Annex III.

Paragraphs 1a, 1b, 2 and 3 shall not apply to batteries incorporated in vehicles to which Regulation (EU) 2023/1542 applies.

4. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex III in order to adapt it to scientific and technical progress by:
- (a) establishing maximum concentration values up to which the presence of lead, mercury, cadmium or hexavalent chromium in specific parts, components and homogenous materials of vehicles is to be tolerated;
 - (b) exempting certain parts, components and homogenous materials of vehicles from the prohibition on the presence of lead, mercury, cadmium or hexavalent chromium set out in paragraph 2 where the following conditions are fulfilled:
 - (i) the use of those substances is unavoidable;
 - (ii) it is demonstrated that socio-economic benefits outweigh the risk to human health or the environment arising from the use of those substances;
 - (iii) there are no suitable alternative substances or technologies.

- (c) deleting parts, components and homogenous materials of vehicles from Annex III, if the use of lead, mercury, cadmium or hexavalent chromium is avoidable;
- (d) designating those parts, components and homogenous materials of vehicles that shall be removed before further treatment and require them to be labelled or made identifiable by other appropriate means.

The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex III, in particular by removing certain exemptions for homogenous materials and components from the list, in case the specific exemption is addressed under other Union legislation.

The Commission, when adopting a delegated act pursuant to this paragraph, shall take into account the socio-economic impact of introducing, modifying or deleting an exemption to the restriction on the use of lead, mercury, cadmium or hexavalent chromium in vehicle types, including the availability of alternatives and the impacts on human health and the environment across the full lifecycle of vehicles.

5. Upon request from the Commission, and within 12 months from the request, the European Chemicals Agency (the ‘Agency’) shall prepare a report, ***based i.a. on consultation with stakeholders***, on the technical and economic feasibility of alternatives pertaining to existing exemptions listed in Annex III and, based on such assessment, a motivated proposal for the specific amendment of the exemption.
6. As soon as it receives the request from the Commission, the Agency shall publish on its website a notice that a report on a possible amendment of an exemption in Annex III will be prepared and invite ***Member States and*** all interested parties to submit comments within ***twelve*** weeks from the date of publication of the notice. The Agency shall publish on its website all comments received from ***Member States and*** the interested parties.
7. At the latest ***12*** months following the submission of the report referred to in paragraph 5 to the Commission, the Committee for Socio-economic Analysis of the Agency, set up pursuant to Article 76(1), point (d), of Regulation (EC) No 1907/2006, shall adopt an opinion on the report and on the specific amendments proposed. The Agency shall submit that opinion to the Commission without delay.
8. **■**

Minimum recycled content in vehicles

1. The plastic contained in each *new* vehicle type that is type-approved as of [*OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of the Regulation*] under Regulation (EU) 2018/858 shall contain a minimum of **15 %** of plastic recycled by weight from post-consumer plastic waste.

The plastic contained in each new vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 120 months after the date of entry into force of the Regulation] under Regulation (EU) 2018/858 shall contain a minimum of 25 % of plastic recycled by weight from post-consumer plastic waste.

2. *At least 20 % of the target set out in the first paragraph shall be achieved by including in the vehicle type concerned plastics recycled from end-of-life vehicles or from parts and components removed from vehicles during the use-phase.*

The weight of the plastic contained in each new vehicle type concerned and the weight of recycled plastic referred to in paragraphs 1 and 2 shall exclude elastomers from tyres and thermosets other than polyurethane foams used for cushioning.

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For the purpose of the obligations laid down in paragraphs 1, 2, and 3 recycled content shall be recovered from post-consumer waste, which has been recycled either in:

- a. An installation located in the Union; or*
- b. from 48 months after the date of entry into force of this Regulation, an installation located in a third country, provided that such an installation must meet the requirements of Annex XIII.*

By [OP: Please insert the date = the last day of the month following 24 months after the date of entry into force of this Regulation], the Commission shall more comprehensively assess the expected impact on global trade, as well as on the EU recycling and automotive industries and report its assessment to the Council and the European Parliament.

5. By [OP: Please insert the date = the last day of the month following 23 months after the date of entry into force of this Regulation], the Commission shall adopt an implementing act in accordance with Article 51(2) to **establish** the methodology for the calculation and

verification, for the purposes of *paragraphs 1, 2, 3 and 4* of this Article, of the share of plastics **recycled** from post-consumer waste, and from end-of-life vehicles **■**, present in and incorporated into the vehicle type.

With regards to recycled plastic obtained from recycling methods other than mechanical recycling, a mass balance accounting methodology shall apply in line with mass balance accounting methodologies applicable to plastics recycling in line with the definition of recycling in the Waste Framework Directive (2008/98/EC).

The verification methodology shall include an obligation for manufacturers to ensure that each installation located in a third country producing recycled content material that they are using complies with Annex XIII, and that each such installation located in a third country is being audited at least every 5 years by an independent third-party entity pursuant to Annex XIV. These audits shall verify that the conditions set out in paragraph 1, 2, 3 and 4 are met.

This audit requirement and the requirements and criteria set out in Annex XIII for material recycled in third countries shall apply from 48 months after the date of entry into force of this Regulation.

6. *The Commission shall be empowered to adopt a delegated act in accordance with Article 50 to supplement paragraphs 1 and 2 of this article by laying down temporary derogations to the recycled plastic content targets, or timing in case the lack of availability or excessive prices of specific recycled plastics make compliance with the minimum percentages of recycled content excessively difficult.*

7. *By [OP: Please insert the date = the last day of the month following 12 months after the date of entry into force of this Regulation], the Commission shall assess the feasibility of establishing a requirement on the minimum share of **■** recycled **■** steel, looking in particular at the following aspects:*

■

- (a) the current and forecasted availability of *ferrous scrap, considering flat and long steel and, where relevant, stainless-steel product families*;
- (b) the current share of *ferrous scrap* in various steel semi-products and intermediates *related to steel families* used in vehicles *and expected changes related to the transition of the automotive industry*;

- (c) the potential uptake of *ferrous scrap* by manufacturers in vehicles to be type-approved in the future *and the respective potential contribution to higher scrap utilisation levels considering the different compositional constraints applicable to each steel product family*;
- (d) the relative demand of the automotive sector in comparison to the demand for *ferrous scrap* of other sectors *considering the ability to tolerate copper content, and other unintended tramp inclusions*;
- (e) economic viability, technical and scientific progress, including changes in the availability of recycling technologies concerning steel recycling rates *as well as the necessity to address market failures hindering the utilisation of post-consumer versus pre-consumer steel scrap*;
- (f) the contribution of a minimum share of recycled content of steel in vehicles to the Union's open strategic autonomy, climate **■** environmental *and industrial* objectives, *in particular as regards the creation of complementary lead markets for decarbonised steel production*;
- (g) the need to prevent disproportionate negative impacts on the affordability of vehicles; and
- (h) the influence on the overall costs and competitiveness of the automotive sector *and the entire automotive steel value chain*.

(ha) **■**

■

By [OP please insert the date = the last day of the month following 24 months after the date of entry into force of this Regulation], the Commission shall adopt a delegated act, in accordance with Article 50, to supplement this Regulation by establishing a minimum share of steel recycled from post-consumer steel waste and, where relevant, ferrous scrap to be present [] and incorporated into vehicle types to be type-approved in accordance with this Regulation and Regulation (EU) 2018/858. That delegated act shall also set the date of application of the obligation to have a minimum share of recycled content no later than 84 months after entry into force of this regulation. Steel used as reinforcement materials in tyres shall not be considered to fall within the scope of that delegated act.

By [OP please insert the date = the last day of the month following 24 months after the date of entry into force of this Regulation], the Commission shall adopt a delegated act, in accordance with [] Article 50, establishing the methodology for the calculation and verification of the share of steel recycled from post-consumer steel waste in vehicle types and, if applicable from ferrous scrap , incorporated into vehicle types.

8. By [OP: Please insert the date = the last day of the month following 12 months after the date of entry into force of this Regulation], the Commission shall assess the feasibility of establishing a requirement on the minimum share of *aluminium and its alloys, recycled from post-consumer waste and incorporated into vehicle types, looking in particular at the following aspects:*
- (a) *the current and forecasted availability of aluminium and its alloys [] recycled from pre-consumer and post-consumer waste [] ; []*
 - (b) *the current shares of recycled content from post-consumer waste in aluminium and its alloys in vehicles placed on the market; and*
 - (c) *economic viability, technical and scientific progress, including changes in the availability of recycling technologies concerning the type of materials recycled, and their recycling rates;*
 - (d) *the contribution of a minimum share of recycled content of aluminium in vehicles to the Union's open strategic autonomy, climate environmental and industrial objectives, in particular as regards the creation of complementary lead markets for decarbonised aluminium and its alloys;*

- (e) *the need to prevent disproportionate negative impacts on the affordability of vehicles containing aluminium and its alloys; and*
- (f) *the influence on the overall costs and competitiveness of the automotive sector.*

By [OP please insert the date = the last day of the month following 24 months after the date of entry into force of this Regulation] the Commission shall adopt a delegated act, in accordance with Article 50, to supplement this Regulation by establishing a minimum share of recycled aluminium and its alloys to be present and incorporated into vehicle types to be type-approved in accordance with this Regulation and Regulation (EU) 2018/858. That delegated act shall also set the date of application of the obligation to have a minimum share of recycled content no later than 84 months after entry into force of this regulation.

By [OP please insert the date = the last day of the month following 24 months after the date of entry into force of this Regulation], the Commission shall adopt an delegated act, in accordance with Article 50, establishing the methodology for the calculation and verification of the share of aluminium and its alloys recycled from post-consumer waste in vehicle types and, if applicable from pre-consumer waste, incorporated into vehicle types.

9. *By [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation], the Commission shall assess the feasibility of establishing a requirement on the minimum share of:*
 - a. *magnesium and its alloys, recycled from pre-consumer and post-consumer waste and incorporated into vehicle types; and*
 - b. *neodymium, dysprosium, praseodymium, terbium, samarium, nickel, cobalt or boron recycled from post-consumer waste and, where relevant, pre-consumer, and incorporated into permanent magnets.*

■

■ The feasibility study *shall take* into account ■ the following:

- (a) the current and forecasted availability of the materials listed in the second subparagraph recycled from *pre-consumer and* post-consumer waste;

- (b) the current shares of recycled content from post-consumer waste in the materials listed in the second subparagraph in vehicles placed on the market;
- (c) economic viability, technical and scientific progress, including changes in the availability of recycling technologies concerning the type of materials recycled, and their recycling rates;
- (d) the contribution of a minimum share in vehicles of recycled content of the materials listed in the second subparagraph to the Union's strategic autonomy and its climate and environmental objectives;
- (e) possible impacts on the functioning of vehicles from incorporating recycled content of the materials listed in the second subparagraph into vehicle parts and components;
- (f) the need to prevent disproportionate negative impacts on the affordability of vehicles containing the materials listed in the second subparagraph;
- (g) the influence on the overall costs and competitiveness of the automotive sector.

After finalisation of the assessment referred in the first subparagraph, the Commission is empowered to adopt a delegated act, in accordance with Article 50, to supplement this Regulation by establishing a minimum share of:

- (a) *magnesium and its alloys, recycled from post-consumer waste and, where relevant, pre-consumer waste, and incorporated into vehicle types; and*
- (b) *neodymium, dysprosium, praseodymium, terbium, samarium, nickel, cobalt or boron recycled from post-consumer waste and, where relevant, pre-consumer, and incorporated into permanent magnets.*

The delegated act shall also set the date of application of the obligation to have a minimum share of recycled content.

5. ***By [OP: Please insert the date = the last day of the month following 36 months after the date of entry into force of this Regulation], the Commission shall adopt an delegated act in accordance with Article 50, establishing the methodology for the calculation and verification of the share of the recycled materials referred to in this paragraph in vehicle types.***

■

Article 7

Design to enable removal and replacement of certain parts and components in vehicles

1. Each vehicle belonging to a ***new*** vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] shall be designed in a way which does not hinder the removal by authorised treatment facilities of the parts and components listed in Part C of Annex VII from the concerned vehicle during the waste phase of the vehicle ***with a view to replacement, reuse, recycling, remanufacturing or refurbishing where technically feasible.***
2. Each vehicle belonging to a ***new*** vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] under Regulation (EU) 2018/858 shall be designed ■ to enable, in a readily and non-destructive manner, the removal and replacement of electric vehicle batteries and ***their battery packs and*** e-drive motors from the vehicle by authorised treatment facilities or repair and maintenance operators during the use phase and waste phase of the vehicle.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend paragraph 2 by ***including*** additional parts and components listed in Part C of Annex VII, taking into account technical and scientific progress.
4. The Commission may adopt implementing acts laying down the conditions for the design for removal and replacement of parts and components referred to in paragraph 2 where necessary to ensure harmonised implementation of the obligation set out in paragraph 2.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

- 4a. *Manufacturers shall not hinder the removal and replacement of vehicle parts and components using software updates, unless otherwise provided for in other Union law.***

CHAPTER III

OBLIGATIONS OF MANUFACTURERS

Article 8

General obligations

1. Manufacturers shall demonstrate that new vehicles *types* that they have manufactured and that are placed on the market, are type-approved in accordance with the requirements of Regulation (EU) 2018/858, ***Regulation (EU) No 168/2013*** and of this Regulation.
2. For the purposes of type-approval of *vehicle types* to which the requirements in Articles 4, 5, 6 or 7 ***apply***, the manufacturer shall provide the documentation showing compliance with those requirements and shall:
 - (a) include it in the information folder referred to in Article 24 of Regulation (EU) 2018/858 ***or in Article 27 of Regulation (EU) 168/2013, as applicable***; and
 - (b) submit it to the type-approval authority in accordance with Article 23 of Regulation (EU) 2018/858 ***or in Article 26 of Regulation (EU) 168/2013, as applicable***.

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4. For the purposes of type-approval of vehicles to which the requirements set out in Article 10 apply, the manufacturer shall draw up the information referred to in Article 10(1) and submit it, in accordance with Article 24(1), point (a), of Regulation (EU) 2018/858, to the type-approval authority together with the application for type-approval referred to in Article 23 of that Regulation.
5. For the purposes of type-approval of vehicles to which the requirements set out in Article 11 apply, the manufacturer shall submit the declaration confirming compliance with the requirement set out in Article 11(1), in accordance with 24(1), point (a), of Regulation (EU) 2018/858, ***or with Article 27(1) of Regulation (EU) 168/2013, as applicable***, to the type-approval authority together with the application for type-approval.

Article 9

Circularity strategy

1. █ Vehicle *manufacturers shall* as of [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation], █ draw up a circularity strategy *at manufacturer level*.
2. The circularity strategy shall describe which actions the manufacturers will take to follow-up on their obligations to ensure that the circularity requirements in Chapter II █ are met.
3. The circularity strategy shall contain the elements laid down in Part A of Annex IV.
4. *Manufacturers* shall provide *the type approval authorities of the Member States and the Commission with* a copy of the circularity strategy █ within 30 days after *it* has been *drawn up*.
5. The manufacturer shall monitor and follow up on the actions contained in the circularity strategy and update the strategy, *indicating the relevant new changes of the circularity strategy*, every five years in accordance with Part B of Annex IV. The updated circularity strategy shall be provided to the *Commission*.
6. The Commission shall make the circularity strategies and any updates to those strategies publicly available, except for confidential information.
- █
8. By [OP: Please insert the date = the last day of the month following 83 months after the date of entry into force of this Regulation] and *at least* every six years thereafter, the Commission shall draw up and publish a report on the circularity of the automotive sector. The report shall be based in particular on circularity strategies and updates to such strategies.

Declaration on recycled content present in vehicles

1. Manufacturers shall declare, for each **new** vehicle type that is type-approved as of [OP: Please insert the date = ■ the first day of the month following **12** months after the **adoption** of the **respective methodologies for the calculation and verification of the share of the materials recycled from post-consumer waste in vehicle types, as referred to in Article 6**] under Regulation (EU) 2018/858, the respective share of recycled content of:
 - (a) neodymium, dysprosium, praseodymium, terbium, samarium, **nickel, cobalt and boron** in permanent magnets in e-drive motors;
 - (b) aluminium and its alloys;
 - (c) magnesium and its alloys;
 - (d) steel **and its alloys**;
 - (da) plastics.**

The declaration shall concern the recycled content of these materials present in the vehicle type and indicate, per material share, **and for plastic components heavier than 100 g**, whether the material is recycled from pre-consumer waste or from post-consumer waste.

2. The type-approval authorities shall verify that the required documentation has been submitted by the manufacturers and that it contains the information referred to in paragraph 1.
3. By way of derogation from paragraph 1, the requirement to declare the share of recycled content of a certain material shall not apply where a target has **become applicable** for that material under Article 6.

Information on removal and replacement of parts, components and materials present in vehicles

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation], manufacturers shall, ***for new vehicle types that have been type-approved***, provide waste management operators, ***publishers of technical information*** and repair and maintenance operators unrestricted, standardised and non-discriminatory access, to the information listed in Annex V, enabling access to, and safe removal and replacement of, the following, ***unless this information is available under other Union legislation***:
 - (a) electric vehicle batteries ***and their battery packs*** incorporated in the vehicle;
 - (b) ■
 - (c) parts, components and materials which contain the fluids and liquids listed in Part B of Annex VII and which are contained in vehicles;
 - (d) parts and components listed in Part C of Annex VII contained in vehicles;
 - (e) parts and components, containing the critical raw materials as referred to in Article 28(1), point (b) ■ of Regulation (EU) 2024/1252 at the time of the type-approval of the vehicle;
 - (f) digitally coded components and parts in a vehicle, where such coding prevents their repair, maintenance or replacement in another vehicle. ***The requirement of point (f) above shall not apply with regard to information to be provided to publishers of technical information***
- 1a. ***Manufacturers shall make available rescue and emergency response guidance information to emergency services.***
2. Manufacturers shall ensure cooperation with the authorised, treatment operators, ***publishers of technical information, retrofit operators***, and repair and maintenance operators by establishing necessary communication platforms to provide and keep up-to-date the information referred to in paragraph 1 and the information specified in Annex V.

The manufacturers shall provide the information referred to in the first subparagraph free of charge. The manufacturers may collect ***reasonable and proportionate*** charges from waste management operators, ***publishers of technical information*** and repair and maintenance operators to the ***extent*** necessary to cover the ***actual*** administrative costs ***incurred*** for making the required information accessible through communication platforms.

3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex V by revising the list of parts, components and materials of vehicles and scope of information to be provided by the manufacturers. ***The Commission shall take into account technical and regulatory developments, current information technology and foreseeable vehicle technology developments.***

Article 12

Labelling of parts, components and materials present in vehicles

1. Manufacturers and their suppliers shall use the nomenclature of the component and material coding standards listed in points 1 to 3 of Annex VI for the labelling and identification of parts, components and materials of vehicles.

3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex VI in order to adapt it to technical and scientific progress.

Article 13

Digital Circularity Vehicle Passport

1. From [OP: please insert a date = the first day of the month following 72 months after entry into force of the Regulation] each vehicle placed on the market shall have a ***digital*** circularity vehicle passport, which shall be aligned, ***interoperable***, and ***where possible, integrated with other vehicle related environmental passports established under Union law, in particular the passports referred to in Article 77 of Regulation (EU) 2023/1542, in Article 3 point (68) of Regulation (EU) 2024/1257 and with other relevant passports established pursuant to Regulation (EU) 2024/1781.***

2. The **digital** circularity vehicle passport *of a vehicle that is being placed on the market* shall be accessible free of charge *and shall contain in digital format, the following:*
 - (a) *the information referred to in Article 11 of this Regulation;*
 - (b) *information about parts containing lead, mercury, cadmium or hexavalent chromium content of the vehicle as referred to in the derogation set out in Article 5(3);*
 - (b1) *declaration on the share of recycled content of plastic and the materials listed in Article 10(1);*
- 2e. *the official catalogue of spare parts for the vehicle type concerned. Where information required under this Article is already accessible through another digital product passport referred to in paragraph 1, this information shall not be duplicated in the Digital Circularity Vehicle Passport, provided that interoperability is ensured.*
3. The manufacturer placing the vehicle on the market shall ensure that the information *referred to in paragraph 2* is accurate, complete and up to date.
4. All information included in the **digital** circularity vehicle passport shall comply with the rules established by the Commission under paragraph 6 and shall be:
 - (a) based on open standards;
 - (b) developed with an interoperable format;
 - (c) transferable through an open interoperable data exchange network without vendor lock-in;
 - (d) machine-readable, structured, and searchable.
5. **■**
6. *By [48 months after entry into force of the Regulation],* the Commission shall adopt implementing acts laying down rules on the following:

- (a) the manner and ***basic requirements of the*** technical **■** solution to be used for accessing the ***digital*** circularity vehicle passport ***in a manner that does not preclude any technological solution***;
- (b) the technical design and operation requirements for the ***digital*** circularity vehicle passport, including rules on:
 - (i) the ***alignment and*** interoperability of the ***digital*** circularity vehicle passport with other passports required by Union legislation, ***as referred to in paragraph 1 of this Article***;
 - (ii) the storage and processing of information included in the ***digital*** circularity vehicle passport;
 - (iii) the availability of the ***digital*** circularity vehicle passport after the manufacturer responsible for the fulfilment of the obligations set out in paragraph 3 ceases to exist or ceases its activity in the Union;
- (c) the introduction, modification and updating of information included in the ***digital*** circularity vehicle passport by third parties other than the manufacturer;
- (ca) ***the conditions for access to the circularity vehicle passport, including the right of access and the relevant rules for the protection of data and the protection of intellectual property rights***;
- (d) the location of the data carrier or other identifier enabling access to the ***digital*** circularity vehicle passport of the vehicle. **■**

When laying down the rules referred to in the first subparagraph, the Commission shall take into account the need to ensure a high level of security and privacy.

The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 51(2).

CHAPTER IV

MANAGEMENT OF END-OF-LIFE OF VEHICLES

SECTION 1

GENERAL PROVISIONS

Article 14

Competent authority

1. Member States shall designate one or more competent authorities responsible for the obligations under this Chapter, in particular for monitoring and verifying compliance of *economic operators*, producers and producer responsibility organisations with their obligations as set out in Articles 15 to 36, *Article 37 and 37a and Annex I*.
2. Each Member State may designate one contact point, among the competent authorities referred to in the paragraph 1, for the purpose of communicating with the Commission.
3. Member States shall lay down the details of the competent authorities' organisation and operation, including the administrative and procedural rules for:
 - (a) the registration of producers in accordance with Article *19*;
 - (b) the authorisation of producers and producer responsibility organisations in accordance with Article *18*;
 - (c) the oversight of the implementation of extended producer responsibility obligations in accordance with Articles 16 and 20;
 - (d) the collection of data on vehicles and end-of-life vehicles in accordance with Articles *19(12)* and 49(6);
 - (e) making information available in accordance with Article 49.
4. By [*OP: Please insert the date = the last day of the month following 9 months after the date of entry into force of this Regulation*], Member States shall notify the Commission of the names and addresses of the competent authorities designated pursuant to paragraph 1.

Member States shall inform the Commission without undue delay of any changes to the names or addresses of those competent authorities.

Article 15

Authorised treatment facilities

1. Without prejudice to Directive 2010/75/EU, any establishment or undertaking that intends to carry out treatment operations on end-of-life vehicles shall obtain a permit from the competent authority in accordance with Article 23 of Directive 2008/98/EC and shall comply with the conditions laid down in that permit.
2. In order to issue a permit referred to in paragraph 1, the competent authority shall verify whether the establishment or undertaking has the capacity that is necessary to comply with the obligations set out in Article 27.
3. Permits referred to in paragraph 1 shall indicate that the treatment facilities have the competence to issue a certificate of destruction, as referred to in Article 25.
By derogation from the first subparagraph, Member States may provide in the national legal framework that authorised treatment facilities are competent to issue the certificate of destruction referred to in Article 25.
- 3a. *Producers or, where appointed in accordance with Article 17(1), producer responsibility organisations may conclude contracts with authorised treatment facilities for the purposes of implementing their producer responsibility obligations.*
Such contracts shall be fair and transparent and shall not contain discriminatory terms and conditions.
Member State may provide a model contract to facilitate the compliance with this article.
4. *Member States* shall ensure that the conditions of, and the procedures for the granting of, the permit are fully coordinated where more than one competent authority or more than one establishment or undertaking intending to carry out treatment operations on end-of-life vehicles is involved in those permit procedures, *in order to guarantee an effective integrated approach by all authorities competent for this procedure.*

5. *The Commission is empowered to adopt an implementing act laying down detailed requirements applicable to the contracts referred to in paragraph 3a, with a view to ensuring fair, transparent and non-discriminatory terms and conditions. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 51(2).*

SECTION 2

EXTENDED PRODUCER RESPONSIBILITY

Article 16

Extended producer responsibility

From [*OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation*] producers shall have extended producer responsibility for vehicles that they make available on the market for the first time within the territory of a Member State, *including where the vehicle has previously been made available on the market in another Member State than the Member State within whose territory the vehicle is made available. The extended producer responsibility scheme* shall be consistent with Articles 8 and 8a of Directive 2008/98/EC and comply with the requirements of this Chapter.

The extended producer responsibility shall include the obligation for producers to ensure that:

- (a) vehicles which they have made available on the market for the first time within the territory of a Member State and which become end-of-life vehicles
 - (i) collected in accordance with Article 23;
 - (ii) treated in accordance with Article 27;
- (b) the waste management operators treating end-of-life vehicles referred to in point (a) meet the targets laid down in Article 34.

In the outermost regions, Member States may adapt producers' obligations in order to cover the costs of managing end-of-life vehicles taking into account the characteristics of these regions.

- (bb) *In addition to the information referred to in Article 8a(3), point (e), of Directive 2008/98/EC, producers, in the case of individual fulfilment of extended producer responsibility obligations, or producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations shall publish on their websites once a year, subject to commercial and industrial confidentiality, the information on the collection of end-of-life vehicles and achievement of targets on reuse and recycling, reuse and recovery and plastic recycling by themselves, in the case of individual fulfilment of extended producer responsibility obligations, or by the producers which entrusted the producer responsibility organisation in the case of collective fulfilment of extended producer responsibility obligations.*

Article 17

Producer Responsibility Organisation

1. Producers may choose to fulfil their extended producer responsibility obligations either individually or may entrust a producer responsibility organisation authorised in accordance with Article 18 to fulfil the extended producer responsibility obligations on their behalf.

Member States may adopt measures to require that producers entrust a producer responsibility organisation to fulfil their extended responsibility obligations laid down in Article 16.

2. Producer responsibility organisations shall ensure the confidentiality of the data in their possession as regards proprietary information or information directly attributable to individual producers or their *authorised* representatives for the extended producer responsibility.
3. **■**
- 3a. *In addition to the information referred to in paragraph 3, producer responsibility organisations shall make publicly available information on the selection procedure for waste management operators selected in accordance with paragraph 4a.*
4. Producer responsibility organisations shall ensure *regular dialogue between stakeholders according to Article 8.a. paragraph 6 of Directive 2008/98/EC. Waste management*

operators active in collection and treatment of end-of-life vehicles shall designate observer members to the PRO executive board.

- 4a. Waste management operators shall be subject to a non-discriminatory selection procedure, based on transparent award criteria, carried out by producers or producer responsibility organisations and which does not place a disproportionate burden on small and medium-sized enterprises.*

Article 18

Authorisation on fulfilment of extended producer responsibility

1. A producer, in the case of individual fulfilment of extended producer responsibility obligations, and producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations, shall apply for an authorisation from the competent authority.
2. The authorisation shall be granted only where it is demonstrated that the requirements laid down in Article 8a(3), points (a) to (d), of Directive 2008/98/EC are complied with and the measures put in place by the producer or producer responsibility organisation are sufficient to meet the obligations set out in this Chapter with regard to the number of vehicles made available on the market for the first time within the territory of a Member State by the producer or producers on whose behalf the producer responsibility organisation acts.

A producer, in the case of individual fulfilment of extended producer responsibility obligations, and producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations, can only be registered if they hold an authorization from the competent authority according to this Article. This is without prejudice to the possibility of combining the registration procedure pursuant to Article 19 and the authorisation procedure pursuant to this Article into a single procedure.

3. Member States shall, in their measures laying down administrative and procedural rules referred to in Article 14(3), point (b), include the details of the authorisation procedure, which may differ according to whether it relates to individual or collective fulfilment of the extended producer responsibility obligations, and the modalities for verifying compliance of producers or producer responsibility organisations, including the information to be provided by producers or producers responsibility organisations to that end.
4. The producer or the producer responsibility organisations shall notify the competent authority without undue delay of any changes to the information contained in the authorisation, of any changes that concern the terms of the authorisation or of the permanent cessation of operations.

5. The self-control mechanism provided for in 8a(3), point (d), of Directive 2008/98/EC shall be carried out regularly, and at least every 3 years, and upon the request by the competent authority, in order to verify that the provisions in that point are complied with and the conditions for authorisation referred to in paragraph 2 continue to be met. The producer or the producer responsibility organisation shall, upon request, present a self-control report and, where necessary, the draft corrective action plan to the competent authority. Without prejudice to the competencies under paragraph 6, the competent authority may make observations on the self-control report and on the draft corrective action plan, and shall communicate any such observations to the producer or the producer responsibility organisation. The producer or producer responsibility organisation shall draw up and implement the corrective action plan based on those observations.
6. The competent authority may decide to revoke the authorisation if the producer or producer responsibility organisation no longer fulfils the requirements with regard to the organisation of the collection and treatment of end-of-life, fails in relation to reporting to the competent authority, fails to notify the competent authority of any changes that concern the terms of the authorisation, or has ceased operations.

Article 19

Registration

1. By [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation] Member States shall establish a register of producers, ***or use an existing register of producers***, which shall serve to monitor compliance of producers with the requirements of this Chapter.

The register shall provide links to other national registers of producers' websites to facilitate, in all Member States, registration of producers or ***authorised*** representatives for the extended producer responsibility ***and, if available, to the national websites containing information on the registration procedure.***

By [P.O. insert date = the last day of the month following 35 months after the date of entry into force of this Regulation] the Commission shall establish a website which contains the links to all national registers to facilitate the registration of producers in all Member States.

Member States shall inform the Commission about the link to their national registers of producers within 30 days of the launch of the registers.

2. Producers shall register in the register referred to in paragraph 1. They shall to that end submit an application for registration in each Member State where they make a vehicle available on the market for the first time.

Producers shall submit the application for registration via an electronic data-processing system as referred to in paragraph 8, point (a).

Producers shall only make available vehicles on the market of a Member State, if they or, in case of authorisation, their ***authorised*** representatives for the extended producer responsibility, are registered in such Member State.

3. The application for registration shall include the information listed in Annex VIII. Member States may request additional information or documents, as necessary, to use the register of producers in an efficient manner.
4. By way of derogation from paragraph 3, the information referred to in point 1 (d) of Annex VIII shall be provided either in the application for registration under paragraph 3 or in the application for authorisation under Article **18**.
5. Where a producer has appointed a producer responsibility organisation in accordance with Article **17**, the obligations under this Article shall be met by that organisation ***mutatis mutandis*** unless otherwise specified by the Member State in which the vehicle has been made available on the market for the first time.
6. The obligations under this Article may be fulfilled on a producer's behalf by an ***authorised*** representative for the extended producer responsibility.

If more than one producer is represented in a Member State by one authorised representative, that authorised representative shall provide the name and the contact details for each of the represented producers separately.

7. Member States may decide that the registration procedure pursuant to this Article and the authorisation procedure pursuant to Article **18** constitute a single procedure, provided that the application for authorisation meets the requirements set out in paragraphs 3 to 6 of this Article.

8. The competent authority shall:
- (a) make available on its website information about the application process via an electronic data-processing system;
 - (b) grant registrations and provide a registration number within a maximum period of 12 weeks from the moment that all the information required under paragraphs 2 and 3 is provided.
9. The competent authority may:
- (a) lay down modalities with regard to the requirements and process of registration without adding substantive requirements to those laid down in paragraphs 2 and 3;
 - (b) charge cost-based and proportionate fees to producers for the processing of the applications referred to in paragraph 2 *and in Article 18 paragraph 1*.
10. The competent authority may refuse to register a producer or withdraw the producer's registration where the information referred to in paragraph 3 and related documentary evidence are not provided or are not sufficient, or where the producer no longer meets the requirements laid down in Annex VIII, point 1 (d).
- The competent authority shall withdraw the producer's registration if the producer has ceased to exist.
11. The producer, or, where applicable, the producer's *authorised* representative for the extended producer responsibility or the producer responsibility organisation appointed on behalf of the producers it represents shall without undue delay notify the competent authority of any changes to the information contained in the registration and of any permanent cessation as regards the making available on the market within the territory of the Member State of the vehicles referred to in the registration.
12. The producer or, where applicable, the producer's *authorised* representative for the extended producer responsibility or the producer responsibility organisation shall report to the competent authority responsible for the register on the performance of extended producer responsibility obligations.

Where the information in the register of producers is not publicly accessible, Member

States shall ensure that providers of online platforms allowing consumers to conclude distance contracts with producers are granted access, free of charge, to that information.

Article 20

Financial responsibility of producers

1. The financial contributions paid by the producer shall cover the following costs related to the vehicles that the producer makes available on the market:
 - (a) the costs of the collection of end-of-life vehicles that *are* necessary to meet the requirements in Articles 23 to **25 and of their subsequent transport in an efficient manner** and the costs of the treatment of end-of-life vehicles that *are* necessary to meet the requirements in Articles 27 to **31**, 34 and **36, taking into account** the revenues of waste management operators linked to the sales of used spare parts and used spare components, of depolluted end-of-life vehicles, or of secondary raw materials *recovered from such parts, components and materials. These costs shall be based on an average cost calculation;*
 - (b) the costs of conducting awareness raising campaigns aimed to *inform the public and to* improve collection of end-of-life vehicles;
 - (c) the costs of establishing notification system referred to in Article 25;
 - (d) the *administrative* costs of **making data available**, gathering and reporting to the competent authorities;

For vehicles falling within the scope of Directive 2000/53/EC made available on the market before the entry into force of this Regulation and by way of derogation from the first sub-paragraph, point (a) and paragraph 1a of this Article, in Member States where, in accordance with Article 5(4), second subparagraph of Directive 2000/53/EC, the producers did not have to meet all but only a significant part of the costs, the financial contributions that the producer of these vehicles has to make shall correspond to a level constituting a significant part of the costs referred to therein.

- 1a. The financial contributions paid by the producers who place the vehicle on the market shall also cover costs referred to in point (a) of paragraph 1 related to*

vehicles for which the producer cannot be identified or ceased to exist in the Member State where the vehicle became an ELV, in proportion to their respective share of the market.

2. The competent authority shall, in close cooperation with producers, producer responsibility organisations and waste management operators, monitor:
 - (a) the average costs of collection, recycling and treatment operations and the revenues of waste management operators;
 - (b) the level of financial contributions to be paid by the producers to the producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations so that the costs are fairly allocated between all interested operators.
3. The financial contributions paid by the producers making available on the market special purpose vehicles shall cover only these costs referred to in point (a) of paragraph 1 that concern collection and depollution of such vehicles.

4. In the case of individual fulfilment of extended producer responsibility obligations, the producers shall provide a guarantee for vehicles that they make available on the market for the first time in the territory of a Member State. That guarantee shall ensure that the operations referred to in paragraph 1 relating to those vehicles will be financed, ***including in the event of permanent cessation of their operations or insolvency.***

The amount of the guarantee shall be determined by the Member States in which the vehicle has been made available on the market for the first time taking into account criteria laid down in Article 21.

The guarantee may take the form of participation by the producer in appropriate schemes for the financing of the management of end-of-life vehicles, ***a financial guarantee or equivalent*** insurance ■ .

6. ***When a new vehicle has been type-approved in multi-stage type approval, the producer of the base vehicle is to be considered as the producer of the completed vehicle and may collect pro-rata contributions from the manufacturers of the parts, other than the base vehicle, that have been type approved in the multi-stage type approval. These pro-rata contributions shall only cover costs in relation to depollution according to article 29 and removal of parts and components according to article 30.***
- Microenterprises, as defined in Article 2 paragraph 3 of the Annex to Commission Recommendation 2003/361/EU, shall be exempted from such contributions.***

Article 21

Fee modulation

1. In the case of a collective fulfilment of extended producer responsibility obligations, producer responsibility organisations shall ensure that the financial contributions paid to them by producers are modulated by taking into account ***at least*** the following:
- (a) the weight of the vehicle, ***excluding electric vehicle batteries;***
-
- (c) the rate of recyclability and reusability of the vehicle type to which the vehicle belongs, based on the information submitted to the type-approval authority in accordance with Article 4;

- (d) the time needed to dismantle the vehicle at an authorised treatment facility, especially for parts and components which need to be removed prior to shredding under Article 30;
 - (e) the share of materials and substances preventing a high-quality recycling process ■ ;
 - (f) the percentage of recycled content of materials listed in Articles 6 and 10 used in the vehicle;
 - (g) the presence and amount of substances referred to in Article 5(2).
2. The Commission is empowered to adopt delegated acts in accordance with Article 50 supplementing this Regulation by establishing detailed rules on how the criteria provided for in paragraph 1 are to be applied.

Article 22

Cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State

1. ***1. Notwithstanding Article 16 and Article 20(1a), where a vehicle in the categories M1 and N1 becomes an end-of-life vehicle in another Member State than the Member State within whose territory the vehicle was placed on the market, and no producer can be identified on the territory of the Member State where it becomes an end-of-life vehicle, the manufacturer of that vehicle ■ shall ensure that the ■ costs of waste management operations referred to in Article 20(1)(a) and 20(1)(d) incurred by waste management operators ■ are covered.***
2. ***In order to fulfil its obligations under paragraph 1, a manufacturer shall:***
- (a) designate by a written mandate an ***authorised*** representative for the ***cross-border mechanism*** in each Member State ***and notify the competent authorities about the designations;***

- (b) establish cross-border cooperation mechanisms with the waste management operators carrying out waste management operations referred to in Article 20(1)(a) and 20(1)(d).

The manufacturer's authorised representative referred to in point (a) shall perform the tasks specified in the mandate received from the manufacturer. A manufacturer may designate a producer responsibility organisation to act as its authorised representative.

The obligations of a manufacturer established outside of the Union, under points (a) and (b) may be fulfilled by the manufacturer's representative in the Union appointed in application of article 13(4) of Regulation (EU) 2018/858.

2 bis. Manufactures of vehicles shall demonstrate to their producers the compliance with the requirements set out in paragraph 2.

2 ter. Producers shall make available on the market of a Member State only those vehicles from manufacturers who have demonstrated compliance with the requirements set out in paragraph 2.

3. The Member State where the vehicle became an end-of-life vehicle shall monitor *manufacturers' and their authorised representatives'* compliance with paragraphs 1 and 2 *and producers' compliance with Article 37*. The monitoring shall be based on the information reported and verified by *manufacturers and their authorised representatives* to the competent authorities on the implementation of paragraphs 1 and 2, in particular on the calculation and allocation of costs for the management of end-of-life vehicles referred to in paragraph 1, with due regard for business confidentiality and other concerns regarding competitiveness.
4. Where necessary to ensure compliance with this Article and *taking into account information provided by the Member States pursuant to the cooperation and monitoring activities referred to in paragraphs 2 and 3*, the Commission is empowered to adopt delegated acts in accordance with Article 50 this Regulation. *This empowerment aims, in particular, at avoiding distortion of the single market and ensuring a level playing field for economic operators established within and outside the Union. The delegated acts may lay down detailed rules on the obligations of the manufacturers, in particular those established outside of the Union, the manufacturers' authorised representatives, producers, Member States and waste management operators and the features of the mechanisms referred to in this Article.*

SECTION 3

COLLECTION OF END-OF-LIFE VEHICLES

Article 23

Collection of end-of-life vehicles

-1. *Producers shall ensure that all vehicles that they have made available on the market for the first time in the territory of a Member State are collected when those vehicles become end-of-life vehicles.*

1. *To this end*, the producers or, where appointed in accordance with Article 17, producer responsibility organisations shall set up, or participate in the setting up of, collection systems, including collection points ■ .

Member States shall adopt the necessary measures to ensure that producers or, where appointed in accordance with Article 18, producer responsibility organisations set up collection systems for all end-of-life vehicles.

-1.

2. The producers or, where appointed in accordance with Article 18, producer responsibility organisations shall ensure that collection systems referred to in paragraph 1:
 - (a) cover the whole territory of the Member State;
 - (b) *are provided with* adequate availability of authorised treatment facilities *or collection points*, taking into account population size and density, expected volume of end-of-life vehicles, not being limited to areas where the collection and subsequent management is most profitable;
 - (c) ensure collection of waste parts from repairs of vehicles;
 - (d) enable collection of end-of-life vehicles ■ , irrespective of their origin;
 - (e) enable the delivery of all end-of-life vehicles free of charge to *collection points or* authorised treatment facilities as provided in Article 24(2).

3. Producers or, where appointed in accordance with Article 17, producer responsibility organisations shall ***publish and regularly update the list of collection points and authorised treatment facilities on their websites and*** carry out educational campaigns promoting the collection ***systems*** for end-of-life vehicles and informing about environmental consequences of improper collection and handling of end-of-life vehicles. ***Member States may require that the educational campaigns shall be coordinated within the Member State, in collaboration with both the producers or, where appointed in accordance with Article 17, producer responsibility organisations and competent authorities.***

Member States may authorise ***collection points*** other than authorised treatment facilities ***to collect*** end-of-life vehicles.

■

- (-a) ***The collection points shall obtain a permit from the competent authority in accordance with Article 23 of Directive 2008/98/EC and shall comply with the conditions laid down in that permit. In order to issue a permit, the competent authority shall verify that such establishment or undertaking has the capacity that is necessary to carry out the following obligations:***

- (a) ***collect the end-of-life vehicles and temporarily store them in accordance with*** Part A of Annex VII;
- (b) ***prepare for the transfer of the collected end-of-life vehicles to authorised treatment facilities by preventing the accidental leakage of fluids and unauthorised access to the collection point;***

■

- (c) guarantee that all collected end-of-life vehicles are transferred to an authorised treatment facility within ***2 months*** from receipt of the end-of-life vehicle; and

■

5. The **collection points** shall issue a document in electronic format, confirming receipt of an end-of-life vehicle, to the vehicle owner, and provide it through an electronic notification procedure established in accordance with Article 25(2) to the relevant authorities of the Member State, including the competent authorities designated under Article 14.

Article 24

Delivery of end-of-life vehicles

1. ***The vehicle owner, and any economic operator acting on behalf of the vehicle owner, of a vehicle that becomes an end-of-life vehicle shall deliver it to an authorised treatment facility or to a collection point without undue delay. This obligation does not apply to motor caravans, as referred to in point 5.1 of part A of Annex I to Regulation 2018/858, that become end of life vehicles as long as they are used for housing purposes.***

All end-of-life vehicles ***for which no owner can be identified*** shall be delivered for treatment to authorised treatment facilities.

2. Delivery of an end-of-life vehicle to an authorised treatment facility ***or a collection point*** shall be free of charge for the last owner of a vehicle unless the end-of-life vehicle lacks any of the essential vehicle parts or components **■** or contains waste which has been added to the end-of-life vehicle.

Essential parts for the purpose of this article are in particular:

2b. *e-drive motors*

2c. *electric vehicle batteries as defined in Article 3, point (14), of Regulation (EU) 2023/1542;*

(c) *engines;*

2g. *multiple large pieces of bodywork.*

- 2h. *Where the electric vehicle battery is missing from an end-of-life vehicle, the delivery of the end-of-life vehicle shall remain free of charge if the last owner of the vehicle provides documentation which proves that the electric vehicle battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542.*
- 2i. *In case of vehicles that have been declared as technical total loss by the insurance companies, delivery of such end-of-life vehicles should be free of charge even when the essential parts set out in paragraph 2 are missing.*

Article 25

Certificate of destruction

1. Authorised treatment facilities shall issue a certificate of destruction *to the last vehicle owner upon delivery of the* end-of-life vehicle to the *authorised treatment facility*. The certificate of destruction shall *be issued in accordance with the template set out* in Annex IX.
2. The certificate of destruction shall be issued in an electronic format and provided through an electronic notification procedure to the relevant authorities of the Member State, including the competent authorities designated under Article 14. *The authorised treatment facility shall provide a copy of the electronic notification to the last vehicle owner and any economic operator acting on behalf of the vehicle owner.*
3. In case the end-of-life vehicle, for which a certificate of destruction has been issued in a Member State, is registered in another Member State, the *relevant* authorities *designated by* the Member State where the certificate of destruction was issued shall inform the relevant authorities *designated by* the Member State where the vehicle is registered that a certificate of destruction has been issued for the vehicle in question.
4. The relevant *vehicle registration* authorities shall cancel the registration of an end-of-life vehicle only after receiving the certificate of destruction for that vehicle.
5. Certificates of destruction issued in a Member State shall be recognised in all other Member States.

Article 26
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SECTION 4
TREATMENT OF END-OF-LIFE VEHICLES

Article 27

Obligations for authorised treatment facilities

1. Authorised treatment facilities shall ensure that all end-of-life vehicles and their parts, components and materials, as well as waste parts from repairs of vehicles, are accepted and treated in compliance with the conditions set out in their permits, as well as in accordance with this Regulation. *The treatment of the end-of-life vehicles can be carried out either individually by one authorised treatment facility or, except for depollution, in cooperation with other authorised treatment facilities.*
2. ■
3. Authorised treatment facilities shall:
 - (a) store, even temporarily, all end-of-life vehicles and their parts, components and materials in compliance with the minimum requirements set out in Part A of Annex VII;
 - (b) depollute all end-of-life vehicles, in compliance with Article 29 and the minimum requirements set out in Part B of Annex VII;

- (c) remove the parts and components listed in Part C of Annex VII from the end-of-life vehicle *in compliance with Article 30 and 31*;
- (d) treat all end-of-life vehicles and their parts, components and materials in accordance with *Articles 28, 29, 30, 31, 32, 34, 35 and 36 and Annex VII of this Regulation*, the waste hierarchy and the general requirements laid down in Article 4 of Directive 2008/98/EC;
- (e) *shall apply the best available techniques as defined in Article 3(10) of Directive 2010/75/EU, where applicable.*

■

- (dc) *treat the received end-of-life vehicle within 12 months of the delivery date.*

In addition to the requirements set out in Article 35 of Directive 2008/98/EC, the authorised treatment facilities shall electronically store the record of *all* the performed treatment operations, *referred to in points (a) to (e)*, of end-of-life vehicles for 3 years, and be able to present this information, upon request by relevant national authorities.

4. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex VII by adapting the minimum treatment requirements for end-of-life vehicles to scientific and technical progress *in treatment technologies, including:*
 - (a) *adding, deleting or revising the parts and components listed in Part C of Annex VII;*
 - (b) *revising the target values for the output fractions listed in point 2 of Part G of Annex VII;*
 - (c) *expanding the list of aluminium alloy types listed in point 2b of Part G of Annex VII;*
 - (d) *adding quality requirements to enhance the separation of recyclable plastics and target values for subsequent recycling technologies applicable to point 2 of Part G of Annex VII.*
5. Member States shall encourage authorised treatment facilities to introduce certified environmental management systems *and to have audits conducted* in accordance with Regulation (EC) No 1221/2009.

General requirements for shredding

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] authorised treatment facilities and other waste management operators ***carrying out shredding operations*** shall request that end-of-life vehicles delivered to them for shredding, ***or large structural parts and components from the chassis or bodywork from end-of-life vehicles of categories N2, N3, M2, M3 and O delivered to them for shredding or cutting are:***
 - (a) ***depolluted according to Article 29 and their parts and components removed according to Article 30; and***
 - (b) ***accompanied by*** a copy of the certificate of destruction that has been issued for the end-of-life vehicle concerned.
2. Authorised treatment facilities and waste management operators ***carrying out shredding operations and*** receiving end-of-life vehicles not compliant with the requirements set out in paragraph 1 shall:
 - (a) report the non-compliance to the competent authority, ***including name and contact details of the natural or legal person who delivered the end-of-life vehicle to the authorised treatment facility or other waste management operator for shredding;***
 - (b) refrain from using those end-of-life vehicles in their shredding operations unless the competent authority authorises such operations ***or until the necessary steps to treat the end-of-life vehicle in accordance with Article 29 and 30 and to issue a certificate of destruction in accordance with Article 25 have been taken.***
3. ***Authorised treatment facilities and*** waste management operators conducting shredding of end-of-life vehicles shall ***only be allowed to*** mix end-of-life vehicles, their parts, components and materials with ***other waste, including*** packaging waste and waste electrical and electronic equipment, ***if the criteria and limit values of Part G, point (1) and (2), of Annex VII are met.***

Article 29

Depollution of end-of-life vehicles

1. ***Within 30 days of*** delivery of an end-of-life vehicle to the authorised treatment facility, that facility shall depollute those vehicles before they are further treated, in compliance with the minimum requirements set out in Part B of Annex VII.
2. The fluids and liquids listed in Part B of Annex VII shall be separately collected and stored, in line with the requirements set out in Part A of Annex VII. Waste oils shall be collected and stored separately from the other fluids and liquids and be treated in accordance with Article 21 of Directive 2008/98/EC.
3. The parts, components and materials containing substances referred to in Article 5(2) shall be removed from the end-of-life vehicles, and handled in accordance with Article 17 of Directive 2008/98/EC.
4. The batteries shall be separately removed from end-of-life vehicles and stored in a designated area for further treatment in accordance with Article 70(3) of Regulation (EU) **2023/1542**.
5. The parts, components and materials, that have been depolluted, shall be handled and labelled in accordance with Articles 18 and 19 of Directive 2008/98/EC.
6. The authorised treatment facility shall document the depollution of end-of-life vehicles, by recording the information listed in Part B, point 3, of Annex VII ***and report this information for each calendar year to the competent authority of the Member State.***

Article 30

Mandatory removal of parts and components for reuse, *remanufacturing, refurbishment* and recycling prior to shredding

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] authorised treatment facilities shall ensure that the parts and components listed in Part C of Annex VII, are removed from an end-of-life vehicle, prior to shredding ***or compacting***, after the depollution operations referred to in Article 29, have been completed.

Parts and components listed in Part C of Annex VII with a reuse, remanufacturing or refurbishment potential shall be removed in a non destructive manner.

The second subparagraph shall not apply if an authorized treatment facility demonstrates that the manual dismantling or (semi-) automated disassembly in a non-destructive way of parts and components listed in Part C of annex VII entails disproportionate economic costs that cannot be compensated by the revenues expected from the reuse, remanufacturing or refurbishment of these parts and components.

1

2. ***It shall not be obligatory to remove parts and components listed in Part C of Annex VII, with the exception of those that shall be removed in a non-destructive manner in accordance with paragraph 1 of this article, if an authorised treatment facility demonstrates, that post-shredder technologies *separate* materials from parts and components *designated in the second column of* Part C **1** of Annex VII, as efficiently as manual dismantling processes or semi-automated disassembly processes *and that the criteria and limit values of Part G, points (1) and (2), of Annex VII are met.****

For the purposes of the first subparagraph, the authorised treatment facility shall provide the information listed in Part G, ***point 3*** of Annex VII.

3. In addition to the obligations set out in Article 35 of Directive 2008/98/EC, the authorised treatment facilities shall maintain records of the end-of-life vehicles that are processed without the prior removal of parts, components and materials in accordance with paragraph 2, including the name and address of the treatment facilities, and the Vehicle Identification Number (VIN) of the end-of-life vehicles concerned.

The authorised treatment facilities shall provide the information in the records referred to in the first subparagraph to the competent authority in accordance with Article 49(6).

Requirements concerning the removed parts and components

1. All parts and components that have been removed from an end-of-life vehicle pursuant to Article 30(1), shall be assessed to determine whether they are fit for:
 - (a) reuse, in accordance with Part D, point 1(a), of Annex VII;
 - (b) remanufacturing or refurbishment, in accordance with Part D, point 1(b), of Annex VII;
 - (c) recycling; or
 - (d) other treatment operations, taking into account the specific treatment requirements in Part F of Annex VII



The assessment shall be carried out taking into account in particular technical feasibility of conducting the processes referred to in the first subparagraph and vehicle safety requirements.



2. The removed parts and components fit for reuse, remanufacturing or refurbishment shall be:
 - (a) labelled in compliance with Part D, point 2, of Annex VII;



(ba) protected appropriately against damage during transportation, loading, and unloading;



3. The parts and components listed in Part E of Annex VII shall not be reused *unless the conducted technical assessment confirms that the use of these parts and components complies with applicable vehicle requirements as set out in Regulation (EU) 2018/858 and 168/2013. These replacement parts may only be transferred to another economic operator for reuse if they are to be installed by a qualified repair and maintenance operator.*
- 3a. *The parts and components from end-of-life vehicles or repair and maintenance operations, that are assessed as fit for reuse, remanufacturing or refurbishment shall not be considered waste. Authorised treatment facilities shall make available, upon request, to the relevant national authorities documentation confirming the conducted assessment proving that the parts and components are fit for the purpose of reuse, remanufacturing or refurbishment and a copy of the invoice or contract related to the transfer of these parts.*
- 3b. *The provisions set out in this Article shall not apply to batteries to which regulation 2023/1542 applies.*
- 3c. *Authorised treatment facilities shall ensure that removed parts and components, which are not fit for reuse, remanufacturing or refurbishment, are sent for the relevant waste treatment according to Article 31(1).*

Article 32

Trade of used, remanufactured or refurbished parts and components

From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] any *economic operator selling* used, remanufactured or refurbished spare parts and components shall **■** :

■ ensure that parts and components *contain the labelling done by authorised treatment facilities in accordance with Article 31(2), point (a).*

■

2. *In the case of selling the used, remanufactured or refurbished parts and components to consumers, the economic operators shall ensure that these parts and components are able to maintain their required functions and performance through normal use and comply with other requirements applicable to the goods sold in accordance with Directive (EU) 2019/771.*

■

These requirements on economic operators shall apply irrespective of the trading technique used, including online sales.

Article 33

Reuse, remanufacturing and refurbishment of parts and components

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Member States shall take necessary incentives to promote the reuse, remanufacturing, ***retrofitting*** and refurbishment of parts and components, whether removed during the use or end-of-life phase of a vehicle.

The incentives referred to in the first subparagraph ■ may include:

- (a) a requirement for maintenance and repair operators to offer customers to repair a vehicle with used, remanufactured or refurbished spare parts and components alongside offer to repair the vehicle with new parts and components, provided that such a requirement is formulated not to create excessive costs or administrative burdens for micro- and small enterprises;
- (b) the use of economic incentives ***designed to stimulate the market*** for used, remanufactured or refurbished spare parts and components. ■

Member States shall include in the waste prevention programmes required pursuant to Article 29 of Directive 2008/98/EC, the incentives referred to in paragraph 1 of this Article.

The Commission shall facilitate the exchange of information and sharing of best practices among Member States on such incentives.

2. The Commission shall monitor the effectiveness of the incentives given by Member States.

Article 34

Reuse, recycling and recovery targets

1. From [OP: Please insert the date = the first day of the calendar year following 36 months after the date of entry into force of the Regulation], Member States shall ***adopt the necessary measures to ensure that the producers or, where appointed in accordance with Article 17, producer responsibility organisations, achieve*** that the following targets are met by the waste management operators:
 - (a) the reuse and recovery, as calculated together, shall be a minimum of 95 %, by average weight per vehicle, excluding batteries, and year;
 - (b) the reuse and recycling, as calculated together, shall be a minimum of 85 %, by average weight per vehicle, excluding batteries, and year.
2. From [OP: please insert a date = the first day of the calendar year following 60 months after the date of entry into force of the Regulation] Member States shall ***adopt the necessary measures to ensure that producers or, where appointed in accordance with Article 17, producer responsibility organisations, achieve that*** a yearly target for the recycling of plastics of at least 30 % of the total ***average*** weight of plastics contained in the ***end-of-life*** vehicles ***is met by*** the waste management operators.

The weight of the plastic recycled and the total weight of plastics referred to in the first subparagraph shall exclude elastomers, thermosets other than polyurethane foams used for cushioning and plastics that contain or are contaminated by any substance referred to in Article 7 of Regulation (EU) 2019/1021 when the thresholds of Annex IV of that Regulation are exceeded.

Article 35

Ban on landfilling of non-inert waste

From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] ***the shredder heavy and light*** fractions from end-of-life vehicles ***remaining after treatment***, containing non-inert waste shall not be accepted in a landfill ***if they exceed the limit values set out in Part G, points 2(c) and 2(d) of Annex VII.***

Article 36

Shipments of end-of-life vehicles

1. Treatment of end-of-life vehicles may be undertaken *outside the Member State concerned or* outside the Union, provided that the shipment of end-of-life vehicles *or waste produced in the process of their treatment* is in compliance with Regulation (EU) 2024/1157.
2. Shipments of end-of-life vehicles from the Union to a third country in accordance with paragraph 1 shall only count towards the fulfilment of obligations and targets set out in Article 34 if the exporter of the end-of-life vehicles provides documentary evidence approved by the competent authority of destination demonstrating that the treatment took place in conditions that are *considered* equivalent to the requirements laid down in this Regulation and to human health and environmental protection requirements laid down in other Union legislation.

CHAPTER V

TRANSFER OF OWNERSHIP AND DISTINCTION BETWEEN USED VEHICLES AND *END-OF-LIFE VEHICLES*

SECTION 1

[...]

Article 37

Transfer of ownership of used vehicles within the Union

For the purpose of transferring ownership of a used vehicle *within the Union, an economic operator* shall *present* to any natural or legal person interested in acquiring ownership of the concerned vehicle *documentation demonstrating that it* is not an *end- of-life* vehicle, *irrespective of the trading technique used, including by means of dedicated auctions for economic operators, distance contracts or online platforms. This documentation shall demonstrate that it is a*

roadworthy vehicle or consist of an assessment in accordance with Annex I proving that it is not an end-of-life vehicle.

For the purpose of transferring ownership of a used vehicle within the Union, natural persons who are not economic operators shall be required to provide documentation referred to in paragraph 1 only where:

- (a) the vehicle is declared a total economic loss by an insurance company;*
- (b) the sale is concluded entirely by means of an online platform, without physical handover of the vehicle between the seller and buyer or any person acting on their behalf.*

Article 37a

Status of the vehicle

- 1. When assessing the damage of an accidented vehicle, the insurance company or any other automotive expert conducting the assessment on its behalf shall also assess whether the vehicle is an end-of-life vehicle or not according to Annex I.*
- 2. Competent authorities may require a vehicle owner, in case of doubt that a used vehicle may be an end-of-life vehicle, to present documentation that the vehicle concerned is not an end-of-life vehicle. This documentation shall consist of an assessment in accordance with Annex I or a valid roadworthiness certificate.*
- 3. The Commission is empowered to adopt delegated acts, in accordance with Article 50 of this Regulation, to amend by removing the criteria listed in Annex I to determine whether a used vehicle is an end-of-life vehicle, provided that technological progress in the area of traceability, repairability and safety justifies limiting the instances where the vehicle shall be considered an end-of-life vehicle.*

SECTION 2

CHAPTER VA

EXPORT OF USED VEHICLES TO THIRD COUNTRIES

Article 37b

COMPETENT AUTHORITY

1. Member States shall designate one or more competent authorities responsible for the obligations under this Chapter.

2. By [OP: Please insert the date = the last day of the month following 12 months after the date of entry into force of this Regulation], Member States shall notify the Commission of the names and addresses of the competent authorities designated pursuant to paragraph 1. Member States shall inform the Commission without undue delay of any changes to the names or addresses of those competent authorities.

Article 38

Controls and requirements on the export of used vehicles

1. From [OP: Please insert the date = the first day of the month following **60** months after the date of entry into force of this Regulation] used vehicles to be exported shall be subject to the controls and requirements laid down in this **Chapter**.
2. This **Chapter** is without prejudice to any other provisions of this Regulation as well as to other Union legal acts governing the release for export of goods, in particular Regulation (EU) No 952/2013 and its Articles 46, 47, 267 and 269.
3. Used vehicles may be exported only if they are:
 - (a) not end-of-life vehicles; **and**
 - (b) **■** roadworthy **at the date of lodging the export declaration, unless they have been recognised as vehicles of special cultural interest** in accordance with Article 2, **paragraph 2, point da and Annex 0**.
4. The following information shall be provided or made available to customs authorities for each used vehicle to be exported:

- (a) the Vehicle Identification Number (VIN) of the used vehicle and the identification of the Member State where the vehicle was last registered;
 - (b) a statement confirming that the used vehicle *fulfils* the requirements set out in paragraph 3, *or a certificate is provided as referred to in Annex 0*
5. In order to verify the compliance with this *Chapter* on allowing a used vehicle to be released for export:
- (a) until the interconnection referred to in Article 45(4) is operational, customs authorities shall exchange information and cooperate with competent authorities in accordance with Article 44, and, where necessary, shall take into account such exchange of information and cooperation in order to allow a used vehicle to be released for export;
 - (b) once the interconnection referred to in Article 45(4) is operational, Articles 39, 40(2) and (3) and 42(3) shall apply, and notifications and other exchanges under Articles 41 to 43 shall take place by means of those electronic systems.
6. A used vehicle to be exported shall not:
- (a) ■
 - (b) be subject to an entry in the declarant's records pursuant to Article 182 of Regulation (EU) No 952/2013;
 - (c) be subject to self-assessment pursuant to Article 185 of Regulation (EU) No 952/2013.

7. ■

Article 39

Automated verification of the information on vehicle status

1. Before releasing *a used vehicle* for export, customs shall verify electronically and automatically via the electronic systems referred to in Article 45(4), that based on the Vehicle Identification Number and the information on the Member State of last registration, the vehicle is roadworthy. *This obligation shall not apply with respect to*

vehicles which have been recognised as vehicles of special cultural interest in accordance with Article 2, *paragraph 2*, point *DA and Annex 0*.

2. Where the information provided or made available to customs does not correspond to the information in the national vehicle registers and national electronic systems on roadworthiness pursuant to paragraph 1, customs authorities shall not release that vehicle for export and shall inform the *natural or legal person* concerned thereof through these systems.

Article 40

Risk management and customs controls

1. For the purpose of enforcing the provisions laid down in Article 38, customs authorities shall carry out controls on used vehicles to be exported in accordance with *the provisions on risk management and customs controls laid down under* Regulation (EU) No 952/2013. Without prejudice to Article 39, such controls shall primarily be based on risk analysis, as established in Regulation (EU) No 952/2013.
2. In addition to the risk management referred to in paragraph 1, once the interconnection referred to in Article 45 is operational, *the* electronic systems referred to in Article 45(1) *shall contain the information and customs shall automatically and electronically verify through the interconnection referred to in Article 45(4)* whether a used vehicle to be exported complies with specific conditions linked to the protection of the environment or road safety in accordance with paragraph 3 of this Article.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to supplement this Regulation by setting out the compliance conditions referred to in paragraph 2 *on the* specific conditions applied to the import of used vehicles by the third country of import linked to the protection of the environment and road safety, when such conditions have been notified by that third country to the Commission. Those conditions shall be verifiable against the information available in the electronic systems referred to in Article 45(1).
- 3a. *The Commission shall publish and regularly update in a dedicated online portal the notified specific conditions linked to the protection of the environment or road safety imposed by third countries referred to in paragraph 3.*

Article 41

Suspension

1. Where there are reasonable grounds to believe that a used vehicle to be exported may not comply with the requirements of this *Chapter*, the customs authorities shall ***immediately*** suspend the release for export of that used vehicle, immediately notify the competent authorities ***designated under Article 37a*** of the suspension and transmit all relevant information needed ***for the competent authorities*** to determine whether the used vehicle complies with the requirements of this Regulation and may be released for export.
2. For the purpose of determining whether a used vehicle, subject to suspension as referred to in paragraph 1, complies with this Regulation, the competent authorities may request, from any person involved in the export of that used vehicle, additional information, including information on the sale or transfer of vehicle ownership, such as a copy of the invoice or contract, and documentary evidence that that used vehicle is destined for further use.

Article 42

Release for export

1. Where the release for export of a used vehicle has been suspended in accordance with Article 41, that used vehicle shall be released for export where all the other requirements and formalities relating to such release have been fulfilled and where any of the following conditions is satisfied:
 - (a) the competent authorities ***designated under Article 37a*** have not requested, within four working days from the beginning of the suspension, the customs authorities to maintain the suspension, or
 - (b) the competent authorities ***designated under Article 37a*** have informed the customs authorities of their approval for release for export pursuant to this *Chapter*.
2. The release for export shall not be deemed proof of compliance with Union law and, in particular, with this Regulation or Regulation (EU) No 952/2013.
3. Customs authorities shall ***automatically*** notify ***the exit of the vehicle from the Union through the interconnection referred to in Article 45(4)*** to the ***vehicle registration***

authority of the Member State *of last registration*. The vehicle *registration authority shall record in its national vehicle register that the vehicle was exported to the third country*.

Article 43

Refusal to release for export

1. Where the competent authority concludes that a used vehicle for which the suspension has been notified in accordance with Article 41 does not comply with this **Chapter**, they shall immediately require the customs authorities not to release it for export and notify them thereof.
2. Upon the notification from the competent authority pursuant to paragraph 1, the customs authorities shall not release the used vehicle for export.

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Article 44

Cooperation among authorities and exchange of information

1. **Competent authorities** of Member States shall mutually assist one another in the implementation of this **Chapter** through exchange of information at bilateral level, in particular for the purpose of verifying the status of a vehicle, including the verification of its registration status in the Member State in which it was previously registered.
2. Where appropriate, competent authorities of Member States shall also cooperate with administrative authorities from third countries. Such cooperation may include sharing of relevant information, conducting joint inspections, and other forms of mutual assistance as deemed necessary to ensure compliance with applicable laws and regulations governing the export of used vehicles.
3. Customs authorities and competent authorities of Member States shall cooperate in accordance with Article 47(2) of Regulation (EU) No 952/2013 and exchange information necessary for the fulfilment of their functions under this Regulation, including via electronic means. The customs authorities may communicate, in accordance with Article 12(1) and Article 16(1) of Regulation (EU) No 952/2013, confidential information acquired by the customs authorities in the course of performing their duties, or provided to

the customs authorities on a confidential basis, to the competent authority of the Member State where the operator or trader is established.

4. Where the competent authorities have received information in accordance with paragraphs 1 to 3 of this Article, those competent authorities may communicate that information to competent authorities from other Member States.
5. Risk-related information shall be exchanged as follows:
 - (a) between customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;
 - (b) between customs authorities and the Commission in accordance with Article 47(2) of Regulation (EU) No 952/2013;
 - (c) between customs authorities and competent authorities, including competent authorities from other Member States, in accordance with Article 47(2) of Regulation (EU) No 952/2013.

Article 45

Electronic systems

1. The MOVE-HUB electronic system developed by the Commission shall be used for exchanging Vehicle Identification Number and information on the vehicle registration and roadworthiness status between national vehicle registers and electronic systems on roadworthiness of the Member States, as well as, to interconnect to the EU Single Window Environment for Customs, where necessary for controls and requirements laid down in this **Chapter**.
2. The MOVE-HUB electronic system, referred to in paragraph 1 shall provide at least the following functionalities:
 - (a) exchange the data in real-time with the national vehicle registers, national electronic systems on roadworthiness of the Member States interconnected with it;
 - (b) enable an automated electronic check of data provided in a roadworthiness certificate as referred to in Annex II of Directive 2014/45/EU of the date of first registration of a vehicle, as well as of the Member State where a vehicle was last registered, as

referred to in Directive 1999/37/EC, to determine whether a used vehicle to be exported complies with the requirements set out in Article 38, Article 39(1) and Article 40;

- (c) interconnect to the EU Single Window Environment for Customs, in accordance with Regulation (EU) 2022/2399 for the purpose of exchanging data and support the process of exchange of information referred to in Articles 39(1) and Article 40(2), as well as support the notifications referred to in Articles 41 to 43;
- (d) for the purpose of cooperation with third countries under Article 44(2), allow electronic exchange of information with the competent authorities of third countries which have notified to the Commission pursuant to Article 40(2) the specific conditions for the import of used vehicles that they apply.

3. Member States shall interconnect their national vehicle registers and national electronic systems on roadworthiness with the MOVE-HUB electronic system referred to in paragraph 1. That interconnection shall be operational within 2 years after the adoption of the implementing act referred to in paragraph 5.

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4. The Commission shall interconnect the MOVE-HUB system referred to in paragraph 1 to the EU Customs Single Window Certificate Exchange System established in Article 4 of Regulation (EU) 2022/2399, so that the automated controls referred to in Article 39 and Article 40(2) and the notifications referred to in Articles 41, 42 and 43 can be performed. That interconnection shall be operational within 4 years after the adoption of the implementing act referred to in paragraph 5.
5. The Commission shall *by [OP: please enter the date = the last day of the month following [24] months after the date of entry into force of this Regulation]*, adopt the implementing acts laying down the necessary arrangements for the implementation of the functionalities of the MOVE-HUB referred to in paragraph 2, including the technical aspects necessary for the interconnection of national electronic systems to the MOVE-HUB, the conditions of connection to MOVE-HUB, the data to be transmitted by the national systems and the format for the transmission of that data through the interconnected national systems.

The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

CHAPTER VI

ENFORCEMENT

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Article 46

Inspections

0. *Member States shall, for the purpose of enforcing this Regulation, establish inspection strategies aimed at detecting illegal activities in the area of collection, and treatment and export of end-of-life vehicles and their parts and components. These strategies shall provide for the actions referred to in paragraphs 1, 2 and 3 of this Article.*
1. Member States shall, for the purpose of enforcing this Regulation, inspect:
 - (a) authorised treatment facilities;
 - (aa) *collection points;*
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 - (c) other facilities and economic operators, which *might be involved in the collection, treatment and export of end-of-life vehicles, or selling used spare parts and components.*
2. The *total number of operators listed in paragraph 1, points (a), (aa) and (c) that shall be subject to inspection each calendar year, shall be calculated as* at least 10 % of the operators listed in paragraph 1, points (a) and (aa).
3. Member States shall also carry out *regular and risk-based* inspections concerning export of used vehicles in order to verify compliance with Article 38.

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- 3b. *In order to distinguish between used vehicles and end-of-life vehicles, competent authorities of Member States may inspect shipments of used vehicles suspected to be end-of-life vehicles for compliance with the requirements set out in Article 37 and Annex I and monitor such shipments accordingly.*
- 3c. *Where the competent authorities in a Member State establish that an intended shipment of a used vehicle involves one or more end-of-life vehicles, the costs of appropriate analyses, inspections and storage of the vehicles suspected to be end-of-life vehicles may be charged to the persons arranging the shipment.*

Article 47

Enforcement cooperation at national level and between Member States

1. Member States shall establish, as regards all relevant competent authorities involved in the enforcement of this Regulation, effective mechanisms to enable those authorities to cooperate and coordinate domestically concerning the development and implementation of enforcement policies and activities related to monitoring vehicles registration, de-registration, suspension and cancellation of the registration, *certification of destruction, export of used vehicles* as well as prevention of illegal treatment *and export* of end-of-life vehicles.
2. Member States shall cooperate, bilaterally and multilaterally, with one another in order to facilitate the prevention and detection of illegal treatment *and export* of end-of-life *vehicles and to address the issue of missing* vehicles. They shall exchange relevant information on vehicles registration, de-registration and suspension and cancellation of the registration, through the electronic exchange system referred to in Article 45. They shall also exchange relevant information on authorised treatment facilities and repair and maintenance operators not permitted as authorised treatment facilities, and other facilities and economic operators, who may perform operations concerning treatment of end-of-life vehicles. They shall share *information*, experience and knowledge on *illegal activities linked to end-of-life vehicles*, enforcement measures *and joint actions on a regular basis* within established structures, *such as enforcement networks, agencies and the Committee established pursuant to Article 51 of this Regulation.*

The exchange of vehicle registration data shall include access to and exchange of data on performance, and the nature and results of the checks carried out, with other Member States' competent authorities to facilitate the enforcement of this Regulation.

3. Member States shall notify to the Commission which members of their permanent staff that are responsible for the cooperation referred to in paragraph 2 of this Article and Article 44.

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Article 48

Penalties

By [*OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation*] Member States shall lay down the rules on penalties applicable to infringements of Article 15(1), Article 16, Article **18(1)**, Article 22(1) and (2), Articles 23 and 24, Article 25(1) and (2), Articles **27** to 32, and Articles 34, 35, 37 and 38 of this Regulation, and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

Article 49

Reporting to the Commission

1. From [*OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation*] Member States shall make publicly available in an aggregated form for each calendar year and in the format established by the Commission pursuant to paragraph 5, the following data, which shall be based on information and data received from producers, producer responsibility organisations and waste management operators:
 - (a) the number of vehicles registered in the Member State;
 - (b) the number of vehicles made available on the market for the first time in the territory of the Member State;

- (c) the number and weight of end-of-life vehicles collected and depolluted in the Member State;
- (d) the number and weight of end-of-life vehicles recycled in the territory of the Member State;
- (e) the number and weight of end-of-life vehicles exported or shipped for further treatment to another Member State or a third country;
- (ea) the number and weight of end-of-life vehicles imported or shipped for further treatment from a third country;*
- (eb) the number of used vehicles released for export to third country or the number of used vehicles imported from third country;*
- (f) the number of certificates of destruction issued;
- (g) the total weight **and, where relevant, the amount** of parts, components and materials removed from end-of-life vehicles for purpose of;
 - (i) reuse;
 - (ii) remanufacturing or refurbishment;
 - (iii) recycling;
 - (iv) recovery, including energy recovery;
 - (v) disposal;
- (h) the amount and weight of end-of-life vehicles treated in a different manner than indicated in point (d);
- (i) the amount and weight of end-of-life-vehicles used for backfilling;
- (j) the rates of the targets laid down in Article 34 attained by all waste management operators that are active in the Member State;
- (k) use of the exemption provided for in Article 30(2), and how it was monitored by the reporting Member State;

- (l) data on the producer responsibility organisations, including the names of the legal persons they represent;
- (m) data on the implementation of Article 21.

(ma) the quantities of parts and components containing relevant amounts of critical raw materials removed from end-of-life vehicles and the quantities of critical raw materials recovered from these parts and components.

Member States shall make the data referred to in paragraph 1 publicly available within 18 months of the end of the reporting period for which it is collected. The data shall be machine readable, sortable and searchable, and shall respect open standards for third party use.

Member States shall notify the Commission when the data referred to in the first subparagraph is made available.

The first reporting period shall be the first calendar year after the adoption of the implementing act referred to in paragraph 5.

- 2. The data made available by Member States in accordance with paragraph 1 shall be accompanied by a quality check report. That information shall be presented in the format established by the Commission pursuant to paragraph 5.
- 3. Member States shall every 5 years draw up a report summarising:
 - (a) incentives introduced to promote the reuse, remanufacturing and refurbishment of parts and components in accordance with Article 33 ***and their estimated impact***;
 - (b) the application of penalties and other sanctions envisaged in their national law for infringements of this Regulation adopted in accordance with Article 48, including a list of type of infringements notified and types of measures taken;
 - (c) results of inspections carried out in accordance with Article 46;
 - (d) the manner of application of definitions of ‘end-of-life vehicle’ and ‘used vehicle’, including practical difficulties encountered in that context.

Member States shall submit the report to the Commission within 6 months from the end of the five year period which it covers. The first report shall be provided to the Commission by [OP:

please insert a date = the first day of the month following 6 years after the date of entry into force of this Regulation].

The Commission shall review the reports submitted by the Member States and, ■ draw up ***and publish*** reports on the received information in order ***to support the evaluation of the implementation of this Regulation in Member States and*** to facilitate the exchange of information on best practices applied in the Member States.

4. For the purpose of monitoring the implementation of this Regulation, the Commission shall collect and review the information made available in accordance with this Article.
5. The Commission shall adopt implementing acts laying down:
 - (a) the methodology and rules for the calculation, verification and reporting of data in accordance with paragraph 1, including:
 - (i) the methodology for determining the amount and weight of parts, components and materials removed for purposes referred to in paragraph 1, points (g), (h), ***(i) and (ma)***;
 - (ii) the methodology for determining the weight of recycled waste, including determination of calculation points and measurement points, and, if necessary, possibilities of applying average loss rates;
 - (iii) the methodology for calculation and verification of the attainment of the reuse, recycling and recovery targets referred to in Article 34, ***including the case of combined shredding of end-of-life vehicles with other wastes referred to in Article 28 and Part G, point 1 of Annex VII.***
 - (b) the format for the reporting to the Commission referred to in paragraph 1, as well as the format for the quality check report.

Those implementing acts shall be adopted ***by [OP: Please insert the date = the last day of the month following 30 months after the date of entry into force of this Regulation],*** in accordance with the examination procedure referred to in Article 51(2).

6. Producers, producer responsibility organisations, waste management operators and other relevant economic operators **shall** provide competent authorities with accurate and reliable data allowing Member States to fulfil their reporting obligations under this Article.

CHAPTER VII

DELEGATED POWERS AND COMMITTEE PROCEDURE

Article 50

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 5(4), **6(2)**, 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) ***[final list to be updated upon end of negotiations]*** shall be conferred on the Commission for a period of 5 years from [OP: Please insert the date = the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension no later than three months before the end of each period.
3. The delegation of power referred to in Articles 5(4), **6(2)**, 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) ***[final list to be updated upon end of negotiations]*** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Articles 5(4), **6(2)**, 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) *[final list to be updated upon end of negotiations]* shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 51

Committee procedure

1. The Commission shall be assisted by the committee established by Article 39 of Directive 2008/98/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

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2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

CHAPTER VIII

AMENDMENTS

Article 52

Amendments to Regulation (EU) 2023/1542

Annex I to Regulation (EU) 2023/1542 is amended in accordance with Annex XII to this

Regulation. Entries 5(a), 5(b)(i), 5(b)(ii) and 16 of Annex II of Directive 2000/53/EC shall not apply.

Article 53

Amendments to Regulation (EU) 2019/1020

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Article 54

Amendments to Regulation (EU) 2018/858 and to Regulation (EU) 168/2013

Annex II to Regulation (EU) 2018/858 ***and Annex II to Regulation (EU) 168/2013*** are amended in accordance with Annex X to this Regulation.

CHAPTER IX

FINAL PROVISIONS

Article 55

Review

1. By 31 December 203* [OP: Please insert the date = the last day of the year following 95 months after the date of entry into force of this Regulation], the Commission shall review and draw up a report on the application of this Regulation and its impact on the environment, human health and the functioning of the single market and submit it to the European Parliament and to the Council. ***Where appropriate, the report shall be accompanied by a legislative proposal to amend relevant provisions of this Regulation.***
2. Taking account of technical progress and practical experience gained in Member States as well as any revision of Regulation (EC) No 1907/2006, the Commission shall, in its report, include an evaluation on the following aspects of this Regulation:
 - (a) the need to extend the scope of this Regulation, in particular provisions of Chapters II and III, as well as Chapter IV Section II, to vehicles of categories ***L1e, L2e, L3e, L4e, L5e, L6e and L7e*** as defined in Article 4(2) **I**, of the Regulation (EU)

168/2013 and vehicles of categories M₂, M₃, N₂, N₃ and O as defined in Article 4(1) of Regulation (EU) 2018/858;

- (aa) the need to extend the scope of provisions applicable to vehicles that are type-approved in multi-stage type approval and to motor caravans and to include trailer caravans into the scope of this Regulation;*
 - (ab) the need to extend the scope of this Regulation, in particular provisions of Chapters Va to vehicles of L categories, as defined in Article 4(2) of Regulation (EU) 168/2013.*
 - (b) the measures concerning provision of information on substances of concern present in vehicles and the need of introducing further provisions addressing substances of concern that may affect high-quality recycling of vehicles at their end-of-life;
 - (c) the measures regarding management of end-of-life vehicles laid down in Chapter IV, including the levels of targets laid down in Article 34 and the need of their revision;
 - (ca) the need to extend the scope of this Regulation with regard to recycling target levels, as laid down in Article 34, to the vehicle categories to which Article 34 does not apply under this Regulation;*
 - (d) infringements and the effectiveness, proportionality and dissuasiveness of penalties as set out in Article 48;
 - (e) the need to amend Article 5 of this Regulation.
 - (ea) the extent to which the issue of missing vehicles has been solved, including estimates on the number of missing vehicles and the impact of the measures regarding export of used vehicles and the need to include further measures addressing the issue of the traceability of vehicles;*
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- (f) the requirements for plastic recycled content, including targets and obligations for recycling installations in and outside the Union as laid down in article 6(1c) and (2), and the need for revision on that basis. This assessment shall also consider developments for steel and aluminium as laid down in article 6(3) and under other*

relevant EU legislations, such as Regulation (EU) 2025/40 or Regulation (EU) 2024/1781, to ensure coherence and alignment.

- (g) the measure regarding the cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State laid down in article 22 and the need for their revision;*
- (h) the measures concerning provisions on processes that may affect high-quality recycling of vehicles at their end-of-life;*
- (i) the impact of differences in the national roadworthiness criteria on the used vehicles exports.*
- (j) the effectiveness, interoperability and reliability of national vehicle registration systems and their cross border exchange of information in ensuring the accurate identification, status and traceability of vehicles throughout their lifecycle, with particular attention to:*
 - (i) the impact of temporary de-registration on the accuracy, accessibility, and traceability of vehicle records, including its role in identifying missing vehicles;*
 - (ii) the need for minimum requirements for vehicle deregistration across the Union, such as establishing a maximum duration and strict renewal conditions, to strengthen vehicle traceability and prevent their illegal treatment.*
- 2a. By [OP: Please insert the date = the last day of the year following 72 months after the date of entry into force of this Regulation], the Commission shall review the state of technological development, environmental and economic performance and availability of bio-based plastic content and of elastomers derived from the reprocessing of tyres in new vehicles, taking into consideration the sustainability criteria laid down in Article 29 of Directive (EU) 2018/2001 and any sustainability criteria to be laid down for tyres under Regulation EU 2024/1781;*
- 2b. Where appropriate, and based on that review, the Commission may present a legislative proposal in order to:*
 - (i) lay down sustainability requirements for bio-based feedstock in plastic used in vehicles;*

- (ii) lay down targets to increase the use of bio-based feedstock in plastic used in vehicles;*
- (iia) lay down targets to include the use of elastomers derived from the reprocessing of tyres from vehicles;*
- (iii) assess to which extent the targets referred to in point (ii) may be combined with or added to the targets set out in paragraph 1 of Article 6;*
- (iv) assess to which extent the targets referred to in point (iia) may be combined with the targets set out in paragraph 1 of Article 6;*
- (v) modify, where appropriate, the definition of bio-based plastic set out in Article 3(1)(43), the definition of plastic in Article 3(1)(9) and the scope of the plastics as specified in point 1 of Article 6.*
- (vi) modify, where appropriate, the calculation and verification methodology as referred to in point 2 of Article 6 and the requirements for installations processing elastomers from tyres based in the Union and in third countries.*

This shall be without prejudice to Article 7a of Regulation (EU) 2019/631.

- 2a. Where appropriate to ensure the effective and uniform end-of-life vehicles' traceability, and based on the review referred to in Article 55, paragraph 2, point (j), the Commission may present a legislative proposal on deregistration rules of vehicles throughout the Union.*
- 2b. By ... [60 months from the date of entry into force of this Regulation], the Commission shall conduct an assessment to evaluate, based on the declarations made under Article 10, whether manufacturers are on track to comply with the recycled plastic targets laid down in Article 6(1). The assessment shall particularly evaluate:*
 - (a) the availability of suitable plastic recycling technologies;*
 - (b) the sufficient availability of recycled plastic;*
 - (c) the level of quality of recycled plastic comparing to the level of safety required and;*
 - (d) technical and economic difficulties to reach the target.*

On the basis of the assessment, the Commission may, where appropriate, submit a legislative proposal to the European Parliament and to the Council to amend the targets

laid down in Article 6(1) in order to provide for derogations from the scope, timing or level of minimum percentages set out therein.

Article 56

Repeal and transitional provisions

1. Directive 2000/53/EC is repealed with effect from [OP: Please insert the date = the first day of the month following **24** months after the date of entry into force of this Regulation].

However, the following provisions of Directive 2000/53/EC shall continue to apply:

- (a) *Without prejudice to Article 52 of this Regulation*, Article 4(2) until [OP: Please insert the date the last day of the month following 71 months after the date of entry into force of this Regulation];
 - (b) Article 5(4), second subparagraph, Article 6(3), second sub-paragraph, Article 7(1), Article 8(3) and (4), until [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation];
 - (b1) Article 6(3) first sub-paragraph and Annex I, until [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of the Regulation];**
 - (c) Article 7(2) point (b), until 31 December 20** [OP: Please insert the year = the last day of the year following 35 months after the date of entry into force of this Regulation];
 - (d) Article 9, paragraphs (1a) sub-paragraphs 1 and 3, (1b) and (1d) until [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation];
 - (e) Article 9(1a), sub-paragraph two, until [OP: Please insert the date = the last day of the month following 59 months after the date of entry into force of the Regulation].
2. Directive 2005/64/EC is repealed with effect from [OP: Please insert the date = the last day of the month following 71 months after the date of entry into force of this Regulation].

However, its Article 6(3) is repealed with effect from [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation].

3. References to the repealed Directives shall be construed as references to this Regulation and shall be read in accordance with the correlation tables in Annex XI.
4. *By way of derogation from Article 8(2), until 72 months after entry into force of this Regulation, where this provision refers to Article 4, such a reference shall be construed as a reference to Article 5 of Directive 2005/64.*

By way of derogation from Article 8(2), until 72 months after entry into force of this Regulation, where this provision refers to Article 5, such a reference shall be construed as a reference to Article 6 (2) of Directive 2005/64.

Article 56a

Applicability to and in the United Kingdom in respect of Northern Ireland

1. *Articles 15-30, 33-35 and 36(2) shall not apply to and in the United Kingdom in respect of Northern Ireland.*
2. *Article 14 shall apply only in respect of Articles 31-32 and 36(1) to and in the United Kingdom in respect of Northern Ireland.*
3. *Articles 46(1)(a) and 46(2) shall not apply to and in the United Kingdom in respect of Northern Ireland.*
4. *Articles 47(1) and 47(2) shall not apply as regards the prevention of illegal treatment of end-of-life vehicles to and in the United Kingdom in respect of Northern Ireland.*
5. *Article 47(2) shall not apply as regards the exchange of relevant information on authorised treatment facilities to and in the United Kingdom in respect of Northern Ireland.*
6. *Article 48 shall not apply to and in the United Kingdom in respect of Northern Ireland as regards Articles 15(1), 16, 19(1), 22(1) and (2), 23, 24, 25(1) and (2), 26-30, 34 and 35*
7. *Articles 49(1)(c), (d), (f), (g)(iii), (g)(iv), (g)(v), (h), (i), (j), (k), (l) and (m) and 49(3)(n) shall not apply to and in the United Kingdom in respect of Northern Ireland.*

Article 57

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. It shall apply from [OP: Please insert the date = the first day of the month following **24** months after the date of entry into force of this Regulation].

However, Article 54 shall apply from [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation].

This Regulation shall be binding in its entirety and directly applicable in the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

CRITERIA FOR DETERMINATION WHETHER A VEHICLE IS AN END-OF-LIFE VEHICLE

This Annex establishes the criteria determining whether a vehicle is an end-of-life vehicle, and shall be applied as follows:

- 1. Part A lays down the criteria to assess the irreparability of a vehicle. If one or more of these criteria are met, the vehicle shall be considered an end-of-life vehicle.*
- 2. If none of the criteria of Part A are met, the vehicle shall be assessed against the criteria of Part B. If one or more of the criteria of Part B apply the technical assessment shall determine which are the repairs needed to obtain a roadworthiness certificate in accordance with Directive 2014/45/EU in the Member State where the vehicle was registered before repair. Based on this technical assessment, the vehicle owner shall decide whether he wants to discard the vehicle. If within five years following that technical assessment, the vehicle owner does not obtain a roadworthiness certificate in accordance with Directive 2014/45/EU, the vehicle shall be considered an end-of-life vehicle. For the period of these five years, the technical assessment shall constitute documentation that the vehicle is not an end-of-life vehicle.*
- 3. The assessment referred to in this Annex shall be conducted by an independent automotive expert. Member States may establish an exhaustive list of independent automotive experts to carry out these assessments.*

Competent authorities in the Member State of registration of a vehicle, or one of its appointed authorising bodies, may exempt a vehicle that is considered as an end-of-life vehicle in accordance with Annex I from being an end-of-life vehicle, when the vehicle concerned is subject to repair, upon request by a vehicle owner.

PART A

CRITERIA FOR ASSESSMENT OF *END-OF-LIFE* VEHICLES

1. A vehicle is *an end-of-life vehicle when* it meets one or more of the following criteria:

(a) it has been cut into pieces or *dismantled for reuse of its parts*;

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(c) it has been ■ burnt to the point where the engine compartment or passenger compartment is *completely* destroyed;

(d) it has ■ been submerged in water to a level above the dashboard;

(e) one or several of the following components of the vehicle *can, from a technical point of view, be neither* repaired *nor* replaced:

(i) ground coupling components (such as tyres and wheels), suspension, steering, braking, and their control components;

(ii) seat fixings and joints;

(iii) airbags, pre-tensioners, safety belts, and their peripheral operating components;

(iv) the vehicle's hull and chassis *or shell*;

(f) its structural and safety components have technical defects that are irreversible and turn them non-replaceable;

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(ga) *it was handed over for treatment to an authorised collection point or an authorised treatment facility*;

(gb) *it has been declared as a total technical loss by an insurance company, based on the technical assessment carried out by an automotive expert.*

■

2. ■

3.

(a)

(b)

(c)

(d)

(e)

(f)

PART B

LIST OF INDICATIVE CRITERIA FOR END-OF-LIFE VEHICLES

If none of the criteria of Part A apply, the vehicle shall be assessed against the following criteria :

(a) *it is abandoned or lacks* means allowing *it to be identified*, in particular the Vehicle Identification Number;

(d) it is not appropriately protected against damage during storage, transportation, loading and unloading;

(f) *the repair costs necessary to repair that vehicle to a technical condition that would be sufficient to obtain a roadworthiness certificate and its current value exceed its estimated market value after repair;*

(g) *it has been submerged in water to a level below the dashboard, and damaged the engine or electrical system;*

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- (i) *its fuel or fuel vapours are discharged posing a risk of fire and explosion;*
- (j) *gas has leaked from its liquid gas system posing a risk of fire and explosion;*
- (k) *its operating liquids (fuel, brake fluid, anti-freeze liquid, battery acid electrolyte solution, coolant liquid) have been discharged posing a risk of water pollution;*
- (l) *it has been dismantled; or*
- (m) *it has one or more entry points welded up or closed by insulating foam.*

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ANNEX II

CALCULATION OF THE RATES OF REUSABILITY, RECYCLABILITY AND RECOVERABILITY

For the purposes of this Annex, 'reference vehicle' means the version within a vehicle type, which is identified by the approval authority, in consultation with the manufacturer and in accordance with the criteria laid down in Annex II Part A, as being the most problematic in terms of reusability, recyclability and recoverability.

PART A

1. The materials present in the vehicle and their respective shares and locations shall be specified, together with any relevant information necessary to correctly calculate the rates of recyclability and recoverability.
2. Masses shall be expressed in kg with one decimal place. The rates shall be calculated in percent with one decimal place, then rounded as follows:
 - (a) if the figure following the decimal point is between 0 and 4, the total is rounded down;
 - (b) if the figure following the decimal point is between 5 and 9, the total is rounded up.
3. For the purposes of the selection of the reference vehicles, account shall be taken of the following criteria:
 - (a) the type of bodywork;
 - (b) the available trim levels;
 - (c) the available optional equipment which can be fitted under the manufacturer's responsibility.
4. Should the type-approval authority and the manufacturer fail jointly to identify the most problematic version within a type of vehicle, in terms of reusability, recyclability and recoverability, one reference vehicle shall be selected, within:

- (a) each ‘type of bodywork’, as defined in point 2 of part C of Annex I to Regulation (EU) 2018/858 in the case of M₁ vehicles;
 - (b) each ‘type of bodywork’, i.e., van, chassis-cab, pick-up, etc., in the case of N₁ vehicles.
5. For the purposes of checks of the materials and masses of component parts, the manufacturer shall make available vehicles and component parts as deemed necessary by the type-approval authority.

PART B

- 1. In order to be counted as reusable, components or parts shall be removable in a readily and non-destructive manner.
- 2. The total mass of reusable parts, components and materials shall be considered as 100 % reusable, recyclable and recoverable.
- 3. Parts and components listed in Part B, points 1 and 2, of Annex VII shall be considered as 0 % reusable and 100 % recyclable and recoverable. Parts and components listed in Part E of Annex VII shall be considered as 0 % reusable and 100 % recyclable and recoverable. The methodology shall ensure, that in case of amending Annex VII results in the extending the list of parts and components listed in Part E of that Annex, these newly added parts and components shall be considered as 0 % reusable and 100 % recyclable and recoverable.
- 4. The calculation of the rates of reusability, recyclability and recoverability shall be coherent with the circularity strategy, reflecting technological progress in end-of-life treatment technologies.

ANNEX III

CONDITIONS AND MAXIMUM CONCENTRATION VALUES FOR THE PRESENCE OF LEAD, MERCURY, CADMIUM AND HEXAVALENT CHROMIUM IN MATERIALS, PARTS AND COMPONENTS

A maximum concentration value of substances up to 0,1 % by weight in homogeneous material for lead, hexavalent chromium and mercury and up to 0,01 % by weight in homogeneous material for cadmium shall be tolerated.

Spare parts put on the market after 1 July 2003 which are used for vehicles put on the market before 1 July 2003, except for wheel balance weights, carbon brushes for electric motors and brake linings, shall be exempted from Article 5(2) of *this* Regulation.

Homogenous materials, parts and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 5(4), point (d)
Lead as an alloying element		
1(a). Steel for machining purposes and batch hot dip galvanised steel components containing up to 0,35 % lead by weight		
1(b). Continuously galvanised steel sheet containing up to 0,35 % lead by weight	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	
2(a). Aluminium for machining purposes with a lead content up to 2 % by weight	As spare parts for vehicles placed on the market before 1 July 2005	
2(b). Aluminium with a lead content up to 1,5 % by weight	As spare parts for vehicles placed on the market before 1 July 2008	
2(c)(i). Aluminium alloys for machining purposes with a lead content up to 0,4 % by weight	Vehicles type-approved before 1 January 2028 and spare parts for such vehicles	

2(c)(ii). Aluminium alloys not included in entry 2(c)(i) with a lead content up to 0,4 % by weight (2)	(4) Vehicles type-approved before 1 January 2027 and spare parts for such vehicles	
2(c)(iii). Lead in aluminium casting alloys containing up to 0.3 % lead by weight provided that the lead stems from lead-bearing aluminium scrap recycling	Vehicles type-approved after 31 December 2026 and spare parts for these vehicles. (1)	
3. Copper alloys containing up to 4 % lead by weight	(3) (1)	
4(a). Bearing shells and bushes	As spare parts for vehicles placed on the market before 1 July 2008	
4(b). Bearing shells and bushes in engines, transmissions and air conditioning compressors	As spare parts for vehicles placed on the market before 1 July 2011	
Lead and lead compounds in components		
5(a). Lead in batteries used in high-voltage systems (4) that are used only for propulsion in M1 and N1 vehicles	Vehicles type-approved before 1 January 2019 and spare parts for such vehicles	X
5(b)(i). Lead in batteries: (1) used in 12 V applications (2) used in 24 V applications in special purpose vehicles as defined in Article 3 of Regulation (EU) 2018/858	(3)	X
5(b)(ii). Lead in batteries used in applications not included in entry 5(a) or entry 5(b)(i)	Vehicles type-approved before 1 January 2024 and spare parts for such vehicles	X
6. Vibration dampers	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	X
7(a). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings	As spare parts for vehicles placed on the market before 1 July 2005	
7(b). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings containing up to 0,5 % lead by weight	As spare parts for vehicles placed on the market before 1 July 2006	

7(c). Bonding agents for elastomers in powertrain applications containing up to 0,5 % lead by weight	As spare parts for vehicles placed on the market before 1 July 2009	
Lead in solders or coatings of electrical and electronic applications specified in the following subentries		
8(a). Lead in solders to attach electrical and electronic components to electronic circuit boards and lead in finishes on terminations of components other than electrolyte aluminium capacitors, on component pins and on electronic circuit boards	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	X(5)(3)
8(b). Lead in solders in electrical applications other than soldering on electronic circuit boards or on glass	Vehicles type approved before 1 January 2011 and spare parts for such vehicles	X(5)(3)
8(c). Lead in finishes on terminals of electrolyte aluminium capacitors	Vehicles type approved before 1 January 2013 and spare parts for such vehicles	X(5)(3)
8(d). Lead used in soldering on glass in mass airflow sensors	Vehicles type approved before 1 January 2015 and spare parts of such vehicles	X(5)(3)
8(e). Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more lead)	(1)	X(5)(3)
8(f)(i). Lead in compliant pin connector systems	Vehicles type approved before 1 January 2017 and spare parts for such vehicles	X(5)(3)
8(f)(ii). Lead in compliant pin connector systems other than the mating area of vehicle harness connectors	Vehicles type approved before 1 January 2024 and spare parts for such vehicles	X(5)(3)
8(g)(i). Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages	Vehicles type approved before 1 October 2022 and spare parts for such vehicles	X(5)(3)
8(g)(ii). Lead in solders to complete a viable electrical connection between the semiconductor die and the carrier within integrated circuit flip chip packages where that electrical connection consists of any of the following: (1) a semiconductor technology node of 90 nm or	(1) Vehicles type-approved from 1 October 2022 before 1 January 2030 and spare parts for such vehicles	X(5)(3)

larger; (2) a single die of 300 mm ² or larger in any semiconductor technology node; (3) stacked die packages with dies of 300 mm ² or larger, or silicon interposers of 300mm ² or larger.		
8(h). Lead in solder to attach heat spreaders to the heat sink in power semiconductor assemblies with a chip size of at least 1 cm ² of projection area and a nominal current density of at least 1 A/mm ² of silicon chip area	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	X (5) (3)
8(i). Lead in solders in electrical glazing applications on glass except for soldering in laminated glazing	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	X (5) (3)
8(j). Lead in solders for soldering of laminated glazing	Vehicles type approved before 1 January 2020 and spare parts for such vehicles	X (5) (3)
8(k). Soldering of heating applications with 0,5A or more of heat current per related solder joint to single panes of laminated glazings not exceeding wall thickness of 2,1 mm. This exemption does not cover soldering to contacts embedded in the intermediate polymer.	Vehicles type approved before 1 January 2024 and spare parts for such vehicles	X (5) (3)
9. Valve seats	As spare parts for engine types developed before 1 July 2003	
10(a). Electrical and electronic components, which contain lead in a glass or ceramic, in a glass or ceramic matrix compound, in a glass-ceramic material, or in a glass-ceramic matrix compound. This exemption does not cover the use of lead in: (i) glass in bulbs and glaze of spark plugs, (ii) dielectric ceramic materials of components listed under 10(b), 10(c) and 10(d).		X (6) (4) (for components other than piezo in engines)
10(b). Lead in PZT based dielectric ceramic materials of capacitors being part of integrated circuits or discrete semiconductors		
10(c). Lead in dielectric ceramic materials of capacitors with a rated voltage of less than 125 V AC or 250 V DC	Vehicles type approved before 1 January 2016 and spare parts for such vehicles	
10(d). Lead in the dielectric ceramic materials of capacitors compensating the temperature-related deviations of sensors in ultrasonic sonar systems	Vehicles type approved before 1 January 2017 and spare parts for such vehicles	

11. Pyrotechnic initiators	Vehicles type approved before 1 July 2006 and spare parts for such vehicles	
12. Lead-containing thermoelectric materials in automotive electrical applications to reduce CO2 emissions by recuperation of exhaust heat	Vehicles type approved before 1 January 2019 and spare parts for such vehicles	X
Hexavalent chromium		
13(a). Corrosion preventive coatings	As spare parts for vehicles placed on the market before 1 July 2007	
13(b). Corrosion preventive coatings related to bolt and nut assemblies for chassis applications	As spare parts for vehicles placed on the market before 1 July 2008	
14. Hexavalent chromium as an anti-corrosion agent of the carbon steel cooling system in absorption refrigerators up to 0,75 % by weight in the cooling solution: (a) designed to operate fully or partly with electrical heater, having an average utilised electrical power input < 75W at constant running conditions; (b) designed to operate fully or partly with electrical heater, having an average utilised electrical power input ≥ 75W at constant running conditions; (c) designed to fully operate with non-electrical heater.	For (a): Vehicles type approved before 1 January 2020 and spare parts for such vehicles For (b): Vehicles type approved before 1 January 2026 and spare parts for such vehicles	X
Mercury		
15(a). Discharge lamps for headlight application	Vehicles type approved before 1 July 2012 and spare parts for such vehicles	X
15(b). Fluorescent tubes used in instrument panel displays	Vehicles type approved before 1 July 2012 and spare parts for such vehicles	X
Cadmium		
16. Batteries for electric vehicles	As spare parts for vehicles placed on the market before 31 December 2008	

Notes to the table:

1. This exemption shall be reviewed in *2030 in accordance with Article 5(4)*.
2. Applies to aluminium alloys where lead is not intentionally introduced, but is present due to the use of recycled aluminium.

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3. Dismantling if, in correlation with entry 10(a), an average threshold of 60 grams per vehicle is exceeded. For the purposes of this note, electronic devices not installed by the manufacturer on the production line shall not be taken into account.
4. Dismantling if, in correlation with entries 8(a) to 8(k), an average threshold of 60 grams per vehicle is exceeded. For the purposes of this note, electronic devices not installed by the manufacturer on the production line shall not be taken into account.

ANNEX IV

CIRCULARITY STRATEGY

PART A

ELEMENTS OF THE CIRCULARITY STRATEGY

1. A non-technical description of the actions planned to ensure that the vehicles ■ meet the legal requirements referred to in Articles 4 to 7 throughout their production.
2. A non-technical description of procedures implemented by the manufacturer to:
 - (a) collect the ■ data through the full supply chain *relevant for meeting their obligations pursuant to Articles 4 to 7*;
 - (b) check and verify the information received from suppliers;
 - (c) react adequately where the data received from the suppliers indicate a risk of non-compliance with the requirements under Article 4, 5 or 6.
3. Information ■ on end-of-life treatment technologies in place, *expected* technological progress in end-of-life treatment technologies and capacity investment in such technologies ■ , that the manufacturer used in order to calculate the reusability, recyclability and recoverability in accordance with Article 4 of *their* vehicle *types*.
4. Information on the share of recycled content in vehicles as referred to in Articles 6 and 10.
5. A list of actions that the manufacturer commits to carry out in order to ensure that the treatment of end-of-life vehicles ■ is carried out in accordance with this Regulation, with a particular focus on:
 - (a) measures designed to facilitate removal of parts indicated in Annex VII Part C;
■
 - (d) measures to address the challenges posed by the use of materials and techniques which hamper easy dismantling or make recycling very challenging ■ ;

(e) measures to promote the reuse of parts and components.

(ea) *research and development activities, investments in the development of recycling technologies or infrastructure, as well as cooperation with waste management operators, conducted in order to implement the actions referred to in points (a) to (c).*

PART B

FOLLOW-UP AND UPDATE OF THE CIRCULARITY STRATEGY

1. The manufacturers shall provide an update of the circularity strategy at least every 5 years.
2. The updated circularity strategy shall include the *relevant changes and in particular the* following:
 - (a) a description of how the actions referred to in point 5 of Part A have been undertaken, *together with an assessment of their effectiveness, and, where* one or more actions indicated in the strategy has not been conducted, an explanation of the reasons for this;
 - (aa) *information about the significant changes in the design and production undertaken by the manufacturer to improve the circularity of vehicles.*

ANNEX V

INFORMATION REQUIREMENTS ON REMOVAL AND REPLACEMENT

1. Electric vehicle *batteries and light means of transport* batteries incorporated in the vehicle:
 - (a) *original equipment* number;
 - (b) location;
 - (c) weight;
 - (d) type of battery chemistry;
 - (e) instructions for safe discharging of the battery;
 - (f) technical instructions on removal and replacement, including the sequence of all steps and types of joining, fastening, sealing techniques;
 - (g) tools or technologies required for the access, removal and replacement of the electric vehicle batteries.

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2. E-drive motors incorporated in the vehicle:
 - (a) *original equipment* number;
 - (b) location;
 - (c) weight;
 - (d) *the* types of permanent magnets present in e-drive motors *as listed Article 28(1)(b) of Regulation (EU) 2024/1252*:

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 - (e) technical instructions on removal and replacement, including the sequence of all steps and types of joining, fastening, sealing techniques;

- (f) tools or technologies required for the access, removal and replacement of the e-drive motors.

3. Components, parts and materials listed in Part B of Annex VII:

- (a) presence of the substances listed in Article 5(2), which need to be labelled as referred to in Annex III in a vehicle;
- (b) ***original equipment*** number;
- (c) location;
- (d) weight;
- (e) technical instructions on removal, including the sequence of all steps;
- (f) availability of best treatment techniques.

4. Components, parts and materials listed in Part C of Annex VII:

- (a) ***original equipment*** number;
- (b) location;
- (c) technical instructions on removal and replacement, including the sequence of all steps.

(ca) information, specifications, tools and processes, including software updates, required for remanufacturing and refurbishment.

5. Digitally coded components and parts in a vehicle:

- (a) Number;
- (b) Location;
- (c) technical instructions on access, removal and replacement ***of components***, including **■** coding and software necessary to activate spare parts and components to function in another vehicle, ***and process information concerning their deregistering and decoupling from a VIN including, where relevant, instruction to use a diagnostic tool with a view to their future re-use. Where deregistering and decoupling from a VIN of digitally coded components, equipment and parts referred to in Article 11 is***

required, the vehicle manufacturer shall put in place processes to allow waste management operators and repair and maintenance operators to perform such deregistration and decoupling. In this process, the vehicle manufacturer may require [a certificate of destruction, as well as] an authentication of the respective operator. For this purpose, waste management operators and repair and maintenance operators shall obtain and use the authentication credentials required for the vehicle manufacturer RMI website referred to in point 2.1. of Annex X to Regulation (EU) 2018/858. Where access to the vehicle OBD information by the waste management operator and repair and maintenance operators is required for such deregistration and decoupling processes, the vehicle manufacturer may, as a condition for issuing any access credentials:

a) require a continuous online connection at the time of performing the removal from the diagnostic tool to diagnostic tool manufacturer's server as well as from the diagnostic tool manufacturer to the vehicle manufacturer server and
b) require the manufacturer of the tool used to access the OBD information to attest to the vehicle manufacturer the identity of the diagnostic tool, pseudonymized identity of the operator and to collect and store the vehicle VIN, the unique identifier of the part (where available and supported by the VM process), the UTC date and time stamp for the relevant activity and the unique diagnostic tool identifier. The vehicle manufacturer shall obtain, on request, from the manufacturer of the diagnostic tool access to the information referred to above where this is necessary to react to a reasonable suspicion of parts theft or misuse.

- (d) description on functionality, interchangeability and compatibility with specific parts and components of other makes and models;
- (e) contact point of the manufacturer for technical assistance.

ANNEX VI

LABELLING REQUIREMENTS

1. Vehicle plastic parts, components and materials having a weight of more than 100 grams:
 - (a) ISO 1043-1 Plastics - symbols and abbreviated terms. Part 1: Basic polymers and their special characteristics;
 - (b) ISO 1043-2 Plastics - symbols and abbreviated terms. Part 2: Fillers and reinforcing materials;
 - (c) ISO 11469 Plastics - Generic identification and marking of plastic products.
2. Vehicle elastomer parts, components and materials having a weight of more than 200 grams, except tyres: ISO 1629 Rubbers and latices - Nomenclature.
3. The symbols "[" or "]" used in the ISO standards, can be substituted by brackets.

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ANNEX VII

TREATMENT REQUIREMENTS

PART A

MINIMUM REQUIREMENTS FOR STORAGE SITES AND TREATMENT SITES

1. Storage sites, including storage sites in the collection points, for the storage of end-of-life vehicles, prior to their treatment, and of their components, parts and materials, shall:
 - (a) have impermeable surfaces with spillage collection facilities, decanters and cleanser-degreasers;
 - (b) be equipped for the treatment of water, including rainwater, in compliance with health and environmental requirements.
 - (c) *have appropriate storage of end-of-life vehicles and stack only depolluted end-of-life vehicles, unless stacking racks are used, to an appropriate height;*
 - (d) *be equipped to enable the immediate removal of fluids and liquids from leaking end-of-life vehicles and the collection of any leaked fluids and liquids using absorbent material. Operators of such sites shall carry out these actions without delay.*
2. Storage shall be organised so as to avoid damage to:
 - (a) components and parts containing the liquids and fluids listed in points 1 and 2 of Part B of this Annex VII;
 - (b) components, parts and materials listed in Part C of this Annex VII.
3. The sites where end-of-life vehicles and their components, parts and materials are treated shall have:
 - (a) impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers;

- (b) appropriate storage for parts, components and materials that have been removed from the end-of-life vehicle, including impermeable storage for oil-contaminated parts, components and materials;
 - (c) appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), filters and PCB/PCT-containing condensers;
 - (d) appropriate separate storage tanks for the segregated storage of end-of-life vehicle fluids: ***fuels, oils*** (motor oil, gearbox ***oil***, ***power steering*** oil, transmission oil, hydraulic oil), ***oil filters***, cooling liquids, antifreeze, brake fluids, ***refrigereants***, ***diesel exhaust fluid*** and any other ***fluids or gases*** contained in the end-of-life vehicle;
 - (e) equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations;
 - (f) appropriate storage for used tyres, taking into account the need to prevent fire hazards and excessive stockpiling.
4. Authorised treatment facilities that are permitted to treat electric vehicles shall comply with the requirements set out in Annex XII of ***Regulation (EU) 2023/1542***. ***Authorised Treatment Facilities accepting electric vehicles with suspected damage to the electric vehicle battery shall assess these batteries as soon as possible but no later than within 24 hours after delivery. Such vehicles and batteries shall be stored separately in a quarantined area as referred to in paragraph 1. The quarantined area shall be equipped with appropriate installations to prevent, detect and contain electric vehicle battery fires from spreading to other areas, other electric vehicles and other batteries.***

PART B

MINIMUM REQUIREMENTS FOR DEPOLLUTION

- 4a. The following fluids, liquids ***and gases*** shall be removed from the end-of-life vehicle, unless they are necessary for the re-use of the parts concerned:
- (a) fuel;

- (b) motor oil;
- (c) transmission oil;
- (d) gearbox oil;
- (da) power steering oil;**
- (e) hydraulic oil;
- (f) cooling liquids;
- (g) antifreeze;
- (h) brake fluids;
- (i) **refrigerants;**
- (ia) diesel exhaust fluids; and**
- (j) any other **fluids or gases** contained in the end-of-life vehicle.

After removal of the fluids and liquids, drain plugs are applied to prevent leakage of remains. The collection containers shall be labelled to indicate the type of liquid that is contained within them and stored separately from each other in a secure location, compliant with the Part A of this Annex, to prevent accidental spillage, leakage or unauthorised access to it.

4a -1. The following components, parts and materials shall be neutralised or removed:

- a) e-call system***
- b) pyrotechnic parts of airbags;***
- c) pyrotechnic parts of seat belts;***
- d) any other pyrotechnic parts;***

4b. The following components, parts and materials shall be removed from end-of-life vehicles:

- (a) airbags, liquefied petroleum gas (LPG) tanks, compressed natural gas (CNG) tanks, hydrogen tanks and any other potentially explosive parts and components shall be neutralised;

(a1) oil filters;

- (b) refrigerants shall be treated in accordance with Regulation (EU) **No 2024/573**;
- (c) components identified as containing mercury ■ shall be separated during treatment into an identifiable stream, which shall be safely immobilised and disposed in accordance with Article 17 of Directive 2008/98/EC;
- (d) materials containing substances referred to in Article 5(2), which need to be labelled as laid down in Annex III, shall be separated during treatment into an identifiable stream, which shall be safely immobilised and disposed in accordance with Article 17 of Directive 2008/98/EC.

All parts, components and materials collected during the depollution shall be stored in designated containers. The collection containers shall be labelled to indicate the components, parts and materials that are contained within them and stored in a secure location in compliance with Part A, in order to prevent accidental spillage, leakage or unauthorised access to it.

3. The following information on the depollution of the end-of-life vehicles shall be recorded:

- (a) ***total number of treated end-of-life vehicles;***
- (b) ***the average weight of the end-of-life vehicles before and after depollution and removal;***
- (c) ***total quantity of each type of depolluted fluids, parts, components or materials;***
- (d) name and contact details of the waste transporter, if applicable;
- (e) ***name and*** contact information of the final ***treatment*** site for the ***fluids and gases, parts, components or materials*** collected during the depollution process.

PART C

MANDATORY REMOVAL OF PARTS AND COMPONENTS FROM END-OF-LIFE VEHICLES

	<i>Exempted under Article 30 point 2, if the conditions of Annex VII Part G apply</i>
<i>1.a Electric vehicle batteries, as defined in Article 3 point (14) of Regulation (EU) 2023/1542, including their battery management systems, onboard chargers, casings or housings if present;</i>	
<i>2. LMT batteries, as defined in Article 3 point (11) of Regulation (EU) 2023/1542, including their battery management systems, onboard chargers for EVs, casings or housings if present;</i>	
<i>3. SLI batteries as defined in Article 3, point (12), of Regulation (EU) 2023/1542;</i>	
<i>4. Portable batteries as defined in Article 3 point (9) of Regulation (EU) 2023/1542</i>	
<i>5. E-drive motors, including their casings and any associated control units, wiring, and other parts, components and materials;</i>	
<i>6. Engine blocks;</i>	<i>X</i>
<i>7. Catalytic converters;</i>	
<i>8. Gear boxes;</i>	<i>X In case of exemption, No. 20 shall apply to the control unit</i>
<i>9. At least 70 % of the total glass from windshields, rear and side windows made of glass, including rooftop glass installations;</i>	
<i>10. Rims;</i>	

<i>11. Tyres;</i>	
<i>12. Directly accessible parts of the infotainment system;</i>	
<i>13. Head- and taillights, including their actuators;</i>	
<i>14. Main wire harnesses;</i>	<i>X</i>
<i>15. Bumpers;</i>	<i>X</i>
<i>16. Fuel tanks;</i>	<i>X</i>
<i>17. Heat exchangers;</i>	<i>X</i>
<i>18. Parts of carbon fibre reinforced plastics;</i>	
<i>19. Electrical and electronic components:</i>	<i>X</i>
<i>(a) inverters and DC-DC converters with a weight above 2 kilogram of electric vehicles;</i>	
<i>(b) easily accessible and large printed circuit boards;</i>	
<i>(c) photo-voltaic (PV) panels with a surface area largers than 0.2 square metres;</i>	
<i>(d) control modules and valve boxes for the automatic transmission.</i>	

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PART D

REUSE, REMANUFACTURING AND REFURBISHMENT OF PARTS AND COMPONENTS

I. Technical evaluation of the removed parts and components:

(a) For reuse:

- (i) the part or component is functional;
 - (ii) it is fit to be used, in a readily manner, for its primary purpose it was conceived for.
 - (b) For remanufacturing or refurbishment:
 - (i) the part or component *shall contain all relevant parts*;
 - (ii) *it is fit to be remanufactured or refurbished, taking into account damages, reduced functionality, reduced performance, reduced lifespan* and repairs needed ■
 - (iii) there is no *apparent* heavy corrosion *impeding the functionality of the part or component*.
2. Minimum information to be provided in the labelling of the parts and components:
- (a) name of the component or part;
 -
 - (c) name, the postal address, indicating a single contact point and e-mail address, a web-address, if applicable, identifying the *authorised treatment facility* that removed the component or part.

PART E

COMPONENTS AND PARTS NOT TO BE REUSED

1. All airbags including cushions, pyrotechnic actuators, electronic control units and sensors.
2. Emission after-treatment systems (e.g. catalytic converters, particulate filters) *unless those parts comply with the related roadworthiness test as laid down in Article 4 of Directive 2014/45/EU*.

■

4. Automatic or non-automatic seat belt assemblies, including webbing, buckles, retractors, pyrotechnic actuators.
5. Seats in cases where they incorporate safety belt anchorages and/or airbags.
6. Steering lock assemblies acting on the steering column.
7. Immobilisers, including transponders and electronic control units.

PART F

SPECIFIC TREATMENT REQUIREMENTS OF THE REMOVED PARTS, COMPONENTS AND MATERIALS

1. SLI Batteries shall be treated in accordance with Article 70 of the Regulation (EU) **2023/1542**.
2. Electric vehicle batteries shall be treated in accordance with Article 70 of the Regulation (EU) **2023/1542**.
 - 2a. ***LMT batteries shall be treated in accordance with article 70 of regulation (EU) 2023/1542.***
 - 2b. ***Portable batteries shall be treated in accordance with article 70 of regulation (EU) 2023/1542***
3. Permanent magnet materials containing neodymium, dysprosium or praseodymium (Neodymium-Iron-Boron (NdFeB), as defined in Article **28 of Regulation (EU) 2024/1252**, copper from e-drive motors that are not suitable for reuse, remanufacturing or refurbishment, shall be removed where the process for removal is feasible to be performed by authorised treatment facilities without excessive cost. In case of lack of technical progress to recycle NdFeB permanent magnet materials, the e-drive motors or its permanent magnet material containing parts shall be stock-piled and labelled in accordance with Article 27(1), point (b), of Regulation **(EU) 2024/1252**. ***For the purpose of future recycling, the requirements related to the temporary storage of Directive 1999/31/EC shall not apply.***

4. Removed electronic components and parts, which are not subject for reuse, remanufacturing or refurbishment and non-ferrous fractions, including shredded printed circuit boards, shall be treated by treatment operators as specified in Article 8(3) of Directive 2012/19/EU.
5. Removed glass from the end-of-life vehicle, as a minimum, shall be recycled into container glass, fibre glass, or equivalent quality.
6. *Removed refrigerants shall be recycled, reclaimed or destroyed in accordance with Article 8 of Regulation (EU) 2024/573.*
7. *The plastics and residue fractions shall be handled in accordance with Article 7 and Annex IV of Regulation (EU) 2019/1021.*
8. *Rubber tyres shall be processed in accordance with the waste hierarchy and the general requirements laid down in Article 4 of 2008/98/EC to prioritise prevention options that deliver the best overall environmental outcome including retreading, and prioritise recycling, including other methods than mechanical recycling, over energy recovery.*
9. *Aluminium materials originating from heat exchangers as specified in Annex VII Part C, point 12, shall be stored and recycled separately from the cast and wrought aluminium fractions specified in Annex VII, Part G, point 2(b).*

PART G

CRITERIA FOR COMBINED SHREDDING AND THE APPLICATION OF POST-SHREDDER TECHNOLOGIES

1. *In order to comply with Article 28(3) of this Regulation, end-of-life vehicles may be shredded together with other waste only if:*
 - (a) *waste electrical and electronic equipment has been treated selectively in accordance with Annex VII to Directive 2012/19/EU;*
 - (b) *all batteries have been removed in accordance with Regulation (EU) 2023/1542;*

- (c) plastic packaging has been separated from packaging waste and metal packaging in accordance with Regulation (EU) 2025/40;*
- (d) the combined shredding process does not lower the quality of waste streams compared to separate treatment; and*
- (e) the specific contributions of each mixed waste stream to the output fractions can be identified as fulfilling the reporting obligations under Regulation (EU) 2023/1542, Regulation (EU) 2025/40, Directive 2012/19/EU and Directive 2008/98/EC.*

2. *Quality requirements for the output fractions:*

- a. The total copper content of the main steel fraction shall not exceed 0.25% on a weight basis; as of [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation], the total copper content of the main steel fraction shall not exceed 0.15% on a weight basis;*
- b. [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Aluminium shall be sorted as a minimum into two fractions:*
 - I. Cast aluminium (fractions with a silicon content higher than 1.5%)*
 - II. Wrought aluminium (fractions with a silicon content equal or lower than 1.5%)*

[OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation]

Aluminium shall be sorted as a minimum into four fractions:

Ia. Aluminium fraction with silicon content higher than 1.5%, copper content equal or lower than 0.5% and iron content equal or lower than 0.2%;

Ib. Aluminium fraction with silicon content higher than 1.5% and that does not meet the composition requirements of Ia. for copper and iron;

IIa. Aluminium fraction with silicon content equal or lower than 1.5%, magnesium equal or lower than 1.5%, copper content equal or lower than 0.3% and zinc content equal or lower than 0.3%;

IIb. Aluminium fraction with silicon content equal or lower than 1.5% and that does not meet the composition requirements of IIa for magnesium, copper and zinc.

- c. *The shredder heavy fraction derived after air separation and separation of iron, shall be further treated with the aim to separate ferrous, non-ferrous metals, plastics and other organic materials for recycling or recovery. The residue of these processes shall contain less than 1% of metal content by weight and, in accordance with Council Decision 2003/33/EC, less than 5% of total organic carbon by weight; the Total Organic Carbon (TOC) limit of < 5% by weight does not apply if the shredder heavy fraction properly selected and reconditioned, is biologically stable according to current legislation;*
- d. *The shredder light fraction shall be further treated with the aim to separate ferrous, non-ferrous metals, plastics and other organic materials for recycling or recovery. The residue of these processes shall contain less than 1% of metal content by weight and, in accordance with Council Decision 2003/33/EC, less than 5% of total organic carbon by weight; the Total Organic Carbon (TOC) limit of < 5% by weight does not apply if the shredder light fraction, properly selected and reconditioned, is biologically stable, according to current legislation.*
1. *Documentation to be provided for exemptions from the obligation to remove parts, components and materials:*
- (a) *Where available* a copy of the written contract between the authorised treatment facility and the facility which performs the shredding operations and **■** post-shredding technologies, including the specifications on the quality of the secondary materials *ready for recycling* and the technical specification followed in processing treatment fractions from end-of-life vehicles.
- (b) *A mass balance report of the sample analysis on the quality and quantity of the treatment fractions (output) for a representative treatment configuration provided by an independent body.*

■

ANNEX VIII

INFORMATION FOR REGISTRATION IN THE REGISTER OF PRODUCERS

1. Information to be submitted by the producer or its *authorised* representative for extended producer responsibility:
 - (a) name, and brand names if available, under which the producer operates in the Member State and address of the producer, including postal code and place, street and number, country, telephone number, if any, web address and e-mail address, indicating a single contact point;
 - (b) national identification code of the producer, including its trade register number or equivalent official registration number and the European or national tax identification number;
 - (c) categories of vehicles that the producer intends to make available on the market for the first time within the territory of a Member State;
 - (d) information on how the producer meets its responsibilities laid down in Article 16, including information in written form on the following:
 - (i) the measures put in place by the producer to fulfil the producer responsibility obligations laid down in Articles 16 and 20;
 - (ii) the measures put in place to fulfil the collection obligation laid down in Article 23 with regard to the amount of vehicles the producer makes available on the market in the Member State; and
 - (iii) the system to ensure that the data reported to the competent authorities are reliable;
 - (e) a statement by the producer or, where applicable, producer's *authorised* representative for the extended producer responsibility or producer responsibility organisation, stating that the information provided is true.
2. Information to be provided, in addition to the information listed in point 1, where a producer responsibility organisation is appointed to carry out the extended producer responsibility obligations:

- (a) the name and contact details, including postal code and place, street and number, country, telephone number, web and e-mail address and the national identification code of the producer responsibility organisation;
- (b) the trade register number or an equivalent official registration number and the European or national tax identification number of the producer responsibility organisation; and
- (c) the represented producer's mandate.

3. Information to be provided, in addition to the information listed in point 1 by the producer responsibility organisation in the case of an authorisation in accordance with Article *17 (1)*:

- (a) the names and contact details, including postal codes and places, streets and numbers, countries, telephone numbers, web addresses and e-mail addresses of the producers represented;
- (b) the mandate of each represented producer, where applicable;
- (c) where the producer responsibility organisation represents more than one producer, it shall indicate separately how each one of the represented producers meets the responsibilities set out in Article 16.

4. Where obligations under Article 16 are fulfilled on a producer's behalf by an appointed representative for the extended producer responsibility that represents more than one producer, that representative shall, in addition to the information listed in point 1, provide the name and the contact details for each of the represented producers separately.

ANNEX IX

CERTIFICATE OF DESTRUCTION

1.	<i>The establishment or undertaking issuing this certificate</i>	
1.1	<i>Name</i>	
1.2	<i>Address</i>	
1.3	<i>Phone number</i>	
1.4	<i>E-Mail [if available]</i>	
1.5	<i>Registration or identification number*</i>	
2.	<i>Competent authority who issued a permit for the establishment or undertaking mentioned in point 1</i>	
2.1	<i>Member State</i>	
2.2	<i>Name</i>	
2.3	<i>Address</i>	
3.	<i>Certificate of destruction</i>	
3.1	<i>Date of issue</i>	
3.2	<i>Number</i>	
4.	<i>Information on the vehicle this certificate of destruction is issued for</i>	
4.1	<i>Nationality mark</i>	
4.2	<i>(A) Registration number**</i>	
4.3	<i>(J) Category**</i>	
4.4	<i>(D.1) Make**</i>	
4.5	<i>(D.3) Commercial name**</i>	

4.6	<i>(E) Vehicle Identification Number**</i>	
4.7	<i>Number of registration certificate</i>	
5.	<i>Information on the owner of the vehicle</i>	
5.1	<i>(C.2.1) Surname or business name**</i>	
5.2	<i>(C.2.2) Other name(s) **</i>	
5.3	<i>(C.2.3) Address**</i>	
5.4	<i>Phone number [if available and upon consent of the owner]</i>	
5.5	<i>E-Mail [if available and upon consent of the owner]</i>	
6	<i>Remarks</i>	
	<i>* This requirement may be waived in the case where the national registration or identification system does not provide for such number. **</i> <i>Harmonised community codes as referred to in Directive 1999/37/EC.</i>	

ANNEX X

AMENDMENTS TO REGULATION (EU) 2018/858 *AND REGULATION (EU) 168/2013*

1. Annex II to Regulation (EU) 2018/858 shall be amended as follows:

(1) In Part I, entry G13 is replaced by the following:

“

G13	Circularity	Regulation [PO enter the number of this Regulation]	X	X	X	X	X	X	X	X	X	X		
-----	-------------	---	---	---	---	---	---	---	---	---	---	---	--	--

”;

(2) Appendix 1 is amended as follows:

(a) in table 1, entry G13 is replaced by the following:

“

'G13	Circularity	Regulation [PO enter the number of this Regulation]		n/a However, Annex VII Part E on prohibition of reuse of the specified component parts shall apply.
------	-------------	---	--	---

”;

(b) in table 2, entry G13 is replaced by the following:

“

'G13	Circularity	Regulation [PO enter the number of this Regulation]		n/a However, Annex VII Part E on prohibition of reuse of the specified component parts shall apply.
------	-------------	---	--	---

”;

(3) in Appendix 2, point 4 is amended as follows:

- (a) in the table ‘Part I: Vehicles belonging to category M1’, entry 59 is replaced by the following:

“

59	Regulation [PO enter the number of this Regulation] (Circularity)	The requirements of that Regulation shall not apply.
----	--	--

”

- (b) in the table ‘Part II: Vehicles belonging to category N1’, entry 59 is replaced by the following:

“

59	Regulation [PO enter the number of this Regulation] (Circularity)	The requirements of that Regulation shall not apply.
----	--	--

”

- (4) Part III is amended as follows:

- (a) In Appendix 1, entry 59 is replaced by the following:

“;

59	Circularity	Regulation [PO enter the number of this Regulation]	N/A	N/A		
----	-------------	---	-----	-----	--	--

”

- (b) in Appendix 2, entry 59 is replaced by the following:

“;

59	Circularity	Regulation [PO enter the number of this Regulation]	N/A				N/A					
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”

(c) in Appendix 3, entry 59 is replaced by the following:

“

59	Circularity	Regulation [PO enter the number of this Regulation]	N/A
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”

(d) in Appendix 4, entry 59 is replaced by the following:

“

59	Circularity	Regulation [PO enter the number of this Regulation]	N/A				N/A			
----	-------------	---	-----	--	--	--	-----	--	--	--

2.

Annex II to Regulation (EU) 168/2013 shall be amended as follows:

In Section C1 of the table in Annex II to Regulation (EU) No 168/2013, entry 15a is replaced by the following:

[illegible]

Annex 0

CRITERIA FOR RECOGNISING THE STATUS OF VEHICLES OF SPECIAL CULTURAL INTEREST

1. Competent authorities in the Member State of registration of a vehicle, or one of its appointed authorising bodies, may recognise a vehicle as having a special cultural interest when it meets all of the following criteria:

(a) its unique historical or cultural value or status has been documented by the vehicle owner or by the competent authorities of the Member State where a vehicle is registered or it is a single modified or custom-built vehicle which has been individually approved in accordance with Regulation (EU) 2018/858 or national law;

(b) the vehicle owner is known and can be identified;

(c) the parts of the vehicle can be identified by a serial number, or other identification provided by the manufacturer or assigned by the competent authority;

(d) the vehicle can be identified by the Vehicle Identification Number (VIN), or serial number, or other identification provided by the manufacturer or assigned by a competent authority; Upon request by the vehicle owner, competent authorities in the Member State of registration shall issue a certificate recognising a vehicle as having a special cultural interest where the abovementioned criteria are fulfilled.

Upon request by the vehicle owner, competent authorities in the Member State of registration shall revoke a certificate recognising a vehicle as having a special cultural interest.

2. The owner of the vehicle of special cultural interest shall ensure that:

(a) vehicle is stored, transported or used in environmentally sound manner according to Union or national law.

(c) the certificate referred to in paragraph 1 shall be provided or made available to authorities upon request.

3. The compliance of the vehicle with the criteria of paragraph 1 and paragraph 2 shall be verified at least every five years, or in case of a change in ownership. '

ANNEX XI

CORRELATION TABLE

1. Directive 2000/53/EC

Directive 2000/53/EC	This Regulation
Article 1	Article 1
Article 2(1)	Article 3(1) point (1)
Article 2(2)	Article 3(1) point (2)
Article 2(3)	Article 3(1) point (22)
Article 2(4)	Article 3(2) point (a)
Article 2(5)	Article 3(1) point (16)
Article 2(6)	Article 3(1) point (5)
Article 2(7)	Article 3(2) point (a)
Article 2(8)	Article 3(2) point (a)
Article 2(9)	Article 3(2) point (a)
Article 2(10)	Article 3(1) point (35)
Article 2(11)	-
Article 2(11) point (a)	-
Article 2(11) point (b)	-
Article 2(11) point (c)	-
Article 2(11) point (d)	-
Article 2(12)	-
Article 2(13)	-
Article 3(1)	Article 2(1) point (a)
Article 3(2)	-
Article 3(3)	-
Article 3(4)	Article 2(2) point (a) and paragraph (5)

Article 3(5)	Article 2(1) point (c) and paragraph (5) and (6)
Article 4(1) point (a)	Article 5(1)
Article 4(1) point (b)	Article 7(1)
Article 4(1) point (c)	Article 6
Article 4(2) point (a)	Article 5(2) and (3)
Article 4(2) point (b)(i)	Article 5(4)(a)
Article 4(2) point (b)(ii)	Article 5(4)(b)
Article 4(2) point (b)(iii)	Article 5(4)(c)
Article 4(2) point (b)(iv)	Article 5(4)(d)
Article 4(2) point (c)	--
Article 5(1), first tiret	Article 23(1) and (2) point (c)
Article 5(1), second tiret	Article 23(2) point (b)
Article 5(2)	Article 23(4) sub-paragraphs 1 and 2 point (c)
Article 5(3), first subparagraph	Article 25
Article 5(3), second subparagraph	--
Article 5(3), third subparagraph	--
Article 5(4), first subparagraph	Article 24(2)
Article 5(4), second subparagraph	Article 16 and 20(1)(a)
Article 5(4), third subparagraph	Article 24(2)
Article 5(4), fourth subparagraph	--
Article 5(5), first subparagraph	Article 25(1) and Annex IX
Article 5(5), second subparagraph	Article 25(5)
Article 6(1)	Article 27 (1) and (3)
Article 6(2), first subparagraph	Article 15(1)
Article 6(2), second subparagraph	--
Article 6(3), first subparagraph	Article 30(1) and Annex VII Part C

Article 6(3), second subparagraph	Article 29(1)
Article 6(4)	Article 15(2)
Article 6(5)	Article 27(5)
Article 6(6)	Article 27(4)
Article 7(1)	Article 33(1)
Article 7(2) point (a)	--
Article 7(2) point (b)	Article 34(1) points (a) and (b)
Article 7(2), second subparagraph	--
Article 7(2), third subparagraph	Article 49(5)
Article 7(3)	--
Article 7(4)	--
Article 7(5)	--
Article 8(1)	Article 12(1)
Article 8(2)	Article 12(3)
Article 8(3)	Article 11(1)
Article 8(4)	Article 11(1) and (2)
Article 9(1a), first subparagraph	Article 49(1) point (j)
Article 9(1a), second subparagraph	Article 49(1) second sub-paragraph
Article 9(1a), third subparagraph	Article 49(1) third sub-paragraph
Article 9(1b)	Article 49(2)
Article 9(1c)	--
Article 9(1d)	Article 49(5)
Article 9(2)	Article 9
Article 9a(1)	Article 50(1)
Article 9a(2)	Article 50(2)
Article 9a(3)	Article 50(3)
Article 9a(4)	Article 50(4)

Article 9a(5)	Article 50(5)
Article 9a(6)	Article 50(6)
Article 10(1)	--
Article 10(2)	--
Article 10(3)	--
Article 10a	Article 55
Article 11(1)	Article 51(1)
Article 11(2)	Article 51(2)
Article 12(1)	Article 57(1)
Article 12(2)	Article 57(2)
Article 12(3)	--
Article 13	--
Annex I	Annex VII
Annex II	Annex III

2. Directive 2005/64/EC

Directive 2005/64/EC	This Regulation
Article 1, first subparagraph	Article 1
Article 1, second subparagraph	--
Article 2	Article 2(1) point (a)
Article 3 point (a)	Article 2(2) point (a)
Article 3 point (b)	Article 2(2) point (b)
Article 3 point (c)	Article 2(2) point (c)
Article 4(1)	Article 3(1) point (1)
Article 4(2)	Article 3(2) point (b)
Article 4(3)	Article 3(1) point (3)
Article 4(4)	Article 3(1) point (2)
Article 4(5)	Annex II

Article 4(6)	Article 3(2) point (b) in combination with Article 3(1) point (1)
Article 4(7)	Article 3(2) point (b)
Article 4(8)	Article 3(2) point (b)
Article 4(9)	Article 3(1) point (5)
Article 4(10)	Article 3(2) point (a)
Article 4(11)	--
Article 4(12)	Article 3(2) point (a)
Article 4(13)	Article 3(1) point (4)
Article 4(14)	Article 3(1) point (6)
Article 4(15)	Article 3(1) point (7)
Article 4(16)	--
Article 4(17)	--
Article 4(18)	Article 9
Article 4(19)	--
Article 4(20)	--
Article 5(1)	--
Article 5(2)	Article 8(1) second sentence
Article 5(3)	Article 8(4)
Article 5(4)	Article 24
Article 6(1)	Article 4(2)
Article 6(2), second subparagraph	Article 5(8)
Article 6(3)	Article 11
Article 6(4)	--
Article 6(5)	--
Article 6(6)	--
Article 6(7)	--

Article 6(8)	--
Article 7 point (a)	Annex VII Part E
Article 7 point (b)	Annex VII Part E
Article 8	--
Article 9	--
Article 10(1)	--
Article 10(2)	--
Article 10(3)	--
Article 10(3)	--
Article 10(4)	--
Article 11(1)	--
Article 11(2)	--
Article 12	--
Article 13	--
Annex I	Article 4 (1)
Annex II	--
Annex III	--
Annex VII	--
Annex V	Annex VII Part E
Annex VI	--

Annex XII

AMENDMENTS TO REGULATION (EU) 2023/1542

Table of Annex I of the Regulation (EU) 2023/1542 is amended as the following:

<i>Column 1 Designation of the substance or group of substances</i>	<i>Column 2 Conditions of restriction</i>
<i>Mercury CAS No 7439-97-6 EC No 231-106-7 and its compounds</i>	<i>Batteries, whether or not incorporated into appliances, light means of transport or other vehicles, shall not contain more than 0,0005 % of mercury (expressed as mercury metal) by weight.</i>
<i>2. Cadmium CAS No 7440-43-9 EC No 231-152-8 and its compounds</i>	<i>1. Portable batteries, whether or not incorporated into appliances, light means of transport or other vehicles, shall not contain more than 0,002 % of cadmium (expressed as cadmium metal) by weight. 2. Electric vehicle and SLI batteries, incorporated in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858 shall not contain more than 0,01% of cadmium (expressed as cadmium metal) by weight in homogeneous material. 3. Point 2 shall not apply to electric vehicle batteries used as spare parts for electric vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858 placed on the market before 31 December 2008.</i>
<i>3. Lead CAS No 7439-92-1 EC No 231-100-4 and its compounds</i>	<i>1. From 18 August 2024, portable batteries, whether or not incorporated into appliances, shall not contain more than 0,01 % of lead (expressed as lead metal) by weight. 2. The restriction set out in point 1 shall not apply to portable zinc-air button cells until 18 August 2028. 3. Portable batteries</i>

	<i>incorporated in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858, shall not contain more than 0,1% of lead (expressed as lead metal) by weight in homogeneous material.</i> <i>4. Point 3 shall not apply to Portable Batteries incorporated in, or used as spare parts for, vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858, type approved before 1 January 2024.</i> <i>5. Electric vehicle batteries incorporated in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858, shall not contain more than 0,1% of lead (expressed as lead metal) by weight in homogeneous material.</i> <i>6. Point 5 shall not apply to: Electric vehicle batteries incorporated in, or used as spare part for, in vehicles of the categories M1 and N1, as defined in Regulation (EU) 2018/858 and type approved before 1 January 2019</i> <i>Electric vehicle batteries incorporated in or used as spare part for, special purpose vehicles of the categories M1 and N1, as defined in Regulation (EU) 2018/858, and type approved before 1 January 2024</i> <i>7. SLI batteries incorporated in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858, shall not contain more than 0,1% of lead (expressed as lead metal) by weight in homogeneous material.</i> <i>8. Point 7 shall not apply to: (i) SLI batteries used in 12 V applications for vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU)</i>
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	<i>2018/858.¹ (ii) SLI batteries used in 24 V applications in special purpose vehicles of the categories M1 and N1 as defined in Regulation (EU) 2018/858.² (iii) SLI batteries used in other applications than the one covered by points 8(i) and (ii) in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858 that are typed approved before 1 January 2024.</i>
<i>4. Hexavalent chromium CAS No 18540-29-9EC No 606-053-1 and its compounds</i>	<i>Batteries incorporated in vehicles, including special purpose vehicles, of the categories M1 and N1 as defined in Regulation (EU) 2018/858, shall not contain more than 0,1% of hexavalent chromium (expressed as hexavalent chromium metal) by weight in homogeneous material.</i>

¹ ***This exemption shall be reviewed in 2030***

² ***This exemption shall be reviewed in 2030***

ANNEX XIII

CRITERIA TO BE FULFILLED BY INSTALLATIONS IN THIRD COUNTRIES CARRYING OUT PRODUCTION OF RECYCLED MATERIAL

Part A CRITERIA TO DEMONSTRATE THAT RECYCLED MATERIAL HAS BEEN PRODUCED IN AN INSTALLATION THAT MEETS CERTAIN REQUIREMENTS FOR THE PROTECTION OF HUMAN HEALTH, CLIMATE AND ENVIRONMENT SET OUT IN UNION LAW OR EQUIVALENT TO THOSE REQUIREMENTS (AS PER ARTICLE 6(4))

- 1. The installation located in a third country involved in the production of recycled material shall fulfil the following conditions in its actual operations:***
 - (a) it complies with the requirements to recycle waste and carries out its activities in accordance with the applicable national legislation on environmental protection;***
 - (b) it is designed, constructed and operated in a safe and environmentally sound manner and, in particular, it has the required processes, appropriate waste management technology, organisation and infrastructure in place to recycle the waste in question;***
 - (c) it sources its plastic waste from a Member State or a country which complies with Union law or equivalent standards as the Member States in terms of protection of the environment and the safety of workers and operates in such a country in accordance with the criteria defined in paragraph 3 of this Part;***
 - (d) it establishes and operates management and monitoring systems, procedures and techniques that have the purpose of preventing, reducing, minimising and to the extent practicable eliminating: (i) health and safety risks to workers concerned and to the population in the vicinity of the facility; and (ii) adverse effects on the environment caused by its activities (in particular through adequate measures taken to monitor and address pollution);***
 - (e) it ensures the traceability of all waste received and treated at the facility, including ensuring that all residual waste generated from their activities are documented and***

are only transferred to waste management facilities that are authorised to treat such residual waste;

- (f) it has taken measures designed to save energy and limit the emissions of greenhouse gases linked to its activities;*
- (g) it establishes and is able to provide records of its waste management activities for the last five years; if an installation has operated for less than five years, it establishes and is able to provide records of its waste management activities for the time it has operated;*
- (h) it and its management have not been convicted of having carried out illegal activities linked to waste management in the last five years.*

2. The following or equivalent rules shall be taken into account, as a point of reference and where relevant:

- (a) specific requirements for the treatment of certain waste and on the calculation of the quantity of waste treated, which are mandatory under Union legislation, and on the accounting of the quantities of recycled materials produced;*
- (b) the Best Available Techniques conclusions adopted for certain activities under the regime of Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions.*

3. The plastic waste shall be treated in a manner according to requirements set out in Union law or equivalent to those requirements and shall come from a Member State or country with a comprehensive waste management framework covering its entire territory and demonstrating its ability and willingness to guarantee environmentally sound waste management, taking into account in particular the following criteria:

- (a) the measures implemented and planned to ensure the environmentally sound management of waste within its territory, such as the introduction of an extended producer responsibility system or an equivalent system implementing the polluter pays principle;*

- (b) *the measures implemented and planned to increase the proportion of post-consumer plastic recycled from vehicles, and the indicators for monitoring these measures;*
- (c) *the measures implemented and planned to increase the proportion of post-consumer recycled plastic incorporated in vehicles placed on the national market, and the indicators for monitoring these measures.*

Part B CRITERIA TO DEMONSTRATE THAT RECYCLED MATERIAL HAS BEEN PRODUCED IN COMPLIANCE WITH THE REQUIREMENTS IN ARTICLE 6(1), (2) AND (3)

The installation located in a third country involved in the production of recycled material shall fulfil the following conditions in its actual operations:

1. *The installation shall be able to provide evidence that it is producing materials recycled from post-consumer waste. If the installation is also producing materials derived from pre-consumer waste or derived from raw materials, it shall be able to demonstrate that it clearly distinguishes between the different types of materials. The installation shall ensure that it is only supplying materials recycled from post-consumer waste, as a condition for this material to be accounted for as part of the targets set out in Article 6;*
2. *An installation producing recycled materials from post-consumer waste derived from end-of-life vehicles or repaired vehicles shall be able to demonstrate that such waste has been collected separately and was not mixed with materials from other origins in such a way that would prevent traceability of this waste before its arrival on the installation and during the whole recycling process.*

ANNEX XIV

REQUIREMENTS FOR AUDITS, CERTIFIERS AND AUDITORS

Part A DETAILED REQUIREMENTS FOR THIRD PARTIES CONDUCTING AUDITS

1. *A third-party conducting audits of the installation located in a third country in accordance with Article 6(5) shall be independent of the supplier, manufacturer or the person involved in the production of the recycled material and of the controlled installation. To that end, this this party should be able to document that:*

- (a) It is not part of or under the control of these entities;*
 - (b) It has established and operates procedures guaranteeing its impartiality, including:*
 - (i) assessment of risks of its impartiality on an ongoing basis;*
 - (ii) identification, elimination and mitigation of risks to impartiality resulting from financial, commercial and other types of pressure;*
 - (iii) assessment of risk of its impartiality resulting from relationships of its personnel;*
 - (c) It is structured and managed in a way ensuring its independence and impartially, including: (i) it is clearly identifiable within the legal entity, if the legal entity conducts also activities not related to inspections; (ii) it has reporting rules on the performed audit activity; (iii) its personnel has clearly identifiable responsibilities with respect to conducting audits.*
- 2. A third party conducting audits in accordance with Article 6(5) shall be considered to have appropriate qualifications in the area of audits and waste treatment if it has a sufficient number of qualified personnel, directly or via subcontracting, that is regularly trained and if its personnel involved in conducting such audits and has documented professional experience in all of the following areas: (a) conducting audits of facilities treating waste; (b) waste treatment operations; (c) environmental and occupational health and safety management systems; d) production of recycled material.*
- 3. In order to demonstrate compliance with the criteria referred to in paragraphs 1 and 2, the third-party conducting audits or certifications shall refer to its certification with Union or equivalent internationally recognised standards relevant for the conduct of audits, such as ISO 19011:2018 or ISO/IEC 17020:2012.*

Part B. SUBJECT OF THE AUDIT

- 1. The audit referred to in Article 6(5) shall verify that the installation located in a third country involved in the production of recycled material fulfils the conditions listed in Annex XIII in its actual operations.*
- 2. The names and contact details of the individuals who carried out the audits shall be clearly indicated in the audit reports.*
