

OPEN CONSULTATION ON CROSS-BORDER ENFORCEMENT OF ROAD TRAFFIC RULES

ASECAP CONTRIBUTION

The European Commission has launched an online open consultation to revise Cross-border Enforcement Directive 2015/413 (CBE Directive). More specifically, this initiative will make it easier to investigate road-safety-related traffic offences that have been committed with vehicles registered abroad. The revised CBE Directive should help to better identify drivers who committed such offences and protect the rights of presumed offenders.

ASECAP members support EU policy to promote a high level of safety and equal treatment for all road users in the EU. ASECAP would like to take the opportunity of this consultation to express some points mentioned below.

Considering the problems the revision of the Directive aims to tackle, namely inadequate investigation to enforce financial penalties (due to issues connected with vehicle registration errors/incompletions and others), inadequate recognition of decisions on financial penalties and in particular the one identified as related to the Directive's scope, have common ground both for cross-border enforcement of road traffic rules Directive 2015/413 and on cross-border enforcement of the obligation to pay road fees Directive 2019/520. And also considering the transversal principle of equality and the inherent necessity of elimination of distortions and differences of treatment between Member States and its citizens, we understand that it would serve such objectives to have a uniformed procedure on the topic of cross-border enforcement. This understanding is reinforced by the similarity between the Directives 2015/413 and 2019/520, in particular its articles 4 and 23, respectively.

Furthermore, we identify that the extension of cross-border enforcement could be achieved either through an extension of scope (as previously proposed) or through the determination of applicability of the clauses regarding the Procedure for the exchange of information between Member States to the scope of the Directive 2019/520.

About ASECAP:

ASECAP is the European Association of Operators of Toll Road Infrastructures across 20 member countries representing 135 companies employing more than 50.000 direct jobs and 200.000 indirect jobs. They operate, maintain, manage a network of more than 86.000 km. the first priority of road operators is to keep the traffic moving in the safest road safety condition and congestion free.

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