

Sammanfattning av ENVI/IMCO-utskottens gemensamma beslut den 7 juli 2025

I EU:s förordningar motiverar skälen artiklarna och paragraferna. ELV-förordningen kommer omfatta drygt 100 skäl 60 artiklar och flera hundra paragrafer. Här har MHRF sammanställt utskottens förslag som är av särskilt intresse för fordonsägarna till såväl historiska fordon som nyare.

Förslagen skiljer sig väsentligt i många delar från EU-kommissionens förslag från sommaren 2023 liksom rådets allmänna riktlinje från juni 2025. Det är dessa olika positioner som de ska förhandlas om i höst. Den slutliga ELV-förordningen kommer därför delvis att få en annan lydelse.

Om skälen

MHRF lyfte tidigt fram avsaknaden av motiverande skäl med fokus på äganderätt, undantag för historiska fordon och förslagen från Nätverk på gemensam väg avseende fordon yngre än 30 år oavsett årsmodell som ingår i samlingar, står på museer, inom motorsport och amatörbyggen. Det tog den svenska regeringen fasta på och föreslog flera sådana skäl men fick inte gehör för det i rådet som i stället föreslog möjlighet för medlemsstaterna att undanta fordon av särskilt kulturellt intresse som bedömts som uttjänta. Parlamentet förslår flera förslag i linje med MHRF och nätverkets ställningstaganden.

Nedan anges de skäl som utskotten ENVI/IMCO antagit:

(9b) *In order to preserve Europe's cultural heritage, vehicles of historical interest should be excluded from the scope of this Regulation. Vehicles of special cultural interest should also be able to be excluded from the scope of this Regulation, provided that they are officially recognised as such by the competent authority of the Member State in which they are registered, in accordance with specific criteria. That exclusion should not exempt such vehicles from being kept and handled in an environmentally sound manner, in accordance with applicable Union or national law. Member States should therefore ensure that any vehicle benefiting from this exemption is managed accordingly.*

MHRF kommentar:

Hur medlemsstaterna väljer att tolka "vehicles of special interest" är inte givet och sannolikt kommer det förekomma olika tolkningar. Det ursprungliga förslagen från den svenska regeringen var omfattande och inkluderade de som idag finns i ELV-direktivet och kontrollbesiktningsdirektivet. Det är fordon av värde för samlare, som står på museer och fordon inom motorsport. Regeringen la också till amatörbyggen. Förslaget togs upp av de svenska parlamentarikerna vilket kom till uttryck i skäl (9b)

(10a) *Motor caravans and trailer caravans are distinct from conventional vehicles or trailers, as their primary function is accommodation rather than transportation. Many trailer caravans are permanently fixed in place as holiday homes, used for seasonal accommodation, and remain functional for decades. These units should not be classified as end-of-life vehicles since they continue to serve as housing, often unregistered, leading to misclassification as "missing vehicles." These 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. Given their special-purpose nature, distinct material composition, and ongoing use, motor caravans and trailer caravans should be excluded from this Regulation.

MHRF kommentar:

Undantar alla husbilar och husvagnar oavsett årsmodell.

(13a) 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. A vehicle should only be deemed an end-of-life vehicle when it cannot reasonably be restored to meet roadworthiness test requirements and thus presents a safety risk to road users.

MHRF kommentar:

Förslag med sikte på vardagsfordonen. Skälet diskvalificerar förslag om att reparationskostnaderna inte får överstiga fordonets marknadsvärde.

(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 during the use phase of a vehicle, including those removed during a repair and maintenance operation, which are suitable for reuse, remanufacturing, or refurbishment, should not be considered waste. This is necessary to facilitate the shipment, transportation or any other transfer of such parts and components. On the other hand, parts and components not suitable for reuse, remanufacturing or refurbishment should be considered as waste and their export should be regulated by Regulation (EU) 2024/1157. 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.

MHRF kommentar:

Förslaget tydliggör att fordonsdelar och komponenter som kan återanvändas, oavsett om de är fungerande eller inte när de demonteras, inte ska anses vara avfall

(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.

Delarna som avses återges nedan i bilaga VII part E.

- 1. All airbags including cushions, pyrotechnic actuators, electronic control units and sensors.*
- 2. Emission after-treatment systems (e.g. catalytic converters, particulate filters) if those parts are not covered by a warranty which states that the part complies with the related roadworthiness test as stipulated in Article 4 of Directive 2014/45/EU on periodic roadworthiness tests for motorvehicles and their trailers. (AM 204)*
- 3. Exhaust silencers.*
- 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.*

MHRF kommentar:

Oklart varför återvinningsföretagen, bildemonterarna, inte ska få sälja vissa fordonsdelar om det finns en legal marknad.

- (61) *In order to encourage the development and proper functioning of the market for reusable, refurbished, retrofitted and remanufactured parts and components in the Union, Member States should be encouraged to take the necessary incentives at the national level to promote the reuse, refurbishment, retrofitting and remanufacturing of parts and components, whether they are removed during the use or end-of-life phase of a vehicle. 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. The exchange of data should be done without undue delay.*

MHRF kommentar:

Tydliggör sammanhållsnyttan och medlemsstaternas syn på värdet av återbruk.

- (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. When the ownership of a used vehicle is transferred by an economic operator within the Union, the economic operator should inform the acquiring person that the vehicle is not an end-of-life vehicle by providing a roadworthiness certificate or by informing that the vehicle meets the established reparability criteria. A vehicle owner that intends to export a used vehicle outside the Union, be required to provide documentation that the vehicle is not an end-of-life vehicle. That documentation should consist either of a valid roadworthiness certificate or, where such a certificate is not available, of an assessment carried out by competent authorities responsible for the roadworthiness certificates. To assess the status of a used vehicle, the vehicle owner, other economic operators and competent authorities should verify if certain criteria determining whether or not the vehicle concerned is an end-of-life vehicle are met.*

MHRF kommentar:

Begränsar enskilda personers skyldigheter till att endast avse export utanför EU. Förslaget skiljer sig från rådet som föreslagit att en särskild oberoende fordonsexpert ska avge en bedömning om fordonet är begagnat eller avfall.

- (68a) *It is also important to preserve the right of every owner to decide freely about their property. The owner of a used vehicle should be free to decide after assessment of the indicative criteria for vehicles whether the vehicle has to be declared end-of-life and delivered to a collection point or authorised treatment facility or whether the vehicle is worth to be repaired.*

MHRF kommentar:

Utskotten sätter äganderätten i fokus framför en tvingande reglering. Förslaget innebär att rådets förslag om särskild prövning av fordon som bedömts som avfall inte kräver ytterligare bedömning och utlåtande om ägaren avser att renovera det

Om artiklarna och pragraferna

Artikel 2

2. *This Regulation shall not apply to:*

- (~~ai~~) *vehicles of historical interest as defined in Article 3, point (7), of Directive 2014/45/EU and all their parts, components and spare parts required for their maintenance activities and necessary to preserve their historical status;*

MHRF kommentar:

Utöver historiska fordon förslås här även delar till dessa vara undantagna

Artikel 2

2. *This Regulation shall not apply to:*

- (j) *vehicles of special cultural interest, provided that they are officially recognised as such by the competent authority of the Member State in which they are registered, in accordance with the conditions set out in Annex XII to this Regulation.*

ANNEX XII

CRITERIA FOR EXCEPTION OF VEHICLES OF SPECIAL CULTURAL INTEREST

The competent authority of the Member State in which a vehicle is registered may recognise a vehicle as having special cultural interest where all of the following conditions are met:

- (a) *the vehicle's unique historical or cultural value or status has been documented either by the vehicle owner or by the competent authorities of the Member State of registration, or the vehicle is a single modified or a custom-built vehicle;*
- (b) *the owner of the vehicle is known and can be identified;*
- (c) *the vehicle can be uniquely identified by a Vehicle Identification Number (VIN), serial number, or other official identification assigned by the manufacturer or by a competent authority.*

MHRF kommentar:

Förslaget från utskotten skiljer sig från rådets. I rådets förslag ska fordon av speciellt intresse kunna undantas först efter det att de bedömts vara utjänta. Utskottens förslag innebär att sådana fordonen direkt kan undantas av medlemsstaterna förutsatt att de förvaras och hanteras på ett miljömässigt korrekt sätt utan några särskilda krav på bedömning om de är begagnade eller avfall enligt bilaga I.

Artikel 26

Obligations for the vehicle owner

The owner of a vehicle that becomes an end-of-life vehicle shall:

When the ownership of a used vehicle is transferred by an economic operator, the economic operator shall indicate to the acquiring person that the vehicle is not an end-of-life vehicle in accordance with part A of Annex I or provide a roadworthiness certificate.

In the case of end-of-life vehicles, the economic operator shall ensure that these vehicles will only be transferred to an authorized treatment facility.

MHRF kommentar:

Utskottens förslag skiljer sig från rådets då det enbart avser de ekonomiska aktörerna. I rådets förslag finns långt gående bindande krav på alla som säljer sitt fordon med ett undantag för den privatförsäljning som sker fysisk.

Article 37

Distinction between used vehicles and end-of-life vehicles for the purpose of export
For the purpose of exporting a used vehicle, the vehicle owner shall be able to provide documentation to the customs authorities and any natural or legal person interested in importing the concerned vehicle that the vehicle is not an end-of-life vehicle. That documentation shall consist of a valid roadworthiness certificate or, when such a certificate is not available, of an assessment carried out by the competent authorities responsible for the roadworthiness certificates based on the criteria laid down in Annex I. In the case of doubt that a used vehicle may be an end-of-life vehicle, competent authorities may require a vehicle owner to present further documentation that the vehicle concerned is not an end-of-life vehicle

MHRF kommentar:

Utskottens förslag skiljer sig från rådets då det enbart avser export och inte försäljningen samt att den av rådet föreslagna oberoende fordonsexperten tagits bort.

Om Bilaga I MHRF kommentar:

Nedan återges utskottens förslag till bilaga I som är väsentligt bättre än kommissionen och rådets förslag.

Vad som inte framgår är att utskotten har tagit bort det förslaget som innebar att en fordonsägare under omfattande villkor kunde få ett fordon som bedöms som uttjänt undantaget om det skulle repareras. Utskotten anser att det med beaktande av äganderätten inte ska vara nödvändigt.

ANNEX I

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

PART A

CRITERIA FOR ASSESSMENT OF REPARABILITY OF VEHICLES

- (a) *A vehicle is irreparable when it meets one or more of the following criteria:*
- (b) *it has been cut into pieces or dismantled for reuse of its parts or is no longer used as a vehicle; (*
- (c) *it has been burnt to the point where the engine compartment or passenger compartment is completely destroyed;*
- (d) *it has submerged in water to a level above the dashboard;*
- (a) *one or several of the following components of the vehicle cannot 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;*

- (b) *its structural and safety components have technical defects that are irreversible and where the damage is so extensive that repair or replacement is not technically feasible without compromising the lasting structural integrity of the vehicle or the road safety;*
 - ~~(g) *its repair requires the replacement of the engine, gearbox, shell, or chassis assembly, resulting in the loss of the vehicle's original identity.* (AM 1618, 1619, 1620, 1621, 1622)~~
1. ~~*The vehicle is economically irreparable if its market value is lower than the cost of the necessary repairs needed to restore it in the Union to a technical condition that would be sufficient to obtain a roadworthiness certificate in the Member State where the vehicle was registered before repair.* (AM 1626, 1627, 1628)~~
 2. *A vehicle may be considered technically irreparable when:*
 - (a) *it has been submerged in water to a level below the dashboard, and damaged the engine or electrical system;*
 - (b) *its doors are not attached to it;*
 - (c) *its fuel or fuel vapours are discharged posing a risk of fire and explosion;*
 - (d) *gas has leaked from its liquid gas system posing a risk of fire and explosion;*
 - (e) *its operating liquids (fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid) have been discharged posing a risk of water pollution; or*
 - (f) *its brakes and steering components are excessively worn.*

~~*If one of those conditions is met, an individual technical assessment shall be carried out in order to assess if the technical status of a vehicle would be sufficient to obtain a roadworthiness certificate in the Member State where the vehicle was registered before repair.*~~

PART B

INDICATIVE LIST OF CRITERIA FOR END-OF-LIFE VEHICLES

The following criteria may also be used during an individual assessment as additional justification to determine if a used vehicle is an end-of-life vehicle:

- (a) *absence of means allowing to identify a vehicle, in particular the Vehicle Identification Number;*
 - (b) ~~*its*~~ *it is impossible to establish who is the owner*
 - (c) *it is not appropriately protected against damage during storage, transportation, loading and unloading; or*
 - (d) *it was handed over for treatment to an authorised collection point or an authorised waste treatment facility;*
- (ea) *it has been submerged in water to a level below the dashboard, and damaged the engine or electrical system;*
 - (eb) *its fuel or fuel vapours are discharged posing a risk of fire and explosion; or*
 - (ec) *gas has leaked from its liquid gas system posing a risk of fire and explosion;*
 - (ed) *its operating liquids (fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid) have been discharged posing a risk of water pollution;*

Om lagstiftningsprocessen i EU

När kommissionen har lagt fram ett förslag går parlamentet och rådet igenom det och kan föreslå ändringar. Vanligtvis möts parlamentet, rådet och kommissionen sedan för att se om de kan enas om ändringsförslagen.

Rådet kan åsidosätta kommissionens invändningar genom ett enhälligt beslut. Kommissionen kan dessutom dra tillbaka ett förslag om den anser att parlamentet har ändrat det för mycket. Om de tre institutionerna inte kan enas om en gemensam slutlig text görs en andra behandling.

Under den andra behandlingen kan parlamentet och rådet föreslå ytterligare ändringar. Parlamentet kan också blockera förslaget om det inte är enigt med rådet.

Om parlamentet och rådet enas om ändringarna kan förslaget antas. Om de inte kan enas tillsätts en förlikningskommitté som försöker hitta en lösning. Både parlamentet och rådet kan blockera förslaget under denna sista andra behandling.

Ett förslag antas som lag när parlamentet och rådet har enats om ett gemensamt förslag och det har publicerats i [EU:s officiella tidning](#).