Article 1

Objectives

For the purposes of this Directive:

1. "vehicle" means any vehicle designated as category M1 or N1 defined in Annex IIA to Directive 70/156/EEC, and three wheel motor vehicles as defined in Directive 92/65/EEC, but excluding motor tricycles;

2. "end-of-life vehicle" means a vehicle which is waste within the meaning of Article 1(a) of Directive 75/442/EEC;

3. "producer" means the vehicle manufacturer or the professional importer of a vehicle into a Member State;

4. "prevention" means measures aiming at the reduction of the quantity and the harmfulness for the environment of end-of-life vehicles, their materials and substances;

5. "treatment" means any activity after the end-of-life vehicle has been handed over to a facility for depollution, dismantling, shearing, shredding, recovery or preparation for disposal of the shredder wastes, and any other operation carried out for the recovery and/or disposal of the end-of-life vehicle and its components;

6. "collecting and treatment facilities" means facilities with all requisite dismantling information, in particular for hazardous materials.

7. "the preparation of European standards, where appropriate, should be promoted. Vehicle manufacturers and material producers should use component and material coding standards, to be established by the Commission, to identify and report component and material specific conditions have been complied with.

8. "disposal" means the treatment of end-of-life vehicles in such a manner as to release into the environment, to facilitate recycling and to avoid the disposal of hazardous waste. In particular the use of lead, mercury, cadmium and hexavalent chromium should be prohibited. These heavy metals should only be used in certain applications according to a list which will be regularly reviewed. This will help to ensure that certain materials and components do not become shredder residues, and are not incinerated or disposed of in landfills.

9. "recovery" means the recycling and recovery of end-of-life vehicles and their components so as to reduce the disposal of waste, as well as at the improvement in the environmental performance of all of the economic operators involved in the life cycle of vehicles and especially the operators directly involved in the treatment of end-of-life vehicles.

10. "vehicles" means historic vehicles or other vehicles which are no longer in normal use or have been withdrawn from service and which, to the extent possible, are not covered by the definition of waste laid down by Directive 75/442/EEC and do not fall within the scope of this Directive.

11. "the Commission" means the Commission of the European Communities.

12. "vehicles" means historic vehicles or other vehicles which are no longer in normal use or have been withdrawn from service and which, to the extent possible, are not covered by the definition of waste laid down by Directive 75/442/EEC and do not fall within the scope of this Directive.

13. "the use of lead, mercury, cadmium and hexavalent chromium should be prohibited. These heavy metals should only be used in certain applications according to a list which will be regularly reviewed. This will help to ensure that certain materials and components do not become shredder residues, and are not incinerated or disposed of in landfills.

14. "the development of markets for recycled materials should be encouraged.

15. "the use of lead, mercury, cadmium and hexavalent chromium should be prohibited. These heavy metals should only be used in certain applications according to a list which will be regularly reviewed. This will help to ensure that certain materials and components do not become shredder residues, and are not incinerated or disposed of in landfills.

16. "the certificate of destruction, to be used as a condition for the de-registration of end-of-life vehicles, should be introduced.

17. "the end-of-life vehicle and its components;"
6. “reuse” means any operation by which components of end-of-life vehicles are used for the same purpose for which they were conceived;
7. “recycling” means the reprocessing in a production process of the waste materials for the original purpose or for other purposes but excluding energy recovery. Energy recovery means the use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;
8. “recovery” means any of the applicable operations provided for in Annex IIA to Directive 75/442/EEC;
9. “disposal” means any of the applicable operations provided for in Annex IIA to Directive 75/442/EEC;
10. “economic operators” means producers, distributors, collectors, motor vehicle insurance companies, dismantlers, shredders, recyclers, recoverers and other treatment or recyclers of end-of-life vehicles, including their components and materials;
11. “hazardous substance” means any substance which is considered to be dangerous under Directive 67/548/EEC;
12. “shredder” means any device used for tearing into pieces or fragmenting end-of-life vehicles, including for the purpose of obtaining directly reusable metal scrap;
13. “dismantling information” means all information required for the correct and environmentally sound treatment of end-of-life vehicles. It shall be made available to authorised treatment facilities by vehicle manufacturers and component producers in the form of manuals or by means of electronic media (e.g. CD-ROM, on-line services).

Article 3
Scope
1. This Directive shall cover vehicles and end-of-life vehicles, including their components and materials. Without prejudice to Article 5(4), third subparagraph, this shall apply irrespective of whether the vehicle has been serviced or repaired during use and irrespective of whether it is equipped with components supplied by the producer or with other components whose fitting as spare or replacement parts accords with the appropriate Community provisions or domestic provisions.
2. This Directive shall apply without prejudice to existing Community legislation and relevant national legislation, in particular as regards safety standards, air emissions and noise controls and the protection of soil and water.
3. Where a producer only makes or imports vehicles that are exempted from Directive 70/156/EEC by virtue of Article 8(2)(a) thereof, Member States may exempt that producer and his vehicles from Articles 7(4), 8 and 9 of this Directive.
4. Special-purpose vehicles as defined in the second indent of Article 4(1)(a) of Directive 70/156/EEC shall be excluded from the provisions of Article 7 of this Directive.
5. For three-wheel motor vehicles only Articles 5(1), 5(2) and 6 of this Directive shall apply.

Article 4
Prevention
1. In order to promote the prevention of waste Member States shall encourage, in particular:
(a) vehicle manufacturers, in liaison with material and equipment manufacturers, to limit the use of hazardous substances in vehicles and to reduce them as far as possible from the conception of the vehicle onwards, so as in particular to prevent their release into the environment, make recycling easier, and avoid the need to dispose of hazardous waste;
(b) the design and production of new vehicles which take into full account and facilitate the dismantling, reuse and recovery, in particular the recycling, of end-of-life vehicles, their components and materials;
(c) vehicle manufacturers, in liaison with material and equipment manufacturers, to integrate an increasing quantity of recycled material in vehicles and other products, in order to develop the markets for recycled materials.
2. Article 4(1)(a) Member States shall ensure that materials and components of vehicles put on the market after 1 July 2003 do not contain lead, mercury, cadmium or hexavalent chromium other than in cases listed in Annex II under the conditions specified therein;
b. in accordance with the procedure laid down in Article 11 the Commission shall set on a regular basis, according to technical and scientific progress, amend Annex II, in order to:
(i) as necessary, establish maximum concentration values up to which the existence of the substances referred to in subparagraph (a) in specific materials and components of vehicles shall be tolerated;
(ii) exempt certain materials and components of vehicles from the provisions of subparagraph (a) if the use of these substances is unavoidable;
(iii) delete materials and components of vehicles from Annex II if the use of these substances is avoidable;
(iv) under points (i) and (ii) designate those materials and components of vehicles that can be stripped before further treatment; they shall be labelled and made identifiable by other appropriate means;
c. the Commission shall amend Annex II for the first time not later than 21 October 2001. In any case none of the exemptions listed therein shall be deleted from the Annex before 1 January 2003.

Article 5
Collection
1. Member States shall take the necessary measures to ensure:
- that economic operators set up systems for the collection of all end-of-life vehicles and, as far as technically feasible, waste was disposed of, while the use parts removed when passenger cars are repaired;
- the adequate availability of collection facilities within their territory.
2. Member States shall also take the necessary measures to ensure that all end-of-life vehicles are transferred to authorised treatment facilities.
3. Member States shall set up a system according to which the presentation of a certificate of destruction is a condition for deregistration of the end-of-life vehicle. This certificate shall be issued to the holder and/or owner when the end-of-life vehicle is transferred to a treatment facility. Treatment facilities, which have obtained a permit in accordance with Article 6, shall be permitted to issue a certificate of destruction. Member States may permit producers, dealers and collectors on behalf of an authorised treatment facility to issue certificates of destruction provided that they guarantee that the end-of-life vehicle is transferred to an authorised treatment facility and provided that these are registered with public authorities.

Issuing the certificate of destruction by treatment facilities or other equivalent arrangements are made in accordance with Article 6, shall be permitted to issue a certificate of destruction. Member States may permit producers, dealers and collectors on behalf of an authorised treatment facility to issue certificates of destruction provided that they guarantee that the end-of-life vehicle is transferred to an authorised treatment facility and provided that these are registered with public authorities.

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(c) stripping operations and storage shall be carried out in such a way as to ensure the suitability of vehicle components for reuse and recovery, and in particular for recycling.

Treatment operations for depollution of end-of-life vehicles as referred to in Annex I(3) shall be carried out as soon as practicable. Member States shall promote the efficient treatment of end-of-life vehicles. Member States shall adopt and implement treatment techniques of a quality that ensures the suitability of vehicle components for reuse and recovery and that takes account of the environmental and recovery potential of vehicle components, particularly where the design of vehicles and their components makes it possible to reuse or recover these components.

4. Member States shall take the necessary measures to ensure that the permit or registration referred to in paragraph 2 includes all conditions necessary for compliance with the requirements of paragraphs 1, 2 and 3.

5. Member States shall encourage establishments or undertakings, which carry out treatment operations to introduce, certified environmental management systems.

Article 7

Re-use and recovery

1. Member States shall take the necessary measures to ensure that the re-use of components which are suitable for reuse, the recovery of components which cannot be reused and the giving of preference to recycling when environmentally viable, without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control.

2. Member States shall take the necessary measures to ensure that the following targets are attained by economic operators:

(a) no later than 1 January 2006, for all end-of-life vehicles, the reuse and recovery shall be increased to a minimum of 85 % by an average weight per vehicle and year. Within the same time limit the reuse and recycling shall be increased to a minimum of 80 % by an average weight per vehicle and year;

for vehicles produced before 1 January 1980, Member States may lay down lower targets, but not lower than 75 % for reuse and recovery and not lower than 70 % for reuse and recycling. Member States making use of this subparagraph shall inform the Commission and the other Member States of the reasons therefor;

(b) no later than 1 January 2015, for all end-of-life vehicles, the reuse and recovery shall be increased to a minimum of 95 % by an average weight per vehicle and year. Within the same time limit, the re-use and recycling shall be increased to a minimum of 85 % by an average weight per vehicle and year.

By 31 December 2005 at the latest the European Parliament and the Council shall examine the targets referred to in paragraph (b) on the basis of a report of the Commission, accompanied by a proposal. In its report the Commission shall take into account the development of the material composition of vehicles and any other relevant environmental aspects related to vehicles.

The Commission shall, in accordance with the procedure laid down in Article 11, establish the detailed rules necessary to control compliance of Member States with the targets set out in this paragraph. In doing so the Commission shall take into account all relevant factors, inter alia the availability of data and the issue of exports and imports of end-of-life vehicles. The Commission shall take this measure not later than 21 October 2002.

3. On the basis of a proposal from the Commission, the European Parliament and the Council shall establish targets for reuse and recovery and for reuse and recycling for the years before 2015.

4. In order to prepare an amendment to Directive 70/156/EEC, the Commission shall promote the preparation of European standards relating to the dismantlability, recoverability and recyclability of vehicles. Once the standards are agreed, but in any case no later than by the end of 2001, the European Parliament and the Council, on the basis of a proposal from the Commission, shall amend Directive 70/156/EEC so that vehicles type-approved in accordance with that Directive and put on the market after three years after the amendment of the Directive 70/156/EEC are re-usable and/or recyclable to a minimum of 85 % by weight per vehicle and are re-usable and/or recoverable to a minimum of 95 % by weight per vehicle.

5. In proposing the amendment to Directive 70/156/EEC relating to the ability to be dismantled, recoverability and recyclability of vehicles, the Commission shall take into account as appropriate the need to ensure that the reuse of components does not give rise to safety or environmental hazards.

Article 8

Coding standards/dismantling information

1. Member States shall take the necessary measures to ensure that producers, in concert with material and equipment manufacturers, use component and material coding standards, in particular to facilitate the identification of those components and materials which are suitable for reuse and recovery.

2. Not later than 21 October 2001 the Commission shall, in accordance with the procedure laid down in Article 11, establish the standards referred to in paragraph 1 of this Article. In so doing, the Commission shall take account of the work going on in this area in the relevant international forums and contribute to this work as appropriate.

3. Member States shall take the necessary measures to ensure that producers provide dismantling information for each type of new vehicle put on the market within six months after the vehicle is put on the market. This information shall identify, as far as it is needed by treatment facilities in order to comply with the provisions of this Directive, the different vehicle components and materials, and the location of all hazardous substances in the vehicles, in particular with a view to the achievement of the objectives laid down in Article 7.

4. Without prejudice to commercial and industrial confidentiality, Member States shall take the necessary measures to ensure that manufacturers of components used in vehicles make available to authorised treatment facilities, as far as it is requested by these facilities, appropriate information concerning dismantling, storage and testing of components which can be reused.

Article 9

Reporting and information

1. At three-year intervals Member States shall send a report to the Commission on the implementation of this Directive. The report shall be drawn up on the basis of a questionnaire or outline drafted by the Commission in accordance with the procedure laid down in Article 6 of Directive 91/692/EEC with a view to establishing databases on end-of-life vehicles and their treatment. The report shall contain relevant information on possible changes in the structure of motor vehicle dealing and of the collection, dismantling, shredding, recovery and recycling industries, leading to any distortion of competition between or within Member States. The questionnaire or outline shall be sent to the Member States six months before the start of the period covered by the report. The report shall be made to the Commission within nine months of the end of the three-year period covered by it.

The first report shall cover the period of three years from 21 April 2002.

Based on the above information, the Commission shall publish a report on the implementation of this Directive within nine months of receiving the reports from the Member States.

2. Member States shall require in each case the relevant economic operators to publish information on:

- the design of vehicles and their components with a view to their recoverability and recyclability,
- the environmentally sound treatment of end-of-life vehicles, in particular the removal of all fluids and dismantling,
- the development and optimisation of ways to reuse, recycle and recover end-of-life vehicles and their components,
- the progress achieved with regard to recovery and recycling to reduce the waste to be disposed of and to increase the recovery and recycling rates.

The producers shall ensure that this information is made accessible to the prospective buyers of vehicles. It shall be included in promotional literature used in the marketing of the new vehicle.

Article 10

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 21 April 2002. They shall immediately inform the Commission thereof.

When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law, which they adopt in the field governed by this Directive.

3. Provided that the objectives set out in this Directive are achieved, Member States may transpore the provisions set out in Articles 4(1), 5(1), 7(1), 8(1), 9(3) and 9(2) and specify the detailed rules of implementation of Article 5(4) by means of agreements between the competent authorities and the economic sectors concerned. Such agreements shall meet the following requirements:

(a) agreements shall be enforceable;
(b) agreements need to specify objectives with the corresponding deadlines;
(c) agreements shall be published in the national official journal or an official document equally accessible to the public and transmitted to the Commission;
(d) the results achieved under an agreement shall be monitored regularly, reported to the competent authorities and to the Commission and made available to the public under the conditions set out in the agreement;
(e) the competent authorities shall make provisions to examine the progress reached under an agreement;
(f) in case of non-compliance with an agreement Member States must implement the relevant provisions of this Directive by legislative, regulatory or administrative measures.

Article 11

Committee procedure

1. The Commission shall be assisted by the committee established by Article 18 of Directive 75/442/EEC, hereinafter referred to as “the Committee”.

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 9 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

4. The Commission, according to the procedure laid down in this Article, shall adopt:

(a) the minimum requirements, as referred to in Article 5(5), for the certificate of destruction;
(b) the detailed rules referred to in Article 7(2), third subparagraph;
(c) the formats relating to the database system referred to in Article 9;
(d) the amendments necessary for adapting the Annexes to this Directive to scientific and technical progress.

Article 12
on end-of-life vehicles

Article 5(4) shall apply:
- as from 1 July 2002 for vehicles put on the market as from this date,
- as from 1 January 2007 for vehicles put on the market before the date referred to in the first indent.

3. Member States may apply Article 5(4) in advance of the dates set out in paragraph 2.

Article 13
Addressesees
This Directive is addressed to the Member States.

Done at Brussels, 18 September 2000.
For the European Parliament
The President
N. Fontaine
For the Council
The President
H. Védrine

(2) OJ C 129, 27.4.1998, p. 44.

ANNEX I
Minimum technical requirements for treatment in accordance with Article 6(1) and (3)
1. Sites for storage (including temporary storage) of end-of-life vehicles prior to their treatment:
- impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers,
- equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations.

2. Sites for treatment:
- impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers,
- appropriate storage for dismantled spare parts, including impermeable storage for oil-contaminated spare parts,
- appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), filters and PCB/PCT-containing condensers,
- appropriate storage tanks for the segregated storage of end-of-life vehicle fluids: fuel, motor oil, gearbox oil, transmission oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, battery acids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle,
- equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations,
- appropriate storage for used tyres, including the prevention of fire hazards and excessive stockpiling.

3. Treatment operations for depollution of end-of-life vehicles:
- removal of batteries and liquefied gas tanks,
- removal or neutralisation of potential explosive components, (e.g. air bags),
- removal and separate collection and storage of fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle, unless they are necessary for the re-use of the parts concerned,
- removal, as far as feasible, of all components identified as containing mercury.

4. Treatment operations in order to promote recycling:
- removal or catalysts,
- removal of metal components containing copper, aluminium and magnesium if these metals are not segregated in the shredding process,
- removal of tyres and large plastic components (bumpers, dashboard, fluid containers, etc.), if these materials are not segregated in the shredding process in such a way that they can be effectively recycled as materials.

ANNEX II
Materials and components exempted from Article 4(2)(a)

Materials and components
To be labeled or otherwise made identifiable in accordance with Article 4(2)(b)(iv)

Lead as constituent of an alloy
1. Steel (including steel with a zinc coating) with a lead content of up to 0.35 percent by weight
2. Aluminium with a lead content of up to 0.4 percent by weight
3. Aluminium in wheels, engine parts and window lifters with a lead content up to 4 percent by weight
4. Copper alloy with a lead content of up to 4 percent by weight
5. Lead/bronze bearing shells and bushes

Lead and lead compounds in components
6. Batteries
7. Inner coating of fuel tanks
8. Oscillation absorbers
9. Vulcanization substances for high-pressure tubes or fuel pipes
10. Stabilizers in protective coatings
11. Solder in printed circuit boards and other applications

Hexavalent chromium
12. Anti-corrosion coating on many important vehicle components (at most 2 g per vehicle)

Mercury
13. Incandescent lamps and instrument lighting

- removal of glass.
5. Storage operations are to be carried out avoiding damage to components containing fluids or to recoverable components and spare parts.

ANNEX II
Materials and components exempted from Article 4(2)(a)

Within the procedure referred to in Article 4(2)(b), the Commission shall evaluate the following applications:
- lead as an alloy in aluminium in wheel rims, engine parts and window levers
- lead in batteries
- lead in balance weights
- electrical components which contain lead in a glass or ceramics matrix compound
- cadmium in batteries for electrical vehicles as a matter of priority, in order to establish as soon as possible whether Annex II is to be amended accordingly. As regards cadmium in batteries for electrical vehicles, the Commission shall take into account, within the procedure referred to in Article 4(2)(b) and in the framework of an overall environmental assessment, the availability of substitutes as well as the need to maintain the availability of electrical vehicles.

Commission statements
Re Article 5(1), first indent
The Commission confirms that Article 5(1), first indent, authorises Member States to use existing collection systems for the collection of waste used components and does not oblige them to set up separate collection systems for waste used components with specific financial requirements.
Re Article 5(3), first subparagraph
The Commission considers that the reference to registration contained in Article 5(3) first subparagraph, authorises Member States to decide whether producers, dealers and collectors should be registered pursuant to the Framework Directive on Waste, or whether they should be entered in a new register established specifically for that purpose.
Re Article 7(1)
The Commission states that Article 7(1) does not introduce any additional requirements, measures or criteria with regard to technical controls.
End of the document.