



PIN Talk in Germany “Road Safety in Europe”

The role of EUCARIS within the framework of the Cross Border Enforcement Directive

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**Berlin
24 November 2016**



Agenda

- CBE Directive**
- EUCARIS**
- Implementation of CBE Directive by using EUCARIS**
- Evaluation of the CBE Directive**
- Problem fields**
 - Different liability regimes (owner/holder liability or driver liability)**
 - Follow up proceedings (e. g. Payment) ⇒ Salzburg forum**
 - Recognition of vehicle number plates (RVNP)**
- Conclusion**



CBE Directive Introduction

Directive 2011/82/EU (new: 2015/413/EU) facilitating the Cross-Border Exchange of information on road safety related traffic offences ⇒ CBE Directive

- **Main aim is to exchange information on the owner/holder of a vehicle between the MS where a traffic offence was committed and the MS of registration of the vehicle (Article 4)**
- **This enables the MS of the offence:**
 - **to send out an Information Letter to the owner/holder to obtain information on the responsible person (driver) (Article 5)**
 - **to collect the fine (start the execution of the financial penalty)**



CBE Directive Implementation

- **Information exchange via national contact points of the MS**
 - **Implementation date(s):**
 - **7 November 2013 (original Directive from 2011)**
 - **6 May 2015 (new Directive from 2015)**
 - **6 May 2017 (for UK, DK, IE because of former opt out)**
 - **Implementation of the CBE Directive is based on the use of the EUCARIS system**
 - **Idea: not to reinvent the wheel ⇒ use of an existing technical platform for exchanging vehicle and owner/holder data**
 - **EUCARIS was already in use/operational in some MS**
 - **VRD exchange according to the Prüm Treaty (police co-operation)**
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EUCARIS

Introduction

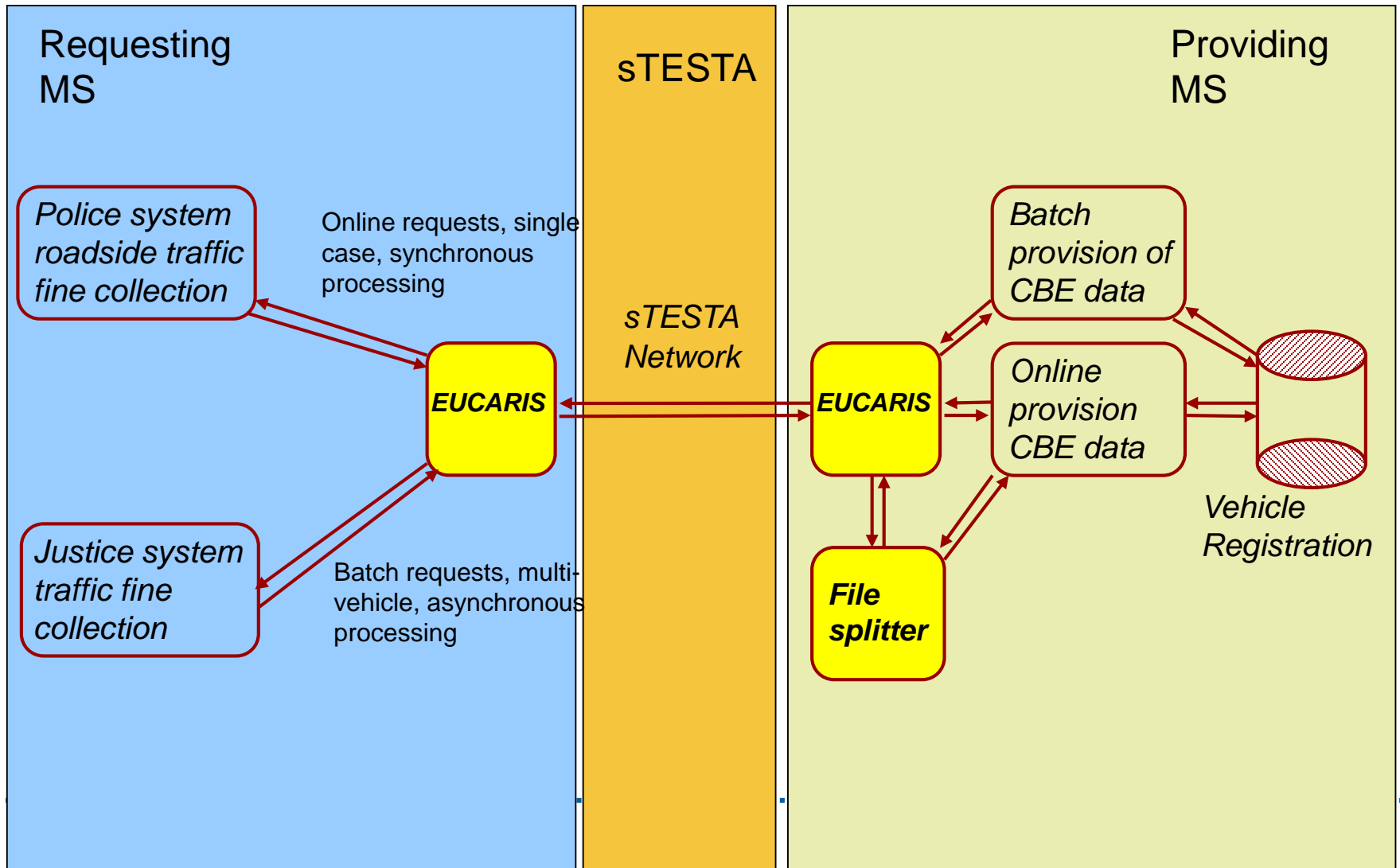
EUCARIS = European car and driving licence information system

- **Exchange of vehicle registration data (VRD) and driving licence data**
- **No central database! A network between the national vehicle databases of the connected MS.**
- **Each MS responsible for its own registration/data**
- **System was originally developed by 5 countries (BE, LU, NL, UK, DE) for exchanging VRD for vehicle registration; legal basis was the EUCARIS Treaty (year 2000).**
- **Both online/real-time and batch mode are supported.**

Today: a generic technical framework for the exchange of transport related data



EUCARIS CBE Implementation





EUCARIS

Organisation

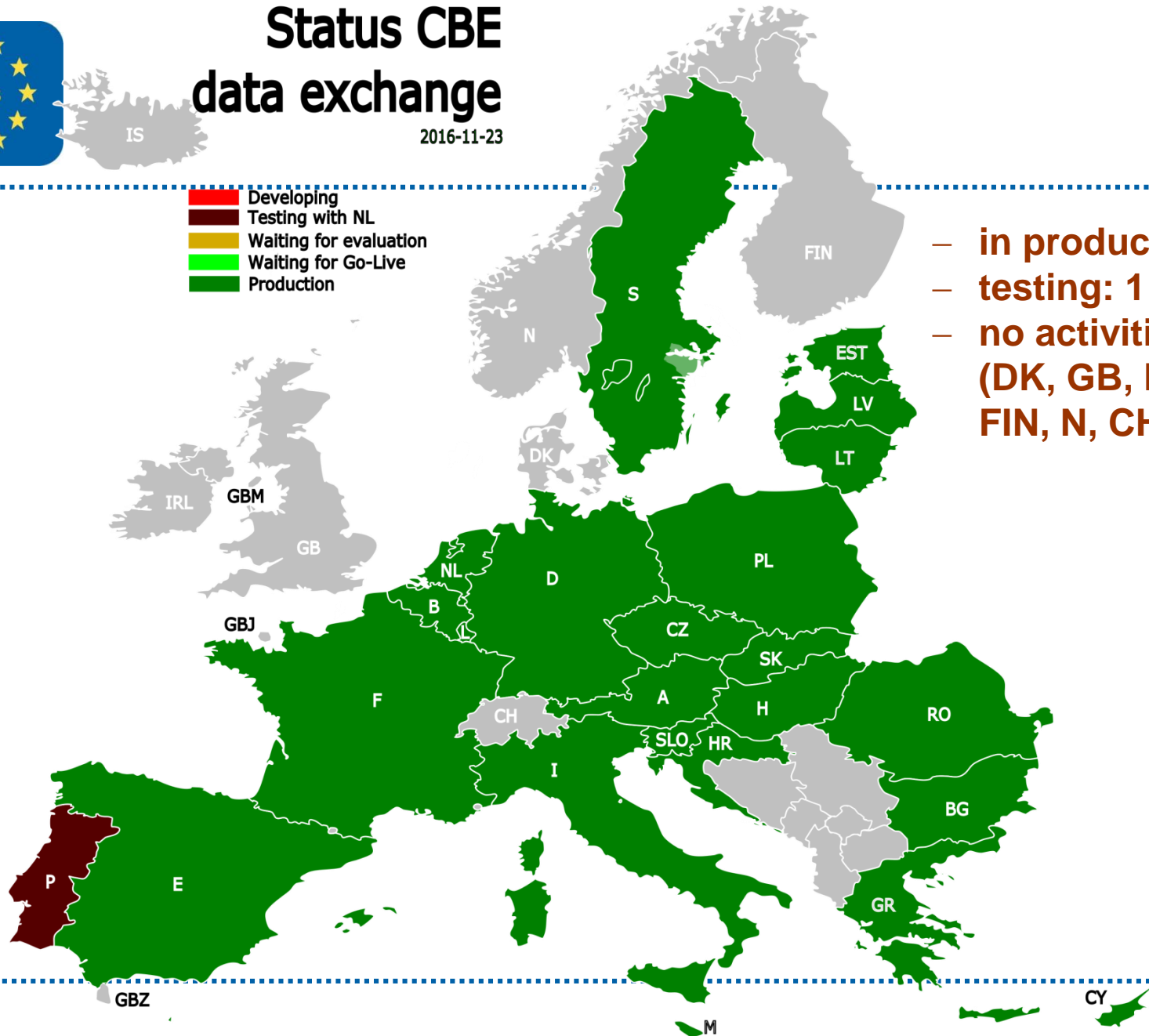
- ❑ **Cooperation of (the Registration) Authorities of a large number of (European) countries**
 - ❑ **Highest Authority is the General Assembly of participating countries**
 - ❑ **Nominated parties (NP) for**
 - ❑ **Secretariat and Finances**
 - ❑ **Operations**
 - ❑ **Development of new services**
 - ❑ **Support, Help Desk and monitoring**
 - ❑ **Only governmental organisations and entities with a public mandate have access**
 - ❑ **EUCARIS is strictly non-profit; all activities are carried out by national (public) authorities**
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Status CBE data exchange

2016-11-23

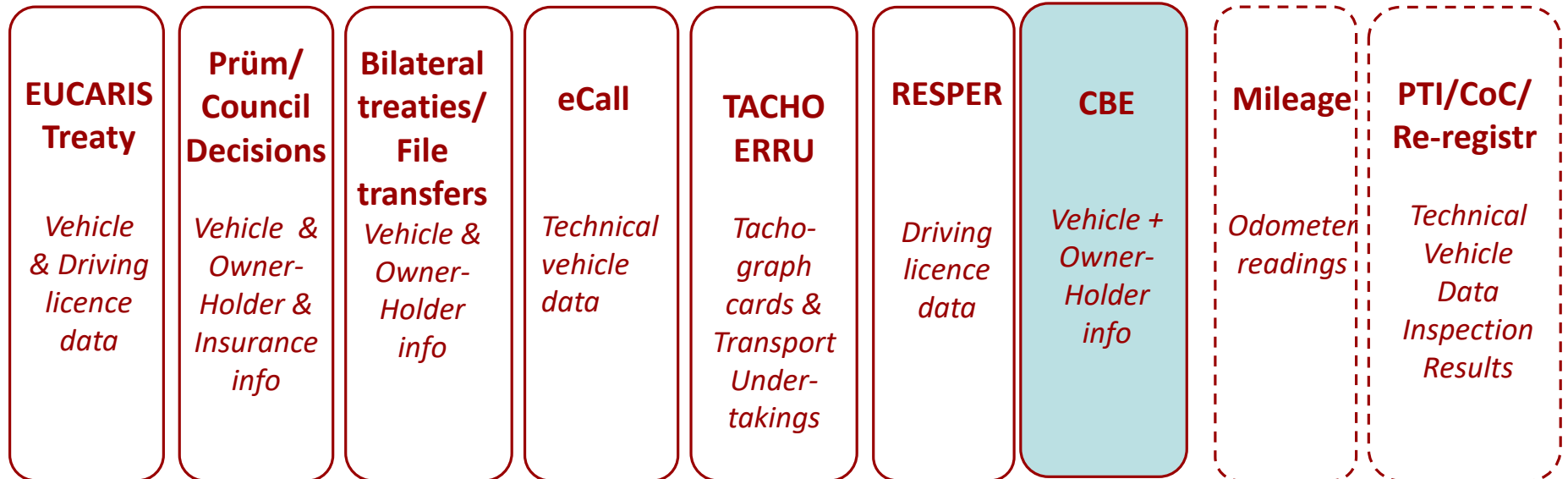
- Developing
- Testing with NL
- Waiting for evaluation
- Waiting for Go-Live
- Production



- in production: 23
- testing: 1
- no activities yet: 7 (DK, GB, IRL, IS, FIN, N, CH)



EUCARIS: one generic technical framework for different services



EUCARIS generic framework/technology/basic system:

authorisation, encryption, signing, logging, routing, MCI, queuing, retry, help files, translation, statistics



CBE Directive Evaluation

- **Evaluation of the CBE Directive's application**
 - Reporting obligations (Article 6) by MS to Commission
 - Commission report to the EP and the council (Article 11)
 - a. o. Assessment of the software application (EUCARIS)

- **Commission evaluation staff working document**
 - published on 16 November 2016
 - Lack of data because early timing of the assessment;
 - a long period of application of the Directive would be necessary for coming to final conclusions



CBE Directive Evaluation

- **Assessment of the software application EUCARIS**
 - **Positive evaluation of EUCARIS:**
 - provides for effective, expeditious, secure and confidential exchange of vehicle registration data and
 - does not generate unnecessary administrative burden
 - has a positive impact on the cross-border enforcement of sanctions
 - EUCARIS users (Member State authorities) are strongly satisfied with the system.
 - The system's reporting functionality facilitates Member States' compliance with their obligations under Article 6 of the CBE Directive
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CBE Directive Evaluation

- **Approximately 50 % of investigated road traffic offences which are committed by non-residents are currently not successfully enforced due to a lack of mutual assistance and cooperation between Member States in investigating road traffic offences after exchanging vehicle registration data**
- **Different liability regimes (owner/holder liability or driver liability) for road traffic offences**
- **Council Framework Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties**



CBE

follow-up procedures

- **The CBE system enables the MS of the offence:**
 - to get the owner/holder data of the vehicle
 - to send out an Information Letter to the owner/holder
 - to obtain information on the responsible person (driver)
 - to start the collection of the fine
 - **Problem: what to do if the fine is not paid or the driver can not be determined**
 - **Follow up procedures are necessary for the actual execution of the financial penalty**
 - **Council Framework Decision 2005/214/JHA**
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Salzburg Forum CBE Agreement

- **The Salzburg Forum is a cooperation of a group of Middle and Eastern European Countries**
 - **SF CBE Agreement signed on 11 October 2012 by Austria, Bulgaria, Croatia and Hungary defines measures and methods to support the administrative cooperation in these follow up procedures by electronic data exchange**
 - **Main functionality concerns exchange of:**
 - **Information for identification of the driver**
 - **Information for establishment of the address of a person**
 - **Information supporting the service of documents**
 - **A 'certificate' (file) for cross-border execution of decisions**
 - **The implementation should be based on use of the EUCARIS system and the sTESTA network**
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Salzburg services in EUCARIS ?

- **The Salzburg Group has sent a formal request to EUCARIS to implement the required functionality in EUCARIS**
 - **EUCARIS NPO and Secretariat suggest to develop these services, considering that:**
 - **The SF CBE Agreement offers a solid legal base**
 - **Parties involved are Public Authorities**
 - **Execution of financial penalties for traffic offences is related to transport and therefore within the scope of EUCARIS**
 - **A new user group in EUCARIS will be installed which will completely finance the developments (conditional)**
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Alternative solution offered by eCODEX

- **eCODEX project part of EU Large Scale Pilots**
 - **Goals: national and international exchange of information by electronic means (over internet) between Public and Private Parties (including citizens) in the Justice Domain;**
 - **One of the use-cases: transfer of a file or ‘certificate’ supporting the cross-border execution of financial penalties, including traffic fines!**
 - **Problem: EUCARIS and eCODEX will offer services for the same business processes; two parallel solutions should be avoided!**
 - **Approach: search for synergy; investigate possibilities of a hybrid architecture.**
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Recognition of vehicle number plates

- ❑ For cross-border enforcement related to traffic offences it is essential to know the MS of registration of a vehicle. Often only a photo of the number plate is available
 - need to determine the origin of the licence plate!
 - ❑ So far the problem was limited because a legal framework for cross-border exchange was lacking. The CBE Directive allows to make inquiries, but we have to know where to make those inquiries!
 - ❑ DAPIX VRD (responsible Council Working Group for Prüm Decisions) asked EUCARIS to carry out a feasibility study on a system supporting police officers and clerks to determine the country of origin of a plate and vehicle
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Preferred solution : Distributed Registration consisting of identical copies

Characteristics

- Registration Authorities responsible for providing 'own' plate characteristics
- Plate info administered initially in the local EUCARIS database and from there immediately in a 'source' database in one of the countries (e.g. EUCARIS NPO)
- New registrations/updates distributed from there periodically to all EUCARIS platforms (identical copies)
- Searching via a dedicated EUCARIS service in the local database (no international message exchange)

Advantages

- No international message exchange for retrievals; no availability issues; high performance;
- Advanced searching in local database possible;
- Easy to create copies for national parties involved in CBE

Disadvantages

- Registration of plates of non EU MS has to be organised (neighbours ?)
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RVNP Current status

- EUCARIS delivered the final feasibility report to DAPIX VRD; it was discussed on 9 September 2013
 - Majority of MS in favour of the proposed solution: a system consisting of identical copies
 - No final decision yet; MS study the financial consequences; budget EUCARIS approved, but RVNP will only be started (and charged) after a final GO of DAPIX.
 - Next to that EUCARIS PB has to give its formal approval and to include RVNP in the budget and development planning for 2017/2018.
 - Decision?
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Conclusion

EUCARIS is the technical platform for the exchange of all data and information needed for a successful cross-border enforcement of traffic offences



Thank you!

**Any remarks or
questions ???**