



**End-of-life Vehicles (ELVs) in the EU – Proposal COM/2023/451 final Recommendations for the integral protection of our motoring heritage: ensuring a sound regulatory framework for historic vehicles**

*LMK appreciates the incorporation by the European Commission of the definition of historic vehicle in its ELV proposal, as provided by the Roadworthiness Testing Directive 2014/45/EU. This constitutes a step forward in the regulatory protection of historic vehicles and their visibility vis-à-vis regulators and society. At the same time, LMK defends the right for EU Member States to adapt/complement the historic vehicle definition to their national circumstances. This can be better achieved through a Directive and not through a Regulation. This is why LMK proposes that the ELV should remain a Directive. LMK welcomes the exemption of Historic Vehicles from the ELV regime. However, to ensure the integral regulatory protection of historic vehicles, several structural loopholes in the proposal need to be addressed. It is crucial for regulators to: (i) Ensure the owner's right to determine if a historic vehicle is ELV; (ii) Protect the restoration of used vehicles as a legitimate activity; (iii) Avoid a disproportionate interpretation and enforcement of the waste legislations which operate against motoring heritage; (iv) allow the legitimate sale, export and import of historic vehicles and their parts.*

**LMK's Recommendations;**

**LMK is convinced that European regulators can improve the regulatory protection of historic vehicles by adopting the following recommendations in the upcoming legislative debate:**

- 1) Ensure the recognition of historic vehicles and their exemption from the ELV category by the Member States when interpreting and enforcing waste and roadworthiness legislations;
- 2) Provide for the presumption that only an owner can determine whether a historic vehicle or their parts can be considered waste to avoid owners from being prevented from restoring their vehicles. In the event that national authorities seize a vehicle, this presumption should prevail, protecting the owners or keepers until their actions or repeated omissions demonstrate that they will not reclaim it;
- 3) Allow for Member States to complement and adapt the definition of historic vehicles to their national circumstances.
- 4) Ensure the exportability and importability of historic vehicles, and vehicles and/or their parts due for historical restoration;
- 5) Allow for the dismantling of a vehicle where the purpose is restoration – i.e. the dismantling is not “destruction” nor is the vehicle an ELV just because it is being dismantled for restoration;



- 6) Allow for components and parts to be retrieved from an ELV in order to be reused in a historic vehicle (e.g. engines, gearboxes, etc.);
- 7) Allow for the sale and purchase of historic vehicle spare parts by avoiding the imposition of disproportionate conditions for the legitimate selling of these spare parts;
- 8) Allow for the fact that repair/restoration values for historic vehicles may be disproportionate to the vehicle value;
- 9) Allow for the implementation of changes in some of the technical characteristics of historic vehicles without the vehicle losing its historic status;
- 10) Do not connect the registration system to the ELV system as in some countries it is possible for historic vehicles to be de-registered if they are not being used for a period of time, to be in museums or used only off-road.

## **About LMK;**

LMK is the National Association of Motor Historical Vehicle Clubs in Norway.

LMK consists of 154 affiliated clubs, with a membership of 50,000 members.

LMK is Norway's ANF to the international veteran vehicle organization FIVA. The work in FIVA becomes extra important for Norway as we are not an official part of the EU. The decisions made in the EU will nevertheless have consequences in Norway, which is why the commitment to ELV is significant. From a Norwegian point of view, it is therefore important to support FIVA in the work they do to preserve a shared cultural motoring history.

LMK's work takes place nationally in Norway, together with the other Scandinavian countries as well as internationally through FIVA and their relations with UNESCO.

Nationally in Norway, LMK is considered one of the country's largest cultural preservation organizations affiliated with the national cultural preservation association. LMK cooperates closely with the state's road authority regarding legislative changes and framework conditions for the practice of motor history.

Future access to the purchase and sale of parts, services and vehicles across national borders - will be absolutely crucial for our existence.



Øvre Slottsgate 2 B, 0157 Oslo  
telefon: +47 22 41 39 00  
fax: +47 22 41 39 01  
post@lmk.no  
www.lmk.no

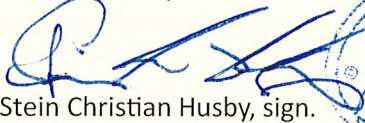
LMK also sees the importance of us facilitating the preservation of tomorrow's motor history. Vehicles that are currently does not satisfy the requirement for a motor historical vehicle, can with the right care and maintenance become tomorrow's vintage vehicle. The right to own and look after these vehicles is also crucial for looking after the entire range of historic vehicles.

\*\*\*

Oslo

December 4, 2023

Yours sincerely



Stein Christian Husby, sign.

Secretary General LMK

