# Útflutningur á notuðum ökutækjum

**See english below**

Þessi viðmið voru unnin upp úr leiðbeiningum frá fulltrúum aðildaríkja ESB um flutning úrgangs milli landa. Nánari upplýsingar má sjá í leiðbeiningum um flutning ökutækja milli landa: [Correspondents' Guidelines No 9](https://environment.ec.europa.eu/topics/waste-and-recycling/waste-shipments/waste-shipments-correspondents-guidelines_en)

Útflytjandi notaðra ökutækja þarf að geta sannað að enginn úrgangur sé fluttur út. Notað ökutæki gæti verið flokkað sem úrgangur, ef ekki liggja fyrir fullnægjandi gögn um að ökutækið sé í ökuhæfu ástandi eða viðgerðarhæft. Yfirvöld geta óskað eftir skýringum sem þarf að afhenda innan tiltekins frests. Ef engar eða ófullnægjandi skýringar eru gefnar verður sendingin metin sem ólögleg sending. (Reglugerð (EB) nr. 1013/2006 um tilflutning úrgangs; 4. mgr. 50. gr.; 24. og 25. gr.).

## Skilgreining á ökutækjum

Með ökutækjum í þessum leiðarvísi er átt við vélknúin ökutæki eins og þau eru skilgreind í 3. gr. [umferðarlaga nr. 77/2019](https://www.althingi.is/lagas/nuna/2019077.html)

## Gerðir notaðra ökutækja

Eftirfarandi þrjár gerðir af ökutækum eru flokkaðar sem notuð ökutæki: Notuð ökutæki í ökuhæfu ástandi, viðgerðarhæf notuð ökutæki og fornbílar eða fornökutæki.

|  |  |  |
| --- | --- | --- |
| Ökutæki í ökuhæfu ástandi | Viðgerðarhæf notuð ökutæki | Fornbílar eða fornökutæki |
| • ökuhæf í samræmi við evrópska öryggisstaðla  • í góðu lagi, ekki er þörf á viðgerð í sendingarlandinu fyrir útflutning  • engin marktæk tæring og engar skemmdir eru á öxlum eða yfirbyggingu  • mynsturdýpt dekkja er yfir slitmörkum (1,6 mm)  • í samræmi við innflutningshömlur í viðtökulandinu (t.d. varðandi aldur) | • uppfyllir evrópska öryggisstaðla eftir minniháttar viðgerðir  • minniháttar viðgerða er þörf vegna t.d. brotinnar framrúðu, brotinna ljósa, vélarhlíf eða rafgeymi vantar, skipta þarf um bremsuklossa, dekk eru uppslitin, ónauðsynlegur hluti ökutækis er skemmdur eða hurð/-ir er ekki hægt að opna eða loka almennilega  • ökutæki er ekki afskrifað  • enga nauðsynlega hluti (t.d. vél, stoðir, þak, öxull, eldsneytisinnspýtingu eða gírkassi) vantar eða eru mikið skemmdir og sem gæti kostað of mikið að gera við í sendingarlandinu  • engin merki um sundurtöku (t.d. vantar sæti) | • söguleg farartæki eða farartæki sem eru verðmæt fyrir safnara eða ætluð fyrir söfn  • geymt á réttan og umhverfisvænan hátt, annað hvort tilbúið til notkunar eða í hlutum  • takmarkanir á útflutningi muna geta gilt um þessa muni |

## Frágangur sendinga

Ökutækið skal vera varið á viðeigandi hátt gegn skemmdum við flutning, fermingu og affermingu, t.d. gegn skemmdum sem hljótast af því að nota það sem „ílát“ fyrir hluti eins og notaða varahluti. Ökutækið má ekki hafa í för með sér öryggisáhættu eða hættu fyrir umhverfið t.d.:

* Hurðir eru ekki áfastar bílnum
* Vegna losunar eldsneytis eða eldsneytisgufu
* Vegna losunar rekstrarvökva
* Of mikið slit á bremsu- og stýrishlutum

## Fylgigögn

Útflytjandi verður að geta lagt fram eftirfarandi skjöl til viðkomandi yfirvalds þegar öku- eða viðgerðarhæft ökutæki er sent milli landa:

1. Afrit af reikningi og samningi um sölu og/eða eigendaskráningu, sem og ábyrgð sem kveður á um að ökutækið sé fyllilega ökuhæft, ef um er að ræða notað ökutæki í notkun.
2. Afrit af skjölum sem fram kemur að ökutækið sé ekki úrgangur
   1. Ef um er að ræða notað ökutæki í ökuhæfu ástandi:

i) skráningarskírteini með gildri ökutækjaskoðun eða

ii) skráningarskírteini og sönnun þess að ökutækið hafi verið skoðað í samræmi við skoðunaraðferð fyrir ökutæki af skráðum fagmanni.

* 1. Ef um er að ræða viðgerðarhæft ökutæki:

1. Vottorð um „Vehicle is repairable“ (sjá meðfylgjandi dæmi)
2. Önnur viðeigandi sönnunargögn
3. Yfirlýsing handhafa sem sér um flutning milli landa þar sem fram kemur að ökutækið sé ekki úrgangur.

## Ökutæki flokkað sem úrgangur

Notað ökutæki ætti að jafnaði að flokkast sem úrgangur ef að minnsta kosti ein af eftirfarandi viðmiðunum á við:

1. Skilavottorð ökutækis hefur verið gefið út
2. Ökutækið kemur frá móttökustöð úrgangs
3. Ökutækið er ætlað til að taka í sundur og endurnýta í varahluti eða til að förgunar
4. Ökutækið hefur meðal íhluta eitthvað sem þarf að farga eða er bannað að flytja út samkvæmt lögum ESB/EES
5. Ökutækið er afskrifað / hentar ekki til minniháttar viðgerðar / er með miklar skemmdir á nauðsynlegum hlutum (t.d. vegna tjóns) eða er skorið í sundur

Eftirfarandi vísbendingar geta einnig skipt máli til að flokka notað ökutæki sem úrgang:

* Ökutækið hefur ekki farið í bifreiðaskoðun í meira en tvö ár frá þeim degi þegar þess var síðast krafist
* Ökutækið hefur ekkert bílnúmer og eigandi ökutækisins er óþekktur
* Viðgerðarkostnaður fer yfir núvirði ökutækisins og ekki er hægt að gera ráð fyrir möguleika á viðgerð (undantekning: fornbílar eða -farartæki)
* Ökutækið er málmsoðið saman eða lokað með einangrunarfroðu

Ef notað ökutæki er flokkað sem úrgangur, gildir, [Reglugerð (EB) Nr. 1013/2006](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02006R1013-20210111) um tilflutning úrgangs.

## Notaðir varahlutir í flutningum milli landa

Þegar ætlunin er að taka notað ökutæki í sundur í viðtökulandinu og nýta í varahluti eða ef ökutækið er ekki viðgerðarhæft samkvæmt ofangreindum forsendum, flokkast það sem úrgangur. Fyrir sendingu verður sá sem sér um sendinguna beðinn um að veita nákvæmar upplýsingar um notuðu varahlutina og uppruna þeirra.

Varahlutum sem grunur leikur á að sé úrgangur skal fylgja:

1. listi yfir þann búnað sem er í flutningnum
2. afrit af reikningi eða samningi um sölu búnaðarins til viðtakanda erlendis þar sem fram kemur að búnaðurinn virki og sé ætlaður til beinnar endurnotkunar og
3. yfirlýsing frá þeim sem ber ábyrgð á útflutningi um að ekki sé úrgangur í sendingunni.

# Export of used vehicles

These criteria were compiled from EU representatives guidelines on shipment of waste. See detailed information on shipment of vehicles, [Correspondents' Guidelines No 9](https://environment.ec.europa.eu/topics/waste-and-recycling/waste-shipments/waste-shipments-correspondents-guidelines_en)

The exporter of used vehicles must be able to prove that no waste is exported. A used vehicle may be classified as waste if sufficient evidence to classify the vehicle as an operational or repairable vehicle is not available. The authorities may ask for an explanation, which must be delivered during the given time limit. If no explanation is given or it is insufficient, the shipment will be considered as an illegal shipment. ([Regulation (EC) No 1013/2006](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02006R1013-20210111) on shipments of waste; article 50(4); articles 24 and 25).

## Types of used vehicles

The following three groups of vehicles are classified as used vehicles: operational used vehicles, repairable used vehicles and vintage cars or vehicles.

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| --- | --- | --- |
| **Operational used vehicle** | **Repairable used vehicle** | **Vintage car or vehicle** |
| * roadworthy in accordance with European safety standards * in good working order, no repair is needed in the country of dispatch prior to export * no significant corrosion and no   damage to the axle or body is present   * tyre profile is above the wear limit (1,6 mm) * comforts to import restrictions in the country of destination (e.g., as to its age) | * meets European safety standards after minor repairs * minor repairs are needed for issues such as broken windscreen, broken lights, missing bonnet or battery, brake pads need to be replaced, tyre tread is bare, non-essential vehicle part is damaged, or door/s cannot be opened or closed properly * vehicle is not a write-off * no essential parts or areas (e.g., engine, pillars, roof, axle, fuel injection system or transmission holders) are missing or badly damaged and which might cost too much to repair in the country of dispatch * no signs of dismantling are present (e.g., missing seats) | * historical vehicles or vehicles of value to collectors or intended for museums * kept in a proper and environmentally sound manner, either ready for use or stripped into parts * the restrictions concerning the export of artefacts should be noted |

## Finishing of consignment

The vehicle must be appropriately protected against damage during transportation, loading and unloading e.g., against damage resulting from using it as "container" for items like spare parts. The vehicle must not pose a safety risk or a risk to the environment, for example by:

* doors not being attached to the car
* discharge of fuel or fuel vapour
* leakage within the liquid gas system
* discharge of operating liquids
* excessive wear of brake and steering components

## Documentary evidence

You must be able to provide the following documents to the relevant authority when shipping an operational or repairable vehicle abroad:

1. A copy of the invoice/ receipt and contract relating to the sale and/or transfer of ownership of the vehicle with, in the case of an operational used vehicle, a guarantee stating that the vehicle is fully functional and roadworthy.
2. Copy of documents stating, that the vehicle is not classified as waste:
   1. In the case of an operational used vehicle:
      1. registration certificate with a valid vehicle inspection or
      2. registration certificate and proof, that the vehicle has been inspected according to vehicle inspection procedure by a registered professional
   2. In the case of a repairable used vehicle in addition to the registration certificate:
      1. “Vehicle is repairable” certification (see attached)
      2. other certification including the respective information
3. A declaration by the holder who arranges the transboundary shipment stating that the vehicle is not waste.

## A vehicle classified as waste

A vehicle is classified as waste if at least one of the following criteria applies:

1. The existence of a certificate of destruction
2. The vehicle stems from a waste collection or waste treatment system
3. The vehicle is destined for dismantling and reuse of spare parts or for shredding/scrapping
4. The vehicle has among its constituent parts anything that is required to be discarded, or is prohibited to be exported under European Union or national legislation
5. The vehicle is a write-off/is not suitable for minor repair/has badly damaged essential parts (e.g. as a result of an accident) or is cut into pieces

The following indicators may also be relevant for classifying a used vehicle as waste:

* The vehicle has not had its required national roadworthiness test for more than two years from the date when this was last required
* The vehicle has no identification number and the owner of the vehicle is unknown
* The repair costs exceed the present value of the vehicle and the possibility for repair cannot be assumed (exception: vintage cars or vehicles)
* The vehicle is welded up or closed by insulating foam

If a used vehicle is considered waste, [Regulation (EC) No 1013/2006](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02006R1013-20210111) on shipments of waste, does apply.

## Shipment of used vehicle parts

When the intention is to dismantle a used vehicle for its component parts in the country of destination, or if the vehicle is not fit for reuse according to the above mentioned criteria, it will be classified as waste.

Prior to shipment, the person arranging the shipment will be requested to provide details of used vehicle parts and their origin.

Equipment that may be suspected of being waste must be accompanied by:

1. a list of the equipment that is in the transport
2. a copy of the invoice or contract for the sale of the equipment to the recipient abroad, which states that the equipment works and is intended for direct reuse, and
3. a statement from the person responsible for the export that the shipment does not contain waste.

**”Vehicle is repairable” Certification**

A repairable used vehicle is a vehicle that is certified (or if acceptable to the competent authority, or any other state authority such as customs, police or other relevant bodies, a declaration to that effect may be made in writing), in accordance with the criteria mentioned under B below, as being capable of being repaired and used for its original purpose after minor repair.

**A. Sample certificate or declaration\***

1. **Name and address of the vehicle holder**

1. **Vehicle type: Class of vehicle, brand and model**

1. **Vehicle identification number (chassis)**

1. **Mileage on the clock**

1. **Estimated current market value**

1. **Parts to be repaired and cost of same (including material and labour costs in the country of dispatch)**

1. **The testing procedure for the vehicle**

1. **Name and address of the facility where the vehicle was tested**

1. **Name and contact details of the authorised inspector, motor assessor or vehicle mechanic\*\* who has tested the vehicle**

1. **I declare that the vehicle specified above has been repaired/needs only a minor repair and is repairable, is/can become roadworthy, is suitable for use for its original purpose and meets/can meet European safety standards.**

1. **Signed by the authorised inspector, motor assessor or vehicle mechanic**

1. **Date and stamp of the facility**

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| \* It is noted that the repairs may be conducted in the course of the certification.  \*\* Motor assessor: a registered professional who routinely assesses (e.g. for the vehicle insurance industry) damage and value of the vehicles and is accredited in the country of dispatch for the shipment.  Vehicle mechanic: a person skilled in maintaining, repairing and operating vehicles and motors and with appropriate certification as to his/her skills from a National Accreditation Body in the country of dispatch for the shipment; where no such accreditation exists, the opinion may be acceptable where issued by a licensed garage. |

1. **Criteria for the assessment that a ”Vehicle is repairable”**

The “Vehicle is repairable” certificate declares that the vehicle concerned has been repaired/needs only minor repair and is repairable, is/can become roadworthy, is suitable for use for its original purpose and meets/can meet European safety standards. The following may be used to gauge if the vehicle is repairable:

* Present market value (cf. Eurotax lists) of the vehicle;
* Condition of the vehicle by reference to:
  + The extent of the damage
  + Year of construction
  + Mileage/kilometre on the clock
* Description of the repairs needed
* Repair costs by reference to repair costs in the EU Member States of dispatch

Notes:

1. The defective part(s) should, if considered reasonable, (for example a cracked windscreen need not be removed) be removed prior to the transport.
2. A non-exhaustive list with examples of minor repairs is provided in Correspondents’ Guidelines No 9 on shipment of waste vehicles.