

Waste characteristic of second-hand vehicles

When exporting vehicles there is a big difference between second-hand or end of life-vehicles (i.e., waste). The distinction between second-hand or end of life-vehicles is based on the Correspondents' Guidelines No. 9. They represent the common understanding of all Member States on how to interpret Regulation (EC) 1013/2006 on the shipment of waste.¹

A **second-hand vehicle** is to be classified **as waste** if one or more of the following criteria apply:

- A certificate of destruction exists;
- The vehicle comes from a waste collection or waste treatment system;
- The vehicle is intended for dismantling and recycling of its spare parts or for shredding / scrapping;
- The vehicle has components – with the exception of personal belongings – that need to be disposed of or whose export is forbidden according to community or national law;
- The vehicle is a write-off / needs more than minor repairs / has sustained serious damage to key components (e.g., from an accident) or is cut into pieces (e.g., two halves);
- No documents have been presented despite a request from the competent authority or another government authority such as customs, police, or another government institution.

To classify a **second-hand vehicle as waste**, the following indicators may also be relevant:

- More than two years have passed since the vehicle last underwent the statutory national technical inspection;
- The vehicle has no identification number and the owner of the vehicle is unknown;
- The vehicle was handed over to an authorised interim storage facility or an authorised waste treatment facility;
- The repair costs exceed the current vehicle value (exception: old-timers) and it is impossible to presume a repair (repair costs in EU Member States may serve as a first approach for assessment);
- The vehicle lacks appropriate protection from damage during transport or loading and unloading, e.g., from damage resulting from usage as a "container" for objects such as spare parts, used electric and electronic equipment, or waste;
- All vehicle openings are welded closed or closed with insulating foam;
- The vehicle poses a safety or environmental hazard, e.g., because
 - Doors are missing on the vehicle; or
 - The vehicle releases fuel or fuel vapours (fire and explosion hazard);
 - The liquid gas system is leaking (fire and explosion hazard);
 - The vehicle releases operating fluids (water contamination hazard from fuel, brake fluid, antifreeze, battery acid, coolant);
 - Brake and steering components show excessive wear and tear.

If the vehicle owner claims that they are shipping an operational vehicle or a repairable second-hand vehicle which could, taking all conditions into account, be repaired at reasonable expenses, this is to be documented to the responsible authority on a case by case basis. In that case, the requested certification is to be presented to the responsible authorities.

¹ https://www.umweltbundesamt.de/sites/default/files/medien/378/dokumente/altfahrzeuge_anlaufstellen_leitlinien_nr_9.pdf

Waste characteristic of used components / spare parts

When dismantling automotive parts from scrapped vehicles, the vehicles as a whole and also the parts they contain and which are removed during dismantling are initially considered waste. Automotive parts from dismantled vehicles lose their waste characteristic if - possibly following repair, cleaning, sorting, or other preparatory action – it is possible to re-install them in vehicles in accordance with relevant legislation.

On 1 January 2016, Regulation (EU) No. 660/2014 of the European Parliament and the Council amending Regulation (EC) No 1013/2006 on shipments of waste came into force. The Regulation comprises extensive provisions about shipment and classification of substances or objects. If – as part of an inspection – authorities are of the opinion that the used automotive components / spare parts are potentially waste, they may demand comprehensive and detailed certification from the owner of the used automotive components / spare parts.

Exporting **used and functional** components / spare parts for immediate re-use abroad cannot be objected to from a waste legislation point of view provided the export guidelines below are being followed.

Exporting components / spare parts that are **not functional** is generally **prohibited**. The exporter must prove that the objects are functional! The following applies:

1. Certification of origin of used components / spare parts is required!

Upon request of the authorities, the owner of the components / spare parts must present the following immediately: Copy of invoice or purchase contract; owner's declaration that it is not waste.

2. In principle, only exporting functional used components / spare parts is allowed. As a rule, it is possible to reuse them immediately for their original purpose in accordance with relevant legislation without requiring additional repairs, cleaning, sorting, or other preparatory action. Please ensure that

- The components / spare parts are neither corroded nor damaged;
- The components / spare parts are not contaminated with oil;
- Components / spare parts containing fluid(s) are completely empty or closed and cannot leak.
- Exporting functional airbags is not allowed.
- Cut-off or severed vehicle halves / vehicle parts are considered waste and exporting them is not allowed!

If there are indications that they might be waste, provide certification of the functionality of the components / spare parts.

It is recommended to record the functionality and inspection results of automotive (spare) parts in a checklist, e.g. according to the following template:

Serial No.	Manufacturer	Designation of component / spare part	Comment Hazardous substances / origin
1	Bosch	Fuel injection pump	Functional
2	Getrag	Gearbox	Completely empty, no functional impairment, dismantling facility XY, Stuttgart
3			
4			
Company's address / person who has checked the objects			

Examples

3. During transport, loading, and unloading, ensure to package components / spare parts properly so they cannot sustain any damage.



NOT correct



Spare parts, where it is tacitly accepted that storing them in a way that fails to preserve their value may result in further and/or initial damage, are also deemed waste.

4. The following is to be enclosed with the shipment:

- A transport document (CMR bill of lading or delivery note) including the amount of exported used components / spare parts; or
- A freight list (checklist).

For transport, label the parts intended for export to be able to collate each part to an entry on the enclosed transport documents.

Contact person(s)

For questions regarding the classification of used components / spare parts as waste or non-waste, please contact the responsible waste law authorities of the municipality and districts at the headquarters of the company.

For questions regarding the export of second-hand vehicles, please contact SAA Sonderabfallagentur Baden-Württemberg GmbH, Fellbach, phone: +49 (0)711 951961 0.