



# The new EU type-approval framework for motor vehicles

**Commission Proposal Explained – 24 May 2016**

**Directorate-General for Internal Market,  
Industry, Entrepreneurship and SMEs**  
**Automotive and Mobility Industries Unit**

*Internal market,  
Industry,  
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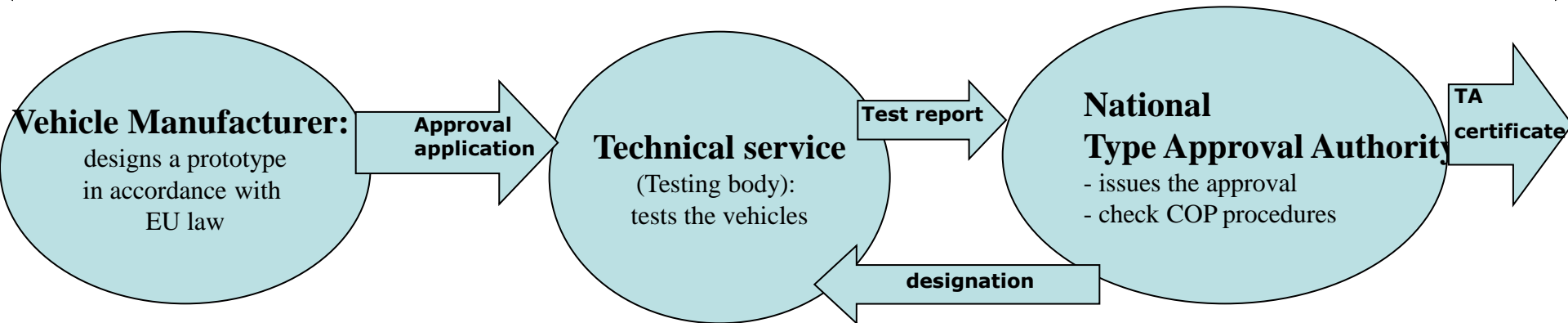
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# The existing EU vehicle type-approval framework (Directive 2007/46/EC)

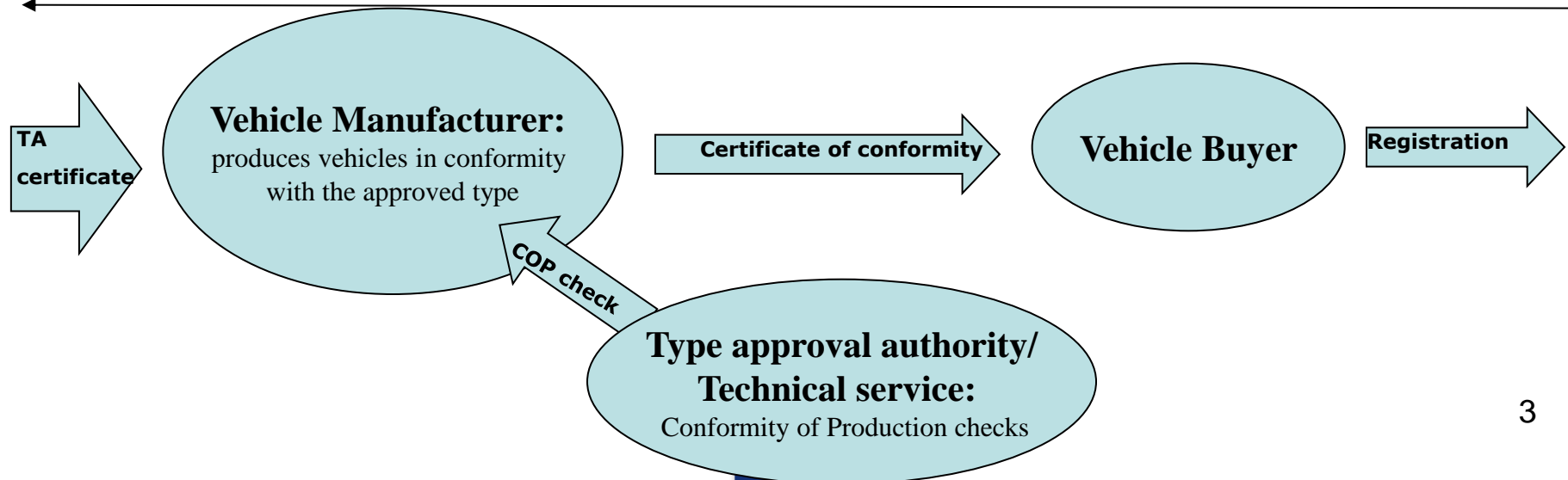
- **EU:**  
**fully harmonized EU requirements** (performance oriented) for test/certification.  
**Mutual recognition** of approvals (certified in one Member State, accepted **in the whole EU**).
- **Type**= Vehicles having the same characteristics may be grouped together for testing/certification. No need to test each vehicle.
- **Approval**=Ex-ante third party certification (National Authorities) **before the vehicle type may be put on the market** and conformity of production
- Mandatory for cars from 1998 and Vans trailers/trucks/buses from 2011-2014.

# The type-approval process: Flow chart

## 1. Type-approval phase: ex-ante certification



## 2. Production phase



# Revision of TA system

1. Reinforcing the independance and quality of type approval testing (*ex ante* compliance verification)
2. Effective market surveillance (*ex post* compliance verification)
3. More EU governance

## The format:

- Regulation instead of a Directive (98 Articles+XIX Annexes)
- Structure based on Directive 2007/46
- Largely carry-over of the Annexes of Directive 2007/46
- Carry-over of the requirements on repair and maintenance (RMI) largely from Regulations 715/2007 and 595/2009 (Art 63-70)
- Legal clarifications, 'Lisbonisation'

# Independence and quality of TA testing:

- **Financial independence**

- Independent financing of technical services, type-approval and market surveillance activities (Art 30+86)

- **Stricter rules and peer review for designation of technical services:**

- Common assessment of technical services+ possibility to refuse the designation of a national technical service (Art 71-86)

- **Transparency/reporting:**

- More transparency in type-approval data (Art 9)
- Review and reporting obligations on type-approval activities (Art 6)

## Market surveillance:

- Based on Regulation 765/2008 framework
- Interactions between type-approval authorities and market surveillance authorities (Art 49-52)
- Traceability and clarification of the responsibilities of the different economic actors (manufacturers, importers, distributors, etc). (Art 11-19)
- EU safeguard clause/recalls for dangerous products (Art 49-52) **and for non-compliance** (Art 53-59): Procedure for an harmonized decision at EU level

## More EU governance: :

- Possibility for others to refuse to accept a non-compliant product/approval (Art 53-54)
- Possibility for the Commission to carry out market surveillance activities (Art 9)
- EU enforcement forum to discuss compliance problems (Art 10)
- Procedure for a decision at EU level for EU wide recalls for non-compliance issues (Art 53-59):
- Sanctions (Art 90) foreseen at the EU level (up to 30000€)
- **Other issues:**  
Aftermarket components, EU small series, EU individual approvals, EU end of series, Limitation type-approval validity (Art 33), access to software (Art 23), etc,



# Questions?

**For further information :**

**Legal text:**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1454951519394&uri=CELEX:52016PC0031>

**Impact assesment:**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016SC0010>

**Press release and FAQ:**

[http://europa.eu/rapid/press-release\\_IP-16-167\\_en.htm](http://europa.eu/rapid/press-release_IP-16-167_en.htm)

[http://europa.eu/rapid/press-release\\_MEMO-16-168\\_en.htm](http://europa.eu/rapid/press-release_MEMO-16-168_en.htm)

**Unit C4 website:**

[http://ec.europa.eu/growth/sectors/automotive/technical-harmonisation/eu/index\\_en.htm](http://ec.europa.eu/growth/sectors/automotive/technical-harmonisation/eu/index_en.htm)

## **Background: Articles of the Regulation: Overview (1/2)**

*Chap I : Scope and definition (Art 1-4)*

*Chapt II: Obligations, responsibilities of economic actors(Art 6-19)*

*Chapt III and IV : TA procedure (Art 20-30)*

*Chapt V: Amendment to TA and validity (Art 31-33)*

*Chapt VI: Certificate of conformity (34-36)*

*Chapt VII: Exemption for new tech (Art 37-38)*

*Chapt VIII : Small series (Art 39-41)*

*Chapt IX : Individual approval (Art 42-45)*

*Chapt X : making products available on the market including components/end of series (Art 46-48)*

*Chapt XI: Safeguard clauses (Art 49-59)*

*Chapt XII: International Regulations (Art 60-62)*

## **Background Text of the Regulation: Overview (1/2)**

*Chapt XIII: Information for users/manufacturers (Art 63-64)*

*Chapt XIV: Repair and maintenance (Art 71-86)*

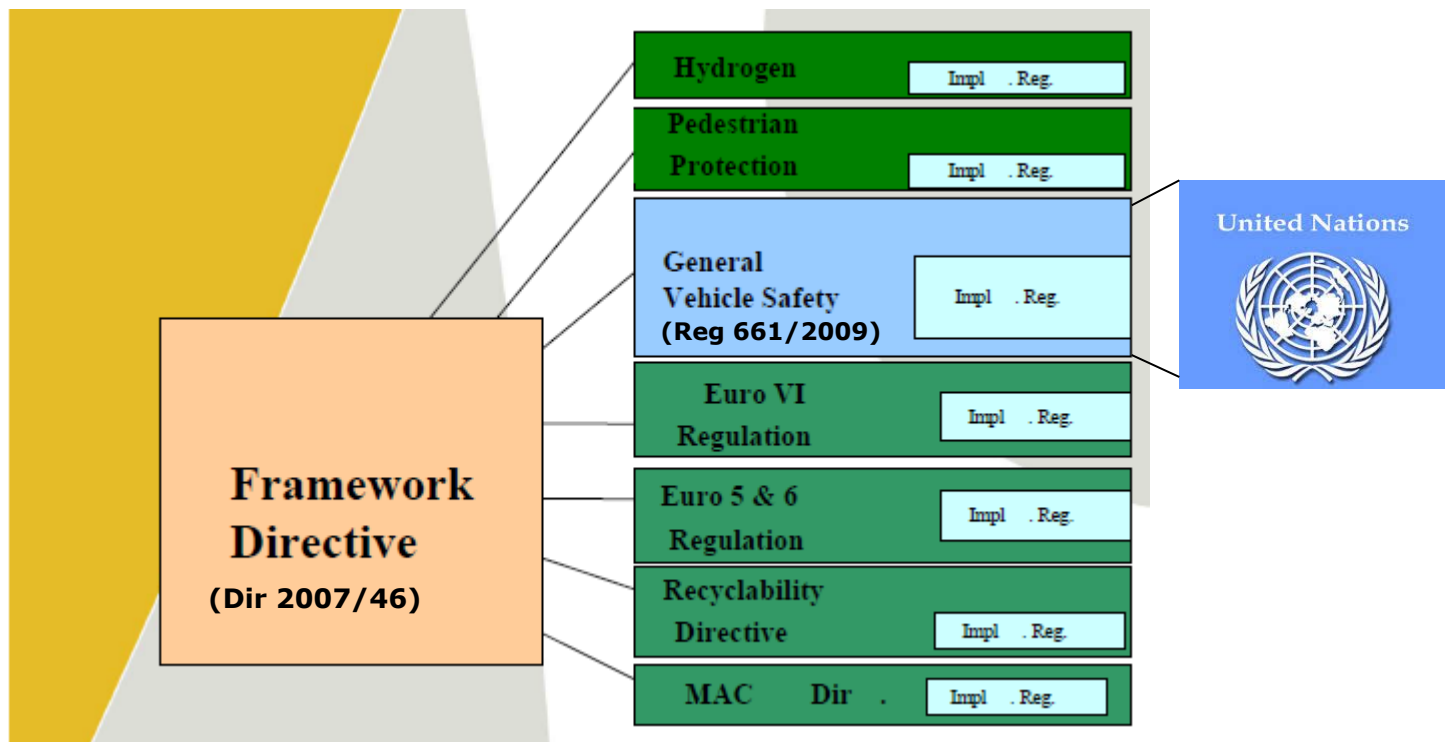
*Chapt XVI: Designation of Technical Services (Art 71-86)*

*Chapt XVI: Implementing and delegated act (Art 87-88)*

*Chapt XVII: Final provisions (including fines and penalties) (Art 89-98)*

*Annexes I - XIX*

# Background: EU type-approval for motor vehicles: substantive requirements: 70 topics covered, 8 main EU legal instruments, 61 UNECE Regulations mandatory

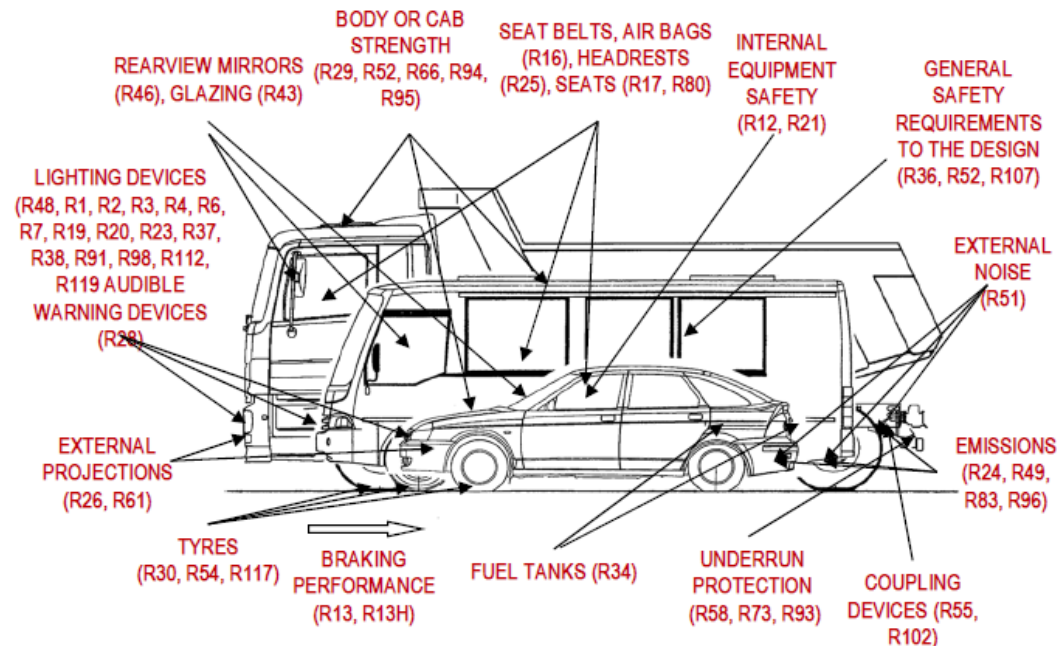




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## The number of objects of requirements applied to the different vehicle categories

Safety Kinds	Vehicle Category		
	Cars • 1	Buses • 2, • 3	Trucks N1-N3
Active Safety	13	10	13
Passive Safety	16	10	16
Post-crash Safety	2	3	2
Ecological Safety	11	7	11
<b>Total</b>	<b>42</b>	<b>30</b>	<b>42</b>



the number of the UN Regulations are in square brackets