

Road safety: type-approval requirements of motor vehicles

2008/0100(COD) - 13/07/2009 - Final act

PURPOSE: to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of safety and environmental protection.

LEGISLATIVE ACT: Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor.

CONTENT: following the agreement reached at first reading with the European Parliament, the Council adopted a Regulation strengthening the type-approval requirements for the general safety of motor vehicles in the EU.

The Regulation establishes requirements for:

- the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor with regard to their safety;
- the type-approval of motor vehicles, in respect of tyre pressure monitoring systems, with regard to their safety, fuel efficiency and CO₂ emissions and, in respect of gear shift indicators, with regard to their fuel efficiency and CO₂ emissions;
- the type-approval of newly-manufactured tyres with regard to their safety, rolling resistance performance and rolling noise emissions.

General obligations: Manufacturers shall demonstrate that all new vehicles sold, registered or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.

Manufacturers may choose to apply for type-approval with regard to all the systems, and the installation of all the components and separate technical units covered by this Regulation, or for type-approval with regard to one or more systems and the installation of one or more components and one or more separate technical units covered by this Regulation. Type-approval in accordance with the UNECE Regulations listed in Annex IV shall be considered as EC type-approval in accordance with this Regulation and its implementing measures.

Manufacturers shall also demonstrate that all new systems, components and separate technical units sold or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.

Requirements and tests: Manufacturers shall ensure that vehicles, systems, components and separate technical units comply with a number of requirements, including requirements relating to electrical safety and gear shift indicators. The Regulation also establishes specific requirements relating to certain vehicles of categories N and O and of categories M2 and M3.

Tyres: the new Regulation lays down various standards on tyres which will cut CO₂ emissions and fuel consumption. **Vehicles in category M1 shall be equipped with an accurate Tyre Pressure Monitoring System** capable of giving, when necessary, an in-car warning to the driver when a loss of pressure occurs

in any tyre, which is in the interests of optimum fuel consumption and road safety. Appropriate limits in the technical specifications shall be set to achieve this, which shall furthermore allow for a **technology-neutral and cost-effective approach** in the development of accurate Tyre Pressure Monitoring Systems.

In the recitals, it is stressed that the Commission should: (i) assess the feasibility of extending mandatory installation of Tyre Pressure Monitoring Systems and Lane Departure Warning Systems and Advanced Emergency Braking Systems to other categories of vehicle; (ii) assess the feasibility of strengthening the requirements for wet grip for tyres. In both cases, the Commission shall propose, if appropriate, an amendment to the Regulation. A labelling scheme aimed at informing the consumer on the various performances of tyres should also be provided for.

With regard to retreaded tyres, the Commission should make a proper assessment of this business sector, involving all stakeholders, and evaluate if there is any need for an evolution of the actual regulatory regime.

Gear shift indicators: vehicles of category M1 with a reference mass not exceeding 2610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 which are fitted with a manual gearbox shall be equipped with gear shift indicators in accordance with the requirements of this Regulation and its implementing measures.

Electronic Stability Control Systems: vehicles in categories M1 and N1 shall be equipped with an Electronic Stability Control System meeting the requirements of the Regulation and its implementing measures. With the exception of off-road vehicles, vehicles in the categories listed below shall be equipped with an Electronic Stability Control System:

- vehicles in categories M2 and M3 (except for those with more than three axles, articulated buses and coaches, and buses in Class I or Class A);
- vehicles in categories N2 and N3 (except for those with more than three axles, tractors for semi-trailers with a gross vehicle mass between 3.5 and 7.5 tonnes, and special purpose vehicles as defined in paragraphs 5.7 and 5.8 of Annex III, section A, of Directive 2007/46/EC);
- vehicles in categories O3 and O4 equipped with air suspension (except for those with more than three axles, trailers for exceptional load transport and trailers with areas for standing passengers).

Obligations of Member States: the Regulation establishes the grounds on which Member States shall refuse to grant EC type-approval or national type-approval as well as EC component/separate technical unit type-approval for certain types of vehicle categories.

Transport noise: in addition to the ongoing Commission initiative which aims to define a road grading system, the Commission should, within 12 months of the entry into force of this Regulation, bring forward a proposal on the classification of EU roads according to noise generation that will complement noise mapping in motor vehicle transportation with a view to fixing appropriate priorities and road surface requirements and setting maximum road noise generation limits.

Implementing measures - comitology: the Commission shall adopt the following implementing measures:

- detailed rules concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, components and separate technical units;
- detailed rules concerning specific safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States taking account of Regulation UNECE No 105;

- a more precise definition of the physical characteristics and performance requirements a tyre must fulfil to be defined as "snow tyre", "traction tyre", "special use tyre", "off-road professional tyre", "reinforced tyre", and "extra load tyre";
- provisions amending Annex IV to include the UNECE Regulations that are made mandatory;
- detailed rules on the procedure for the determination of the noise levels referred to in point 1 of Part C of Annex II (rolling noise of tyres);
- amendments to the limit values on rolling resistance and rolling noise in so far as necessary as a result of changes in the test procedures, and without lowering the existing ambition level with regard to the environment.

These measures, with the exception of those relating to the provisions of Article 10 (advanced vehicle systems), shall be adopted by 31 December 2010. The measures relating to the provisions of Article 10 shall be adopted by 31 December 2011.

The Commission may also adopt the following implementing measures:

- providing exemptions for certain vehicles or classes of vehicles within categories M2, M3, N2 and N3 from the obligation to install the advanced vehicle systems referred to therein where, following a cost/benefit analysis and taking into account all relevant safety aspects, the application of those systems proves not to be appropriate to the vehicle or the class of vehicles concerned;
- by 31 December 2010, and on the basis of a cost/benefit analysis, shortening the period of 30 months during which certain tyres may be sold, which may be differentiated according to the class or category of the tyres concerned.

All of these measures shall be adopted in accordance with the regulatory procedure with scrutiny.

Reporting: by 1 December 2012 and every three years thereafter, the Commission shall present a review to the European Parliament and to the Council including, where appropriate, proposals for revision of the Regulation or other relevant Community acts regarding the inclusion of further new safety features.

Gradual application: once adopted by Parliament and Council, the Regulation should apply from 1 November 2011. However, various transition periods are provided for, in some cases until 2018, to enable the car industry to adapt to the new measures.

ENTRY INTO FORCE: 20/08/2009. 49 Directives referred to in the Regulation shall be repealed with effect from 1 November 2014 and Directive 92/23/EEC shall be repealed with effect from 1 November 2017.