Approval and market surveillance of agricultural and forestry vehicles

2010/0212(COD) - 05/02/2013 - Final act

PURPOSE: to lay down harmonised rules on the administrative and technical requirements for the type-approval and on market surveillance of agricultural and forestry vehicles.

LEGISLATIVE ACT: Regulation (EU) No 167/2013 of the European Parliament and of the Council on the approval and market surveillance of agricultural and forestry vehicles.

CONTENT: the Regulation lays down **new provisions on safety and environmental protection** for the type-approval of tractors and other agricultural and forestry vehicles. It also establishes the requirements for the **market surveillance** of parts and equipment for such vehicles.

Scope: the Regulation applies to the following vehicles: (a) tractors (categories T and C); (b) trailers (category R); and (c) interchangeable towed equipment (category S).

For the following vehicles, the manufacturer may choose whether to apply for approval under the Regulation or whether to comply with the relevant national requirements: (a) trailers (category R) and interchangeable towed equipment (category S); (b) track-laying tractors (category C); (c) special purpose wheeled tractors (categories T4.1 and T4.2).

Basic requirements: in order to ensure a high level of **functional safety, occupational safety and environmental protection**, the Regulation harmonises the technical requirements and environmental standards applicable to vehicles, systems, components and separate technical units with regard to type-approval.

The Regulation is based on the principle that vehicles must be designed, constructed and assembled so as to minimise the risk of injury to the vehicle occupants and to other road users.

Alignment with the New Legislative Framework and other Union legislation on type-approval: the provisions of the Regulation are aligned with Decision No 768/2008/EC on a common framework for the marketing of products, in order to enhance the implementation and enforcement of the new Regulation. These provisions specify the **responsibilities of the economic operators** (manufacturer, representative of the manufacturer, importer or distributer) in the supply chain and of the respective surveillance authorities, in particular with regard to post market surveillance and control of products entering the Union market.

Manufacturers will be regularly **checked** by a competent authority or by an appropriately qualified technical service designated for that purpose.

Access to repair and maintenance information: the Regulation stipulates that manufacturers shall provide:

- non-discriminatory access to vehicle repair and maintenance information to authorised dealers, repairers and independent operators through websites using a standardised format in a readily accessible and prompt manner;

- access on a non-discriminatory basis to **training material and relevant working** tools to authorised dealers, repairers and independent operators.

Penalties: Member States shall provide for penalties that are effective, proportionate and dissuasive for infringement of this Regulation and the delegated or implementing acts adopted pursuant to the latter, and take all measures necessary to ensure that the penalties are implemented.

Review: on the basis of reports sent be Member States, the Commission will submit a report, by **31 December 2022**, accompanied, where appropriate, by legislative proposals, and shall examine the inclusion of individual approvals in this Regulation on the basis of harmonised requirements.

ENTRY INTO FORCE: 22/03/2013.

APPLICATION: from 01/01/2016.

DELEGATED ACTS: the Commission is empowered to adopt delegated in respect of functional safety, construction requirements, environmental and propulsion performance, access to repair and maintenance information and appointment and specific authorised tasks of technical services. The power to adopt delegated acts will be conferred on the Commission for a period of **five years from 22 March 2013.**

The European Parliament or the Council may object to the delegated act within a period of **two months** of notification of that act (which may be extended by two months.) If the European Parliament or Council objects, the delegated act shall not enter into force.