

# Approval and market surveillance of two- or three-wheel vehicles and quadricycles

2010/0271(COD) - 15/01/2013 - Final act

**PURPOSE:** to lay down new provisions on functional safety and environmental performance for the type-approval of motorcycles.

**LEGISLATIVE ACT:** Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles.

**CONTENT:** the Regulation lays down **new provisions on the functional safety and environmental performance** for new two- or three-wheel vehicles and quadricycles of L-category (light vehicles).

**Purpose and scope:** the Regulation aims to lay down **harmonised rules for the type-approval of L-category vehicles** and establishes the requirements for the **market surveillance** of vehicles, systems, components and separate technical units which are subject to approval in accordance with the Regulation. In certain limited cases, it allows for national **small series type-approval**. In order to prevent misuse, any simplified procedure for small-series vehicles should be restricted to cases of very limited production. It is therefore necessary to define precisely the concept of small series in terms of the number of vehicles produced.

L-category vehicles are two-, three- or four-wheel vehicles such as powered two-wheel vehicles, tricycles and quadricycles.

The Regulation also applies to **enduro motorcycles, trial motorcycles** and heavy **all terrain quads**.

**Requirements on safety:** the Regulation aims to ensure a high level of vehicle **functional safety, occupational safety and environmental protection**, through harmonising the technical requirements and environmental standards applicable to vehicles, systems, components and separate technical units with regard to type-approval.

The Regulation specifies that new motorcycles of more than 125 cc are to be **equipped with an enhanced ABS (anti-lock braking system)**, whereas the incorporation of anti-lock or combined brake systems for motorcycles under 125 cc will be left to the choice of the vehicle manufacturer.

Having carried out an evaluation and bearing in mind statistics on road accidents, **the Commission shall submit a report by 31 December 2019**. That report shall examine the mandatory fitting of an anti-lock brake system and a supplemental combined brake system at the choice of the manufacturer to L3e-A1 subcategory motorcycles.

Furthermore, the Regulation:

- requires, **as from the date of application on 1 January 2016, mandatory fitting of the automatic turning-on the lighting** to increase the visibility for new models of L-category vehicles;
- lays down **requirements for the progressive installation of on-board diagnostics systems**, which can detect failures and monitor the emissions control system.

**Environmental requirements:** the Regulation sets environmental requirements for two stages with the second stage (Euro 5) being mandatory for new types of vehicles as of **1 January 2020**, thereby creating long-term planning predictability for the vehicle manufacturers and the supplier industry.

By **1 January 2016**, the Commission shall carry out a **comprehensive environmental effect study**. The study shall evaluate the air quality and the share of pollutants contributed by L-category vehicles and shall cover the requirements of test types described in the Regulation.

**Obligations of economic operators:** the Regulation enhances the legal provisions governing conformity of production and specifying the obligations of the economic operators in the supply chain. In particular, the role and responsibilities of the authorities in the Member States in charge of type-approval and market surveillance are clarified, and the requirements relating to the competence, obligations and performance of the technical services that perform tests for vehicle type-approval reinforced

**Access to vehicle repair and maintenance information:** the Regulation specifies that manufacturers must provide **unrestricted** access to vehicle repair and maintenance information to **independent operators** through **websites using a standardised format** in a readily accessible and prompt manner. In particular, this access shall be granted in a manner which is **non-discriminatory** compared to the provision given or access granted to authorised dealers and repairers. This obligation shall not apply if a vehicle has been approved as a small series vehicle.

**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:** the Commission will submit a report on the application of the Regulation by 31 December 2021. On the basis of reports sent by Member States, it 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 acts in respect of requirements on environmental and propulsion performance, on functional safety and on vehicle construction. 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 be extended by two months.) If the European Parliament or Council objects, the delegated act shall not enter into force.