Accessibility requirements for products and services

2015/0278(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 613 votes to 23, with 36 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States relating to accessibility requirements for products and services.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Purpose and scope of application

The purpose of this Directive is to contribute to the proper functioning of the internal market by approximating laws, regulations and administrative provisions of the Member States as regards accessibility requirements for certain products and services by, in particular, eliminating and preventing barriers to the free movement of certain accessible products and services arising from divergent accessibility requirements in the Member States.

People with disabilities, but also people with functional limitations, such as the elderly, pregnant women and people travelling with luggage, would benefit from the Directive.

Products and services covered

The Directive shall set requirements to make a number of products more accessible. It shall apply, six years after the date of entry into force of the Directive, to products such as:

- general-purpose hardware computer systems for the general public (e.g. personal computers, including desktops, laptops, smartphones and tablets);

- payment terminals and self-service terminals such as ATMs, automatic ticket machines and check-in machines;

- consumer terminal equipment with interactive computing capabilities, used for electronic communications services;

- e-readers;

- electronic communications services and services providing access to audiovisual media services;

- websites, integrated services on mobile devices, including mobile applications and the provision of information on transport services, including real-time travel information;

- consumer banking services;

- e-books and dedicated software;

- e-commerce services.

The answering of emergency communications to the single European emergency number ‘112’ shall also be covered.

Accessibility requirements

Member States shall ensure that economic operators place on the market only products, and provide only services, which comply with the requirements of the Directive. The CE marking should be affixed before the product is placed on the market.

Accessibility requirements shall only apply to the extent that compliance: (i) does not require a significant change in a product or service that results in a fundamental change in its nature; and (ii) does not impose a disproportionate burden on the economic operators concerned.

The Directive provides for lower requirements and obligations for microenterprises operating in the field of manufacture, import or distribution of products falling within its scope. While some microenterprises are exempt from the obligations of the Directive, they should all be encouraged to provide services that comply with the accessibility requirements of the Directive.

Member States may decide, taking into account national circumstances, that the ‘built environment’ used in the provision of services must comply with the accessibility requirements set out in Annex III, in order to ensure optimal use by people with disabilities.

Annex II of the amended Directive provides a list of non-binding examples of possible solutions to contribute to meeting the accessibility requirements in Annex I.

Working Group

The Commission shall establish a working group consisting of relevant authorities and stakeholders to facilitate exchange of information and of best practices and to provide advice. This working group shall facilitate the exchange of information and best practice between market surveillance authorities, foster cooperation between authorities and relevant stakeholders and provide advice, in particular to the Commission.

Reports and review

No later than 11 years after the date of entry into force of the Directive and every five years thereafter, the Commission shall report on the application of the Directive.

The reports shall address, *inter alia*, developments in the accessibility of products and services, possible technology lock in or barriers to innovation and the impact of the Directive on economic operators and people with disabilities. They shall also assess whether the Directive has contributed to approximate diverging accessibility requirements of the built environment of passenger transport services, consumer banking services and customer service centres of shops of electronic communications service providers.