Basic information

2010/0212(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Approval and market surveillance of agricultural and forestry vehicles Repealing Directive 2000/25/EC 1998/0247(COD) Repealing Directive 2003/37/EC 2002/0017(COD) Repealing Directive 2009/60/EC 2006/0219(COD) Repealing Directive 2009/63/EC 2006/0221(COD) Repealing Directive 2009/66/EC 2006/0225(COD) Repealing Directive 2009/61/EC 2007/0066(COD) Repealing Directive 2009/59/EC 2007/0081(COD) Repealing Directive 2009/57/EC 2007/0107(COD) Repealing Directive 2009/58/EC 2007/0117(COD) Repealing Directive 2009/64/EC 2007/0166(COD) Repealing Directive 2009/76/EC 2007/0205(COD) Repealing Directive 2009/68/EC 2007/0284(COD) Repealing Directive 2009/75/EC 2008/0008(COD) Repealing Directive 2009/144/EC 2008/0213(COD) Amending Directive 2006/42/EC 2001/0004(COD) Amended by 2014/0268(COD) Amended by 2018/0142(COD) Amended by 2023/0370(COD) See also 2018/0220(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
IMCO Internal Market and Consumer Protection	PANZERI Pier Antonio (S&D)	25/10/2010
	Shadow rapporteur SARTORI Amalia (PPE) MANDERS Antonius (ALDE) RÜHLE Heide (Verts/ALE) HARBOUR Malcolm (ECR) SØNDERGAARD Søren Bo (GUE/NGL) ROSSI Oreste (EFD)	

Committee for opinion	Rapporteur for opinion	Appointed

	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3216	2013-01-28

European Commission

Commission DG	Commissioner
Internal Market, Industry, Entrepreneurship and SMEs	TAJANI Antonio

Key events

Date	Event	Reference	Summary
23/07/2010	Legislative proposal published	COM(2010)0395	Summary
07/09/2010	Committee referral announced in Parliament, 1st reading		
05/12/2011	Vote in committee, 1st reading		
26/01/2012	Committee report tabled for plenary, 1st reading	A7-0446/2011	Summary
20/11/2012	Decision by Parliament, 1st reading	T7-0425/2012	Summary
20/11/2012	Results of vote in Parliament		
28/01/2013	Act adopted by Council after Parliament's 1st reading		
05/02/2013	Final act signed		
06/02/2013	End of procedure in Parliament		
02/03/2013	Final act published in Official Journal		

Technical information

Procedure reference	2010/0212(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Directive 2000/25/EC 1998/0247(COD) Repealing Directive 2003/37/EC 2002/0017(COD) Repealing Directive 2009/60/EC 2006/0219(COD) Repealing Directive 2009/63/EC 2006/0221(COD) Repealing Directive 2009/66/EC 2006/0225(COD) Repealing Directive 2009/61/EC 2007/0066(COD) Repealing Directive 2009/59/EC 2007/0081(COD) Repealing Directive 2009/57/EC 2007/0107(COD) Repealing Directive 2009/58/EC 2007/0117(COD) Repealing Directive 2009/64/EC 2007/0166(COD) Repealing Directive 2009/76/EC 2007/0205(COD)

	Repealing Directive 2009/68/EC 2007/0284(COD) Repealing Directive 2009/75/EC 2008/0008(COD) Repealing Directive 2009/144/EC 2008/0213(COD) Amending Directive 2006/42/EC 2001/0004(COD) Amended by 2014/0268(COD) Amended by 2018/0142(COD) Amended by 2023/0370(COD) See also 2018/0220(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 114-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/7/03571

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE464.774	04/07/2011	
Amendments tabled in committee		PE475.768	25/10/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0446/2011	26/01/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0425/2012	20/11/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00051/2012/LEX	06/02/2013	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0395	23/07/2010	Summary
Document attached to the procedure	SEC(2010)0933	23/07/2010	
Document attached to the procedure	SEC(2010)0934	23/07/2010	
Commission response to text adopted in plenary	SP(2013)73	23/01/2013	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2010)0395	27/10/2010	
Contribution	IT_SENATE	COM(2010)0395	09/11/2010	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1616/2010	09/12/2010	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2013/0167
OJ L 060 02.03.2013, p. 0001 Summary

Delegated acts

Reference	Subject
2014/2864(DEA)	Examination of delegated act
2014/2878(DEA)	Examination of delegated act
2014/2994(DEA)	Examination of delegated act
2014/2908(DEA)	Examination of delegated act
2020/2530(DEA)	Examination of delegated act
2016/2843(DEA)	Examination of delegated act
2018/2583(DEA)	Examination of delegated act
2018/2584(DEA)	Examination of delegated act
2018/2639(DEA)	Examination of delegated act
2017/2551(DEA)	Examination of delegated act
2018/2580(DEA)	Examination of delegated act
2022/2509(DEA)	Examination of delegated act
2020/2753(DEA)	Examination of delegated act
2025/2663(DEA)	Examination of delegated act

Approval and market surveillance of agricultural and forestry vehicles

2010/0212(COD) - 23/07/2010 - Legislative proposal

PURPOSE: to lay down harmonised rules on the manufacture of agricultural and forestry vehicles.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: the technical requirements for the type-approval of tractors with regard to numerous safety and environmental elements have been harmonised at the level of the Union in order to avoid requirements that differ from one Member State to another, to ensure a high level of road and occupational safety and environmental protection throughout the Community and to allow for a harmonized system of EU type-approval. The existing type-approval legislation for tractors is regulated in the following EU-acts: Council Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78 /764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC; European Parliament and Council Directives 2000/25/EC, 2003/37/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC, 2009/75/EC, 2009/76/EC and 2009/144/EC.

New technologies like ABS (anti-lock braking systems) are now available and can be implemented in the near future, which will dramatically improve vehicle safety. Research has indicated that there would be significant benefits if such technologies were introduced as standard on new vehicles. Setting common mandatory requirements would also prevent the fragmentation of the internal market resulting from varying product standards emerging across Member States.

IMPACT ASSESSMENT : or each of the main aspects of the proposal, different options were considered:

Simplification aspects – I: Directives or Regulations:

a) no change in policy. This would mean that the existing 24 Directives would be maintained with additional amendments when necessary;

b) replace existing separate Directives by one Regulation;

c) replace existing Directives by one Regulation and a limited number of thematic delegated and implementing acts. This is the chosen option.

Simplification aspect – II: all in detailed EU legislation or reference to international standards:

a) no change in policy. This would mean that the existing 24 Directives would be maintained with additional amendments when necessary. The Directives would continue to operate in parallel with the existing UNECE Regulations and OECD Codes with the technical requirements usually (but not always) being the same.

This is currently the cause of much confusion for stakeholders who are not closely involved with the type-approval system, and leads to a situation of a regulatory system that is less than fully transparent;

b) replace existing separate Directives where possible by equivalent UNECE Regulations.

c) Replace existing separate Directives where possible by equivalent UNECE Regulations, or OECD Codes (roll-over protection systems) or possibly

CEN/CENELEC or ISO standards. This is the chosen option since it would maximise the advantages of simplification at the benefit, in particular, of national authorities and industry.

Completion of the internal market

a) no change in policy. This would mean that bit-by-bit the package as provided in Directive 2003/37/EC would be completed.

b) complete the EU TA requirements and make EU WVTA mandatory for all categories;

c) complete the EU TA requirements but leave EU WVTA optional for certain categories (T4, T5, C, R and S).

LEGAL BASE: Article 114 of the Treaty on the Functioning of the European Union.

CONTENT: this proposal **significantly simplifies the type-approval legislation by replacing 24 base Directives** (and around 35 related amending Directives) in the field of agricultural and forestry vehicle technical requirements with one Regulation. It aims to lay down harmonised rules on the manufacture of agricultural and forestry vehicles (tractors, trailers and towed equipment) with a view to ensuring the functioning of the internal market while at the same time providing for a high level of road and occupational safety and environmental protection. This will also contribute to the competitiveness of the industry by simplifying the existing vehicle type-approval legislation, improving transparency and easing administrative burden.

The draft regulation and its implementing and delegated acts will carry over the existing requirements laid down in the above acts. It will also lay down in detail the new mandatory requirements on braking. In particular, the delegated acts adopted under this proposal will require amongst others:

- mandatory fitting of anti-lock braking systems on some categories (T5 fast tractors and their trailers suitable for speeds over 40 km/h);
- higher deceleration performance;
- compatibility between tractor and trailers/towed equipment.

As far as the environmental aspects of the proposal are concerned, no changes are proposed to the existing levels of protection. The only change is that the Regulation should refer to Directive 97/68/EC on emissions of Non-Road Mobile Machinery instead of having a specific one for tractors, simplifying the current implementation process while keeping the key features for future developments.

It should be noted that the proposal uses the “split-level approach” that was originally introduced at the request of the European Parliament and used in other pieces of legislation in the area of EU type approval of motor vehicles. This approach envisages two steps:

1) the fundamental provisions will be laid down by the European Parliament and the Council in a Regulation based on Article 114 of the Treaty on the Functioning of the European Union through the ordinary legislative procedure;

2) the technical specifications implementing the fundamental provisions will be laid down in delegated acts adopted by the Commission in accordance with Article 290 of the Treaty on the Functioning of the European Union.

FINANCIAL IMPLICATIONS: the proposal has no implication for the EU budget.

Approval and market surveillance of agricultural and forestry vehicles

2010/0212(COD) - 20/11/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 651 votes to 13, with 15 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and the Council on the approval of agricultural or forestry vehicles.

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between Parliament and the Council. They amend the Commission proposal as follows:

Purpose and scope: the amended Regulation establishes the administrative and technical requirements for the type-approval of all new vehicles, systems, components and separate technical units. It also lays down the requirements for the **market surveillance** of vehicles, systems, components and separate technical units which are subject to approval. In particular, it applies to the following vehicles:

- tractors (categories T and C);
- trailers (category R); and
- interchangeable towed equipment (category S).

For the following vehicles, the manufacturer may choose whether to apply for approval under this Regulation or whether to comply with the relevant national requirements :

- trailers (category R) and interchangeable towed equipment (category S);
- track-laying tractors (category C); and
- special purpose wheeled tractors (categories T4.1 and T4.2).

In certain limited cases, it is appropriate to allow for national **small series** type-approval.

Alignment with the New Legislative Framework and other Union legislation on type-approval: the amendments introduced aim to align the provisions of this Regulation with Decision No 768/2008/EC of the European Parliament and of the Council 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 distributor) 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.

Safety requirements: the amendments seek to guarantee a high level of functional safety, safety at work and environmental protection.

"**Functional safety**" is defined as the absence of unacceptable risk of physical injury or of damage to the health of people or property arising from hazards caused by malfunctioning of mechanical, hydraulic, pneumatic, electrical or electronic systems, components or separate technical units.

Access to repair and maintenance information: manufactures 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. This obligation shall not apply if a vehicle has been approved as a small series vehicle. Until the Commission has adopted a standardised format for the provision of the information, that information shall be made available in a consistent manner that can be processed by independent operators with reasonable effort;
- access on a non-discriminatory basis to **training material and relevant working tools** to authorised dealers, repairers and independent operators . Such access shall include, where applicable, adequate training with regard to the download of software, diagnostic trouble codes management and the use of working tools.

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

Delegated acts: to add further technical specifications to the Regulation, the Commission can adopt delegated acts 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.

Other technical amendments: Members also introduced amendments aimed to clarify certain technical aspects, including: procedures applicable at national level for vehicles, systems, components or separate technical units; the procedure for Union level back-up; technical services requirements.

Review: by **31 December 2022**, the Commission shall submit a report to the European Parliament and to the Council regarding:

- the number of individual approvals granted to vehicles covered by this Regulation before their first registration per year by the national authorities of that Member State since 1 January 2016;
- the national criteria upon which such approvals were based insofar as these criteria deviated from the requirements obligatory for EU type-approval.

The report shall be accompanied, where appropriate, by legislative proposals, and shall examine the inclusion of individual approvals in this Regulation on the basis of harmonised requirements.

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.

Approval and market surveillance of agricultural and forestry vehicles

2010/0212(COD) - 26/01/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Pier Antonio PANZERI (S&D, IT) on the proposal for a Regulation of the European Parliament and the Council on the approval of agricultural or forestry vehicles.

The committee recommends that the European Parliament's position, adopted at first reading following the ordinary legislative procedure, should be to amend the Commission proposal as follows:

Objective of the legislation: the Members noted that the Regulation lays down harmonised rules on the administrative and technical requirements for the **approval and market surveillance** of agricultural and forestry vehicles. It also establishes the requirements for the placing on the market or entry into service of systems, components and separate technical units intended for vehicles approved in accordance with this Regulation.

Mobile machinery (category U): the Members consider that, in order to complete the internal market and ensure a high level of road safety, it is necessary to develop an appropriate instrument at Union level in order to harmonise requirements applicable to mobile machinery. To that end, they propose to exclude mobile machinery (category U) from the scope of this Regulation. They call, however, on the Commission to assess the need for harmonisation of technical requirements and conformity assessment procedures applicable to such machinery, and make, as soon as possible, legislative proposals.

Alignment with the New Legislative Framework and other Union legislation on type-approval: the amendments introduced by the Members aim to:

- align the provisions of this Regulation with Decision No 768/2008/EC of the European Parliament and of the Council 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;
- reinforce requirements for bodies or organisations to which Member States may delegate some assessment tasks. The objective is to ensure a level playing field and avoiding distortion of competition that may arise from different levels of stringency and performance applied by these third party organisations when testing, inspecting and assessing vehicles, systems, components or separate technical units.

Safety requirements and relationship with the Machinery Directive: the report introduces a number of requirements in Articles 7 (road and functional safety) and 8 (occupational safety), on the basis of the health and safety requirements set out in the Machinery Directive, which do not appear to be covered in the Commission proposal.

“Functional safety” means the absence of unacceptable risk of physical injury or of damage to the health of people, property or domestic animals owing to hazards caused by malfunctioning of mechanical, hydraulic, pneumatic, electrical or electronic systems, components or separate technical units.

Access to repair and maintenance information: the Members consider that unrestricted and non-discriminatory access to such information is therefore crucial for the correct repair and maintenance of vehicles. The Member States should ensure that the authorised dealers, repairers and independent operators providing repair or maintenance services for vehicles have the necessary technical skills and knowledge to ensure that the safety and environmental performance of those vehicles is maintained.

Technical amendments: the Members have also introduced a significant number of amendments aimed to clarify certain technical aspects, including among others: the use of vehicles on public roads; the procedures applicable at the national level for vehicles, systems, components or separate technical units; the procedure for Union level back-up; technical services requirements.

Delegated powers: the Commission should have the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of detailed arrangements for approval and market surveillance of all new vehicles, as well as for placing on the market or entry into service of parts and equipment.