

Basic information	
<p>2023/0090(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Approval and market surveillance of non-road mobile machinery circulating on public roads</p> <p>Amending Regulation 2019/1020 2017/0353(COD)</p> <p>Subject</p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	IMCO Internal Market and Consumer Protection		VANDENKENDELAERE Tom (EPP)	24/05/2023
			Shadow rapporteur LEITÃO-MARQUES Maria-Manuel (S&D) IJABS Ivars (Renew) GALLÉE Malte (Greens/EFA) MAZUREK Beata (ECR) KONEČNÁ Kateřina (The Left)	
	Committee for opinion		Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety		The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Transport, Telecommunications and Energy		4069	2024-12-16
European Commission	Commission DG		Commissioner	
	Internal Market, Industry, Entrepreneurship and SMEs		BRETON Thierry	

Key events			
Date	Event	Reference	Summary
30/03/2023	Legislative proposal published	COM(2023)0178 	Summary
17/04/2023	Committee referral announced in Parliament, 1st reading		
28/11/2023	Vote in committee, 1st reading		
28/11/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
01/12/2023	Committee report tabled for plenary, 1st reading	A9-0382/2023	Summary
11/12/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/12/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
20/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE759.982 GEDA/A/(2024)001582	
24/04/2024	Decision by Parliament, 1st reading	T9-0345/2024	Summary
24/04/2024	Results of vote in Parliament		
16/12/2024	Act adopted by Council after Parliament's 1st reading		
19/12/2024	Final act signed		
08/01/2025	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0090(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2019/1020 2017/0353(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 114
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/11676

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary

Committee draft report		PE750.138	28/06/2023	
Amendments tabled in committee		PE752.780	05/09/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0382/2023	01/12/2023	Summary
Text agreed during interinstitutional negotiations		PE759.982	15/03/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0345/2024	24/04/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)001582	15/03/2024	
Draft final act	00071/2024/LEX	19/12/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0178 	30/03/2023	Summary
Document attached to the procedure	SEC(2023)0145 	30/03/2023	
Document attached to the procedure	SWD(2023)0064 	30/03/2023	
Document attached to the procedure	SWD(2023)0065 	30/03/2023	
Document attached to the procedure	SWD(2023)0066 	30/03/2023	
Commission response to text adopted in plenary	SP(2024)394	08/08/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES2346/2023	14/06/2023	

Additional information

Source	Document	Date
EP Research Service	Briefing	06/03/2024
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
VANDENKENDELAERE Tom	Rapporteur	IMCO	26/04/2024	CECE - Committee for European Construction Equipment
VANDENKENDELAERE Tom	Rapporteur	IMCO	22/11/2023	Belgian Mission to the EU
VANDENKENDELAERE Tom	Rapporteur	IMCO	18/09/2023	CECE - Committee for European Construction Equipment
VANDENKENDELAERE Tom	Rapporteur	IMCO	20/07/2023	AVR
VANDENKENDELAERE Tom	Rapporteur	IMCO	14/06/2023	CEMA - European Agricultural Machinery Industry Association
VANDENKENDELAERE Tom	Rapporteur	IMCO	13/06/2023	AGORIA

Final act	
Regulation 2025/0014 OJ OJ L 08.01.2025	Summary
Corrigendum to final act 32025R0014R(01) OJ OJ L 14.01.2025	

Approval and market surveillance of non-road mobile machinery circulating on public roads

2023/0090(COD) - 08/01/2025 - Final act

PURPOSE: to establish technical requirements, administrative requirements and harmonised procedures for the type-approval of new non-road mobile machinery circulating on public roads, as well as rules and procedures for the market surveillance of such machinery.

LEGISLATIVE ACT: Regulation (EU) 2025/14 of the European Parliament and of the Council on the approval and market surveillance of non-road mobile machinery circulating on public roads and amending Regulation (EU) 2019/1020.

CONTENT: this regulation lays down:

- technical requirements, administrative requirements and procedures, for the EU type-approval and EU individual approval, and placing on the market of all new **non-road mobile machinery intended to circulate on public roads**;
- rules and procedures for the market surveillance of the non-road mobile machinery.

Scope

The regulation creates harmonised road safety requirements for the circulation of **self-propelled machinery** (e.g. lawn mowers, harvesters or bulldozers) that needs to circulate on public roads and which, up to now, has been regulated by the Member States.

The regulation creates a new category of vehicles (**category U**) for non-road mobile machinery, which will be added to the existing categories of vehicles. It also clarifies the different variants and types that will come under this new category, depending on criteria such as essential construction and design characteristics.

This regulation does not apply to the following: (a) non-road mobile machinery with a maximum design speed exceeding 40 km/h; (b) non-road mobile machinery with a maximum design speed not exceeding 6 km/h; (c) non-road mobile machinery equipped with more than three seating positions, including the driver's seating position; (d) non-road mobile machinery that was placed on the market, registered or entered into service before 29 January 2028.

The manufacturer may decide to apply for the EU type-approval, to apply for the EU individual approval or to comply with the relevant national law, where appropriate:

- non-road mobile machinery where the number of units per type does **not exceed 70** per year and in each Member State;

- prototypes of non-road mobile machinery intended to be used on the road under the responsibility of the manufacturer to carry out specific development test programmes or field tests, if they have been specifically designed and constructed for that purpose;
- non-road mobile machinery designed and constructed for use principally in quarries, ports or airport facilities;
- vehicles designed and constructed or adapted for use by civil protection, fire services and forces responsible for maintaining public order.

Type approval procedure

The regulation simplifies the procedures for all actors. Manufacturers and distributors of non-road mobile machinery will only have to request road approval **once**, in one EU country, for the machinery to be accepted for road use in all EU countries. Users (e.g. rental companies) will benefit from a reduction in the compliance costs, and it will be easier for them to use and re-sell machinery across intra-EU borders. Drivers, in turn, will benefit from harmonised rules that ensure a high level of road safety across the EU.

The regulation proposes a **simplified one-step procedure** that takes into account the specific characteristics of non-road mobile machinery. It also establishes more effective market surveillance: it provides for clear procedures, including safeguard measures against non-compliant machinery, that are aligned with those used in the wider EU legislative framework on products.

Obligations of Member States

Member States will establish or appoint the authorities competent in matters concerning approval and market surveillance in accordance with this Regulation. They will only permit the making available on the market, registration, entry into service or circulation on public roads of non-road mobile machinery that complies with this Regulation.

Member States may **limit or prohibit the circulation** on public roads or the registration of certain non-road mobile machinery which satisfies any of the following criteria:

- due to its **excessive dimensions**, the machinery would not allow for sufficient manoeuvrability on public roads;
- due to its **excessive mass**, axle loads or ground contact pressure, the machinery could damage the surface of public roads or other road infrastructure;
- due to its **fully automated**, or remotely operated, driving system for on-road use, the machinery is subject to restrictions under national traffic law.

Technical requirements

Non-road mobile machinery will be designed, constructed and assembled in such a way as to **minimise the risk of injury** to occupants and other persons, and the risk of damage to road infrastructure, in the machinery's surrounding area, while that non-road mobile machinery is circulating on a public road. The Commission may adopt delegated acts concerning the establishment of detailed rules on requirements concerning elements such as the integrity of the vehicle structure, maximum design speed, braking devices, field of vision or tyres.

Certificate of conformity

The manufacturer will issue a certificate of conformity to accompany each non-road mobile machinery that is manufactured in conformity with the EU type-approved non-road mobile machinery.

Lastly, Member States will have to determine the system of **penalties** applicable to infringements of the Regulation and take all necessary measures to ensure that the penalties are implemented.

ENTRY INTO FORCE: 28.1.2025.

APPLICATION: from 29.1.2028.

Approval and market surveillance of non-road mobile machinery circulating on public roads

2023/0090(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 582 votes 10, with 3 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the approval and market surveillance of non-road mobile machinery circulating on public roads and amending Regulation (EU) 2019/1020.

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

Subject matter and scope

This Regulation lays down technical requirements, administrative requirements and procedures, for the EU type-approval and EU individual approval, and placing on the market of all **new non-road mobile machinery intended to circulate on public roads**. It also lays down rules and procedures for the market surveillance of the non-road mobile machinery.

It applies to non-road mobile machinery ('U-category vehicles') where it is placed on the market and intended to circulate, whether occasionally or regularly, with or without a driver, on a public road.

The objective of this Regulation is to address the risks associated with the intended circulation of non-road mobile machinery on public roads. Thus, non-road mobile machinery that, in practice, is not intended to circulate on public roads should be excluded from the scope of this Regulation. It should not apply to mobile machinery with a maximum design speed **not exceeding 6 km/h or exceeding 40 km/h**.

This Regulation should cover only non-road mobile machinery intended for circulation on public roads and that is placed on the Union market from the date of application of this Regulation and is either new non-road mobile machinery produced by a manufacturer established in the Union or non-road mobile machinery, whether new or second-hand, imported from a third country. It should apply to non-road mobile machinery intended to circulate on public roads irrespective of its propulsion system and, therefore, should also apply to electric and hybrid machinery.

Specific cases

For the following non-road mobile machinery, the manufacturer may decide to apply for the EU type-approval, the EU individual approval or to comply with the relevant national legislation, where appropriate:

- (a) non-road mobile machinery where the number of units per type does not exceed 70 per year and in each Member State;
- (b) prototypes of non-road mobile machinery used on the road under the responsibility of the manufacturer to carry out specific development test programmes or field tests, if they have been specifically designed and constructed for that purpose;
- (c) non-road mobile machinery designed and constructed for use principally in quarries, port or airport facilities;
- (d) vehicles designed and constructed or adapted for use by civil protection, fire services and forces responsible for maintaining public order.

Obligations of Member States

Member States should ensure that their approval and market surveillance authorities have the necessary resources for the proper performance of their duties.

Member States may **limit or prohibit** the circulation on public roads or the registration of non-road mobile machinery that have been approved in accordance with this Regulation, which satisfies the following criteria:

- (a) due to its excessive dimensions, the machinery would not allow for sufficient manoeuvrability on public roads;
- (b) due to its excessive masses, axle loads or ground contact pressure, the machinery could damage the surface of public roads or other road infrastructure;
- (c) due to its fully automated, or remotely operated, driving system for on-road use, it is subject to restrictions in the national traffic law.

Obligations of approval authorities

For the purpose of enabling market surveillance authorities to carry out checks, approval authorities should make available to market surveillance authorities the necessary information related to the type-approval of the non-road mobile machinery that is subject to compliance verification checks. Approval authorities should provide that information to the market surveillance authorities without undue delay.

General obligations of manufacturers

Manufacturers should ensure that their non-road mobile machinery is not designed to incorporate strategies or other means that alter the performance exhibited during test procedures in such a way that they do not comply with this Regulation when operating under conditions that can reasonably be expected in normal operation.

Application for EU type-approval

The manufacturer or its representatives should submit to the approval authority an application for EU type-approval and the information folder. In the case where the manufacturer is established outside the Union, that manufacturer should appoint a single representative **established within the Union** to represent him or her before the approval authority. In the case where the manufacturer is established inside the EU, that manufacturer may appoint such a representative.

Non-compliant EU type-approval

Where an approval authority finds that a type-approval that has been granted does not comply with this Regulation, it should refuse to recognise that approval. The approval authority should notify its refusal to the approval authority that granted the EU type-approval, to the approval authorities of the other Member States, and to the Commission. Where within one month after the notification, the non-compliance of the type-approval is confirmed by the approval authority that granted the EU type-approval, that approval authority should withdraw the type-approval.

Approval and market surveillance of non-road mobile machinery circulating on public roads

The Committee on the Internal Market and Consumer Protection adopted the report by Tom VANDENKENDELAERE (EPP, BE) on the proposal for a regulation of the European Parliament and of the Council on the approval and market surveillance of non-road mobile machinery circulating on public roads and amending Regulation (EU) 2019/1020.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Clearer scope

Members consider that the draft Regulation should not apply to:

- non-road mobile machinery equipped with more than three seating positions when circulating on public roads, including the driver's seating position;
- non-road mobile machinery intended by the manufacturer to carry out field tests, which are inherent to the machine development process.

As regards non-road mobile machinery under individual approval, the manufacturer may, where appropriate, choose to apply for EU type-approval.

Definitions

The proposal called for a wider definition of a 'type' and 'variant'. The report proposes to make the definition of a non-road mobile machinery type and a variant less strict, in order to allow for more flexibility to accommodate for small volumes and for the manufacturer to have more very similar machines EU type-approved under the same type or variant.

Obligations of Member States

Member States should ensure that their approval and market surveillance authorities have the **necessary resources** for the proper performance of their duties. By way of derogation, Member States may limit or prohibit the circulation on public roads of non-road mobile machinery due to its **excessive weight or masses, axle loads and ground contact pressure**, the machinery could damage the surface of public roads or other road infrastructure, unless, in order to limit or prohibit circulation on public roads, one of these parameters is below the threshold established by Member States.

Specific obligations of manufacturers

Manufacturers who have sufficient reason to believe that type-approved non-road mobile machinery which they have made available on the market is not in conformity with this Regulation should immediately take the corrective measures necessary to bring that non-road mobile machinery into conformity, to withdraw it or to recall it, as appropriate, and to notify the user of that non-conformity.

Manufacturers who have sufficient reason to believe that a non-road mobile machinery which they have made available on the market presents a serious risk should immediately inform the approval and the market surveillance authorities of the Member States in which the non-road mobile machinery was made available on the market to that effect, giving details of the non-conformity and any corrective measures taken.

Technical requirements for non-road mobile machinery

The Commission is empowered to adopt delegated acts concerning detailed, non-discriminatory rules on the requirements related to risks for circulation on public roads. Members included the following elements:

- masses, including technically permissible maximum laden mass on road;
- on-road warnings and markings for lighting and lighting installations.

Approval and market surveillance of non-road mobile machinery circulating on public roads

2023/0090(COD) - 30/03/2023 - Legislative proposal

PURPOSE: to establish technical requirements, administrative requirements and harmonised procedures for the type-approval of new non-road mobile machinery circulating on public roads, as well as rules and procedures for the market surveillance of such machinery.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: non-road mobile machinery is a broad category of machinery fitted with a means for its own propulsion. These machines are regularly used in certain sectors or for specific purposes, for example they are used as construction, agricultural, garden, municipal or material handling equipment.

A number of those machines occasionally need to circulate on public roads, mostly to move from one working place to another and as a result they are placed on the Union market for that purpose, as well. However, laying down requirements, for example on safety, solely for the circulation of mobile machinery on public roads remains within the sole remit of the Member States.

In the absence of harmonised rules on the road safety of non-road mobile machinery, economic operators producing or making available on the EU market non-road mobile machinery are faced with significant costs due to the different regulatory requirements in the Member States.

Furthermore, road safety for such machinery is not ensured in a uniform manner throughout the Union. Therefore, there is a need to **establish harmonised rules at EU level** regarding the road safety of non-road mobile machinery.

A cost-benefit study carried out by the European Commission in 2019 showed that the establishment of uniform requirements at EU level could help the non-road mobile machinery sector to save 18-22% in compliance costs. Over a 10-year period, this proposal could generate up to EUR 846 million in savings for all stakeholders.

CONTENT: the proposal aims to fill a gap in EU legislation for non-road mobile machinery. It aims to:

- **lay down the technical requirements for the road safety of non-road mobile machinery** falling within the scope of the proposal, and the administrative provisions for the EU type approval of such machinery; and

- **set the rules and procedures for the market surveillance** of non-road mobile machinery that falls within the scope of EU type approval.

This Regulation applies to non-road mobile machinery where it is placed on the market and intended to circulate, with or without a driver, on a public road. It should not apply to the following:

- non-road mobile machinery with a maximum design speed exceeding 40 km/h;
- non-road mobile machinery equipped with more than three seating positions, including the driver's seating position;
- machinery primarily intended for the transport of one or more persons or animals;
- vehicles, including motor vehicles, tractors, trailers, two-wheel or three-wheel vehicles, quadricycles and interchangeable towed equipment, falling within the scope of Regulation (EU) No 167/2013, Regulation (EU) No 168/2013 or Regulation (EU) 2018/858.

All types of new personal mobility devices (stand-up and seated e-scooters, electrically assisted pedal cycles including electrically power assisted cycles and those intended for carrying commercial cargo, self-balancing vehicles including self-balancing personal transporters and hoverboards, electric unicycles, electric skateboards and 'One-wheel' boards, among others) will therefore not be subject to this Regulation.

The proposal follows the logic, with some adaptations, of the well-established framework for the type-approval of motor vehicles and agricultural and forestry vehicles, in order to ensure maximum consistency with existing vehicle legislation. As regards market surveillance, the proposal follows similar provisions to those in Regulation (EU) 2018/858, which are also based on the 'New Legislative Framework'.

More specifically, the proposal:

- set out the obligations of Member States, approval authorities and economic operators (manufacturers, manufacturer's representative, importers and distributors). In particular, it obliges Member States: (i) to permit the placing on the market, registration or entry into service of only non-road mobile machinery that satisfies the requirements set out in the proposal; and (ii) to organise and carry out market surveillance activities and checks of non-road mobile machinery entering the market. Manufacturers are obliged to ensure that only compliant non-road machinery is placed on the market;
- lists the technical requirements for the road safety of non-road mobile machinery. The Commission is empowered to adopt delegated acts to specify the detailed technical requirements, procedures and tests;
- includes a general provision, requiring that non-road mobile machinery is made available, put into service or registered only if it is in conformity;
- includes provisions on the EU type-approval procedure and related issues such as the EU type-approval certificate, the certificate of conformity and marking;
- contains provisions on EU market surveillance, checks of non-road machinery entering the EU market, and EU safeguard procedures;
- provides that the manufacturer is obliged to provide technical information that does not diverge from the particulars approved by the approval authority;
- lays down the requirements relating to technical services and the procedures for designating such services;
- introduces a Forum for Exchange of Information on Enforcement to aid national authorities in applying and enforcing the requirements of this Regulation in a uniform manner across the Union. This ensures a level playing field and avoids divergent practices being applied across the Union.