



The new EU Type-Approval Framework for Motor Vehicles

European Parliament TRAN Committee meeting

Restoring Confidence in Vehicle Type-Approval Testing

12 July 2016





EU Vehicle Type-Approval

Type

- *Vehicles having the **same characteristics** may be grouped together for testing/certification. No need to test each vehicle.*

Approval

- ***Up-front third party certification** before the vehicle type may be put on the market.*
- ***Conformity of production.** The manufacturer states that each vehicle coming off the assembly line is built in conformity with the approved type.*





EU Vehicle Type-Approval Procedures

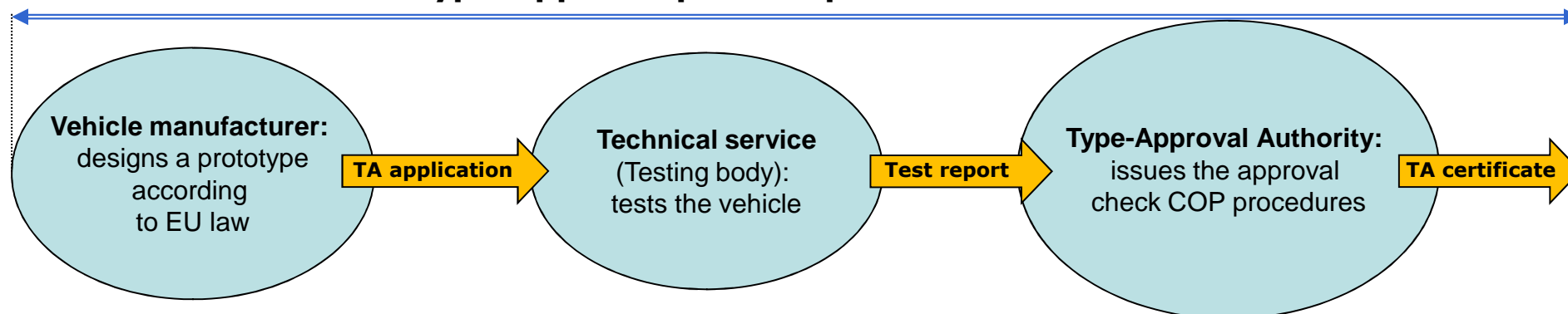
- Vehicle test carried out under the auspices of an inspector of the Technical Service
- Test report issued → sent to Type-Approval Authority
- Type-Approval Authority issues Certificate
- Certificates are the gateway to EU market



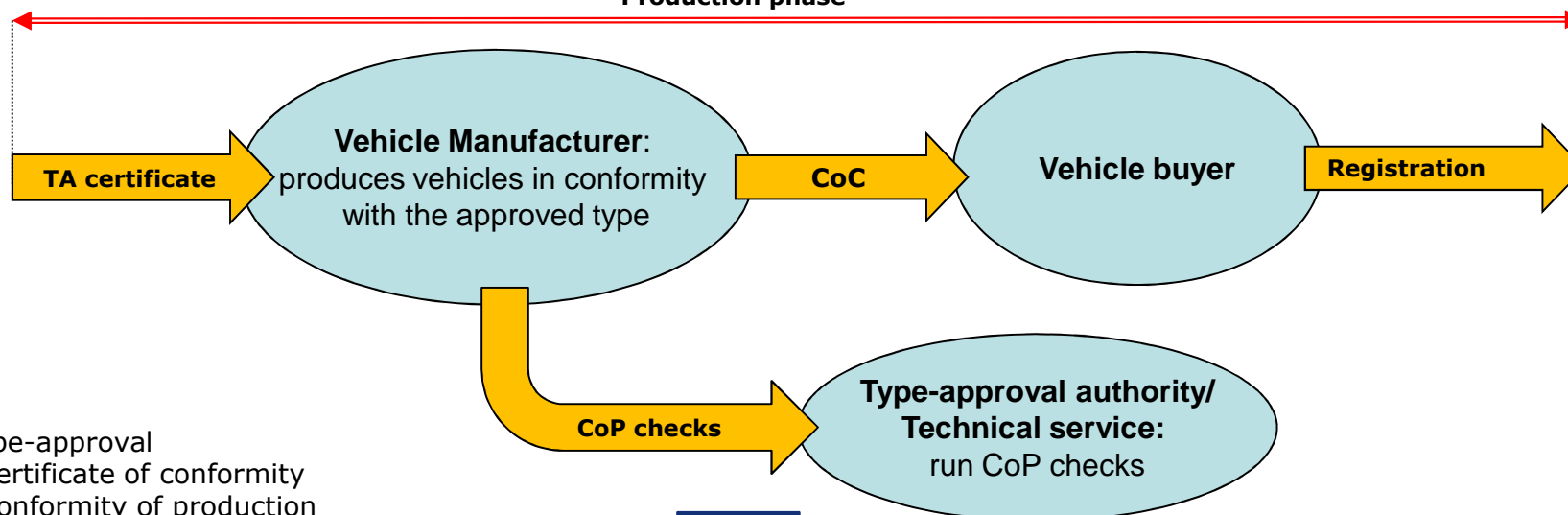
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EU Vehicle Type-Approval process

Type-Approval phase: up-front certification



Production phase



TA: Type-approval
CoC: Certificate of conformity
CoP: Conformity of production

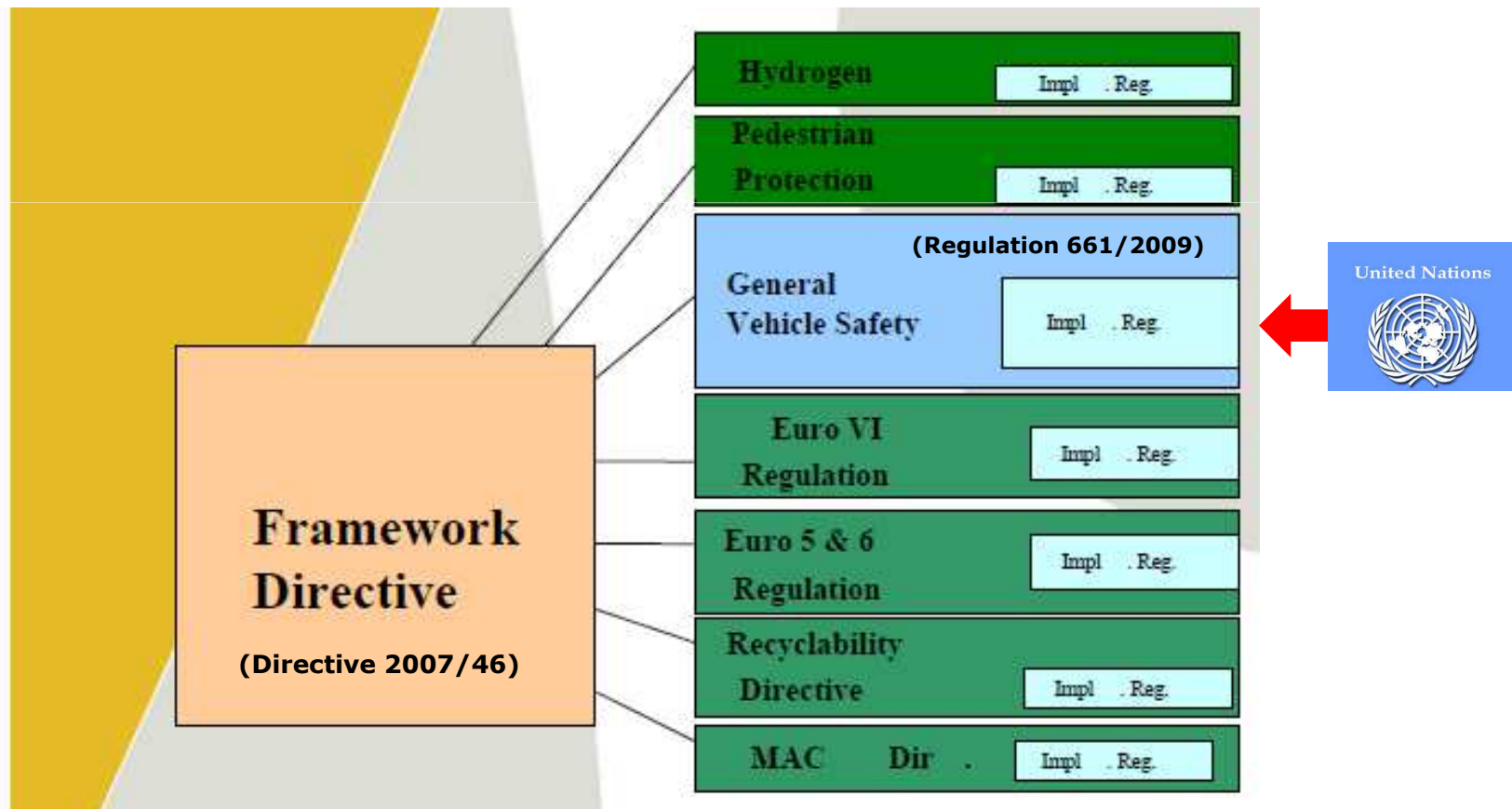




Items covered by EU Type-Approval

- General Vehicle Construction requirements
- Safety requirements
- Environmental requirements
- Documentation checks

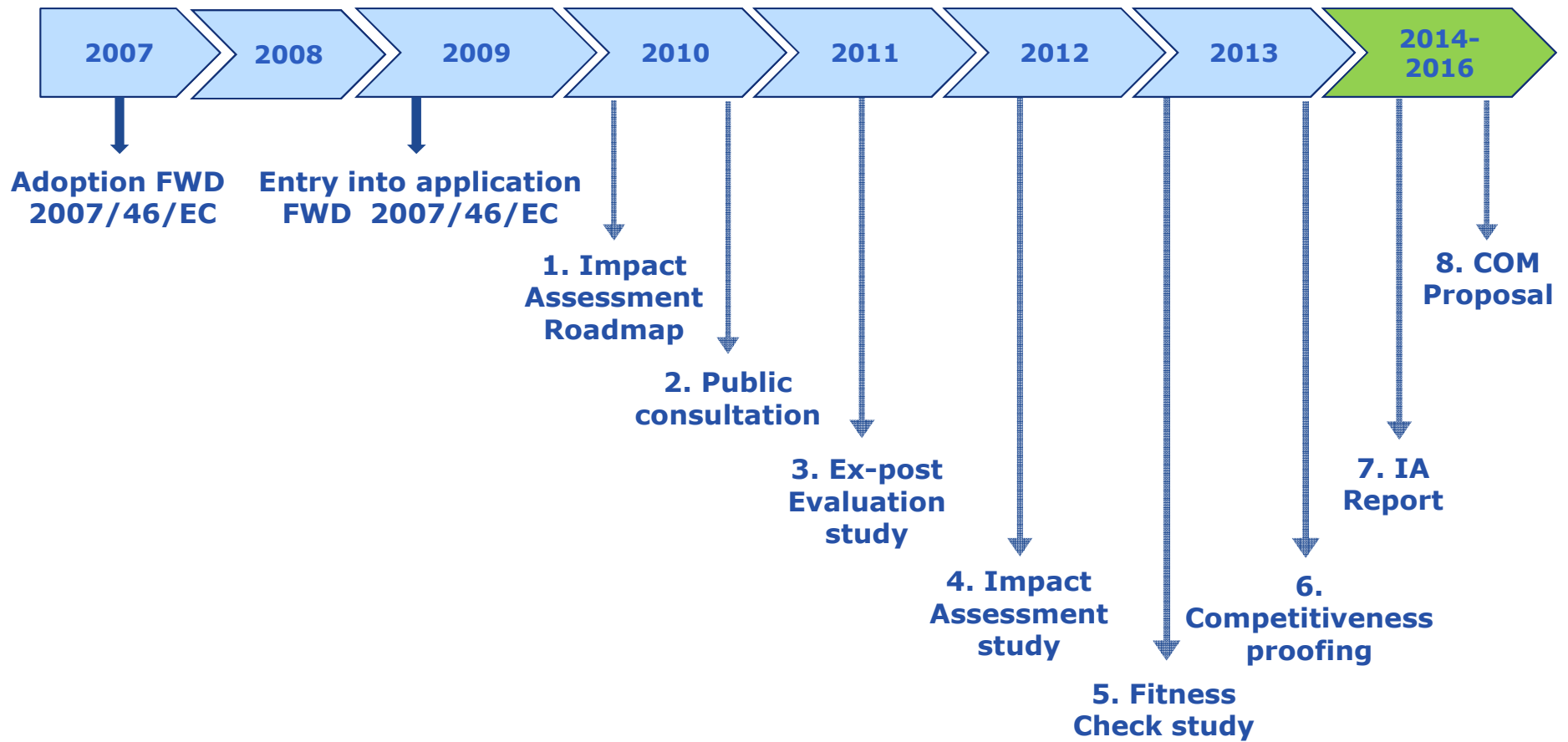
EU type-approval substantive requirements: 70 topics covered, 8 main EU legal instruments, 61 UNECE Regulations mandatory





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Commission

Timeline





Commission Proposal

- Ensure **independence** and **quality** of vehicle **type-approval testing**
- **Reinforce** the Type-Approval System by introducing **EU governance function**
- Introduction of **effective market surveillance** provisions

http://europa.eu/rapid/press-release_IP-16-167_en.htm

http://ec.europa.eu/growth/sectors/automotive/technical-harmonisation/eu/index_en.htm



Objectives

- Complementing type-approval requirements by market surveillance requirements, as introduced for L and T categories
- More harmonisation for some procedures mostly covered by national requirements: components, individual approvals, small series, end of series
- Correct the current weaknesses of our type-approval system



The format

- A regulation instead of a Directive
- Structure based on Directive 2007/46/EC
- Largely carry-over of the existing Annexes to Directive 2007/46/EC
- Carry-over of the requirements on repair and maintenance (RMI) largely from Regulations 715/2005 and 595/2009 (Art 63-70)
- Legal clarifications, 'Lisbonisation'



Proposed structure of the Regulation and its delegated and implementing acts

Regulation	+ delegated acts	+ implement. acts
<p>Articles</p> <p>and its Annexes I - XIX</p> <p>Most Annexes of the Regulation can be amended by delegated acts on the basis of very specific empowerments (contained in Articles 4, 5, 22, 24, 25, 26, 28, 29, 34, 65, 76)</p>	<ul style="list-style-type: none"> • 10 (3): Forum for Exchange of Information • 55(2) : Parts and equipment serious risk • 60(3) : UNECE • 90(2) : administrative fines 	<p>Inter alia:</p> <ul style="list-style-type: none"> • 7(5) : criteria for AAs • 8(10) : compliance verific checks by MSAs • 9(4) data available for third parties • 30(5) : national fee structure • 51(1) : Union safeg proc • 77(2) : Tech Services • 78 (2): lifting of suspension of notif of TS • 81 (4) : restrict or withdraw design of TS • 86(2) : costs for technical services <p>(and: 37(3), 38(3), 52(4), 54(8), 55(5), 56(6), 58(3), 80(3))</p>

Market surveillance (similar to L&T Cat)

- Based on Regulation 765/2008 framework
- Interactions between type-approval authorities and market surveillance authorities (Art 49-52)
- Traceability and clarification of the responsibilities of the economic actors (Art 11-19)
- EU safeguard clause/recalls for dangerous products (Art 49-52)

Improvement of Type-Approval System

- Independence:
 - Stricter requirements for the designation of Technical Services and Type-Approval Authorities
 - Independent financing of Technical Services, Type-Approval and Market Surveillance Activities
- Peer review:
 - Common assessment of Technical Service + possibility to refuse the designation of a Technical Service
 - Possibility to refuse a non-compliant product/approval

Improvement of Type-Approval System

- Limitation of Type-Approval Validity to 5 years before expiry
- Clarity on access to software of vehicles
- More transparency in Type-Approval Data for third party testing
- Broad transparent review and reporting obligations of Member States



Improvement of Type-Approval System

- More EU governance:
 - Possibility for the Commission to carry out market surveillance activities
 - EU enforcement forum to discuss compliance problems
 - EU safeguard clause (avoiding market protectionism)
 - EU wide recalls
 - Sanctions up to € 30,000 per sold car at the EU level



Harmonisation of specific procedures

- Clear requirements for components and STU on the EU aftermarket (Art 48)
- EU Individual Approval expansion (Art 42)
- Possible expansion of EU small series to other vehicle categories (Art 39)
- Simplification of the vehicle end-of-series procedure: valid throughout the EU (Art 47)



Text of the Regulation: Overview (1/2)

Chapt I : Scope and definition (Art 1-4)

Chapt II: Obligations, responsibilities of economic actors (Art 6-19)

Chapt III and IV : TA procedure (Art 20-30)

Chapt V: Amendment to TA and validity (Art 31-33)

Chapt VI: Certificate of conformity (34-36)

Chapt VII: Exemption for new technologies (Art 37-38)

Chapt VIII : Small series (Art 39-41)

Chapt IX : Individual approval (Art 42-45)

Chapt X : making products available on the market including components/end of series (Art 46-48)

Chapt XI: Safeguard clauses (Art 49-59)

Chapt XII: International Regulations (Art 60-62)





Text of the Regulation: Overview (2/2)

Chapt XIII: Information for users/manufacturers (Art 63-64)

Chapt XIV: Repair and maintenance (Art 71-86)

Chapt XV: Designation of Technical Services (Art 71-86)

Chapt XVI: Implementing and delegated act (Art 87-88)

*Chapt XVII: Final provisions (including fines and penalties)
(Art 89-98)*

Annexes I - XIX





A few Key Provisions – Importers

- Importers shall, to protect the health and safety of consumers, **investigate** and **keep a register of complaints** and **recalls** of vehicles, systems, components, separate technical units, parts or equipment that he has placed on the market and keep his distributors informed of such monitoring
Art 14(6)



A few Key Provisions – Manufacturers

- Vehicle manufacturers **shall make public data** which are needed for the purpose of **compliance verification testing by third parties**
Art 9(4)



A few Key Provisions – Member States

- **Any Member State may refuse** vehicles and components when presenting a serious risk to safety, serious harm to the environment, non-conformity or when approved on the basis of incorrect data **following their own market surveillance inspections**
Art 52, 53 and 54



A few Key Provisions – Commission

- May **restrict, suspend** or **withdraw** designation of Technical Service
Art 81
- Shall carry out **checks and inspections**
Art 9(1)
- Can then impose **finest of up to €30,000** per sold unit when not in conformity
Art 90



Further information

Legal text:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1454951519394&uri=CELEX:52016PC0031>

Impact assessment:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016SC0010>

Press release and FAQ:

http://europa.eu/rapid/press-release_IP-16-167_en.htm

http://europa.eu/rapid/press-release_MEMO-16-168_en.htm

Commission DG GROW unit C.4 website:

http://ec.europa.eu/growth/sectors/automotive/technical-harmonisation/eu/index_en.htm

