

Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (Text with EEA relevance)

CHAPTER XVIII

FINAL PROVISIONS

Article 72

Penalties

1 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. Member States shall notify those provisions to the Commission by 23 March 2015 and shall notify the Commission without delay of any subsequent amendment affecting them.

2 The types of infringements which are subject to a penalty shall include:

- a making false declarations during approval procedures or procedures leading to a recall;
- b falsifying test results for type-approval or in-service conformity;
- c withholding data or technical specifications which could lead to recall, refusal or withdrawal of type-approval;
- d use of defeat devices;
- e refusal to provide access to information;
- f economic operators making available on the market vehicles, systems, components or separate technical units subject to approval without such approval or falsifying documents or markings with that intention.

Article 73

Transitional provisions

1 Without prejudice to other provisions of this Regulation, this Regulation shall not invalidate any EU type-approval granted to vehicles or to systems, components or separate technical units before 1 January 2016.

2 Approval authorities shall continue to grant extension of approvals to the vehicles, systems, components or separate technical units referred to in paragraph 1 in accordance with Directive 2003/37/EC and any of the directives listed in Article 76(1). However, such approvals shall not be used for the purposes of obtaining a whole-vehicle type-approval under this Regulation.

3 By way of derogation from this Regulation, new systems, components, separate technical units or vehicles of types which received whole-vehicle type-approval pursuant to Directive 2003/37/EC may continue to be registered, placed on the market or enter into service until 31 December 2017. New vehicles of types which were not subject to type-approval under

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Directive 2003/37/EC may also continue to be registered or enter into service by that date in accordance with the law of the Member State of entry into service or registration.

In such a case, national authorities shall not prohibit, restrict or impede the registration, placing on the market or entry into service of vehicles complying with the approved type.

Article 74

Report

1 By 31 December 2019, Member States shall inform the Commission of the application of the type-approval procedures laid down in this Regulation.

2 On the basis of the information supplied under paragraph 1, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation by 31 December 2020.

Article 75

Review

1 By 31 December 2022, the Commission shall submit a report to the European Parliament and to the Council regarding the subjects referred to in paragraph 3.

2 The report shall be based on a consultation of relevant stakeholders and shall take into account existing related European and international standards.

3 By 31 December 2021 the Member States shall report to the Commission on:

- a 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;
- b the national criteria upon which such approvals were based insofar as these criteria deviated from the requirements obligatory for EU type-approval.

4 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.

Article 76

Repeal

[^{F1} Without prejudice to Article 73(2) of this Regulation, Directives 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, 2000/25/EC, 2003/37/EC, 2008/2/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 are repealed with effect from 1 January 2016.]

2 References to the repealed Directives shall be construed as references to this Regulation and shall be read, as regards Directive 2003/37/EC, in accordance with the correlation table set out in Annex III.

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Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/519 of the European Parliament and of the Council of 19 March 2019 amending Regulation \(EU\) No 167/2013 on the approval and market surveillance of agricultural and forestry vehicles \(Text with EEA relevance\)](#).

Article 77

Amendment to Directive 2006/42/EC

The first indent of point (e) of Article 1(2) of Directive 2006/42/EC is replaced by the following:

- agricultural and forestry tractors, with the exclusion of machinery mounted on those vehicles,.

Article 78

Entry into force and application

1 This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

2 It shall apply from 1 January 2016.

From 22 March 2013, national authorities shall not refuse to grant EU type-approval or national type-approval for a new type of vehicle, or prohibit registration, placing on the market or entry into service of a new vehicle where the vehicle concerned complies with this Regulation and the delegated and implementing acts adopted pursuant to this Regulation, if a manufacturer so requests.

Changes to legislation:

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 40(1A) inserted by [S.I. 2022/1273 reg. 73\(2\)\(b\)](#)
- Art. 40(1A) inserted (temp.) by S.I. 2019/648, reg. 8(3)(b) (with reg. 11) (as inserted) by [S.I. 2020/1393 reg. 2\(8\)\(b\)](#)
- Art. 40(5) inserted by [S.I. 2022/1273 reg. 73\(2\)\(c\)](#)