

Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC

DIRECTIVE 2005/64/EC OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

of 26 October 2005

on the type-approval of motor vehicles with regard to their reusability,
recyclability and recoverability and amending Council Directive 70/156/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee⁽¹⁾,

Acting in accordance with the procedure referred to in Article 251 of the Treaty⁽²⁾,

Whereas:

- (1) In accordance with Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles⁽³⁾, appropriate provisions should be laid down to ensure that type-approved vehicles belonging to category M₁, and those belonging to category N₁, may be put on the market only if they are reusable and/or recyclable to a minimum of 85 % by mass and are reusable and/or recoverable to a minimum of 95 % by mass.
- (2) Reusability of component parts, recyclability and recoverability of materials constitute a substantial part of the Community strategy for waste management. Therefore vehicle manufacturers and their suppliers should be requested to include those aspects at the earliest stages of the development of new vehicles, in order to facilitate the treatment of vehicles at the time when they reach the end of their life.
- (3) This Directive constitutes one of the separate directives within the framework of the Community whole vehicle type-approval system established by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽⁴⁾.
- (4) That whole vehicle type-approval system is currently compulsory for vehicles belonging to category M₁ and will be extended, in the near future, to all categories of vehicle. It is therefore necessary to include in the whole vehicle type-approval system those measures concerning the re-usability, recyclability and recoverability of vehicles.
- (5) Accordingly, it is necessary to lay down provisions to take into account the fact that N₁ vehicles are not yet covered by the whole vehicle type-approval system.

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- (6) The manufacturer should make available to the approval authority all relevant technical information as regards constituent materials and their respective masses in order to permit verification of the manufacturer's calculations in accordance with the standard ISO 22628: 2002.
- (7) The manufacturer's calculations can be properly validated at the time of the vehicle type-approval only if the manufacturer has put in place satisfactory arrangements and procedures to manage all information he receives from his suppliers. Before any type-approval can be granted, the competent body should carry out a preliminary assessment of those arrangements and procedures and should issue a certificate indicating that they are satisfactory.
- (8) The relevance of the different inputs in the calculations of the recyclability and recoverability rates has to be assessed in accordance with the processes for treatment of end-of-life vehicles. The manufacturer should therefore recommend a strategy for the treatment of end-of-life vehicles and should provide details thereof to the competent body. This strategy should be based on proven technologies, which are available or in development at the time of applying for the vehicle approval.
- (9) Special-purpose vehicles are designed to perform a specific function and require special bodywork arrangements which are not entirely under the control of the manufacturer. Consequently, the recyclability and recoverability rates cannot be calculated properly. Those vehicles should therefore be excluded from the requirements concerning calculation.
- (10) Incomplete vehicles constitute a significant proportion of N_1 vehicles. The manufacturer of the base vehicle is not in a position to calculate the recyclability and recoverability rates for completed vehicles because the data concerning the later stages of construction are not available at the design stage of the base vehicles. It is therefore appropriate to require only the base vehicle to comply with this Directive.
- (11) The market shares of vehicles produced in small series are very limited, so that there will be little benefit to the environment if they have to comply with this Directive. It is therefore appropriate to exclude them from certain provisions of this Directive.
- (12) In accordance with Directive 2000/53/EC, appropriate measures should be taken, in the interests of road safety and protection of the environment, to prevent the reuse of certain component parts which have been removed from end-of-life vehicles. Such measures should be restricted to the reuse of parts in the construction of new vehicles.
- (13) The provisions set out in this Directive will impose on manufacturers the supply of new data relating to type-approval and therefore these particulars should be reflected in Directive 70/156/EEC, which establishes the exhaustive list of data to be submitted for type-approval. It is therefore necessary to amend that Directive accordingly.
- (14) The measures necessary for the adaptation to scientific and technical progress of this Directive should be adopted in accordance with the regulatory procedure provided for in Article 13(3) of Directive 70/156/EEC.

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- (15) Since the objective of this Directive, namely to minimise the impact of end-of-life vehicles on the environment by requiring that vehicles be designed from the conception phase with a view to facilitating reuse, recycling and recovery, cannot be sufficiently achieved by the Member States acting alone and can, therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve this objective.
- (16) In accordance with paragraph 34 of the Interinstitutional Agreement on better law-making⁽⁵⁾, Member States will be encouraged to draw up, for themselves and in the interest of the Community, their own tables which will, as far as possible, illustrate the correlation between this Directive and the transposition measures and to make them public,

HAVE ADOPTED THIS DIRECTIVE:

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- (1) [OJ C 74, 23.3.2005, p. 15.](#)
- (2) Opinion of the European Parliament of 14 April 2005 (not yet published in the Official Journal) and Council Decision of 6 October 2005.
- (3) [OJ L 269, 21.10.2000, p. 34.](#) Directive as last amended by Council Decision 2005/673/EC ([OJ L 254, 30.9.2005, p. 69](#)).
- (4) [OJ L 42, 23.2.1970, p. 1.](#) Directive as last amended by Commission Directive 2005/49/EC ([OJ L 194, 26.7.2005, p. 12](#)).
- (5) [OJ C 321, 31.12.2003, p. 1.](#)