

Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (Text with EEA relevance)

## CHAPTER II

### OBLIGATIONS OF MANUFACTURERS

#### *Article 4*

#### **General obligations**

- 1 Manufacturers shall demonstrate that all new vehicles sold, registered or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.
- 2 Manufacturers may choose to apply for type-approval with regard to all the systems, and the installation of all the components and separate technical units covered by this Regulation, or for type-approval with regard to one or more systems and the installation of one or more components and one or more separate technical units covered by this Regulation. Type-approval in accordance with the UNECE Regulations listed in Annex IV shall be considered as EC type-approval in accordance with this Regulation and its implementing measures.
- 3 Manufacturers shall demonstrate that all new systems, components and separate technical units sold or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.

#### *Article 5*

#### **General requirements and tests**

- 1 Manufacturers shall ensure that vehicles are designed, constructed and assembled so as to minimise the risk of injury to vehicle occupants and other road users.
- 2 Manufacturers shall ensure that vehicles, systems, components and separate technical units comply with the relevant requirements set out in this Regulation and its implementing measures, including the requirements relating to:
  - a vehicle structure integrity, including impact tests;
  - b systems to aid the driver's control of the vehicle, including steering, braking and electronic stability control systems;
  - c systems to provide the driver with visibility and information on the state of the vehicle and the surrounding area, including glazing, mirrors and driver information systems;
  - d vehicle lighting systems;
  - e vehicle occupant protection, including interior fittings, head restraints, seat belts, 'ISOfix' anchorages or built-in child restraints and vehicle doors;
  - f the vehicle exterior and accessories;
  - g electromagnetic compatibility;
  - h audible warning devices;

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- i heating systems;
- j devices to prevent unauthorised use;
- k vehicle identification systems;
- l masses and dimensions;
- m electrical safety;
- n gear shift indicators.

3 The requirements referred to in paragraphs 1 and 2 shall apply to vehicles and systems, components and separate technical units intended therefor, as specified in Annex I.

### Article 6

#### Specific requirements relating to certain vehicles of categories N and O

1 In addition to the requirements contained in Articles 5, 8, 9, 10 and 12 and the implementing measures thereof, vehicles of categories N and O shall, where relevant, meet the requirements set out in paragraphs 2 to 5 of this Article and the implementing measures thereof.

2 Vehicles of categories N<sub>2</sub> and N<sub>3</sub> shall be constructed to ensure that, in the event of a front collision with another vehicle, the risk of injury to a vehicle occupant due to underrun is minimised.

3 Vehicles of categories N<sub>2</sub>, N<sub>3</sub>, O<sub>3</sub> and O<sub>4</sub> shall be constructed to ensure that, in the event of the vehicle being hit from the side by an unprotected road user, the risk of injury to that unprotected road user due to underrun is minimised.

4 The vehicle cab or the space provided for the driver and passengers shall be of sufficient strength to offer protection to the occupants in the event of an impact, taking account of UNECE Regulation 29.

5 Vehicles of categories N<sub>2</sub>, N<sub>3</sub>, O<sub>3</sub> and O<sub>4</sub> shall be constructed so as to minimise the effect of spray emissions from the vehicle on the ability of drivers of other vehicles to see.

### Article 7

#### Specific requirements relating to vehicles of categories M<sub>2</sub> and M<sub>3</sub>

1 In addition to the requirements contained in Articles 5, 8, 9, 10 and 12 and the implementing measures thereof, vehicles of categories M<sub>2</sub> and M<sub>3</sub> shall meet the requirements set out in paragraphs 2 to 5 of this Article and the implementing measures thereof.

2 The carrying capacity of a vehicle, including seated and standing passengers and wheelchair users, shall be appropriate to the mass, size and layout of the vehicle.

3 Vehicle bodies shall be designed and constructed so as to enable the vehicle to be operated in a safe and stable manner, even at full capacity. Suitable provisions shall be made to ensure safe access to and exit from the vehicle, particularly in the case of an emergency.

4 Vehicles of Class I shall be accessible for people with reduced mobility, including wheelchair users.

5 Materials used in the construction of the inside of bus and coach bodywork shall, as far as possible, prevent or at least retard fire in order to allow occupants to evacuate the vehicle in the event of fire.

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## Article 8

### Classification of tyres

1 Tyres shall be classified as follows:

- (a) class C1 tyres — tyres designed primarily for vehicles of categories M<sub>1</sub>, N<sub>1</sub>, O<sub>1</sub> and O<sub>2</sub>;
- (b) class C2 tyres — tyres designed primarily for vehicles of categories M<sub>2</sub>, M<sub>3</sub>, N, O<sub>3</sub> and O<sub>4</sub> with a load capacity index in single formation  $\leq 121$  and the speed category symbol  $\geq$  'N';
- (c) class C3 tyres — tyres designed primarily for vehicles of categories M<sub>2</sub>, M<sub>3</sub>, N, O<sub>3</sub> and O<sub>4</sub> with one of the following load capacity indices:
  - (i) a load capacity index in single formation  $\leq 121$  and the speed category symbol  $\leq$  'M';
  - (ii) a load capacity index in single formation  $\geq 122$ .

A tyre may be classified in more than one class provided that it meets all the relevant requirements of each class in which it is classified.

2 The list of load-capacity indices and their corresponding masses contained in UNECE Regulations 30 and 54 shall apply.

## Article 9

### Specific provisions relating to vehicle tyres, installation of tyres and tyre pressure monitoring systems

1 All tyres provided as part of the equipment of a vehicle, including, where appropriate, any spare tyres, shall be suitable for use on the vehicles for which they are intended, particularly with regard to their dimensions, speed and load performance characteristics.

2 Vehicles of category M<sub>1</sub> shall be equipped with an accurate tyre pressure monitoring system capable of giving, when necessary, an in-car warning to the driver when a loss of pressure occurs in any tyre, in the interests of optimum fuel consumption and road safety. Appropriate limits in the technical specifications shall be set to achieve this, which shall furthermore allow for a technology-neutral and cost-effective approach in the development of accurate tyre pressure monitoring systems.

3 All C1 tyres shall meet the wet grip requirements contained in Part A of Annex II.

4 All tyres shall meet the rolling resistance requirements contained in Part B of Annex II.

5 All tyres shall meet the rolling noise requirements contained in Part C of Annex II.

6 Paragraphs 3, 4 and 5 shall not apply to:

- a tyres whose speed rating is less than 80 km/h;
- b tyres whose nominal rim diameter does not exceed 254 mm or is 635 mm or more;
- c T-type temporary-use spare tyres;
- d tyres designed only to be fitted to vehicles registered for the first time before 1 October 1990;
- e tyres fitted with additional devices to improve traction properties.

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7 The requirements regarding rolling resistance and rolling noise set out in Parts B and C of Annex II shall not apply to off-road professional tyres.

#### *Article 10*

### **Advanced vehicle systems**

1 Subject to exemptions established in accordance with Article 14(3)(a), vehicles of categories M<sub>2</sub>, M<sub>3</sub>, N<sub>2</sub> and N<sub>3</sub> shall be equipped with an advanced emergency braking system which shall meet the requirements of this Regulation and its implementing measures.

2 Subject to exemptions established in accordance with Article 14(3)(a), vehicles of categories M<sub>2</sub>, M<sub>3</sub>, N<sub>2</sub> and N<sub>3</sub> shall be equipped with a lane departure warning system which shall meet the requirements of this Regulation and its implementing measures.

#### *Article 11*

### **Gear shift indicators**

Vehicles of category M<sub>1</sub> with a reference mass not exceeding 2 610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 which are fitted with a manual gearbox shall be equipped with gear shift indicators in accordance with the requirements of this Regulation and its implementing measures.

#### *Article 12*

### **Electronic stability control systems**

1 Vehicles of categories M<sub>1</sub> and N<sub>1</sub> shall be equipped with an electronic stability control system meeting the requirements of this Regulation and its implementing measures.

2 With the exception of off-road vehicles as defined in points 4.2 and 4.3 of Section A of Annex II to Directive 2007/46/EC, the following vehicles shall be equipped with an electronic stability control system meeting the requirements of this Regulation and its implementing measures:

- a vehicles of categories M<sub>2</sub> and M<sub>3</sub>, except for those with more than three axles, articulated buses and coaches, and buses of Class I or Class A;
- b vehicles of categories N<sub>2</sub> and N<sub>3</sub> except for those with more than three axles, tractors for semi-trailers with a gross vehicle mass between 3.5 and 7.5 tonnes, and special purpose vehicles as defined in points 5.7 and 5.8 of Section A of Annex II to Directive 2007/46/EC;
- c vehicles of categories O<sub>3</sub> and O<sub>4</sub> equipped with air suspension, except for those with more than three axles, trailers for exceptional load transport and trailers with areas for standing passengers.

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

- Signature words omitted by [S.I. 2022/1273 reg. 55\(11\)](#)
- Art. 12(2)(b) words substituted by [S.I. 2022/1273 reg. 55\(5\)](#)
- Art. 13(2)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(b\)\(ii\)](#)
- Art. 13(2)(b) word substituted by [S.I. 2022/1273 reg. 55\(7\)\(b\)\(iii\)](#)
- Art. 13(5)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(e\)](#)
- Art. 13(6)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(e\)](#)
- Art. 13(9)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(e\)](#)
- Art. 13(10)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(e\)](#)
- Art. 13(15)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(j\)\(i\)](#)
- Art. 13(15)(a) words substituted by [S.I. 2022/1273 reg. 55\(7\)\(j\)\(ii\)](#)
- Art. 14(1)(b) words omitted by [S.I. 2022/1273 reg. 55\(8\)\(b\)](#)
- Art. 14(1)(f) words substituted by [S.I. 2022/1273 reg. 55\(8\)\(c\)](#)
- Art. 14(3)(b) omitted by [S.I. 2022/1273 reg. 55\(8\)\(e\)\(ii\)](#)