

Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (Text with EEA relevance)

REGULATION (EU) 2018/858 OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

of 30 May 2018

on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>(1)</sup>,

Acting in accordance with the ordinary legislative procedure<sup>(2)</sup>,

Whereas:

- (1) In accordance with Article 26(2) of the Treaty on the Functioning of the European Union (TFEU), the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is to be ensured. Internal market rules should be transparent, simple, consistent and effective, thereby providing legal certainty and clarity for the benefit of businesses and consumers.
- (2) To that end, a comprehensive EU framework for the approval of motor vehicles and their trailers, and of the systems, components and separate technical units intended for such vehicles, was established by Directive 2007/46/EC of the European Parliament and of the Council<sup>(3)</sup>.
- (3) In 2013, the Commission carried out an assessment of the Union legal framework for the type-approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles which showed that the framework established by Directive 2007/46/EC is appropriate for achieving the main goals of harmonisation, effective functioning of the internal market and fair competition, and concluded that it should therefore continue to apply.

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- (4) That assessment also concluded, however, that there is a need to introduce market surveillance provisions to complement the type-approval requirements; a need to clarify the recall and safeguard procedures, as well as the conditions for granting extensions to approvals for existing types of vehicle; a need to improve the enforcement of the framework for type-approval by harmonising and enhancing the type-approval procedures and conformity of production procedures applied by Member States' authorities and technical services; a need to clearly delineate the roles and responsibilities of economic operators in the supply chain, and of the authorities and parties involved in the enforcement of the framework, guaranteeing the independence of those authorities and parties, and preventing conflicts of interest; and a need to improve the suitability of alternative approval schemes (national small series and individual vehicle approvals) and the suitability of the multi-stage type-approval process to provide appropriate flexibility for niche markets and small and medium-sized enterprises without, however, distorting the level playing field.
- (5) In addition, recent problems with the implementation of the framework for EU type-approval have revealed particular weaknesses and have demonstrated the need for its fundamental revision in order to ensure that it is robust, transparent, predictable and sustainable and that it provides a high level of safety and of health and environmental protection.
- (6) This Regulation introduces a number of safeguards to prevent requirements imposed in the process of granting approval to vehicles, systems, components or separate technical units from being misapplied. In order to prevent abuse of the approval process in the future, it is important that those safeguards are effective.
- (7) This Regulation lays down harmonised rules and principles for the type-approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, and for individual vehicle approval, with a view to ensuring the proper functioning of the internal market for the benefit of businesses and consumers and in order to offer a high level of safety and of health and environmental protection.
- (8) This Regulation lays down the technical and administrative type-approval requirements for motor vehicles for the carriage of passengers (category M), and motor vehicles for the carriage of goods (category N) and their trailers (category O), and for the systems, components and separate technical units intended for such vehicles with a view to ensuring a high level of safety and of environmental performance.
- (9) National authorities should apply and enforce the requirements of this Regulation in a uniform manner across the Union to ensure a level playing field and to avoid divergent standards being applied across the Union. They should fully cooperate with the Forum for Exchange of Information on Enforcement ('the Forum') and with the Commission in its audit and oversight activities.
- (10) This Regulation should strengthen the current framework for EU type-approval, in particular through the introduction of provisions on market surveillance. Market surveillance in the automotive sector should be introduced by specifying the obligations

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of the economic operators in the supply chain, the responsibilities of the enforcement authorities in the Member States, and the measures to be taken when automotive products are encountered on the market that represent serious safety or environmental risks, that undermine the protection of consumers, or that do not comply with the type-approval requirements.

- (11) In order to ensure an effective implementation of the type-approval requirements, the current provisions on conformity of production should be enhanced by, *inter alia*, providing for mandatory periodic audits of the conformity control methods and of the continued conformity of the automotive products concerned and, by reinforcing the requirements relating to the competence, obligations and performance of the technical services that carry out tests for whole-vehicle type-approval under the responsibility of approval authorities. The proper functioning of technical services is crucial for ensuring a high level of safety and of environmental protection and citizens' confidence in the system. The criteria for designation of technical services provided by Directive 2007/46/EC should be laid down in this Regulation in greater detail in order to ensure that they are applied consistently in all Member States. The assessment methods of the technical services in Member States have a tendency to differ progressively due to the increased complexity of their work. Therefore, it is necessary to provide for procedural obligations that ensure an exchange of information, and monitoring of Member States' practices for, the assessment, designation, notification and monitoring of their technical services. Those procedural obligations should remove any existing discrepancies in the methods used by, and in the interpretation of the criteria for the designation of, technical services. In order to ensure adequate oversight and a level playing-field across the Union, the assessment of an applicant technical service should include an on-site assessment.
- (12) In the case of multi-stage type-approvals, it is essential to verify that changes made before the final stage of completion do not affect the functioning of type-approved systems, components or separate technical units in a way that would invalidate the type-approval previously granted.
- (13) The need for control and monitoring of technical services has increased because technical progress has increased the risk of technical services not possessing the necessary competence to test new technologies or devices that emerge within their scope of designation. As technical progress shortens product cycles and as the intervals of surveillance on-site assessments and of the monitoring vary, the validity of the designation of technical services should be limited in time, which should ensure that the competence of technical services is periodically assessed.
- (14) The designation and monitoring of technical services by the Member States, in accordance with detailed and strict criteria, should therefore be subject to supervisory controls, *inter alia* as a condition for the renewal of their designation. The position of technical services vis-à-vis manufacturers should be strengthened, including their right and duty to carry out unannounced factory inspections and to conduct physical or laboratory tests on automotive products covered by this Regulation, in order to ensure

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continuous compliance by manufacturers after they have obtained a type-approval for their automotive products.

- (15) In order to increase transparency and mutual trust and to further align and develop the criteria for the assessment, designation, and notification of technical services, as well as extension and renewal procedures, Member States should cooperate with each other and with the Commission. Member States should consult each other and the Commission on questions with general relevance for the implementation of this Regulation and inform each other and the Commission. It is important that the Member States and the Commission use a common secure electronic exchange system as a means to facilitate and enhance administrative cooperation after appropriate implementation periods in order to make managing the exchange of information more efficient and effective on the basis of simple and unified procedures. In order to facilitate its accessibility and transparency, information should be available as structured data that is electronically searchable.
- (16) Where designation of a technical service is based on accreditation within the meaning of Regulation (EC) No 765/2008 of the European Parliament and of the Council<sup>(4)</sup>, accreditation bodies and designating approval authorities should exchange information relevant for the assessment of the competence of technical services.
- (17) The Member States should have the possibility to levy fees for the designation and monitoring of technical services in order to ensure the sustainability of the monitoring of those technical services by Member States and to establish a level playing field for technical services.
- (18) When, in spite of the measures taken by the Member States to ensure a coherent and continuing application of the requirements, the competence of a technical service is in doubt, the Commission should have the possibility to investigate individual cases.
- (19) In order to ensure that tests and reports provided by technical services are not influenced by non-legitimate circumstances, it is important that the organisation and operation of technical services ensure full impartiality and independence. To be able to carry out their tasks in a coherent and systematic manner, technical services should have in place a satisfactory management system that includes provisions on professional secrecy. In order to allow technical services to perform their work properly, their personnel should always exhibit the appropriate level of knowledge, competence and independence.
- (20) A robust compliance enforcement mechanism is necessary in order to ensure that the requirements under this Regulation are met. Ensuring compliance with the type-approval and conformity of production requirements of the legislation governing the automotive sector should remain the key responsibility of the approval authorities, as it is an obligation closely linked to the issuing of the type-approval and requires detailed knowledge of its content. It is therefore important that the performance of approval authorities is regularly verified.
- (21) In order to ensure compliance with this Regulation, to ensure its uniform application within the Union and to facilitate an exchange of best practices, the Commission should organise and carry out assessments of the procedures set up by approval authorities



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in accordance with this Regulation. The outcome of such assessments, including any non-binding recommendations, should be discussed within the Forum. The assessments should be carried out periodically, taking into account the principle of proportionality, the number and variety of type-approvals granted and any instances of non-compliance discovered during the compliance verification.

- (22) In order to ensure the effectiveness of the Commission's assessment while minimising the administrative burden, it is important that the approval authorities and the Commission cooperate efficiently during the assessment, in particular during the assessment at the premises of the approval authority concerned. The Commission assessments should be carried out in compliance with applicable law, complying, *inter alia*, with the working periods or language of the national authorities. The costs arising from those assessments should be borne by the Commission, including those related to document translation.
- (23) The compliance verification system is being strengthened by the recognition of a formal process of accreditation of technical services or via the introduction of regular peer-evaluation in respect of the assessment and monitoring of technical services by approval authorities. This aims to ensure that a uniform level of quality and stringency is applied by all approval authorities in enforcing the type-approval requirements.
- (24) Closer coordination between national authorities through information exchange and coordinated assessments under the direction of a coordinating authority is fundamental in order to ensure a consistently high level of safety and of health and environmental protection within the internal market. It would also lead to more efficient use of scarce resources at national level. For this purpose, an advisory Forum should be established for Member States and the Commission with the objective of promoting best practices, exchanging information and coordinating activities related to the enforcement of type-approval legislation. The currently informal cooperation between Member States in that respect would benefit from a more formal framework. The Forum should be composed of representatives appointed by the Member States representing their approval authorities and market surveillance authorities. The representatives attending a given meeting should be selected on the basis of the issues discussed by the Forum. In order to benefit from a range of views and inputs, it is useful for particular outside observers to be invited on a regular basis to the Forum, whenever those observers' activities are relevant to the issues to be discussed.
- (25) In order to avoid potential conflicts of interest, approval authorities and market surveillance authorities should not be linked when carrying out their tasks. Where a Member State chooses to place those authorities within the same organisation, it should at least ensure that that organisation has structures that ensure that the activities of the authorities remain distinct from one another in terms of their direct management and decision-making.
- (26) The rules on Union market surveillance and on the control of products entering the Union market provided for in Regulation (EC) No 765/2008 apply to motor vehicles and their trailers, as well as to systems, components and separate technical units intended for such vehicles. Those rules do not prevent Member States from choosing

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the competent authorities that are to carry out those tasks. Market surveillance is a competence that may be shared between different national authorities, in order to take account of the national market surveillance systems in the Member States established under Regulation (EC) No 765/2008. Effective coordination and monitoring at Union and national levels should guarantee that approval authorities and market surveillance authorities enforce the new framework for type-approval and for market surveillance.

- (27) It is necessary to include rules on market surveillance in this Regulation in order to reinforce the rights and obligations of the national authorities, to ensure effective coordination of their market surveillance activities and to clarify the applicable procedures.
- (28) It is necessary for the market surveillance authorities and the approval authorities to be able to properly perform the tasks provided for by this Regulation. Member States should, in particular, equip them with the resources necessary in order to do so.
- (29) In order to increase transparency in the approval process and to facilitate the exchange of information and the independent verification by market surveillance authorities, approval authorities and the Commission, type-approval documentation should be provided in electronic format and be made publicly available, subject to exemptions concerning the protection of commercial secrets and the protection of personal data.
- (30) The obligations of national authorities concerning market surveillance provided in this Regulation are more specific than those laid down in Regulation (EC) No 765/2008. This is the result of the need to take account of the special characteristics of the framework for type-approval and the need to complement that framework with an effective market surveillance mechanism ensuring the robust verification of compliance of the automotive products covered by this Regulation. In order to ensure the functioning of the framework, it is essential that market surveillance authorities verify compliance of the automotive products irrespective of whether their type-approval was granted before or after the date of application of this Regulation.
- (31) It is essential for the proper functioning of market surveillance that the compliance of vehicles, systems, components and separate technical units on the market is verified on the basis of a robust risk-assessment. That verification of compliance, complemented by the establishment of a minimum number of checks on vehicles per year, would also contribute to the effective Union-wide implementation of the market surveillance obligations.
- (32) In view of the special characteristics of, and the potential risk linked to, emissions, an adequate share of the minimum number of checks should be allocated to emission-related tests. In order to ensure that vehicles comply fully, each single check should include verification that all the requirements for type-approval that apply to the vehicle being tested as regards emissions have been met.
- (33) It should be possible to use any tests carried out on any vehicle in any Member State for the purpose of taking corrective and restrictive measure in another Member State. The results of checks performed on vehicles within one Member State should be considered adequate for the purpose of invoking corrective and restrictive measures in

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another Member State. The physical transportation of the vehicles concerned should not, therefore, be necessary for the purpose of any checks which are carried out on behalf of another Member State.

- (34) It is of particular importance that national authorities and the Commission consider in-service conformity testing and inspections of vehicles to be part of their compliance verification procedures. The selection of the vehicles that are to be subject to that compliance verification should be based on an appropriate risk assessment which takes account of the seriousness of the possible non-compliance; the likelihood of its occurrence; and other possible indicators, such as the introduction of vehicles with new technology installed, any past history or reports of non-compliance, the results of remote sensing testing and the concerns expressed by recognised third parties.
- (35) In addition, in order to verify compliance with the relevant requirements, the Commission should organise and carry out compliance verification tests and inspections that are independent of those carried out by Member States under their national market surveillance obligations. Where such tests and inspections take place on registered vehicles in agreement with the holder of the vehicle registration certificate, it is important to take into account the fact that modified vehicles might be unsuited to such verification of compliance. It is also important to take into account the implications for the holder of the vehicle registration certificate, especially where the holder is a natural person, in the case of which the suitable way of selecting the vehicles is either by way of a public call or through the Member States' authorities. Where those tests and inspections establish non-compliance, or where it is found that a type-approval has been granted on the basis of incorrect data, the Commission should be entitled to initiate Union-wide remedial actions to restore the conformity of the vehicles concerned, and to investigate the reasons why the type-approval was incorrect. Appropriate funding should be ensured in the general budget of the Union to enable the execution of such compliance verification tests and inspections.
- (36) In order to support Member States in the task of detecting defeat devices, the Commission published, on 26 January 2017, Guidance on the evaluation of Auxiliary Emission Strategies and the presence of Defeat Devices with regard to the application of Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6). Consistent with that Guidance, the test activities of the Commission, of the type-approval authorities and of the technical services for the purpose of detecting defeat devices should remain non-predictable in character, and should also include modified testing conditions which entail variations in physical conditions and testing parameters.
- (37) In order to ensure a high level of vehicle functional safety, to ensure the protection of vehicle's occupants and other road users, and to ensure the protection of the environment and health, the technical requirements and environmental standards that apply to vehicles, systems, components and separate technical units should continue to be harmonised and adapted to reflect the technical and scientific progress.
- (38) The objective of this Regulation should not be affected by the fact that certain systems, components, separate technical units, parts and equipment can be fitted to or in a vehicle

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after that vehicle has been placed on the market, has been registered or has entered into service. Appropriate measures should therefore be taken to ensure that the systems, components, separate technical units or parts and equipment that can be fitted to or in vehicles and that can significantly impair the functioning of systems that are essential for environmental protection or functional safety are subject to controls by an approval authority before they are placed on the market, registered or entered into service.

- (39) Those measures should only apply to a limited number of parts or equipment. In the event of serious risk, the Commission should establish the list of such parts or equipment and the corresponding requirements as a matter of priority, after having consulted stakeholders. In establishing the list, the Commission should ensure in particular that replacement parts and equipment that are essential for emission controls and safety meet the performance specifications of the original parts and equipment. It should also consult stakeholders on the basis of a report, and should strive for a fair balance between the requirements of improving road safety and environmental protection, as well as a fair balance between the interests of consumers, manufacturers and distributors while preserving competition in the aftermarket.
- (40) The EU type-approval system has to enable each Member State to confirm that every type of vehicle and every type of system, component and separate technical unit intended for such type of vehicle has undergone the tests and inspections provided for in this Regulation to verify its compliance with the type-approval requirements of this Regulation and that its manufacturer has obtained a type-approval certificate for it. The EU type-approval system obliges manufacturers to produce their vehicles, systems, components and separate technical units in conformity with the approved type. A vehicle manufacturer has to certify this by issuing a certificate of conformity for every vehicle. Every vehicle which has a valid certificate of conformity should be permitted to be made available on the market and registered in the Union.
- (41) In order to simplify the exchange of information related to type-approval between the competent authorities and to make relevant information publically accessible after appropriate implementation periods, the use of searchable online databases should be compulsory. To preserve confidential data, it is important for all data exchange to be performed by means of secure data exchange protocols. Special attention should be paid to eliminating data misuse, including avoidance of creating multiple first time registrations when using certificates of conformity in electronic format.
- (42) Conformity of production is one of the cornerstones of the EU type-approval system, and therefore the arrangements set up by the manufacturer to ensure such conformity should be approved by the competent authority or by an appropriately qualified technical service designated for that purpose, and should be subject to regular verification by means of independent periodic audits. In addition, approval authorities should ensure the verification of the continued conformity of the automotive products concerned.
- (43) The continued validity of the type-approvals requires that the manufacturer inform the authority that has approved its type of vehicle of any changes to the characteristics of the type or to the safety and environmental performance requirements applicable

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to that type so that it can be verified that the type of vehicle continues to comply with all the applicable requirements. Furthermore, the conditions for amending type-approvals should be clarified to ensure the uniform application of the procedures and the enforcement of the type-approval requirements throughout the Union, in particular to ensure the strict application of the rules that distinguish between amended type-approvals and new type-approvals. To ensure that the latest requirements are implemented on all new vehicles at a certain point in time, it is important that regulatory acts listed in Annex II include not only a date for the application of new requirements to new type-approvals, but also a date as of which new requirements become mandatory for the making available on the market, registration or entry into service of vehicles, systems, components or separate technical units.

- (44) The assessment of reported serious risk to safety and of harm to public health and the environment should be conducted at national level, but coordination at Union level should be ensured where a reported risk or harm may extend beyond the territory of one Member State, with the objective of sharing resources and ensuring consistency regarding the corrective actions to be taken to mitigate the identified risk or harm.
- (45) In order to ensure that all vehicles, systems, components and separate technical units placed on the market offer a high level of safety and of environmental protection, the manufacturer or any other economic operator in the supply chain should take appropriate corrective measures, including recalling vehicles, where a vehicle, system, component or separate technical unit presents a serious risk to users or the environment as provided for in Regulation (EC) No 765/2008. Approval authorities should be empowered to assess and verify whether those corrective measures are adequate. The approval authorities of other Member States' should have the right to take corrective and restrictive measures where they consider that the manufacturer's corrective measures are not adequate.
- (46) Where corrective measures are applied, holders of registrations for affected vehicles should not bear the cost of the repairs to their vehicles, including in cases where repairs have been carried out at the registration holder's expense before the adoption of the corrective measure. This should not prevent consumers relying on remedies based on contract law, as applicable under Union or national law.
- (47) Appropriate flexibility should be provided by means of alternative approval schemes for manufacturers of vehicles produced in small series. They should be able to benefit from the advantages of the internal market, provided that their vehicles comply with the specific EU type-approval requirements for vehicles produced in small series. In certain limited cases, it is appropriate to allow for national small series type-approval. In order to prevent misuse, any simplified procedure for vehicles produced in small series should be restricted to cases involving very limited production in accordance with this Regulation. It is therefore necessary to precisely define the concept of vehicles produced in small series in terms of the number of vehicles produced, the requirements to be complied with and the conditions for placing those vehicles on the market. It is equally important to specify an alternative approval scheme for individual vehicles, in

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particular to provide sufficient flexibility for the approval of vehicles built in multiple stages.

- (48) The Union is a Contracting Party to the Agreement of the United Nations Economic Commission for Europe of 20 March 1958 concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')<sup>(5)</sup>. The Union has accepted a significant number of Regulations annexed to the Revised 1958 Agreement, and therefore has the obligation to accept type-approvals granted in accordance with those Regulations as complying with the equivalent Union requirements. For the purpose of simplifying its framework for type-approval and aligning it with the international framework of the United Nations (UN), in Regulation (EC) No 661/2009 of the European Parliament and of the Council<sup>(6)</sup>, the Union repealed its specific type-approval Directives and replaced them with the obligatory application of the relevant UN Regulations. To reduce the administrative burden of the type-approval process, where appropriate, manufacturers of vehicles, systems, components and separate technical units should be allowed to seek type-approval directly in accordance with this Regulation by obtaining approval under the relevant UN Regulations referred to in the Annexes to this Regulation.
- (49) Consequently, the UN Regulations and the amendments thereto which the Union has voted in favour of or that the Union applies in accordance with Decision 97/836/EC should be incorporated within the EU type-approval legislation. Accordingly, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend the Annexes to this Regulation to ensure that the references to the UN Regulations and their respective amendments in the list of the relevant regulatory acts are kept up-to-date.
- (50) Unrestricted access to vehicle repair and maintenance information, via a standardised format that can be used to retrieve the technical information, and effective competition in the market for services providing such information, are necessary to improve the functioning of the internal market, in particular as regards the free movement of goods, the freedom of establishment and the freedom to provide services. The requirements for the provision of repair and maintenance information have so far been laid down in Regulations (EC) No 715/2007<sup>(7)</sup> and (EC) No 595/2009<sup>(8)</sup> of the European Parliament and of the Council. Those requirements should be consolidated in this Regulation and Regulations (EC) No 715/2007 and (EC) No 595/2009 should be amended accordingly.
- (51) Technical progress introducing new methods or techniques for vehicle diagnostics and repair, such as remote access to vehicle information and software, should not weaken the objective of this Regulation with respect to access to vehicle repair and maintenance information for independent operators.
- (52) In order to ensure effective competition in the market for vehicle repair and maintenance information services, and in order to clarify that the information concerned also covers information which needs to be provided to independent operators other than repairers, so as to ensure that the independent vehicle repair and maintenance market as a whole

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can compete with authorised dealers, regardless of whether the vehicle manufacturer gives such information to authorised dealers and repairers or uses such information for the repair and maintenance purposes itself, it is necessary to set out the details of the information to be provided for the purposes of access to vehicle repair and maintenance information.

- (53) For the inspection of vehicles, and in particular for their safety- and environment-related components, it is considered to be necessary for testing centres and relevant competent authorities to have access to the technical information of each individual vehicle, as set out in Directive 2014/45/EU of the European Parliament and of the Council<sup>(9)</sup>. In order to facilitate compliance with the requirements laid down in that Directive, the independent operators should have access to the relevant technical information needed for the preparation of vehicles for road worthiness tests.
- (54) Since there is currently no common structured process for the exchange of vehicle component data between vehicle manufacturers and independent operators, it is appropriate to develop principles for such exchanges of data. A future common structured process on the standardised format of the exchanges of data should be formally developed by the European Committee for Standardisation (CEN), although the mandate given to CEN does not predetermine the level of detail that standard will provide. The CEN's work should, in particular, reflect the interests and needs of vehicle manufacturers and independent operators alike and should also investigate solutions such as open data formats described by well-defined meta-data to accommodate existing information technology infrastructures.
- (55) In order to ensure the effectiveness of this Regulation, the power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of type-approval requirements concerning the environmental and safety performance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>(10)</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (56) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>(11)</sup>.
- (57) Member States should lay down rules on penalties for the infringements of this Regulation, and should ensure that those rules are implemented. Those penalties should be effective, proportionate and dissuasive. In particular, they should reflect, the risk to safety, health or the environment that the number of non-compliant vehicles, systems, components or separate technical units made available on the market could pose.

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Member States should report the imposed penalties to the Commission annually, to monitor the coherence of the implementation of those rules.

- (58) When performing compliance verification testing, technical services should be able to choose the parameters of the tests freely and in a non-predictable manner from within the range provided for in the relevant regulatory acts. This should help them verify that the vehicles tested are compliant across the whole range of parameters, including the parameters that correspond to the worst case for the test.
- (59) In order to ensure that the vehicles, systems, components and separate technical units comply with this Regulation in all cases, they should be deemed not to comply with the relevant requirements where test results cannot be empirically verified by the relevant authority even though all testing parameters have been replicated or taken into account. It is necessary to impose penalties on economic operators and technical services who falsify test results or submit false declarations or incorrect data for type-approval.
- (60) In the interests of clarity, rationality and simplification, Directive 2007/46/EC should be repealed and replaced by this Regulation. The adoption of this Regulation ensures that provisions are directly applicable and that they can be updated in a timely and more efficient manner to take better account of technical progress and regulatory developments in the context of the Revised 1958 Agreement.
- (61) In order to support corrective and restrictive measures at Union level, the Commission should have the power to impose harmonised administrative fines upon the economic operators found to have infringed upon this Regulation regardless of where a vehicle, system, component or separate technical unit was originally type-approved. The power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement this Regulation by laying down the procedure for, and methods for calculation and collection of, those administrative fines, on the basis of the principles laid down in this Regulation.
- (62) Whenever the measures provided for in this Regulation entail the processing of personal data, they should be carried out in accordance with Regulations (EU) 2016/679<sup>(12)</sup> and (EC) No 45/2001<sup>(13)</sup> of the European Parliament and of the Council as well as the national implementing measures thereto. It is important that manufacturers implement all measures necessary to comply with the rules on processing and transmission of personal data that are generated while the vehicle is used.
- (63) In order to enable Member States and national authorities as well as economic operators to prepare for the application of the new rules introduced by this Regulation, a date of application falling after the date of the entry into force should be set.
- (64) Since the objective of this Regulation, namely laying down administrative provisions and technical requirements for the type-approval of new vehicles of categories M, N and O, and for the type-approval of systems, components and separate technical units intended for such vehicles, as well as for the market surveillance of such vehicles, systems, components and separate technical units, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of



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subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

HAVE ADOPTED THIS REGULATION:

## CHAPTER I

### SUBJECT MATTER, SCOPE AND DEFINITIONS

#### *Article 1*

##### **Subject matter**

1 This Regulation lays down the administrative provisions and technical requirements for the type-approval and placing on the market of all new vehicles, systems, components and separate technical units, referred to in Article 2(1), and for individual vehicle approvals.

This Regulation also lays down provisions for the placing on the market and the entry into service of parts and equipment that may pose a serious risk to the correct functioning of the essential systems of the vehicles referred to in Article 2(1).

2 This Regulation lays down the requirements for the market surveillance of vehicles, systems, components and separate technical units that are subject to approval. This Regulation also lays down the requirements for the market surveillance of parts and equipment for such vehicles.

#### *Article 2*

##### **Scope**

1 This Regulation applies to motor vehicles of categories M and N and their trailers of category O, that are intended to be used on public roads, including those designed and constructed in one or more stages, and to systems, components and separate technical units, as well as to parts and equipment, designed and constructed for such vehicles and their trailers.

2 This Regulation does not apply to the following vehicles:

- a agricultural or forestry vehicles, as defined in Regulation (EU) No 167/2013 of the European Parliament and of the Council<sup>(14)</sup>;
- b two- or three-wheel vehicles and quadricycles, as defined in Regulation (EU) No 168/2013 of the European Parliament and of the Council<sup>(15)</sup>;
- c track-laying vehicles;
- d vehicles designed and constructed or adapted for use by the armed services only.

3 For the following vehicles, the manufacturer may apply for type-approval or individual vehicle approval under this Regulation, provided that those vehicles fulfil the requirements of this Regulation:

- a vehicles designed and constructed for use principally on construction sites or in quarries, port or airport facilities;
- b vehicles designed and constructed or adapted for use by civil protection, fire services and forces responsible for maintaining public order;

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- c any self-propelled vehicle designed and constructed specifically to perform work and that, because of its construction characteristics, is not suitable for carrying passengers or for transporting goods, and that is not machinery mounted on a motor vehicle chassis.

Such approvals shall be without prejudice to the application of [F1the Supply of Machinery (Safety) Regulations 2008].

4 For the following vehicles, the manufacturer may apply for individual vehicle approval under this Regulation:

- a vehicles intended exclusively for racing on roads;
- b prototypes of vehicles used on the road under the responsibility of a manufacturer to perform a specific test programme provided they have been specifically designed and constructed for that purpose.

#### Textual Amendments

- F1** Words in Art. 2(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(1)**

### Article 3

#### Definitions

For the purposes of this Regulation and the regulatory acts listed in Annex II, except as otherwise provided therein, the following definitions apply:

- (1) ‘type-approval’ means the procedure whereby an approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements;
- (2) ‘EU type-approval’ means the procedure whereby an approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements of [F2Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market authorisation of motor vehicles and their trailers, and of systems, components and separate technical units, as it has effect in EU law];
- (2A) [F3‘GB type-approval’ means the procedure whereby the approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements of this Regulation;]
- (3) ‘national type-approval’ means the procedure [F4in Article 42] whereby [F5the approval] authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements F6...;
- (4) ‘type-approval certificate’ means the document whereby the approval authority officially certifies that a type of vehicle, system, component or separate technical unit is type-approved;
- (5) ‘certificate of conformity’ means the document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable at the time of its production;

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- (5A) [F7“EU certificate of conformity” means the document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable in the European Union at the time of its production;
- (5B) “GB certificate of conformity” means the document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with this Regulation;
- (5C) “UK (NI) certificate of conformity” means that document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable in Northern Ireland at the time of its production, but does not include, for the purposes of this Regulation, a certificate of conformity relating to a UK (NI) national small series type-approval issued under regulation 16(7) of the Road Vehicles (Approval) Regulations 2020;]
- (6) ‘individual vehicle approval’ means the procedure whereby an approval authority certifies that a particular vehicle, whether unique or not, satisfies the relevant administrative provisions and technical requirements for <sup>F8</sup>... individual vehicle approval;
- (7) ‘whole-vehicle type-approval’ means the procedure whereby an approval authority certifies that an incomplete, complete or completed type of vehicle satisfies the relevant administrative provisions and technical requirements;
- (8) ‘multi-stage type-approval’ means the procedure whereby one or more approval authorities certify that depending on its state of completion, an incomplete or completed type of vehicle satisfies the relevant administrative provisions and technical requirements;
- (9) ‘step-by-step type-approval’ means the procedure consisting of the step-by-step collection of the whole set of [F9GB] type-approval certificates or UN type-approval certificates for the systems, components and separate technical units forming part of a vehicle, and which leads, in its final stage, to the whole-vehicle type-approval;
- (10) ‘single-step type-approval’ means the procedure whereby [F10the approval] authority certifies, by means of a single operation, that a type of vehicle, system, component or separate technical unit as a whole satisfies the relevant administrative provisions and technical requirements;
- (11) ‘mixed type-approval’ means a step-by-step type-approval for which one or more system type-approvals have been obtained during the final stage of the whole-vehicle type-approval, without the need to issue the [F11GB] type-approval certificates for those systems;
- (12) ‘system type-approval’ means the procedure whereby [F12the approval] authority certifies that a type of system satisfies the relevant administrative provisions and technical requirements;
- (13) ‘separate technical unit type-approval’ means the procedure whereby [F13the approval] authority certifies that a type of separate technical unit satisfies the relevant administrative provisions and technical requirements in relation to one or more specified types of vehicles;

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- (14) ‘component type-approval’ means the procedure whereby [<sup>F14</sup>the approval] authority certifies that a type of component independently of a vehicle satisfies the relevant administrative provisions and technical requirements;
- (15) ‘vehicle’ means any motor vehicle or its trailer;
- (16) ‘motor vehicle’ means any power-driven vehicle that is designed and constructed to be moved by its own means, that has at least four wheels, is complete, completed or incomplete, and has a maximum design speed exceeding 25 km/h;
- (17) ‘trailer’ means any non-self-propelled vehicle on wheels designed and constructed to be towed by a motor vehicle, that can articulate at least around a horizontal axis perpendicular to the longitudinal median plane and around a vertical axis parallel to the longitudinal median plane of the towing motor vehicle;
- (18) ‘system’ means an assembly of devices combined to perform one or more specific functions in a vehicle and that is subject to the requirements of this Regulation or any of the regulatory acts listed in Annex II;
- (19) ‘component’ means a device that is intended to be part of a vehicle, that can be type-approved independently of a vehicle and that is subject to the requirements of this Regulation or any of the regulatory acts listed in Annex II where the specific regulatory act makes express provision to that effect;
- (20) ‘separate technical unit’ means a device that is intended to be part of a vehicle that can be type-approved separately, but only in relation to one or more specified types of vehicle and that is subject to the requirements of this Regulation or any of the regulatory acts listed in Annex II where the specific regulatory act makes express provisions to that effect;
- (21) ‘parts’ means goods used for the assembly, repair and maintenance of a vehicle, as well as spare parts;
- (22) ‘equipment’ means goods other than parts that can be added to or installed on a vehicle;
- (23) ‘spare parts’ means goods that are to be installed in or on a vehicle to replace original parts of that vehicle, including goods that are necessary for the use of a vehicle, with the exception of fuel;
- (24) ‘base vehicle’ means any vehicle that is used at the initial stage of a multi-stage type-approval;
- (25) ‘incomplete vehicle’ means any vehicle that must undergo at least one further stage of completion in order to meet the relevant technical requirements of this Regulation;
- (26) ‘completed vehicle’ means a vehicle resulting from the multi-stage type-approval that meets the relevant technical requirements of this Regulation;
- (27) ‘complete vehicle’ means a vehicle that does not need to be completed in order to meet the relevant technical requirements of this Regulation;
- (28) ‘end-of-series vehicle’ means a vehicle that is part of a stock and that, due to the entry into force of new technical requirements against which it has not been type-approved, cannot or can no longer be made available on the market, registered or entered into service;

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- (29) ‘alternative-fuel vehicle’ means a vehicle designed to be capable of running on at least one type of fuel that is either gaseous at atmospheric temperature and pressure, or that is substantially derived from non-mineral oil;
- (30) ‘vehicle produced in small series’ means a type of vehicle of which the number of units that are made available on the market, registered or entered into service do not exceed the quantitative annual limits laid down in Annex V;
- (31) ‘special purpose vehicle’ means a vehicle of category M, N or O having specific technical features that enable it to perform a function that requires special arrangements or equipment;
- (32) ‘type of vehicle’ means a particular group of vehicles that shares at least the features specified in Part B of Annex I, including a group of vehicles that contains variants and versions as referred to therein;
- (33) ‘semi-trailer’ means a towed vehicle in which the axle, or axles are positioned behind the centre of gravity of the vehicle (when uniformly loaded), and which is equipped with a connecting device permitting horizontal and vertical forces to be transmitted to the towing vehicle;
- (34) ‘market surveillance’ means the activities carried out and measures taken by the market surveillance authorities to ensure that vehicles, systems, components and separate technical units as well as parts and equipment made available on the market comply with the requirements set out in the [<sup>F15</sup>applicable] legislation and do not endanger health, safety, the environment or any other aspect of public interest protection;
- (35) ‘market surveillance authority’ means the <sup>F16</sup>... authority or authorities responsible for carrying out market surveillance <sup>F17</sup>...;
- (36) ‘approval authority’ means the authority or authorities <sup>F18</sup>... with competence for all aspects of the type-approval of a vehicle, system, component or separate technical unit, or of the individual vehicle approval, for the authorisation process for parts and equipment, for issuing and, if appropriate, for withdrawing or refusing approval certificates, <sup>F19</sup>... for designating the technical services, and for ensuring that the manufacturer meets its obligations regarding the conformity of production;
- (37) <sup>F20</sup> .....
- (38) ‘technical service’ means an organisation or body designated by the approval authority as a testing laboratory to carry out tests, or as a conformity assessment body to carry out the initial assessment and other tests or inspections;
- (39) [<sup>F21</sup>“national accreditation body” means—
- a the UK national accreditation body as defined in point (11) of Article 2 of Regulation (EC) No 765/2008, or
  - b in cases where a technical service is located in a member State, the accreditation body as defined in point (11) of Article 2 of Regulation (EC) No 765/2008 as it has effect in EU law;]
- (40) ‘manufacturer’ means a natural or legal person who is responsible for all aspects of the type-approval of a vehicle, system, component or separate technical unit, or the individual vehicle approval, or the authorisation process for parts and equipment, for ensuring conformity of production and for market surveillance matters regarding that

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vehicle, system, component, separate technical unit, part and equipment produced, irrespective of whether or not that person is directly involved in all stages of the design and construction of that vehicle, system, component or separate technical unit concerned;

- (41) ‘manufacturer's representative’ means any natural or legal person established in [F<sup>22</sup>Great Britain] who is duly appointed by the manufacturer to represent the manufacturer before the approval authority or the market surveillance authority and to act on the manufacturer's behalf in matters covered by this Regulation;
- (42) ‘importer’ means a natural or legal person established in [F<sup>23</sup>Great Britain] who places on the market a vehicle, system, component, separate technical unit, part or equipment that has been manufactured in a third country;
- (43) ‘distributor’ means a dealer or any other natural or legal person in the supply chain, other than the manufacturer or the importer, who makes available on the market a vehicle, system, component, separate technical unit, part or equipment;
- (44) ‘economic operator’ means the manufacturer, the manufacturer's representative, the importer or the distributor;
- (45) ‘independent operator’ means a natural or legal person, other than an authorised dealer or repairer, who is directly or indirectly involved in the repair and maintenance of vehicles, and include repairers, manufacturers or distributors of repair equipment, tools or spare parts, as well as publishers of technical information, automobile clubs, roadside assistance operators, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative-fuel vehicles; it also means authorised repairers, dealers and distributors within the distribution system of a given vehicle manufacturer to the extent that they provide repair and maintenance services for vehicles in respect of which they are not members of the vehicle manufacturer's distribution system;
- (46) ‘authorised repairer’ means a natural or legal person who provides repair and maintenance services for vehicles and who operates within the manufacturer's distribution system;
- (47) ‘independent repairer’ means a natural or legal person who provides repair and maintenance services for vehicles and who does not operate within the manufacturer's distribution system;
- (48) ‘vehicle repair and maintenance information’ means all information, including all subsequent amendments and supplements thereto, that is required for diagnosing, servicing and inspecting a vehicle, preparing it for road worthiness testing, repairing, re-programming or re-initialising of a vehicle, or that is required for the remote diagnostic support of a vehicle or for the fitting on a vehicle of parts and equipment, and that is provided by the manufacturer to his authorised partners, dealers and repairers or is used by the manufacturer for the repair and maintenance purposes;
- (49) ‘vehicle on-board diagnostic (OBD) information’ means the information generated by a system that is on board a vehicle or that is connected to an engine, and that is capable of detecting a malfunction, and, where applicable, is capable of signalling its occurrence by means of an alert system, is capable of identifying the likely area of malfunction by means of information stored in a computer memory, and is capable of communicating that information off-board;

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- (50) ‘placing on the market’ means making available a vehicle, system, component, separate technical unit, part or equipment for the first time in [<sup>F24</sup>Great Britain];
- (51) ‘making available on the market’ means any supply of a vehicle, system, component, separate technical unit, part or equipment for distribution or use on the market in the course of a commercial activity, whether in return for payment or free of charge;
- (52) ‘entry into service’ means the first use, for its intended purpose, in [<sup>F25</sup>Great Britain], of a vehicle, system, component, separate technical unit, part or equipment;
- (53) ‘registration’ means an administrative authorisation for the entry into service in road traffic of an approved vehicle, involving the identification of the vehicle and the issuing to it of a serial number, known as the registration number, whether on a permanent or temporary basis;
- (54) ‘virtual testing method’ means computer simulations, including calculations, to demonstrate that a vehicle, a system, a component or a separate technical unit fulfils the technical requirements of a regulatory act listed in Annex II without requiring the use of a physical vehicle, system, component or separate technical unit;
- (55) ‘alternative requirements’ means administrative provisions and technical requirements that aim to ensure a level of functional safety, environmental protection and occupational safety that to the greatest extent practicable is equivalent to the level provided for by one or more of the regulatory acts listed in Annex II;
- (56) ‘on-site assessment’ means a verification in the premises of a technical service or of one of its subcontractors or subsidiaries;
- (57) ‘surveillance on-site assessment’ means a periodic routine on-site assessment that is neither the on-site assessment undertaken for the initial designation of the technical service or of one of its subcontractors or subsidiaries, nor the on-site assessment undertaken for the renewal of that designation;
- (58) ‘date of manufacture of the vehicle’ means the date on which the manufacture of a vehicle was finalised in accordance with the approval obtained by the manufacturer;
- (59) [<sup>F26</sup>“EU Type Approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, as that Regulation has effect in EU law, as amended from time to time, and as it has effect by virtue of the Northern Ireland Protocol;
- (60) “qualifying Northern Ireland goods” has the meaning given in section 47 of the United Kingdom Internal Market Act 2020;
- (61) “retained direct EU legislation” has the meaning given in section 20 of the European Union (Withdrawal) Act 2018;
- (62) “the Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.]

#### Textual Amendments

- F2** Words in Art. 3(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(a)**

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- F3** Art. 3(2A) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(b)**
- F4** Words in Art. 3(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(c)(i)**
- F5** Words in Art. 3(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(c)(ii)**
- F6** Words in Art. 3(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(c)(iii)**
- F7** Art. 3(5A)-(5C) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(d)**
- F8** Words in Art. 3(6) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(e)**
- F9** Word in Art. 3(9) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(f)**
- F10** Words in Art. 3(10) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(g)**
- F11** Word in Art. 3(11) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(h)**
- F12** Words in Art. 3(12) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(i)**
- F13** Words in Art. 3(13) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(i)**
- F14** Words in Art. 3(14) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(i)**
- F15** Word in Art. 3(34) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(j)**
- F16** Word in Art. 3(35) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(k)(i)**
- F17** Words in Art. 3(35) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(k)(ii)**
- F18** Words in Art. 3(36) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(l)(i)**
- F19** Words in Art. 3(36) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(l)(ii)**



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- F20** Art. 3(37) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(m)**
- F21** Words in Art. 3(39) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(n)**
- F22** Words in Art. 3(41) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(o)**
- F23** Words in Art. 3(42) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(o)**
- F24** Words in Art. 3(50) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(p)**
- F25** Words in Art. 3(52) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(p)**
- F26** Art. 3(59)-(62) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **23(2)(q)**

#### Article 4

#### Vehicle categories

- 1 For the purposes of this Regulation, the following vehicle categories shall apply:
  - a Category M consists of motor vehicles designed and constructed primarily for the carriage of passengers and their luggage, divided into:
    - (i) : motor vehicles with not more than eight seating positions in addition to the driver's seating position and without space for standing passengers, regardless of whether the number of seating positions is restricted to the driver's seating position;  
Category M<sub>1</sub>
    - (ii) : motor vehicles with more than eight seating positions in addition to the driver's seating position and having a maximum mass not exceeding 5 tonnes, regardless of whether those motor vehicles have space for standing passengers; and  
Category M<sub>2</sub>
    - (iii) : motor vehicles with more than eight seating positions in addition to the driver's seating position and having a maximum mass exceeding 5 tonnes, regardless of whether those motor vehicles have space for standing passengers;  
Category M<sub>3</sub>
  - b Category N consists of motor vehicles designed and constructed primarily for the carriage of goods, divided into:
    - (i) : motor vehicles with a maximum mass not exceeding 3,5 tonnes;  
Category N<sub>1</sub>

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- (ii) : motor vehicles with a maximum mass exceeding 3,5 tonnes but not exceeding 12 tonnes; and
    - Category N<sub>2</sub>
    - (iii) : motor vehicles with a maximum mass exceeding 12 tonnes;
    - Category N<sub>3</sub>
  - c Category O consists of trailers, divided into:
    - (i) : trailers with a maximum mass not exceeding 0,75 tonnes;
    - Category O<sub>1</sub>
    - (ii) : trailers with a maximum mass exceeding 0,75 tonnes but not exceeding 3,5 tonnes;
    - Category O<sub>2</sub>
    - (iii) : trailers with a maximum mass exceeding 3,5 tonnes but not exceeding 10 tonnes; and
    - Category O<sub>3</sub>
    - (iv) : trailers with a maximum mass exceeding 10 tonnes.
    - Category O<sub>4</sub>

2 The criteria for the categorisation of vehicles, types of vehicle, variants and versions are set out in Annex I.

[<sup>F27</sup>The Secretary of State may by regulations, amend] Annex I in relation to the types of vehicle and types of bodywork to take account of technical progress.

#### Textual Amendments

**F27** Words in Art. 4(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **23(3)**

## CHAPTER II

### GENERAL OBLIGATIONS

#### Article 5

#### Technical requirements

1 Vehicles, systems, components and separate technical units [<sup>F28</sup>for which approval is sought under this Regulation] shall comply with the requirements of the regulatory acts listed in Annex II.

2 Vehicles, systems, components and separate technical units shall be considered not to comply with this Regulation in the following cases in particular:

- a if they deviate from the particulars in the [<sup>F29</sup>GB] type-approval certificates and their attachments or from the descriptive particulars in the test reports more than is permitted in the relevant regulatory act;

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- b if the performance criteria or limit values for series production laid down in the relevant regulatory act have not been fulfilled under all the conditions set out in the relevant regulatory act;
- c if any information given by the manufacturer in the information document is not reproducible under all the conditions set out in the relevant regulatory act by approval authorities [<sup>F30</sup>or market surveillance authorities].

Only checks, tests, inspections and assessments conducted by or carried out on behalf of the approval authorities [<sup>F31</sup>or market surveillance authorities] shall be taken into account when assessing compliance for the purposes of this paragraph.

3 [<sup>F32</sup>The Secretary of State may by regulations amend] Annex II in order to take into account technological and regulatory developments by introducing and updating references to the regulatory acts that contain the requirements with which vehicles, systems, components and separate technical units have to comply.

#### Textual Amendments

- F28** Words in Art. 5(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(1)(a)**
- F29** Word in Art. 5(2)(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(1)(b)(i)**
- F30** Words in Art. 5(2)(c) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(1)(b)(ii)**
- F31** Words in Art. 5(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(1)(b)(ii)**
- F32** Words in Art. 5(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(1)(c)**

#### <sup>F33</sup>Article 5A

### Recognition of EU type approvals in Great Britain

1 Subject to compliance by manufacturers, distributors, importers and other economic operators with their obligations as set out in Articles 13, 14, 16, 17, 18, 19, 20, 38, 48, 50, 51 and 52, nothing in this Regulation, or in the regulatory acts listed in Annex II, prohibits the placing on the market, registration or entry into service in Great Britain of any vehicle, or any system, component or separate technical unit, to which this Article applies.

2 This Article applies to the following vehicles—

- a a vehicle which was in the United Kingdom before IP completion day, and a trailer which was in the United Kingdom before 1st January 2023, provided that the manufacturer of the vehicle or trailer holds a relevant EU approval in relation to that vehicle or trailer;
- b a vehicle in relation to which the manufacturer holds a valid type-approval certificate issued by the Secretary of State under section 55(1A) or (1D) of the Road Traffic Act 1988;

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- c a vehicle in relation to which the manufacturer holds a relevant NI approval;
  - d a vehicle—
    - i which is a qualifying Northern Ireland good, and
    - ii in relation to which the manufacturer holds a relevant EU approval;
  - e an incomplete vehicle—
    - i to which Article 22(4A) applies, and
    - ii in respect of which the manufacturer holds a relevant EU approval.
- 3 This Article applies to the following systems, components and separate technical units—
- a a system, component or separate technical unit which was manufactured before 1st January 2023 in relation to which the manufacturer holds a relevant EU approval;
  - b a system, component or separate technical unit in relation to which the manufacturer holds a valid type-approval certificate issued by the Secretary of State under section 55(1A) or (1D) of the Road Traffic Act 1988;
  - c a system, component or separate technical unit in relation to which the manufacturer holds a relevant NI approval;
  - d a system, component or separate technical unit—
    - i which is a qualifying Northern Ireland good, and
    - ii in relation to which the manufacturer holds a relevant EU approval;
  - e any system or component fitted to a complete or an incomplete vehicle—
    - i to which Article 22(4A) applies, and
    - ii in relation to which the manufacturer holds a relevant EU approval.
- 4 For the purposes of this Regulation—
- a “a relevant EU approval” means a valid EU type-approval or EU individual vehicle approval issued—
    - i before IP completion day by a member State other than the United Kingdom in accordance with this Regulation as it has effect in EU law, or
    - ii on or after IP completion day in accordance with the EU Type Approval Regulation by a member State,
 and includes any such approval which is revised or extended;
  - b “a relevant NI approval” means a valid EU type-approval, EU individual vehicle approval, national small series type-approval or national individual vehicle approval issued by the Secretary of State on or after IP completion day in accordance with the EU Type Approval Regulation as it has effect by virtue of the Northern Ireland Protocol, and includes any such approval which is revised or extended.
- 5 This Article applies without prejudice to Article 50(6).]

#### Textual Amendments

**F33** Art. 5A inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(2)**

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## Article 6

### Obligations of <sup>F34</sup>the authorities]

<sup>F35</sup>1 .....

<sup>F35</sup>2 .....

<sup>F35</sup>3 .....

<sup>F36</sup>4 Vehicles, systems, components and separate technical units may only be placed on the market, registered or entered into service if they comply with this Regulation, or, where Article 5A applies to the vehicle, system or component, with the EU Type Approval Regulation.]

5 <sup>F37</sup>[The Secretary of State must] not prohibit, restrict or impede the placing on the market, the registration or the entry into service of vehicles, systems, components or separate technical units that comply with this Regulation, except in the cases provided for in Chapter XI.

By way of derogation from the first subparagraph of this paragraph, <sup>F38</sup>[the Secretary of State] may decide not to allow the circulation on the road, the placing on the market, the registration or the entry into service of vehicles that have been type-approved in accordance with this Regulation, but that exceed the <sup>F39</sup>[dimensions laid down in regulations 7 and 8 of the Road Vehicles (Construction and Use) Regulations 1986 and weights and axle loads laid down in regulation 4 of the Road Vehicles (Authorised Weight) Regulations 1998].

6 <sup>F40</sup>[The market surveillance authority must] organise and carry out market surveillance and controls of vehicles, systems, components and separate technical units entering the market, in accordance with this Regulation and Chapter III of Regulation (EC) No 765/2008.

<sup>F41</sup>7 .....

8 <sup>F42</sup>[The Secretary of State must] periodically review and assess the functioning of their type-approval activities. Such reviews and assessments shall be carried out at least every four years <sup>F43</sup>....

<sup>F42</sup>[The Secretary of State must] make accessible to the public a summary of the results of periodic reviews and assessments.

<sup>F44</sup> ...

9 <sup>F45</sup>[The Secretary of State must] periodically review and assess the functioning of their market surveillance activities. Such reviews and assessments shall be carried out at least every four years <sup>F46</sup>....

<sup>F45</sup>[The Secretary of State must] make accessible to the public a summary of the results of periodic reviews and assessments.

<sup>F47</sup> ...

<sup>F48</sup>10 .....

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### Textual Amendments

- F34** Words in Art. 6 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(a)**
- F35** Art. 6(1)–(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(b)**
- F36** Art. 6(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(c)**
- F37** Words in Art. 6(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(d)(i)**
- F38** Words in Art. 6(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(d)(ii)(aa)**
- F39** Words in Art. 6(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(d)(ii)(bb)**
- F40** Words in Art. 6(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(e)**
- F41** Art. 6(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(f)**
- F42** Words in Art. 6(8) substituted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(g)(i)**
- F43** Words in Art. 6(8) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(g)(ii)**
- F44** Words in Art. 6(8) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(g)(iii)**
- F45** Words in Art. 6(9) substituted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(h)(i)**
- F46** Words in Art. 6(9) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(h)(ii)**
- F47** Words in Art. 6(9) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(h)(iii)**
- F48** Art. 6(10) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(3)(i)**

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## Article 7

### Obligations of approval authorities

1 <sup>[F49]</sup>The approval authority] shall only approve vehicles, systems, components or separate technical units that comply with this Regulation <sup>[F50]</sup>or, in the case of a relevant NI approval (within the meaning of Article 5A), the EU Type Approval Regulation].

2 <sup>[F49]</sup>The approval authority] shall carry out their duties independently and impartially. <sup>[F51]</sup>It must] observe confidentiality in order to protect commercial secrets, subject to <sup>F52</sup>... applicable disclosure requirements laid down in <sup>[F53]</sup>the law of the United Kingdom or of any part of the United Kingdom] in order to protect the interests of users <sup>[F54]</sup>in the United Kingdom].

<sup>F55</sup> ...

3 For the purpose of enabling <sup>[F56]</sup>the market surveillance authority] to carry out checks, <sup>[F57]</sup>the approval authority] shall make available to <sup>[F56]</sup>the market surveillance authority] the necessary information related to the type-approval of the vehicles, systems, components and separate technical units that are subject to compliance verification checks. That information shall include at least the information included in the <sup>[F58]</sup>GB type-approval certificate] and its attachments referred to in Article 28(1). <sup>[F49]</sup>The approval authority] shall provide that information to the market surveillance authorities without undue delay.

4 Where <sup>[F59]</sup>the approval authority] has been informed in accordance with Chapter XI that a vehicle, system, component or separate technical unit is suspected of presenting a serious risk or of being in non-compliance, it shall take all necessary measures to review the type-approval granted and, where appropriate, correct or withdraw the type-approval depending on the reasons and the seriousness of the deviations demonstrated.

#### Textual Amendments

- F49** Words in Art. 7 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(a)**
- F50** Words in Art. 7(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(b)**
- F51** Words in Art. 7(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(c)(i)(aa)**
- F52** Words in Art. 7(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(c)(i)(bb)**
- F53** Words in Art. 7(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(c)(i)(cc)**
- F54** Words in Art. 7(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(c)(i)(dd)**
- F55** Words in Art. 7(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(4)(c)(ii)**



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- F56** Words in Art. 7(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(4)(d)(i)**
- F57** Words in Art. 7(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(4)(d)(ii)**
- F58** Words in Art. 7(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(4)(d)(iii)**
- F59** Words in Art. 7(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(4)(e)**

## Article 8

### Obligations of market surveillance authorities

1 <sup>F60</sup>The market surveillance authority] shall carry out regular checks to verify that vehicles, systems, components and separate technical units comply with the relevant requirements. Such checks shall be performed on an adequate scale by means of documentary checks and, where appropriate, laboratory tests and on-road tests conducted on the basis of statistically relevant samples.

When carrying out such checks, <sup>F61</sup>market surveillance authority] shall take account of:

- a established principles of risk assessment;
- b substantiated complaints; and
- c any other relevant information, including <sup>F62</sup>... testing results published by recognised third parties that meet the requirements laid down by <sup>F63</sup>any retained direct EU legislation made under Article 13(10) as it had effect before IP completion day, or any regulations made under Article 13(10) as it is now in force].

2 Without prejudice to paragraph 1, the <sup>F64</sup>market surveillance authority]<sup>F65</sup>... shall carry out at least a minimum number of tests on vehicles per year. That minimum number of tests <sup>F66</sup>... shall be one for every 40 000 new motor vehicles registered <sup>F67</sup>in Great Britain] in the preceding year, but shall not be less than five tests.

Each test shall verify compliance with the applicable regulatory acts listed in Annex II <sup>F68</sup>or, where Article 5A applies to the vehicle, the applicable regulatory acts listed in Annex II of the EU Type Approval Regulation.]

3 <sup>F69</sup>The market surveillance authority] carrying out more than five tests per year shall carry out at least 20 % of the minimum number of tests in the form of emission-related tests comparable to type-approval tests covering all applicable emissions-related requirements to the tested type laid down in the regulatory acts listed in Annex II.

- <sup>F70</sup>4 .....  
<sup>F70</sup>5 .....  
<sup>F70</sup>6 .....  
<sup>F70</sup>7 .....



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8 [F71The market surveillance authority] shall require economic operators to make available [F72to the authority] such documentation, information and other technical specifications, including access to software and algorithms, that the [F73authority considers] necessary for the purpose of carrying out the market surveillance activities.

9 For type-approved vehicles, systems, components and separate technical units, [F74market surveillance authority] shall take due account of certificates of conformity, type-approval marks or type-approval certificates presented by economic operators.

10 [F75The market surveillance authority] shall take appropriate measures to alert users F76... within an adequate timeframe of hazards that they F77... have identified in relation to any vehicle, system, component or separate technical unit so as to prevent or reduce the risk of injury or other damage, including by making such information available on the website of the market surveillance authority.

[F60The market surveillance authority] shall cooperate with economic operators regarding actions that could prevent or reduce the risks caused by vehicles, systems, components or separate technical units that those operators have made available on the market.

11 Where the [F78market surveillance authority] F79... [F80decides] to withdraw a vehicle, system, component or separate technical unit from the market in accordance with Chapter XI, they shall inform the economic operator concerned and the F81... approval authority.

12 [F82The market surveillance authority] shall carry out their duties independently and impartially. They shall observe confidentiality in order to protect commercial secrets, subject F83... to other applicable disclosure requirements laid down in [F84the law of the United Kingdom, or any part of the United Kingdom] in order to protect the interests of users [F85in the United Kingdom].

F8613 .....

F8614 .....

F8615 .....

### Textual Amendments

**F60** Words in Art. 8(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(a)**

**F61** Words in Art. 8(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(b)**

**F62** Words in Art. 8(1)(c) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(c)(i)**

**F63** Words in Art. 8(1)(c) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(c)(ii)**

**F64** Words in Art. 8(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(b)**

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- F65** Words in Art. 8(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(d\)\(i\)\(aa\)](#)
- F66** Words in Art. 8(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(d\)\(i\)\(bb\)](#)
- F67** Words in Art. 8(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(d\)\(i\)\(cc\)](#)
- F68** Words in Art. 8(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(d\)\(ii\)](#)
- F69** Words in Art. 8(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(a\)](#)
- F70** Art. 8(4)-(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(e\)](#)
- F71** Words in Art. 8(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(a\)](#)
- F72** Words in Art. 8(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(f\)\(i\)](#)
- F73** Words in Art. 8(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(f\)\(ii\)](#)
- F74** Words in Art. 8(9) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(b\)](#)
- F75** Words in Art. 8(10) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(a\)](#)
- F76** Words in Art. 8(10) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(g\)\(i\)](#)
- F77** Words in Art. 8(10) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(g\)\(ii\)](#)
- F78** Words in Art. 8(11) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(b\)](#)
- F79** Words in Art. 8(11) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(h\)\(i\)](#)
- F80** Word in Art. 8(11) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(h\)\(ii\)](#)
- F81** Word in Art. 8(11) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [24\(5\)\(h\)\(iii\)](#)

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F82** Words in Art. 8(12) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(a)**
- F83** Words in Art. 8(12) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(i)(i)**
- F84** Words in Art. 8(12) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(i)(ii)**
- F85** Words in Art. 8(12) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(i)(iii)**
- F86** Art. 8(13)-(15) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(5)(j)**

## <sup>F87</sup>Article 9

### Compliance verification by the Commission

#### Textual Amendments

- F87** Arts. 9-11 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(6)**

## <sup>F87</sup>Article 10

### Assessments by the Commission

#### Textual Amendments

- F87** Arts. 9-11 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(6)**

## <sup>F87</sup>Article 11

### Forum for Exchange of Information on Enforcement

*Changes to legislation:* Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

**F87** Arts. 9-11 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(6)**

Article 12

Online data exchange

<sup>F88</sup>1 .....

2 From 5 July 2026, [<sup>F89</sup>the Secretary of State] shall make accessible to the public, by vehicle identification number, the certificate of conformity of each vehicle as structured data in electronic format <sup>F90</sup>... in accordance with Article 37.

From 5 July 2026, [<sup>F89</sup>the Secretary of State] shall make accessible to the public the information contained in the certificate of conformity, excluding vehicle identification numbers, as structured data in electronic format <sup>F90</sup>... in accordance with Article 37.

[<sup>F91</sup>The Secretary of State may by regulations establish the format of, and the criteria for, public access to the information referred to in the first and second subparagraphs of this paragraph.]

<sup>F92</sup>3 .....

4 [<sup>F93</sup>The Secretary of State must] make a list of the [<sup>F94</sup>GB] type-approvals for vehicles, systems, components and separate technical units that they have granted, amended, refused or withdrawn, as well as a list of the technical services which have performed the tests for the respective [<sup>F94</sup>GB] type-approvals, accessible to the public as from [<sup>F95</sup>1 September 2024].

[<sup>F96</sup>The Secretary of State may by regulations establish the format of, and the criteria for, public access to the information referred to in the first subparagraph of this paragraph.]

5 The [<sup>F97</sup>Secretary of State] shall develop a tool to make publicly accessible test results and complaints about the performance of vehicles, systems, components and separate technical units from recognised third parties that meet the requirements laid down by the [<sup>F98</sup>regulations] referred to in Article 13(10).

Textual Amendments

**F88** Art. 12(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(7)(a)**

**F89** Words in Art. 12(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(7)(b)(i)(aa)**

**F90** Words in Art. 12(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(7)(b)(i)(bb)**

**F91** Words in Art. 12(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(7)(b)(ii)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F92** Art. 12(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(c)**
- F93** Words in Art. 12(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(d)(i)(aa)**
- F94** Word in Art. 12(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(d)(i)(bb)**
- F95** Words in Art. 12(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(d)(i)(cc)**
- F96** Words in Art. 12(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(d)(ii)**
- F97** Words in Art. 12(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(e)(i)**
- F98** Word in Art. 12(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(7)(e)(ii)**

### Article 13

#### General obligations of manufacturers

1 Manufacturers shall ensure that the vehicles, systems, components and separate technical units that they have manufactured and that are placed on the market have been manufactured and approved in accordance with the requirements laid down in this Regulation [<sup>F99</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation], and in particular, [<sup>F100</sup>the requirements of Article 5 of the Regulation in question].

2 Manufacturers shall be responsible to the approval authority for all aspects of the approval procedure and for ensuring conformity of production.

In the case of multi-stage type-approval, manufacturers shall also be responsible for the approval and conformity of production of the systems, components or separate technical units that they have added at the stage of vehicle completion. Manufacturers who modify components, systems or separate technical units already approved at earlier stages shall be responsible for the type-approval and conformity of production of the modified components, systems or separate technical units. Manufacturers of the previous stage shall provide information to manufacturers of the subsequent stage regarding any change that may affect component type-approval, system type-approval or separate technical unit type-approval or the whole-vehicle type-approval. Such information shall be provided as soon as the new extension to the whole-vehicle type-approval has been granted and at the latest on the starting date of manufacture of the incomplete vehicle.

3 Manufacturers who modify an incomplete vehicle in such a manner that it qualifies as a different category of vehicle, with the consequence that the requirements already assessed in a previous stage of type-approval have changed, shall also be responsible for compliance with the requirements applicable to the category of vehicles for which the modified vehicle qualifies.

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4 For the purposes of [F<sup>101</sup>GB type-approval] of vehicles, systems, components and separate technical units, a manufacturer established outside [F<sup>102</sup>Great Britain] shall appoint a single representative established within [F<sup>102</sup>Great Britain] to represent the manufacturer before the approval authority. That manufacturer shall also appoint a single representative established within [F<sup>102</sup>Great Britain] for the purposes of market surveillance, who may be the same as the representative appointed for the purposes of [F<sup>101</sup>GB type-approval].

5 Manufacturers shall ensure that their vehicles, systems, components and separate technical units are 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 [F<sup>103</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation] when operating under conditions that can reasonably be expected in normal operation.

6 Manufacturers shall establish procedures to ensure that series production of vehicles, systems, components and separate technical units remains in conformity with the approved type.

7 Manufacturers shall examine any complaints they receive relating to risks, suspected incidents or non-compliance issues with the vehicles, systems, components, separate technical units, parts and equipment that they have placed on the market.

Manufacturers shall keep a record of such complaints, including for each complaint a description of the issue and the details needed to precisely identify the affected type of vehicle, system, component, separate technical unit, part or equipment, and, in the case of substantiated complaints, manufacturers shall keep their distributors and importers informed thereof.

8 In addition to the statutory plate fixed to their vehicles and type-approval marks fixed to their components or separate technical units in accordance with Article 38, manufacturers shall indicate their name, registered trade name or registered trade mark and their contact address in [F<sup>104</sup>Great Britain] on their vehicles, components or separate technical units made available on the market or, where that is not possible, on the packaging or in a document accompanying the component or separate technical unit.

9 Manufacturers shall ensure that, while a vehicle, system, component or separate technical unit is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements laid down in this Regulation [F<sup>105</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, in the EU Type Approval Regulation].

10 <sup>F<sup>106</sup></sup>... Subject to the protection of commercial secrets and the preservation of personal data pursuant to [F<sup>107</sup>the law of the United Kingdom or of any part of the United Kingdom], manufacturers of vehicles shall make available data which is needed for testing by third parties for possible non-compliance, including all parameters and settings that are necessary to accurately replicate the test conditions that were applied at the time of the type-approval testing.

[F<sup>108</sup>For the purposes of the first subparagraph of this paragraph, the Secretary of State may by regulations specify—

- a the data to be made available free of charge, and
- b the requirements to be met by third parties to demonstrate that they have—
  - i a legitimate interest in public safety or environmental protection, and
  - ii recourse to adequate testing facilities.]



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### Textual Amendments

- F99** Words in Art. 13(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(a)(i)**
- F100** Words in Art. 13(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(a)(ii)**
- F101** Words in Art. 13(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(b)(i)**
- F102** Words in Art. 13(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(b)(ii)**
- F103** Words in Art. 13(5) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(c)**
- F104** Words in Art. 13(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(d)**
- F105** Words in Art. 13(9) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(e)**
- F106** Words in Art. 13(10) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(f)(i)(aa)**
- F107** Words in Art. 13(10) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(f)(i)(bb)**
- F108** Words in Art. 13(10) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(8)(f)(ii)**

### Article 14

#### **Obligations of manufacturers concerning their vehicles, systems, components, separate technical units, parts and equipment that are not in conformity or that present a serious risk**

1 Where a vehicle, system, component, separate technical unit, part or equipment that has been placed on the market or that has entered into service is not in conformity with this Regulation [<sup>F109</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation,] or where the type-approval has been granted on the basis of incorrect data, the manufacturer shall immediately take the corrective measures necessary to bring that vehicle, system, component, separate technical unit, part or equipment into conformity, to withdraw it from the market or to recall it, as appropriate.

The manufacturer shall immediately inform the approval authority <sup>F110</sup>... in detail of the non-conformity and of any measures taken.

2 Where the vehicle, system, component, separate technical unit, part or equipment presents a serious risk, the manufacturer shall immediately provide to the approval [<sup>F111</sup>authority]

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and market surveillance [<sup>F111</sup>authority] detailed information on the risk and on any measures taken in relation thereto.

3 Manufacturers shall keep the [<sup>F112</sup>GB] type-approval certificates and their attachments referred to in Article 28(1) for a period of 10 years after the end of validity of the [<sup>F112</sup>GB] type-approval of a vehicle and for a period of five years after the end of validity of the [<sup>F112</sup>GB] type-approval of a system, component or separate technical unit.

Manufacturers of a vehicle shall keep at the disposal of the approval [<sup>F113</sup>authority] for a period of 10 years from the date of manufacture of the vehicle a copy of the certificates of conformity referred to in Article 36 [<sup>F114</sup>and, where Article 5A applies to a vehicle, a copy of any EU certificate of conformity or UK (NI) certificate of conformity].

4 <sup>F115</sup>...

Manufacturers shall, following a reasoned request from [<sup>F116</sup>the approval authority or the market surveillance authority], cooperate with that authority on any action taken in accordance with Article 20 of Regulation (EC) No 765/2008 to eliminate the risks posed by the vehicle, system, component, separate technical unit, part or equipment that they have made available on the market.

#### Textual Amendments

- F109** Words in Art. 14(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(a)(i)**
- F110** Words in Art. 14(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(a)(ii)**
- F111** Word in Art. 14(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(b)**
- F112** Word in Art. 14(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(c)(i)**
- F113** Word in Art. 14(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(c)(ii)(aa)**
- F114** Words in Art. 14(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(c)(ii)(bb)**
- F115** Words in Art. 14(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(d)(i)**
- F116** Words in Art. 14(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(9)(d)(ii)**



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## Article 15

### Obligations of manufacturer's representatives

1 The manufacturer's representative shall perform the tasks specified in the mandate received from the manufacturer. That mandate shall at least, provide for the representative to:

- a have access to the [F117GB] type-approval certificate and its attachments referred to in Article 28(1), and to the certificate of conformity in [F118English]; such documentation shall be made available to the approval [F119authority] and to the market surveillance [F119authority] for a period of 10 years after the end of the validity of the [F117GB] type-approval of a vehicle and for a period of five years after the end of validity of the [F117GB] type-approval of a system, component or separate technical unit;
- b provide [F120the approval authority], following a reasoned request from that authority, with all information, documentation and any other technical specifications, including access to software and algorithms, that are necessary to demonstrate the conformity of production of a vehicle, system, component or separate technical unit;
- c cooperate with the approval [F119authority] or the market surveillance [F119authority], at their request, on any action taken to eliminate the serious risk posed by vehicles, systems, components, separate technical units, parts or equipment covered by that mandate;
- d immediately inform the manufacturer about complaints and reports relating to risks, suspected incidents or non-compliance issues that relate to vehicles, systems, components, separate technical units, parts or equipment covered by that mandate;
- e have the right to terminate the mandate without penalty if the manufacturer acts contrary to its obligations under this Regulation.

2 A manufacturer's representative who terminates the mandate on the grounds referred to in point (e) of paragraph 1 shall immediately inform [F121the approval authority].

The information to be provided shall specify at least:

- a the date of termination of the mandate;
- b the date until which the outgoing manufacturer's representative may be indicated in the information supplied by the manufacturer, including any promotional material;
- c the transfer of documents, including confidentiality aspects and property rights;
- d the obligation of the outgoing manufacturer's representative after the end of the mandate to forward to the manufacturer or incoming manufacturer's representative any complaints or reports about risks and suspected incidents relating to a vehicle, system, component, separate technical unit, part or equipment for which the outgoing manufacturer's representative had been designated as manufacturer's representative.

#### Textual Amendments

**F117** Word in Art. 15(1)(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(10)(a)(ii)(aa)**

**F118** Word in Art. 15(1)(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(10)(a)(ii)(bb)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F119** Word in Art. 15(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(10)(a)(i)**
- F120** Words in Art. 15(1)(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(10)(a)(iii)**
- F121** Words in Art. 15(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(10)(b)**

## Article 16

### Obligations of importers

1 Importers shall only place on the market vehicles, systems, components or separate technical units that comply with this Regulation [<sup>F122</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, with the EU Type Approval Regulation].

2 Before placing on the market a type-approved vehicle, system, component or separate technical unit, importers shall verify that it is covered by a valid [<sup>F123</sup>GB] type-approval certificate [<sup>F124</sup>or a type-approval certificate which is valid under the EU Type Approval Regulation, as appropriate,] and that the system, component or separate technical unit bears the required type-approval mark and complies with Article 13(8) [<sup>F125</sup>of this Regulation or, where applicable, of the EU Type Approval Regulation].

In the case of a vehicle, the importer shall ensure that the vehicle is accompanied by the required certificate of conformity.

3 Where a vehicle, system, component or separate technical unit is not in conformity with the requirements of this Regulation [<sup>F126</sup>or of the EU Type Approval Regulation, where applicable], and in particular where it does not correspond to its type-approval, importers shall not place on the market, allow to enter into service or register the vehicle, system, component or separate technical unit, until it has been brought into conformity.

4 Where a vehicle, system, component, separate technical unit, part or equipment presents a serious risk, importers shall inform the manufacturer and the [<sup>F127</sup>market surveillance authority] thereof. For type-approved vehicles, systems, components and separate technical units, importers shall also inform the approval authority <sup>F128</sup>....

5 Importers shall indicate their name, registered trade name or registered trade mark, and their contact address on the vehicle, component, separate technical unit, part or equipment, or, where this is not possible, on its packaging or in a document accompanying the component, separate technical unit, part or equipment.

6 Importers shall ensure that the vehicle, system, component or separate technical unit is accompanied by instructions and information, as required by Article 59, [<sup>F129</sup>of this Regulation or, where applicable, of the EU Type Approval Regulation] in [<sup>F130</sup>English].

7 To protect the health and safety of consumers, importers shall keep a record of complaints and recalls relating to vehicles, systems, components, separate technical units, parts or equipment that they have placed on the market, and shall keep their distributors informed of such complaints and recalls.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

8 Importers shall immediately inform the relevant manufacturer of any complaints they received regarding risks, suspected incidents or non-compliance issues relating to vehicles, systems, components, separate technical units, parts or equipment that they have placed on the market.

9 Importers shall ensure that, while a vehicle, system, component or separate technical unit is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements laid down in this Regulation [<sup>F131</sup>or, where applicable, in the EU Type Approval Regulation].

#### Textual Amendments

- F122** Words in Art. 16(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(a)**
- F123** Word in Art. 16(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(i)**
- F124** Words in Art. 16(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(ii)**
- F125** Words in Art. 16(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(iii)**
- F126** Words in Art. 16(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(c)**
- F127** Words in Art. 16(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(d)(i)**
- F128** Words in Art. 16(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(d)(ii)**
- F129** Words in Art. 16(6) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(e)(i)**
- F130** Word in Art. 16(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(e)(ii)**
- F131** Words in Art. 16(9) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(f)**

#### Article 17

#### **Obligations of importers concerning their vehicles, systems, components, separate technical units, parts and equipment that are not in conformity or that present a serious risk**

1 Where a vehicle, system, component, separate technical unit, part or equipment that has been placed on the market by importers is not in conformity with this Regulation [<sup>F132</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit,

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the EU Type Approval Regulation], importers shall immediately take the corrective measures necessary to bring that vehicle, system, component, separate technical unit, part or equipment into conformity under the manufacturer's supervision, to withdraw it from the market or to recall it, as appropriate. Importers shall also inform the manufacturer and the approval authority <sup>F133</sup>....

2 Where a vehicle, system, component, separate technical unit, part or equipment that has been placed on the market presents a serious risk, importers shall immediately provide detailed information on the serious risk to the manufacturers and the approval [<sup>F134</sup>authority] and market surveillance [<sup>F134</sup>authority].

Importers shall also inform the approval [<sup>F134</sup>authority] and market surveillance [<sup>F134</sup>authority] of any action taken and give details, in particular of the serious risk and of any measure taken by the manufacturer.

3 Importers shall, for a period of 10 years after the end of the validity of [<sup>F135</sup>GB] type-approval of a vehicle and for a period of five years after the end of the validity of the [<sup>F135</sup>GB] type-approval of a system, component or separate technical unit, keep a copy of the [<sup>F135</sup>GB] type-approval certificate and its attachments referred to in Article 28(1), and shall ensure that they can be made available to the approval [<sup>F134</sup>authority] and market surveillance [<sup>F134</sup>authority] upon request.

<sup>F136</sup>3A Where Article 5A applies to a vehicle, system, component or separate technical unit, the importer must—

- a keep a copy of any EU type-approval certificate which applies to the vehicle, system or component in question, including the attachments referred to in Article 28(1) of the EU Type Approval Regulation, for a period of—
  - i ten years after the end of the validity of the EU type-approval of a vehicle, and
  - ii five years after the end of the validity of the EU type-approval of a system, component or separate technical unit, and
- b ensure that the certificate and attachments referred to in subparagraph (a) can be made available to the approval authority and the market surveillance authority on request.]

4 Importers shall, following a reasoned request from [<sup>F137</sup>the approval authority or the market surveillance authority], provide that authority with all information and documentation necessary to demonstrate the conformity of a vehicle, system, component or separate technical unit [<sup>F138</sup>with this Regulation or, where applicable, the EU Type Approval Regulation], in [<sup>F139</sup>English].

Importers shall, following a reasoned request from [<sup>F137</sup>the approval authority or the market surveillance authority], cooperate with that authority on any action taken in accordance with Article 20 of Regulation (EC) No 765/2008 to eliminate the risks posed by the vehicle, system, component, separate technical unit, part or equipment that they have made available on the market.

#### Textual Amendments

**F132** Words in Art. 17(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(12)(c)(i)**

**F133** Words in Art. 17(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(12)(c)(ii)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F134** Word in Art. 17 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(a)**
- F135** Word in Art. 17 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(b)**
- F136** Art. 17(3A) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(d)**
- F137** Words in Art. 17(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(e)(i)**
- F138** Words in Art. 17(4) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(e)(ii)(aa)**
- F139** Word in Art. 17(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(12)(e)(ii)(bb)**

## Article 18

### Obligations of distributors

1 Distributors shall verify, before making available on the market a vehicle, system, component or separate technical unit, that the vehicle, system, component or separate technical unit bears the required statutory plate or type-approval mark, that it is accompanied by the required documents and by instructions and safety information, as required by Article 59 <sup>F140</sup> of this Regulation, or, where Article 5A applies to a vehicle, system, component or separate technical unit, of the EU Type Approval Regulation], in <sup>F141</sup>English], and that the manufacturer and the importer have complied with the requirements set out in Article 13(8) and Article 16(5) respectively <sup>F142</sup> of this Regulation or, where Article 5A applies, of the EU Type Approval Regulation].

2 Distributors shall immediately inform the relevant manufacturer of any complaints they received relating to risks, suspected incidents or non-compliance issues with vehicles, systems, components, separate technical units, parts or equipment that they have made available on the market.

3 Distributors shall ensure that, while a vehicle, system, component or separate technical unit is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements laid down in this Regulation <sup>F143</sup> or, where Article 5A applies to a vehicle, system, component or separate technical unit, in the EU Type Approval Regulation].

#### Textual Amendments

- F140** Words in Art. 18(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(13)(a)(i)**
- F141** Word in Art. 18(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(13)(a)(ii)**



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F142** Words in Art. 18(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(13)(a)(iii)**

**F143** Words in Art. 18(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(13)(b)**

## Article 19

### Obligations of distributors concerning their vehicles, systems, components, separate technical units, parts and equipment that are not in conformity or that present a serious risk

1 Where a vehicle, system, component, separate technical unit, part or equipment is not in conformity with the requirements of this Regulation [<sup>F144</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation], distributors shall inform the manufacturer, the importer and the approval authority <sup>F145</sup>... in respect thereof, and shall not make available on the market the vehicle, system, component, separate technical unit, part or equipment until it has been brought into conformity.

2 Where a vehicle, system, component, separate technical unit, part or equipment that distributors have made available on the market is not in conformity with this Regulation [<sup>F146</sup>or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation], they shall inform the manufacturer, the importer and the approval authority <sup>F147</sup>....

3 Where a vehicle, system, component, separate technical unit, part or equipment presents a serious risk, distributors shall immediately provide detailed information on that serious risk to the manufacturer, the importer and the approval [<sup>F148</sup>authority] and the market surveillance [<sup>F148</sup>authority]<sup>F149</sup>....

4 Distributors shall, following a reasoned request from [<sup>F150</sup>the approval authority or the market surveillance authority], cooperate with that authority on any action taken in accordance with Article 20 of Regulation (EC) No 765/2008 to eliminate the risks posed by the vehicle, system, component, separate technical unit, part or equipment that they have made available on the market.

#### Textual Amendments

**F144** Words in Art. 19(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(14)(a)(i)**

**F145** Words in Art. 19(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(14)(a)(ii)**

**F146** Words in Art. 19(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(14)(b)(i)**

**F147** Words in Art. 19(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **24(14)(b)(ii)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F148** Word in Art. 19(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(14)(c)(i)**
- F149** Words in Art. 19(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(14)(c)(ii)**
- F150** Words in Art. 19(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(14)(d)**

## Article 20

### Cases in which obligations of manufacturers apply to importers and distributors

An importer or distributor shall be considered a manufacturer for the purposes of this Regulation, and shall be subject to the obligations of the manufacturer under Articles 8, 13 and 14, in the following cases:

- (a) where the importer or distributor makes available on the market, or is responsible for the entry into service of a vehicle, system, component or separate technical unit under its name or trademark, or modifies a vehicle, system, component or separate technical unit in such a way that the vehicle, system, component or separate technical unit may no longer comply with the applicable requirements; or
- (b) where the importer or distributor makes available on the market or is responsible for the entry into service of a system, component or separate technical unit on the basis of a UN type-approval that was granted to a manufacturer outside <sup>F151</sup>Great Britain], and it is not possible to identify a manufacturer's representative in <sup>F152</sup>... <sup>F151</sup>Great Britain]]<sup>F153</sup>;
- (c) where the importer or distributor makes available on the market or is responsible for the entry into service of a vehicle, system, component or separate technical unit to which Article 5A applies on the basis of a relevant EU approval or a relevant NI approval that was granted to a manufacturer outside Great Britain, and it is not possible to identify a manufacturer's representative in Great Britain].

### Textual Amendments

- F151** Words in Art. 20(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(15)(a)(i)**
- F152** Words in Art. 20(b) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(15)(a)(ii)**
- F153** Art. 20(c) and semicolon inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(15)(b)**

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 21

### Identification of economic operators

Upon a request of [<sup>F154</sup>the approval] authority or [<sup>F155</sup>the market] surveillance authority, for a period of 10 years after the placing on the market of a vehicle and for a period of five years after the placing on the market of a system, component, separate technical unit, part or equipment, economic operators shall provide information on the following:

- (a) the identity of any economic operator that has supplied them with a vehicle, system, component, separate technical unit, part or equipment;
- (b) the identity of any economic operator to which they have supplied a vehicle, system, component, separate technical unit, part or equipment.

#### Textual Amendments

**F154** Words in Art. 21 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(16)(a)**

**F155** Words in Art. 21 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(16)(b)**

## CHAPTER III

### PROCEDURES FOR [<sup>F156</sup>GB] TYPE-APPROVAL

## Article 22

### Procedures for [<sup>F157</sup>GB] type-approval

1 Where applying for a whole-vehicle type-approval, the manufacturer may choose one of the following procedures:

- a step-by-step type-approval;
- b single-step type-approval;
- c mixed type-approval.

In addition, the manufacturer may choose a multi-stage type-approval for an incomplete or completed vehicle.

2 Without prejudice to the requirements of the regulatory acts listed in Annex II, for system type-approval, component type-approval and separate technical unit type-approval only the single-step type-approval is applicable.

3 Multi-stage type-approval shall be granted in respect of an incomplete or completed type of vehicle that, having regard to the state of completion of the vehicle, conforms to the particulars in the information folder referred to in Article 24 and that meets the technical requirements laid down in the relevant regulatory acts listed in Annex II.



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Multi-stage type-approval shall also apply to complete vehicles that have been converted or modified by another manufacturer after their completion.

4 The [F158GB] type-approval for the final stage of completion shall only be granted after the approval authority has verified, in accordance with the procedures laid down in Annex IX, that the type of vehicle approved at the final stage meets all applicable technical requirements at the time of the approval. Verification shall include a documentary check of all requirements covered by an [F158GB] type-approval for an incomplete type of vehicle granted in the course of a multi-stage procedure, including where the [F158GB] type-approval was granted for a different category of vehicle.

[F1594A Until 31 July 2026 for M and N category vehicles, and 31 July 2027 for O category vehicles, where the approval authority is considering whether to grant multi-stage type-approval in respect of a completed vehicle, it may, for the purposes of paragraphs 3 and 4 of this Article, paragraphs 2 and 6 of Article 26, and paragraphs 2.1, 3.2 and 4.1 of Annex IX, consider any EU type-approvals which are valid under the EU Type Approval Regulation and have been issued in respect of the incomplete or complete vehicle or its systems and components, as valid GB type-approvals granted under this Regulation pursuant to the technical requirements in the regulatory acts listed in Annex II.

4B Paragraph 4A does not apply where the approval authority is considering whether to grant multi-stage type-approval to a single manufacturer, or two or more manufacturers who are part of a group of connected manufacturers, as defined in Article 3(2) of Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles.]

5 The choice of the procedure for [F160GB] type-approval referred to in paragraph 1 shall not affect the applicable requirements with which the approved type of vehicle has to comply at the time of granting of the whole-vehicle type-approval.

6 Multi-stage type-approval may also be used by a single manufacturer, provided it is not used to circumvent the requirements applicable to vehicles built in a single stage. Vehicles built by a single manufacturer are not considered to have been built in multiple stages for the purposes of Articles 41, 42 and 49.

#### Textual Amendments

**F157** Word in Art. 22 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(2)(a)**

**F158** Word in Art. 22(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(2)(a)**

**F159** Art. 22(4A)(4B) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(2)(b)**

**F160** Word in Art. 22(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(2)(a)**

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## Article 23

### Application for [<sup>F161</sup>GB] type-approval

1 The manufacturer shall submit to the approval authority an application for [<sup>F162</sup>GB] type-approval and the information folder referred to in Article 24.

2 Only one application shall be submitted in respect of a particular type of vehicle, system, component or separate technical unit. <sup>F163</sup>...

<sup>F164</sup>  
...

The approval authority shall reject an application for a type-approval of a different type designation or of a modification with respect to a previous application where the changes are not sufficient to constitute a new type of vehicle, system, component or separate technical unit.

<sup>F165</sup>3 .....

4 A separate application shall be submitted for each type of vehicle, system, component or separate technical unit to be approved.

#### Textual Amendments

**F161** Word in Art. 23 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(3)(a)(b)**

**F162** Word in Art. 23(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(3)(a)(b)**

**F163** Words in Art. 23(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(3)(c)(i)**

**F164** Words in Art. 23(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(3)(c)(ii)**

**F165** Art. 23(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(3)(d)**

## Article 24

### Information folder

1 The information folder shall include the following:

- a an information document, in accordance with the template laid down in the [<sup>F166</sup>retained direct EU legislation made under paragraph 4 as it had effect before IP completion day, or regulations made under paragraph 4 as it is now in force, except where paragraph 1A applies], for single-step type-approval or mixed whole-vehicle type-approval or for step-by-step whole-vehicle type-approval or, in the case of the type-approval of a

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system, component or separate technical unit, in accordance with the relevant regulatory act listed in Annex II;

- b all data, drawings, photographs and other relevant information;
- c for vehicles, an indication of the procedure or procedures chosen in accordance with Article 22(1);
- d any additional information requested by the approval authority in the context of the [F167GB] type-approval procedure.

[F168]1A The information document submitted as part of an information folder accompanying an application for GB type-approval in relation to a vehicle, system, component or separate technical unit, which has previously been used to apply for an EU type-approval in accordance with the EU Type Approval Regulation, may be in the same format as the information document used to apply for that EU type-approval, if the application is made—

- a before 1st August 2026, in the case of a vehicle in category M or N, or
- b before 1st August 2027, in the case of a vehicle in category O, a component or a separate technical unit.]

2 The information document referred to in point (a) of paragraph 1 for whole-vehicle type-approval shall contain a complete set of information on the characteristics of the type of vehicle that is necessary for the approval authority to identify the type of vehicle and to properly conduct the type-approval procedure.

3 The manufacturer shall submit the information folder to the approval authority in an electronic format that is acceptable to that authority. The approval authority may also accept the information folders that are submitted in paper format.

[F169]4 The Secretary of State may, by regulations prescribe—

- a the template for the information document and any other part of the information folder, and
- b a harmonised electronic format for the purposes of paragraph 3 of this Article.]

#### Textual Amendments

**F166** Words in Art. 24(1)(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(4)(a)(i)**

**F167** Word in Art. 24(1)(d) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(4)(a)(ii)**

**F168** Art. 24(1A) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(4)(b)**

**F169** Art. 24(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(4)(c)**

#### Article 25

#### Additional information to be provided with an application for [F170GB] type-approval

1 An application for a step-by-step type-approval shall be accompanied, in addition to the information folder referred to in Article 24, by the complete set of [F171GB type-approval]

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certificates or UN type-approval certificates, and their attachments, that are required pursuant to the regulatory acts listed in Annex II.

In the case of a system type-approval, a component type-approval or a separate technical unit type-approval, pursuant to the regulatory acts listed in Annex II, the approval authority shall have access to the information folder and, if applicable, the [F171GB type-approval] certificates and their attachments until the whole-vehicle type-approval is either granted or refused.

2 An application for a mixed type-approval shall be accompanied, in addition to the information folder referred to in Article 24, by the [F172GB type-approval] certificates or UN type-approval certificates, and their attachments, that are required pursuant to the regulatory acts listed in Annex II.

For systems for which no [F172GB type-approval] certificate or UN type-approval certificate has been presented, the application shall be accompanied, in addition to the information folder referred to in Article 24, by the information required for the approval of those systems during the vehicle approval phase, and by a test report instead of the [F172GB type-approval] certificate or UN type-approval certificate.

3 An application for a multi-stage type-approval shall be accompanied by the following information:

- a in the first stage, by those parts of the information folder and the [F173GB type-approval] certificates, UN type-approval certificates or, if applicable, the test reports, that are relevant to the state of completion of the base vehicle;
- b in the second and subsequent stages, by those parts of the information folder and the [F173GB type-approval] certificates or UN type-approval certificates that are relevant to the current stage of completion, together with a copy of the [F174GB whole-vehicle] type-approval certificate that was issued at the preceding stage of construction, as well as full details of any changes or additions that the manufacturer has made to the vehicle.

The information specified in this paragraph shall be supplied in accordance with Article 24(3).

4 The approval authority and technical services shall have the access to the software and algorithms of the vehicle that they consider to be necessary for the purpose of carrying out their activities.

The approval authority and technical services may also require the manufacturer to supply documentation or any additional information needed to allow the approval authority or technical services to develop an appropriate level of understanding of the systems, including the system development process and the system concept, as well as the functions of software and algorithms that are necessary to verify compliance with the requirements of this Regulation, to take a decision on which tests are required or to facilitate the execution of those tests.

#### Textual Amendments

**F170** Word in Art. 25 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(5)(a)**

**F171** Words in Art. 25(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(5)(b)**

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- F172** Words in Art. 25(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(5)(b)**
- F173** Words in Art. 25(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(5)(b)**
- F174** Words in Art. 25(3)(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(5)(d)**

#### Textual Amendments

- F156** Word in Ch. 3 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **25(1)**

## CHAPTER IV

### CONDUCT OF PROCEDURES FOR <sup>F175</sup>GB] TYPE-APPROVAL

#### Article 26

#### General provisions on conduct of procedures for <sup>F176</sup>GB] type-approval

- 1 For each type of vehicle, system, component or separate technical unit, only one <sup>F177</sup>GB] type-approval may be granted.
- 2 <sup>F178</sup>The approval] authority, having received an application in accordance with Article 23, shall only grant <sup>F179</sup>a GB] type-approval after having verified all of the following:
  - a the conformity of production arrangements referred to in Article 31;
  - <sup>F180</sup>b .....
    - c the compliance of the type of vehicle, system, component or separate technical unit with the applicable requirements;
    - d in the case of whole-vehicle type-approvals in accordance with the step-by-step, mixed or multi-stage type-approval procedures, the approval authority shall verify, in accordance with Article 22(4), that the systems, components and separate technical units are covered by separate and valid type-approvals that have been granted pursuant to the requirements applicable at the time of the granting of the whole-vehicle type-approval.
- 3 The procedures with respect to <sup>F181</sup>GB] type-approval, that are set out in Annex III, and the procedures with respect to multi-stage type-approval, set out in Annex IX, shall apply.
 

<sup>F182</sup>The Secretary of State may by regulations amend Annexes III and IX to update the procedures in those Annexes in relation to GB type-approval and multi-stage approval to take into account regulatory and technological developments.]
- 4 The approval authority shall put together an information package consisting of the information folder referred to in Article 24, accompanied by the test reports and all other documents that were added to the information folder by the technical service or by the approval authority while carrying out their tasks.

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The information package may be kept electronically. It shall contain an index that clearly indicates all of the pages and the format of each document, and that chronologically records any changes to the [F181GB] type-approval.

The approval authority shall keep the information package available for a period of 10 years after the end of the validity of the [F181GB] type-approval concerned.

5 The approval authority shall refuse to grant [F183a GB] type-approval where it finds that a type of vehicle, system, component or separate technical unit that complies with the applicable requirements nonetheless presents a serious risk to safety or may seriously harm the environment or public health. F184 ...

6 In accordance with Article 22(4), in the case of step-by-step, mixed and multi-stage type-approval procedures, the approval authority shall refuse to grant [F185a GB] type-approval where it finds that systems, components or separate technical units do not comply with the requirements set out in this Regulation.

F186 ...

#### Textual Amendments

- F176** Word in Art. 26 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(a)**
- F177** Word in Art. 26(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(a)**
- F178** Words in Art. 26(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(b)(i)(aa)**
- F179** Words in Art. 26(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(b)(i)(bb)**
- F180** Art. 26(2)(b) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(b)(ii)**
- F181** Word in Art. 26(3)(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(a)**
- F182** Words in Art. 26(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(c)**
- F183** Words in Art. 26(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(d)(i)**
- F184** Words in Art. 26(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(d)(ii)**
- F185** Words in Art. 26(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(e)(i)**



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**F186** Words in Art. 26(6) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(2)(e)(ii)**

## <sup>F187</sup>Article 27

### Notification of EU type-approval granted, amended, refused and withdrawn

#### Textual Amendments

**F187** Art. 27 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(3)**

## Article 28

### [<sup>F188</sup>GB] type-approval certificate

- 1 The [<sup>F189</sup>GB] type-approval certificate shall contain the following attachments:
  - a the information package referred to in Article 26(4);
  - b the test reports referred to in Article 30 in the case of a system, component or separate technical unit type-approval, or the test results sheet in the case of whole-vehicle type-approval;
  - c in the case of the whole-vehicle type-approval, the name and the specimen of the signature of the person or persons authorised to sign the certificates of conformity and a statement of their position in the company;
  - d in the case of the whole-vehicle type-approval, a filled-out specimen of the certificate of conformity of the vehicle type.
- 2 The [<sup>F189</sup>GB] type-approval certificate shall be given a unique number in accordance with a <sup>F190</sup>... numbering system, which shall at least allow for <sup>F191</sup>... the identification of the requirements to which the type of vehicle, system, component or separate technical unit conforms.
- [<sup>F192</sup>3 The Secretary of State may by regulations lay down templates and provide for electronic formats for—
  - a the GB type-approval certificate;
  - b the numbering system; and
  - c the test result sheet.]
- 4 In respect of each type of vehicle, system, component and separate technical unit, the approval authority shall:
  - a complete all the relevant sections of the [<sup>F193</sup>GB] type-approval certificate, including its attachments;
  - b compile the index to the information package as referred to in Article 26(4);
  - c issue the completed [<sup>F193</sup>GB] type-approval certificate and its attachments to the manufacturer without delay.

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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5 In the case of [<sup>F194</sup>a GB] type-approval, the validity of which has been restricted in accordance with Article 39, Article 43 or Part III of Annex II, or in relation to which certain provisions of this Regulation or of the regulatory acts listed in Annex II do not apply, the [<sup>F195</sup>GB] type-approval certificate shall specify those restrictions or the relevant provisions that do not apply.

6 Where a manufacturer of a vehicle chooses the mixed type-approval procedure, the approval authority shall complete the information package as referred to in Article 26(4) with the references to the test reports referred to in Article 30 for the systems, components or separate technical units for which no EU type-approval certificate has been issued. The approval authority shall also clearly identify in the information package the technical requirements of the regulatory acts listed in Annex II against which the vehicle was tested.

7 Where a manufacturer of a vehicle chooses the single-step type-approval procedure, the approval authority shall attach to the [<sup>F196</sup>GB] type-approval certificate a list of relevant regulatory acts [<sup>F197</sup>or regulations] in accordance with the template provided in [<sup>F198</sup>Commission Implementing Regulation (EU) 2020/683, or regulations made under paragraph 3 as it is now in force].

#### Textual Amendments

**F188** Word in Art. 28 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(a)**

**F189** Word in Art. 28(1)(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(a)**

**F190** Word in Art. 28(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(b)(i)**

**F191** Words in Art. 28(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(b)(ii)**

**F192** Art. 28(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(c)**

**F193** Word in Art. 28(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(a)**

**F194** Words in Art. 28(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(d)(i)**

**F195** Word in Art. 28(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(d)(ii)**

**F196** Word in Art. 28(7) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(a)**

**F197** Words in Art. 28(7) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(e)(i)**



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**F198** Words in Art. 28(7) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(4)(e)(ii)**

## Article 29

### Specific provisions concerning [F199GB] type-approvals for systems, components and separate technical units

1 [F200A GB] type-approval shall be granted in respect of a system, component or separate technical unit that conforms to the particulars in the information folder referred to in Article 24 and that meets the technical requirements laid down in the relevant regulatory acts listed in Annex II.

2 Where components or separate technical units, whether or not intended for repair, servicing or maintenance, are also covered by a system type-approval with respect to a vehicle, no additional component or separate technical unit type-approval shall be required unless such type-approval is provided for under the relevant regulatory acts listed in Annex II.

3 Where a component or separate technical unit fulfils its function or offers a specific feature only in conjunction with other parts of the vehicle, thereby making it possible to verify compliance only where the component or separate technical unit operates in conjunction with those other vehicle parts, the scope of the [F201GB] type-approval of the component or the separate technical unit shall be restricted accordingly.

In such cases, the [F201GB] type-approval certificate shall specify any restrictions on the use of the component or the separate technical unit, and shall indicate the special conditions for fitting that component or separate technical unit in a vehicle.

Where that component or separate technical unit is fitted in a vehicle, the approval authority shall verify, at the time of the approval of the vehicle, that the component or separate technical unit complies with all applicable restrictions on the use or conditions for fitting.

#### Textual Amendments

**F199** Word in Art. 29 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(5)(a)**

**F200** Words in Art. 29(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(5)(b)**

**F201** Word in Art. 29(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(5)(a)**

## Article 30

### Tests required for [F202GB] type-approval

1 For the purpose of granting [F202GB] type-approvals, the approval authority shall verify compliance with the technical requirements of this Regulation by means of appropriate

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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tests that are performed by its technical services [<sup>F203</sup>or, where paragraph 2A applies, by the technical services of an approval authority of a member State (“an EU approval authority”)].

2 The fundamental elements of the tests, including the technical requirements for which compliance was verified by the tests, shall be recorded in a test report.

[<sup>F204</sup>2A The approval authority may rely on tests performed by the technical services of an EU approval authority where those tests are recorded in test reports and—

- a the test report was issued—
  - i before 31st December 2026, in the case of vehicles in category M or N, or
  - ii before 31st December 2027, in the case of vehicles in category O, components or separate technical units;
- b the tests described in the test report were made under any regulatory act set out in the table in Part I of Annex II as those regulatory acts apply in the law of the member State concerned;
- c the test report shows that the vehicle, component or separate technical unit meets one or more of the requirements of that regulatory act as it has effect in domestic law on the date on which the GB type-approval is issued; and
- d the EU type-approval to which the test report relates has not been invalidated since IP completion day otherwise than in accordance with Article 35(2)(a) of the EU Type Approval Regulation as that Regulation has effect in the law of the member State concerned.

2B Where the EU type-approval referred to in paragraph 2A(d) has been extended or revised, the approval authority may take into account any test report or letter of no concern which accompanied any such extension or revision.]

[<sup>F205</sup>3 The Secretary of State may by regulations—

- a amend Commission Implementing Regulation (EU) 2020/683, or
- b make further provision on the format of the test reports.]

4 The manufacturer shall make available to the approval [<sup>F206</sup>authority] and provide to the technical services concerned the vehicles, systems, components or separate technical units that are required under the relevant regulatory acts listed in Annex II for the performance of the required tests.

5 The required tests shall be performed on vehicles, systems, components and separate technical units that are representative of the type to be approved.

6 Where a range of values is provided for the parameters and for the conditions used for the performance of the appropriate tests referred to in paragraph 1, the technical services may choose any value within that range.

7 At the request of the manufacturer, and subject to the agreement of the approval authority, virtual testing methods may be used in accordance with Annex VIII as alternatives to the tests referred to in paragraph 1.

[<sup>F207</sup>8 The Secretary of State may by regulations amend Annex VIII to take account of technical and regulatory developments by updating the list of regulatory acts relating to—

- a which virtual testing methods may be used by a manufacturer or a technical service, and
- b the specific conditions under which those virtual testing methods are to be used.]

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

- F202** Word in Art. 30 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(a)**
- F203** Words in Art. 30(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(b)**
- F204** Art. 30(2A)(2B) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(c)**
- F205** Art. 30(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(d)**
- F206** Word in Art. 30(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(e)**
- F207** Art. 30(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **26(6)(f)**

### Article 31

#### Conformity of production arrangements

1 [F208 Where the approval authority has granted a GB type-approval, it must] take the necessary measures in accordance with Annex IV to verify F209 ..., that the manufacturer produces the vehicles, systems, components or separate technical units in conformity with the approved type.

2 [F210 Where the approval authority has granted a GB whole-vehicle type-approval, it must] verify a statistically relevant number of samples of vehicles and certificates of conformity on their compliance with Articles 36 and 37 and shall verify that the data in those certificates of conformity are correct.

3 [F211 Where the approval authority has granted a GB type-approval, it must] take the necessary measures to verify F212 ..., that the arrangements referred to in paragraphs 1 and 2 of this Article continue to be adequate so that vehicles, systems, components or separate technical units in production continue to conform to the approved type and that certificates of conformity continue to comply with Articles 36 and 37.

4 In order to verify that a vehicle, system, component or separate technical unit conforms to the approved type, the approval authority F213 ... shall take the necessary measures to carry out the checks or tests on samples taken at the manufacturer's premises, including production facilities that are required for [F214 GB] type-approval.

In accordance with Annex IV, the approval authority shall take the necessary measures to carry out such checks or tests with the frequency set out in the regulatory acts listed in Annex II, or, if no frequency is specified in those acts, at least once every three years.

5 In order to verify that a vehicle, system, component or separate technical unit conforms to the approved type, the approval authority or the technical services shall:

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- a if a range of values is provided for in the test procedures laid down in the relevant regulatory acts listed in Annex II, set the values in a random manner within the provided range when carrying out checks or tests; and
- b have access to the software, algorithms, documentation and any additional information in accordance with Article 25(4).

6 [F215 Where the approval authority has granted a GB type-approval, it must] take the necessary measures to verify that the manufacturer complies with the obligations set out in Chapter XIV. It shall verify in particular whether, in order to comply with those obligations, the manufacturer has amended or supplemented the vehicle OBD information and vehicle repair and maintenance information.

7 [F216 Where the approval authority has granted a GB type-approval and] establishes that the manufacturer no longer produces the vehicles, systems, components or separate technical units in conformity with the approved type or with the requirements of this Regulation, or establishes that the certificates of conformity no longer comply with Articles 36 and 37, even though production is continued, it shall take the necessary measures to ensure that the arrangements for conformity of production are followed correctly or withdraw the type-approval. The approval authority may decide to take all necessary restrictive measures in accordance with Chapter XI.

[F2178 The Secretary of State may by regulations amend Annex IV to take account of technological and regulatory developments by updating the conformity of production procedures.]

#### Textual Amendments

- F208** Words in Art. 31(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(a)(i)**
- F209** Words in Art. 31(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(a)(ii)**
- F210** Words in Art. 31(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(b)**
- F211** Words in Art. 31(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(c)(i)**
- F212** Words in Art. 31(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(c)(ii)**
- F213** Words in Art. 31(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(d)(i)**
- F214** Word in Art. 31(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(d)(ii)**
- F215** Words in Art. 31(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(e)**

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**F216** Words in Art. 31(7) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(f)**

**F217** Art. 31(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(7)(g)**

## <sup>F218</sup>Article 32

### Fees

#### Textual Amendments

**F218** Art. 32 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(8)**

#### Textual Amendments

**F175** Word in Ch. 4 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **26(1)**

## CHAPTER V

### AMENDMENTS TO AND VALIDITY OF [<sup>F219</sup>GB] TYPE-APPROVALS

#### Article 33

#### General provisions on amendments of [<sup>F220</sup>GB type]-approvals

1 The manufacturer shall inform the approval authority <sup>F221</sup>... without delay of any change in the particulars recorded in the information package referred to in Article 26(4), including any change in the extended documentation package under the regulatory acts listed in Annex II.

The approval authority shall decide whether that change requires an amendment, in the form of either a revision or an extension of the [<sup>F222</sup>GB type]-approval in accordance with Article 34, or whether that change requires a new [<sup>F222</sup>GB type]-approval.

<sup>F223</sup>2 .....

3 Where [<sup>F224</sup>the approval] authority finds that an amendment requires the repetition of inspections or tests, it shall inform the manufacturer accordingly.

4 Where [<sup>F225</sup>the approval] authority finds on the basis of the inspections or tests referred to in paragraph 3 of this Article that the requirements for the [<sup>F222</sup>GB type]-approval continue to be fulfilled, the procedures referred to in Article 34 shall apply.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

5 Where the approval authority finds that the changes in the particulars recorded in the information package cannot be covered by an extension of the existing type-approval, it shall refuse to amend the [F<sup>222</sup>GB type]-approval and shall request the manufacturer to apply for a new [F<sup>222</sup>GB type]-approval.

#### Textual Amendments

- F220** Words in Art. 33 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(a)**
- F221** Words in Art. 33(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(b)**
- F222** Words in Art. 33 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(a)**
- F223** Art. 33(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(c)**
- F224** Words in Art. 33(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(d)**
- F225** Words in Art. 33(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(2)(d)**

#### Article 34

#### Revisions and extensions of [F<sup>226</sup>GB type]-approvals

1 An amendment shall be designated a ‘revision’ where [F<sup>227</sup>the approval] authority finds that, despite the change in the particulars recorded in the information package referred to in Article 26(4), the concerned type of vehicle, system, component or separate technical unit continues to comply with the applicable requirements for that type and that, therefore, no inspections or tests need to be repeated.

In such case, the approval authority shall issue the revised pages of the information package as necessary and without delay, marking each revised page to show clearly the nature of the change and the date of reissue, or it shall issue a consolidated, updated version of the information package, accompanied by a detailed description of the changes.

2 The amendment shall be designated an ‘extension’ where the approval authority finds that the particulars recorded in the information package have changed, and where any of the following apply:

- a further inspections or tests are required to verify continued compliance with the requirements upon which the existing [F<sup>228</sup>GB type]-approval has been based;
- b any information on the [F<sup>228</sup>GB type]-approval certificate, except for its attachments, has changed; or
- c new requirements under any regulatory act listed in Annex II become applicable to the approved type of vehicle, system, component or separate technical unit.



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In the event of an extension, the approval authority shall issue an updated [F<sup>228</sup>GB type]-approval certificate without delay, which shall be denoted by an extension number that is incremented in accordance with the number of successive extensions already granted. That approval certificate shall clearly state the reason for the extension, the date of reissue and, where relevant, the period of validity.

3 Whenever amended pages of the information package or a consolidated, updated version of the information package are issued, the index to the information package shall be amended accordingly to show the date of the most recent extension or revision, or the date of the most recent consolidation of the updated version.

4 No extension to the type-approval of a type of vehicle shall be required if the new requirements referred to in point (c) of paragraph 2 are, from a technical point of view, irrelevant to that type of vehicle or concern categories of vehicle other than the category to which it belongs.

#### Textual Amendments

**F226** Words in Art. 34 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(3)(a)**

**F227** Words in Art. 34(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(3)(b)**

**F228** Words in Art. 34(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **27(3)(a)**

### Article 35

#### Termination of validity

1 Seven years after the latest update of the information package in case of [F<sup>229</sup>a GB] whole-vehicle type-approval certificate for vehicles of categories M<sub>1</sub> and N<sub>1</sub>, and 10 years for vehicles of categories M<sub>2</sub>, M<sub>3</sub>, N<sub>2</sub>, N<sub>3</sub> and O, the approval authority shall verify that the type of vehicle complies with all the regulatory acts that are relevant to that type.

Where the approval authority carries out the verification referred to in the first subparagraph of this paragraph, it is not necessary for the tests referred to in Article 30 to be repeated.

- 2 [F<sup>230</sup>A GB] type-approval shall become invalid in each of the following cases:
- a where new requirements applicable to the approved type of vehicle, system, component or separate technical unit become mandatory for the making available on the market, registration or entry into service and the [F<sup>231</sup>GB type]-approval cannot be extended on the grounds laid down in point (c) of Article 34(2);
  - b where a verification carried out in accordance with paragraph 1 of this Article concludes that the vehicle does not comply with all the regulatory acts that are relevant to that type;
  - c where the production of vehicles in conformity with the approved type of vehicle is definitively discontinued on a voluntary basis, which shall be deemed to have occurred where no vehicle of the type concerned has been produced in the previous two years;

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- however, such type-approvals shall continue to be valid for the purpose of registration or entry into service as long as point (a) of this paragraph is not applicable;
- d where the [<sup>F232</sup>GB type]-approval has been withdrawn in accordance with Article 31(7);
  - e where the validity of the [<sup>F233</sup>GB type]-approval certificate expires due to a restriction referred to in Article 39(6);
  - f where the type-approval was found to be based on false declarations, falsified test results or where data were withheld which would have led to the refusal to grant the type-approval.
- 3 Where the whole-vehicle type-approval of only one variant within a type of vehicle or one version within a variant becomes invalid, the whole-vehicle type-approval of the type of vehicle in question shall become invalid only in so far as the particular variant or version is concerned.
- 4 Where the production of a particular type of vehicle, system, component or separate technical unit is definitively discontinued, the manufacturer shall notify the approval authority <sup>F234</sup>... without delay.
- <sup>F235</sup> ...
- 5 Where [<sup>F236</sup>a GB] type-approval certificate is due to become invalid, the manufacturer shall notify the approval authority <sup>F237</sup>... without delay.
- <sup>F238</sup>6 .....

#### Textual Amendments

- F229** Words in Art. 35(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(a\)](#)
- F230** Words in Art. 35(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(b\)\(i\)](#)
- F231** Words in Art. 35(2)(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(b\)\(ii\)](#)
- F232** Words in Art. 35(2)(d) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(b\)\(ii\)](#)
- F233** Words in Art. 35(2)(e) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(b\)\(ii\)](#)
- F234** Words in Art. 35(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(c\)\(i\)](#)
- F235** Words in Art. 35(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(c\)\(ii\)](#)
- F236** Words in Art. 35(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(d\)\(i\)](#)
- F237** Words in Art. 35(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [27\(4\)\(d\)\(ii\)](#)



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**F238** Art. 35(6) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **27(4)(e)**

### Textual Amendments

**F219** Word in Ch. 5 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **27(1)**

## CHAPTER VI

### CERTIFICATE OF CONFORMITY AND MARKINGS

#### Article 36

#### Certificate of conformity in paper format

1 <sup>[F239]</sup>Except as permitted in paragraph 1A, the] manufacturer shall issue a certificate of conformity in paper format to accompany each vehicle, whether complete, incomplete or completed, that is manufactured in conformity with the approved type of vehicle. For that purpose, the manufacturer shall use the template set out in the <sup>[F240]</sup>Commission Implementing Regulation (EU) 2020/683, or regulations made under paragraph 4 as it is now in force].

The certificate of conformity in paper format shall describe the main characteristics of the vehicle, as well as its technical performance in concrete terms. The certificate of conformity in paper format shall include the date of manufacture of the vehicle. The certificate of conformity in paper format shall be designed in such a way as to prevent forgery.

The certificate of conformity in paper format shall be delivered free of charge to the buyer, together with the vehicle. Its delivery may not be made dependent on an explicit request or on the submission of additional information to the manufacturer.

<sup>[F241]</sup>1A A manufacturer may use the template provided for in Commission Implementing Regulation (EU) 2020/683 as it has effect in EU law in the case of a vehicle which was manufactured before 6 July 2026 and to which a valid EU type-approval granted in accordance with the EU Type Approval Regulation also applies. A certificate of conformity so issued is to be treated as a GB certificate of conformity issued in accordance with this Article.]

2 From 5 July 2026, the manufacturer shall be exempted from the obligation in paragraph 1 of this Article to issue the certificate of conformity in paper format to accompany each vehicle, where the manufacturer makes the certificate of conformity available as structured data in electronic format in accordance with the Article 37(1).

3 For a period of 10 years after the date of manufacture of the vehicle, the manufacturer shall, at the request of the vehicle owner, issue a duplicate of the certificate of conformity in paper format in return for a payment that does not exceed the cost of issuing the duplicate certificate. The word ‘duplicate’ shall be clearly visible on the face of any duplicate certificate.

4 <sup>[F242]</sup>The Secretary of State may by regulations make provision in relation to] the certificate of conformity in paper format, setting out, in particular:

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- a the template for the certificate of conformity;
- b the security elements to prevent forgery of the certificate of conformity; and
- c the specification concerning the manner of signing of the certificate of conformity.

F243  
...

5 The certificate of conformity in paper format shall be drawn up in [F244English].

6 The person or persons authorised to sign certificates of conformity in paper format shall be employed by the manufacturer, and shall be duly authorised to engage the legal responsibility of the manufacturer with respect to the design and the construction of the vehicle or to the conformity of its production.

7 The certificate of conformity in paper format shall be completed in its entirety and shall not contain restrictions as regards the use of the vehicle other than those provided for in this Regulation or in any of the regulatory acts listed in Annex II.

8 In the case of an incomplete base vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that are relevant in view of the state of completeness of the vehicle.

9 In the case of an incomplete or completed vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that concern the additions or changes carried out at the current stage of approval and, where applicable, shall attach all certificates of conformity in paper format that were delivered at the previous stages.

#### Textual Amendments

- F239** Words in Art. 36(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(a)(i)**
- F240** Words in Art. 36(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(a)(ii)**
- F241** Art. 36(1A) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(b)**
- F242** Words in Art. 36(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(c)(i)**
- F243** Words in Art. 36(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(c)(ii)**
- F244** Word in Art. 36(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **28(1)(d)**

#### Modifications etc. (not altering text)

- C1** [Art. 36\(3\)](#) applied (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), regs. 1(b), **16(9)** (with Sch. 4 paras. 16, 17)

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 37

### Certificate of conformity in electronic format

1 Without prejudice to Article 36(1), from 5 July 2026, the manufacturer shall, free of charge and without undue delay after the date of manufacture of the vehicle, make the certificate of conformity available to the approval authority <sup>F245</sup>... as structured data in electronic format in accordance with [<sup>F246</sup>retained direct EU legislation made under paragraph 8 as it had effect before IP completion day, or regulations made under paragraph 8 as it is now in force].

2 Without prejudice to Article 36(1), any manufacturer may make available certificates of conformity in accordance with paragraph 1 of this Article before 5 July 2026.

<sup>F247</sup>3 .....

4 [<sup>F248</sup>The approval authority] may exempt manufacturers from the obligation set out in paragraph 1 of this Article with respect to types of vehicles which have [<sup>F249</sup>GB small series type-approval in accordance with Article 42], in accordance with Article 42.

5 [<sup>F250</sup>Where the approval authority receives] the certificate of conformity as structured data in electronic format in accordance with [<sup>F251</sup>retained direct EU legislation made under paragraph 8 as it has effect before IP completion day or regulations made under paragraph 8 as it is now in force], [<sup>F252</sup>it must] give read-only access to the certificate of conformity as laid down in Article 12(2). In the case of vehicles built in multiple stages such access shall be given to the manufacturer of the subsequent stage.

6 All data exchange in accordance with this Article shall be performed by means of secure data exchange protocols.

7 [<sup>F253</sup>The Secretary of State must] establish the organisation and structure of their data network to enable data reception of the certificates of conformity as structured data in electronic format in accordance with [<sup>F254</sup>retained direct EU legislation made under paragraph 8 as it has effect before IP completion day or regulations made under paragraph 8 as it is now in force] as from 1 September 2025, preferably by making use of existing systems for the exchange of structured data.

8 Taking into account the data that are required to be provided on the certificate of conformity in paper format, the [<sup>F255</sup>Secretary of State may make regulations] concerning certificates of conformity as structured data in electronic format setting out, in particular:

- a the basic format and structure of the data elements of the certificates of conformity in electronic format and the messages used in the exchange;
- b minimum requirements for secure data exchange, including the prevention of data corruption and data misuse, and measures to guarantee the authenticity of the electronic data, such as the use of digital signature;
- c the means of exchange of the data of the certificate of conformity in electronic format;
- d the minimum requirements for a vehicle-specific unique identifier and the form of information for the buyer in accordance with paragraph 5;
- e the read-only access referred to in paragraph 5;
- f exemptions for manufacturers of particular vehicle categories and types of vehicle that are produced in small series.

<sup>F256</sup> ...

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F2579

10 From 5 July 2026, where, in exceptional cases, [F258 the Secretary of State] so requests, the manufacturer shall issue a duplicate of the certificate of conformity in paper format.

#### Textual Amendments

- F245** Words in Art. 37(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(a)(i)**
- F246** Words in Art. 37(1) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(a)(ii)**
- F247** Art. 37(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(b)**
- F248** Words in Art. 37(4) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(c)(i)**
- F249** Words in Art. 37(4) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(c)(ii)**
- F250** Words in Art. 37(5) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(d)(i)**
- F251** Words in Art. 37(5) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(d)(iii)**
- F252** Words in Art. 37(5) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(d)(ii)**
- F253** Words in Art. 37(7) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(e)(i)**
- F254** Words in Art. 37(7) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(e)(ii)**
- F255** Words in Art. 37(8) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(f)(i)**
- F256** Words in Art. 37(8) omitted (31.12.2022 at 11.00 p.m.) by virtue of The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(f)(ii)**
- F257** Art. 37(9) omitted (31.12.2022 at 11.00 p.m.) by virtue of The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(g)**
- F258** Words in Art. 37(10) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **28(2)(h)**

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## Article 38

### Manufacturer's statutory and additional plates, markings and type-approval mark of components and separate technical units

1 The manufacturer of a vehicle shall affix to every vehicle manufactured in conformity with the approved type a statutory plate, where relevant additional plates, and indications or symbols, with the markings required under this Regulation and the relevant regulatory acts listed in Annex II [<sup>F259</sup>or, where Article 5A applies to the vehicle, the markings required under the EU Type Approval Regulation and the relevant regulatory acts listed in Annex II to that Regulation].

2 The manufacturer of a component or separate technical unit shall affix to every component and separate technical unit manufactured in conformity with the approved type, whether or not it is part of a system, the type-approval mark required by the relevant regulatory acts listed in Annex II.

Where no such type-approval mark is required, the manufacturer shall affix at least the trade name or trade mark of the manufacturer, as well as the type number or an identification number, to the component or separate technical unit.

[<sup>F260</sup>3 The Secretary of State may by regulations—

- a amend Commission Implementing Regulation (EU) 2020/683, and
- b make further provision concerning the model for the GB type-approval mark.]

4 Economic operators shall only place on the market or make available on the market vehicles, components and separate technical units which are marked in compliance with this Regulation [<sup>F261</sup>or, where Article 5A applies to the vehicle, component or separate technical unit, with the EU Type Approval Regulation].

#### Textual Amendments

**F259** Words in Art. 38(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **28(3)(a)**

**F260** Art. 38(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **28(3)(b)**

**F261** Words in Art. 38(4) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **28(3)(c)**

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## CHAPTER VII

### NEW TECHNOLOGIES OR NEW CONCEPTS

#### Article 39

#### Exemptions for new technologies or new concepts

1 The manufacturer may apply for [<sup>F262</sup>a GB] type-approval in respect of a type of vehicle, system, component or separate technical unit that incorporates new technologies or new concepts that are incompatible with one or more regulatory acts listed in Annex II.

2 The approval authority shall grant the [<sup>F263</sup>GB type]-approval referred to in paragraph 1 where all of the following conditions are met:

- a the application for the [<sup>F263</sup>GB type]-approval states the reasons why the new technologies or new concepts make the vehicles, systems, components or separate technical units incompatible with one or more regulatory acts listed in Annex II;
- b the application for the [<sup>F263</sup>GB type]-approval describes the safety and environmental implications of the new technology or new concept and the measures taken in order to ensure at least an equivalent level of safety and environmental protection to that provided by the requirements in respect of which an exemption is sought;
- c test descriptions and results are presented proving that the condition in point (b) is met.

<sup>F264</sup>3 .....

[<sup>F265</sup>4 If type-approval is granted under this Article, that circumstance must be reflected in the heading of—

- a the type-approval certificate, and
- b any certificate of conformity.

4A The Secretary of State may by regulations—

- a amend Commission Implementing Regulation (EU) 2020/683, and
- b make further provision regarding the template which is to be used for type-approval certificates and certificates of conformity for the purposes of this paragraph.]

<sup>F266</sup>5 .....

6 Where appropriate, [<sup>F267</sup>the approval authority] shall specify whether [<sup>F268</sup>the approval is] subject to any restrictions, in particular with regard to the maximum number of vehicles covered. In all cases, the [<sup>F269</sup>GB type]-approval shall be valid for at least 36 months.

<sup>F270</sup>7 .....

#### Textual Amendments

**F262** Words in Art. 39(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(a)**

**F263** Words in Art. 39(2) substituted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(b)**



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F264** Art. 39(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(c)**
- F265** Art. 39(4)(4A) substituted for Art. 39(4) (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(d)**
- F266** Art. 39(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(e)**
- F267** Words in Art. 39(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(f)(i)**
- F268** Words in Art. 39(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(f)(ii)**
- F269** Words in Art. 39(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(f)(iii)**
- F270** Art. 39(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(1)(g)**

## Article 40

### Subsequent adaptation of regulatory acts

1 <sup>[F271]</sup>Where the approval authority has authorised the granting of a GB type-approval in accordance with Article 39, the Secretary of State must, where necessary, amend the regulatory acts or regulations concerned to make provision in relation to the latest technological developments.]

Where the exemption under Article 39 relates to a UN Regulation, the <sup>[F272]</sup>Secretary of State must] make proposals to amend the relevant UN Regulation in accordance with the procedure applicable under the Revised 1958 Agreement.

2 Once the relevant regulatory acts have been amended, any restriction <sup>[F273]</sup>imposed on the type-approval under Article 39(6)] shall be lifted.

<sup>F274</sup>3 .....

#### Textual Amendments

- F271** Words in Art. 40(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(2)(a)(i)**
- F272** Words in Art. 40(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(2)(a)(ii)**
- F273** Words in Art. 40(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **29(2)(b)**

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**F274** Art. 40(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **29(2)(c)**

## CHAPTER VIII

### VEHICLES PRODUCED IN SMALL SERIES

#### Article 41

#### [<sup>F275</sup>GB] type-approval of vehicles produced in [<sup>F276</sup>medium] series

1 At the request of the manufacturer and within the quantitative annual limits for vehicle categories M, N and O set out in point 1 of Part A of Annex V, [<sup>F277</sup>the approval authority] shall grant [<sup>F278</sup>a GB] type-approval for a type of vehicle produced in [<sup>F279</sup>medium] series that satisfies at least the technical requirements laid down in Appendix 1 to Part I of Annex II.

2 Paragraph 1 shall not apply to special purpose vehicles.

3 The [<sup>F280</sup>GB] type-approval certificate for vehicles produced in [<sup>F281</sup>medium] series shall be given a unique number in accordance with a <sup>F282</sup>... numbering system, which shall at least allow for <sup>F283</sup>... the identification of the requirements to which the type of vehicle, system, component or separate technical unit conforms.

4 The [<sup>F284</sup>Secretary of State may by regulations lay] down the template and the numbering system for [<sup>F285</sup>GB] type-approval certificates for vehicles produced in [<sup>F286</sup>medium] series. <sup>F287</sup>...

[<sup>F288</sup>5 The Secretary of State may by regulations amend—

- a Appendix I of Part I to Annex II to set out the technical requirements for vehicle categories M, N and O, and
- b point 1 of Part A of Annex V accordingly as regards the quantitative annual limits.]

#### Textual Amendments

**F275** Word in Art. 41 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(a)(i)**

**F276** Word in Art. 41 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(a)(ii)**

**F277** Words in Art. 41(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(b)(i)**

**F278** Words in Art. 41(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(b)(ii)**

**F279** Word in Art. 41(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(b)(iii)**



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F280** Word in Art. 41(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(c)(i)**
- F281** Word in Art. 41(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(c)(ii)**
- F282** Word in Art. 41(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(c)(iii)**
- F283** Words in Art. 41(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(c)(iv)**
- F284** Words in Art. 41(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(d)(i)**
- F285** Word in Art. 41(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(d)(ii)**
- F286** Word in Art. 41(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(d)(iii)**
- F287** Words in Art. 41(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(d)(iv)**
- F288** Art. 41(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **30(1)(e)**

## Article 42

### <sup>F289</sup> ... Type-approval of vehicles produced in small series

1 Manufacturers may apply for a <sup>F290</sup>... type-approval of vehicles produced in small series within the quantitative annual limits set out in point 2 of Part A of Annex V. Those limits shall apply to the making available on the market, the registration or the entry into service of vehicles of the approved type [<sup>F291</sup>in Great Britain] in a given year.

2 [<sup>F292</sup>The approval authority] may decide to exempt any type of vehicle referred to in paragraph 1 from the obligation to comply with one or more of the requirements of this Regulation or with one or more of the requirements laid down in the regulatory acts listed in Annex II, provided that [<sup>F293</sup>the vehicle type satisfies the relevant alternative requirements specified in Schedule 1 to the Road Vehicles (Approval) Regulations 2020].

3 For the <sup>F290</sup>... type-approval of vehicles produced in small series, the approval authority shall accept systems, components and separate technical units that are type-approved in accordance with the regulatory acts listed in Annex II.

4 The <sup>F290</sup>... type-approval certificate for vehicles produced in small series shall be given a unique number in accordance with a <sup>F294</sup>... numbering system, which shall at least allow for <sup>F295</sup>... characterising the approval as one granted for a <sup>F290</sup>... small series.

[<sup>F296</sup>5 The Secretary of State may by regulations lay down the template and numbering system for the type-approval certificate of vehicles produced in small series which must bear

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the heading “GB small series vehicle type-approval certificate” and must bear the content and nature of the exemptions granted pursuant to paragraph 2 of this Article.]

#### Textual Amendments

- F289** Word in Art. 42 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(a)**
- F290** Word in Art. 42 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(a)**
- F291** Words in Art. 42(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(b)**
- F292** Words in Art. 42(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(c)(i)**
- F293** Words in Art. 42(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(c)(ii)**
- F294** Word in Art. 42(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(d)(i)**
- F295** Words in Art. 42(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(d)(ii)**
- F296** Art. 42(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(2)(e)**

#### <sup>F297</sup> Article 43

### Validity of a national type-approval of vehicles produced in small series

#### Textual Amendments

- F297** Art. 43 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **30(3)**

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## CHAPTER IX

## INDIVIDUAL VEHICLE APPROVALS

<sup>F298</sup>Article 44

## EU individual vehicle approvals

## Textual Amendments

**F298** Art. 44 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **31(1)**

## Article 45

<sup>F299</sup>... Individual vehicle approvals

1 [<sup>F300</sup>The approval authority] may decide to exempt a particular vehicle, whether unique or not, from the obligation to comply with one or more of the requirements of this Regulation or with one or more of the requirements laid down in the regulatory acts listed in Annex II, provided that [<sup>F301</sup>the vehicle complies with the relevant alternative requirements specified in Schedule 2 to the Road Vehicles (Approval) Regulations 2020].

2 An application for <sup>F302</sup>... individual vehicle approval shall be submitted by the owner of the vehicle, the manufacturer, the manufacturer's representative or the importer.

3 [<sup>F303</sup>The approval authority must] not carry out destructive tests to establish whether the vehicle complies with the alternative requirements referred to in paragraph 1, but shall instead use any relevant information provided by the applicant for that purpose.

4 For the purpose of a <sup>F302</sup>... individual vehicle approval, the approval authority shall accept systems, components and separate technical units that are type-approved in accordance with the regulatory acts listed in Annex II.

5 [<sup>F304</sup>The approval authority must] issue without delay a <sup>F302</sup>... individual vehicle approval certificate where the vehicle conforms to the description appended to the application and satisfies the relevant alternative requirements.

6 The <sup>F302</sup>... individual vehicle approval certificate shall be given a unique number in accordance with a harmonised numbering system, which [<sup>F305</sup>must allow for the identification of the requirements with which the vehicle conforms].

[<sup>F306</sup>7 The Secretary of State may by regulations lay down the template and the numbering system to be used in the GB individual vehicle approval certificate.]

## Textual Amendments

**F299** Word in Art. 45 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **31(2)(a)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F300** Words in Art. 45(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(b)(i)**
- F301** Words in Art. 45(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(b)(ii)**
- F302** Word in Art. 45 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(a)**
- F303** Words in Art. 45(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(c)**
- F304** Words in Art. 45(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(d)**
- F305** Words in Art. 45(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(e)**
- F306** Art. 45(7) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(2)(f)**

#### *F307* Article 46

### Validity of national individual vehicle approvals

#### Textual Amendments

- F307** Art. 46 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(3)**

#### Article 47

### Specific provisions

- 1 The procedures set out in [<sup>F308</sup>Article 45] may apply to a particular vehicle built in multiple stages.
- 2 The procedures set out in [<sup>F309</sup>Article 45] shall not replace an intermediate stage within the normal sequence of a multi-stage type-approval, and shall not apply for the purposes of obtaining the first-stage approval of a vehicle.

#### Textual Amendments

- F308** Words in Art. 47(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(4)**

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**F309** Words in Art. 47(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **31(4)**

## CHAPTER X

### MAKING AVAILABLE ON THE MARKET, REGISTRATION OR ENTRY INTO SERVICE

#### Article 48

#### **Making available on the market, registration or entry into service of vehicles other than end-of-series vehicles**

1 Without prejudice to Articles 51, 52 and 53, vehicles for which whole-vehicle type-approval is mandatory, or for which the manufacturer has obtained that type-approval, shall only be made available on the market, registered or enter into service if they are accompanied by a valid certificate of conformity issued in accordance with Articles 36 and 37.

Registration and entry into service of incomplete vehicles may be refused as long as the vehicles remain incomplete. Registration and entry into service of incomplete vehicles shall not be used to circumvent the application of Article 49 [<sup>F310</sup>or, where Article 5A applies to the vehicle, Articles 36 and 37 of the EU Type Approval Regulation.]

2 The number of vehicles produced in [<sup>F311</sup>medium and] small series that are made available on the market, are registered, or enter into service in the course of the same year shall not exceed the quantitative annual limits laid down in Annex V.

#### **Textual Amendments**

**F310** Words in Art. 48(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(1)(a)**

**F311** Words in Art. 48(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(1)(b)**

#### Article 49

#### **Making available on the market, registration or entry into service of end-of-series vehicles**

1 Subject to the limits specified in Part B of Annex V, and for a limited period of time as specified in paragraph 2, [<sup>F312</sup>the Secretary of State] may register and permit the making available on the market or entry into service of vehicles conforming to a type of vehicle whose [<sup>F313</sup>GB] type-approval is no longer valid.

The first subparagraph shall apply only to vehicles within the territory of the [<sup>F314</sup>United Kingdom] which were covered by a valid [<sup>F313</sup>GB] type-approval at the time of their

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production and which had not been registered or entered into service before that [F313GB] type-approval lost its validity.

2 Paragraph 1 shall only apply, in the case of complete vehicles, for a period of 12 months from the date on which validity of the [F315GB] type-approval expired and, in the case of completed vehicles, for a period of 18 months from that date.

3 A manufacturer who wishes to benefit from paragraph 1 shall submit a request to the [F316approval authority]. The request shall specify any technical or economic reasons preventing those vehicles from complying with the new technical requirements.

The [F317approval authority] shall decide, within three months of receiving such a request, whether to permit the registration or the entry into service of those vehicles F318..., and if so, the number of such vehicles.

4 [F319The Secretary of State must] apply appropriate measures to ensure that the number of vehicles to be registered or entered into service in the framework of the procedure set out in this Article is effectively monitored.

[F3205 A request may be made under paragraph 3 in relation to—

- a motor vehicles in relation to which the manufacturer holds a relevant EU approval which is no longer valid under the EU Type Approval Regulation and that—
  - i were in the United Kingdom before IP completion date, or
  - ii are qualifying Northern Ireland goods,
- b trailers in relation to which the manufacturer holds a relevant EU approval which is no longer valid under the EU Type Approval Regulation and that—
  - i were in the United Kingdom before 1st January 2023, or
  - ii are qualifying Northern Ireland goods, and
- c motor vehicles or trailers in relation to which the manufacturer holds a relevant NI type-approval which is no longer valid under the EU Type Approval Regulation.

6 In paragraph 5, “relevant EU approval” and “relevant NI approval” have the meanings given in Article 5A.

7 Where a request made under paragraph 3 includes any vehicle or trailer referred to in paragraph 5, references in paragraphs 1 and 2 to “GB type-approval” include a reference to “EU type-approval in accordance with the EU Type Approval Regulation”.]

#### Textual Amendments

- F312** Words in Art. 49(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(a)(i)**
- F313** Word in Art. 49(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(a)(ii)**
- F314** Words in Art. 49(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(a)(iii)**
- F315** Word in Art. 49(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(b)**



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- F316** Words in Art. 49(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(c)(i)**
- F317** Words in Art. 49(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(c)(ii)(aa)**
- F318** Words in Art. 49(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(c)(ii)(bb)**
- F319** Words in Art. 49(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(d)**
- F320** Art. 49(5)-(7) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(2)(e)**

## Article 50

### Making available on the market or entry into service of components and separate technical units

1 <sup>[F321]</sup> Subject to paragraph 1A, components] and separate technical units, including those intended for the aftermarket, may only be made available on the market or entered into service if they comply with the requirements of the relevant regulatory acts listed in Annex II and are marked in accordance with Article 38.

<sup>[F322]</sup> 1A Components and separate technical units to which Article 5A applies, including those intended for the aftermarket, may also be made available on the market or entered into service provided that they comply with the requirements of the relevant regulatory acts listed in Annex II of the EU Type Approval Regulation and are properly marked in accordance with Article 38 of that Regulation.]

2 Paragraph 1 shall not apply to components or separate technical units that are specifically constructed or designed for vehicles that are not covered by this Regulation.

3 <sup>[F323]</sup> Paragraph 1 does not apply to] the making available on the market or the entry into service of components and separate technical units that are exempted under Article 39 or that are to be used on vehicles covered by approvals granted under Article 41, 42, <sup>F324</sup>... and 45 <sup>[F325]</sup> or, where Article 5A applies to the vehicle, Articles 41, 42, 44 and 45 of the EU Type Approval Regulation] concerning the component or separate technical unit in question.

4 <sup>[F326]</sup> Paragraph 1 does not apply to] the making available on the market or the entry into service of components and separate technical units to be used on vehicles that were not required to be type-approved under this Regulation or under Directive 2007/46/EC at the time those vehicles were made available on the market, were registered, or entered into service.

5 <sup>[F327]</sup> Paragraph 1 does not apply to] the making available on the market or the entry into service of replacement components and separate technical units to be used on vehicles to which type-approval was granted before the entry into force of the requirements of the relevant regulatory acts listed in Annex II, in accordance with the requirements of the relevant act that applied when those type-approvals were originally granted.

<sup>[F328]</sup> 6 Notwithstanding paragraph 1, replacement components and separate technical units that were EU type-approved before 1st January 2023 in accordance with the regulatory acts



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listed in Annex II of the EU Type Approval Regulation may be made available on the market or entered into service.]

#### Textual Amendments

- F321** Words in Art. 50(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(a)**
- F322** Art. 50(1A) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(b)**
- F323** Words in Art. 50(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(c)(i)**
- F324** Word in Art. 50(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(c)(ii)**
- F325** Words in Art. 50(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(c)(iii)**
- F326** Words in Art. 50(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(d)**
- F327** Words in Art. 50(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(d)**
- F328** Art. 50(6) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **32(3)(e)**

## CHAPTER XI

### SAFEGUARD CLAUSES

#### Article 51

#### **<sup>F329</sup> ... Evaluation regarding vehicles, systems, components and separate technical units suspected of presenting a serious risk or non-compliance**

Where, based on their own market surveillance activities, or based on information provided by [<sup>F330</sup>the approval] authority or a manufacturer or based on complaints, the market surveillance [<sup>F331</sup>authority has] sufficient reasons to believe that a vehicle, system, component or separate technical unit presents a serious risk to the health or safety of persons or to other aspects of the protection of public interests covered by this Regulation or does not comply with the requirements laid down in this Regulation [<sup>F332</sup>or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation], they shall evaluate the vehicle, system, component or separate technical unit concerned with respect to the relevant requirements laid down in this Regulation [<sup>F333</sup>or, where applicable, the EU Type Approval Regulation]. The relevant economic operators <sup>F334</sup>... shall cooperate fully

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with the market [<sup>F335</sup>surveillance authority,] which shall include forwarding the results of all relevant checks or tests performed in accordance with Article 31.

Article 20 of Regulation (EC) No 765/2008 shall apply to the risk assessment of the vehicle, system, component or separate technical unit concerned.

#### Textual Amendments

- F329** Word in Art. 51 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(a)**
- F330** Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(i)**
- F331** Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(ii)**
- F332** Words in Art. 51 inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(iii)**
- F333** Words in Art. 51 inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(iv)**
- F334** Words in Art. 51 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(v)**
- F335** Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(vi)**

#### Article 52

##### <sup>F336</sup> ... Procedures for dealing with vehicles, systems, components and separate technical units presenting a serious risk or non-compliance

1 Where, after having performed the evaluation pursuant to Article 51, the market surveillance authority <sup>F337</sup>... finds that a vehicle, system, component or separate technical unit presents a serious risk to the health or safety of persons or to other aspects of the protection of public interests covered by this Regulation, it shall require without delay that the relevant economic operator take all appropriate corrective measures without delay to ensure that the vehicle, system, component or separate technical unit concerned, when placed on the market, registered or entered into service, no longer presents that risk.

2 Where, after having performed the evaluation pursuant to Article 51, the market surveillance authority <sup>F338</sup>... finds that a vehicle, system, component or separate technical unit does not comply with this Regulation [<sup>F339</sup>or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation], but does not present a serious risk as referred to in paragraph 1 of this Article, it shall require without delay that the relevant economic operator take all appropriate corrective measures within a reasonable period to bring a vehicle, system, component or separate technical unit into compliance. That period shall be proportionate to the seriousness of non-compliance to ensure that the vehicle, system,

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

component or separate technical unit concerned is compliant when it is placed on the market, is registered, or enters into service.

Economic operators shall, in accordance with the obligations set out in Articles 13 to 21, ensure that all appropriate corrective measures are taken in respect of all concerned vehicles, systems, components or separate technical units that they have placed on the market, registered or entered into service <sup>F340</sup>....

3 Where economic operators do not take adequate corrective measures within the relevant period referred to in paragraph 1 or 2, or where the risk requires rapid action, the [<sup>F341</sup>market surveillance authority] shall take all appropriate provisional restrictive measures to prohibit or restrict the making available on the market, the registration or the entry into service of the concerned vehicles, systems, components or separate technical units, <sup>F342</sup>... or to withdraw them from [<sup>F343</sup>the market] or to recall them.

Article 21 of Regulation (EC) No 765/2008 shall apply to the restrictive measures referred to in the first subparagraph of this paragraph.

<sup>F344</sup>4 .....

#### Textual Amendments

- F336** Word in Art. 52 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(a)**
- F337** Words in Art. 52(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(b)**
- F338** Words in Art. 52(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(c)(i)**
- F339** Words in Art. 52(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(c)(ii)**
- F340** Words in Art. 52(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(c)(iii)**
- F341** Words in Art. 52(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(d)(i)**
- F342** Words in Art. 52(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(d)(ii)**
- F343** Words in Art. 52(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(d)(iii)**
- F344** Art. 52(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(2)(e)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 53

Corrective and restrictive measures<sup>F345</sup> ...

F346	1	.....
F346	2	.....
F346	3	.....
F346	4	.....
F346	5	.....
F346	6	.....
F346	7	.....

[<sup>F347</sup>8 Where a corrective measure is imposed in accordance with Article 52, that measure must be available free of charge to holders of registrations for the affected vehicles. Where repairs have been carried out at the registration holder’s expense before the adoption of the corrective measure, the manufacturer must reimburse the cost of such repairs up to the cost of the repairs required by that corrective measure.]

.....

**Textual Amendments**

**F345** Words in Art. 53 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(3)(a)**

**F346** Art. 53(1)-(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(3)(b)**

**F347** Art. 53(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(3)(c)**

<sup>F348</sup>Article 54

Non-compliant EU type-approval

.....

.....

**Textual Amendments**

**F348** Art. 54 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(4)**

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## Article 55

### Placing on the market and entry into service of parts or equipment that may pose a serious risk to the correct functioning of essential systems

1 Parts or equipment that may pose a serious risk to the correct functioning of systems that are essential for the safety of the vehicle or for its environmental performance shall not be placed on the market, shall not enter into service, and shall be prohibited, unless they have been authorised by [<sup>F349</sup>the approval] authority in accordance with Article 56.

2 Such authorisations shall only apply to the limited number of parts or equipment, that are included in the list referred to in paragraph 4.

3 [<sup>F350</sup>The Secretary of State may by regulations lay down the requirements for the authorisation of the parts and equipment referred to in paragraph 1 of this Article.]

Those requirements may be based on the regulatory acts listed in Annex II or may consist of a comparison of the environmental or safety performance of the parts or equipment with the environmental or safety performance of the original parts or equipment, as appropriate. In either case, the requirements shall ensure that the parts or equipment do not impair the functioning of the systems that are essential for the safety of the vehicle or for its environmental performance.

4 [<sup>F351</sup>The Secretary of State may by regulations amend] Annex VI to take account of technical and regulatory developments by laying down and updating the list of parts or equipment on the basis of an evaluation of the following:

- a the extent to which there exists a serious risk to the safety or environmental performance of vehicles that are fitted with the parts or equipment in question;
- b the potential effect on consumers and aftermarket manufacturers of a possible authorisation of the parts or equipment under Article 56(1).

5 Paragraph 1 shall not apply to original parts or equipment or to parts or equipment belonging to a system that has been type-approved in accordance with the regulatory acts listed in Annex II, except where the type-approval relates to aspects other than the serious risk referred to in paragraph 1.

For the purposes of this Article, original parts or equipment means parts or equipment that are manufactured according to the specifications and production standards provided by the vehicle manufacturer for the assembly of the vehicle in question.

6 Paragraph 1 of this Article shall not apply to parts or equipment that are exclusively produced for racing vehicles. Parts or equipment listed in Annex VI that are used both in racing and on the road shall only be made available on the market for vehicles intended for use on public roads, if they comply with the requirements laid down in the delegated acts referred to in paragraph 3 of this Article and have been authorised by [<sup>F352</sup>the approval authority]. [<sup>F353</sup>The Secretary of State may by regulations set out when those authorisations may be granted]. <sup>F354</sup>...

#### Textual Amendments

**F349** Words in Art. 55(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(a)**

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- F350** Words in Art. 55(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(b)**
- F351** Words in Art. 55(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(c)**
- F352** Words in Art. 55(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(d)(i)**
- F353** Words in Art. 55(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(d)(ii)**
- F354** Words in Art. 55(6) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(5)(d)(iii)**

## Article 56

### **Related requirements for parts or equipment that may pose a serious risk to the correct functioning of essential systems**

1 A manufacturer of parts or equipment may apply for the authorisation referred to in Article 55(1) by submitting to the approval authority an application accompanied by a test report that is drafted by a technical service and that certifies that the parts or equipment for which authorisation is sought comply with the requirements referred to in Article 55(3). Such manufacturer may submit only one application for each type of part or equipment <sup>F355</sup>....

2 The application for the authorisation shall include details of the manufacturer of the parts or equipment, the type, the identification and part numbers of the parts or equipment, the vehicle manufacturer's name, the type of vehicle and, where appropriate, the year of construction and any other information permitting the identification of the vehicle to which the parts or equipment are to be fitted.

The approval authority shall authorise the placing on the market and the entering into service of the parts or equipment where it finds, taking into account the test report referred to in paragraph 1 of this Article and other evidence, that the parts or equipment in question comply with the requirements referred to in Article 55(3).

The approval authority shall issue to the manufacturer an authorisation certificate without delay.

[<sup>F356</sup>The Secretary of State may by regulations lay down the template and the numbering system for the authorisation certificate referred to in the third subparagraph of this paragraph.]

3 The manufacturer shall inform without delay the approval authority <sup>F357</sup>... of any change affecting the conditions under which the authorisation has been issued. [<sup>F358</sup>The approval] authority shall decide whether the authorisation has to be reviewed or reissued and whether further tests are necessary.

The manufacturer shall ensure that the parts or equipment are produced and continue to be produced under the conditions under which the authorisation has been issued.



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

4 Before issuing any authorisation, the approval authority shall verify the existence of arrangements and procedures for ensuring effective control of the conformity of production.

Where the approval authority finds that the conditions for issuing the authorisation are no longer fulfilled, it shall request the manufacturer to take the necessary measures to ensure that the parts or equipment are brought into conformity. Where necessary, it shall withdraw the authorisation.

F359<sup>5</sup> .....  
 F360<sup>6</sup> .....  
 F361<sup>7</sup> .....

#### Textual Amendments

- F355** Words in Art. 56(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(a)**
- F356** Words in Art. 56(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(b)**
- F357** Words in Art. 56(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(c)(i)**
- F358** Words in Art. 56(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(c)(ii)**
- F359** Art. 56(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(d)**
- F360** Art. 56(6) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(d)**
- F361** Art. 56(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(6)(d)**

## CHAPTER XII

### INTERNATIONAL REGULATIONS

#### Article 57

#### UN Regulations required for [F362GB] type-approval

1 UN Regulations or amendments thereto which the [F363United Kingdom] has voted in favour of, or that the [F363United Kingdom] applies and that are listed in Annex II, shall be part of the requirements for the [F364GB] type-approval of vehicles, systems, components or separate technical units.



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

2 Where the [<sup>F365</sup>United Kingdom] has voted in favour of a UN Regulation or amendments thereto for the purpose of whole-vehicle type-approval, the [<sup>F366</sup>the Secretary of State may by regulations supplement] this Regulation by making that UN Regulation or the amendments thereto compulsory or amending this Regulation.

[<sup>F367</sup>Regulations made under this paragraph must] specify the dates from which that UN Regulation or amendments are to be compulsory, and shall include transitional provisions, where appropriate, and, where applicable for the purposes of [<sup>F368</sup>GB] type-approval, first registration and entry into service of vehicles and making available on the market of systems, components and separate technical units.

#### Textual Amendments

- F362** Word in Art. 57 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(a)**
- F363** Words in Art. 57(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(b)(i)**
- F364** Word in Art. 57(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(b)(ii)**
- F365** Words in Art. 57(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(c)(i)(aa)**
- F366** Words in Art. 57(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(c)(i)(bb)**
- F367** Words in Art. 57(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(c)(ii)(aa)**
- F368** Word in Art. 57(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(1)(c)(ii)(bb)**

#### Article 58

#### Equivalence of UN Regulations for the purpose of [<sup>F369</sup>GB] type-approval

1 The UN Regulations listed in Part II of Annex II are recognised as being equivalent to the corresponding regulatory acts to the extent that they share the same scope and subject matter.

2 The approval [<sup>F370</sup>authority] shall accept type-approvals granted in accordance with the UN Regulations referred to in paragraph 1 and, where applicable, shall accept the relevant approval marks in place of the corresponding type-approvals and approval marks that were granted in accordance with this Regulation and the regulatory acts listed in Annex II.

#### Textual Amendments

- F369** Word in Art. 58 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **34(2)(a)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F370** Word in Art. 58(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **34(2)(b)**

## CHAPTER XIII

### PROVISION OF TECHNICAL INFORMATION

#### Article 59

##### Information intended for users

1 The manufacturer shall not supply any technical information related to the particulars of the type of vehicle, system, component, separate technical unit, part or equipment provided for in this Regulation or in the regulatory acts listed in Annex II, that diverges from the particulars of the type-approval granted by the approval authority.

2 The manufacturer shall make available to users all relevant information and necessary instructions that describe any special conditions or restrictions on the use of a vehicle, system, component, separate technical unit, part or equipment.

3 The information referred to in paragraph 2 shall be supplied in [<sup>F371</sup>English]. It shall also be provided in the owner's manual.

#### Textual Amendments

**F371** Word in Art. 59(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **35(1)**

#### Article 60

##### Information intended for manufacturers

1 Manufacturers of vehicles shall make available to the manufacturers of systems, components, separate technical units, parts or equipment all particulars that are necessary for [<sup>F372</sup>GB] type-approval of systems, components or separate technical units or to obtain the authorisation referred to in Article 55(1).

Manufacturers of vehicles may impose a binding agreement on the manufacturers of systems, components, separate technical units, parts or equipment to protect the confidentiality of any information that is not in the public domain, including information related to intellectual property rights.

2 Manufacturers of systems, components, separate technical units, parts or equipment shall provide the manufacturers of vehicles with all detailed information on the restrictions that apply to their type-approvals and that are either referred to in Article 29(3) or imposed by a regulatory act listed in Annex II.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

**F372** Word in Art. 60(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **35(2)**

## CHAPTER XIV

### ACCESS TO VEHICLE OBD INFORMATION AND VEHICLE REPAIR AND MAINTENANCE INFORMATION

#### Article 61

#### **Manufacturers' obligations to provide vehicle OBD information and vehicle repair and maintenance information**

1 Manufacturers shall provide to independent operators unrestricted, standardised and non-discriminatory access to vehicle OBD information, diagnostic and other equipment, tools including the complete references, and available downloads, of the applicable software and vehicle repair and maintenance information. Information shall be presented in an easily accessible manner in the form of machine-readable and electronically processable datasets. Independent operators shall have access to the remote diagnosis services used by manufacturers and authorised dealers and repairers.

Manufacturers shall provide a standardised, secure and remote facility to enable independent repairers to complete operations that involve access to the vehicle security system.

2 <sup>[F373]</sup> The Secretary of State may by regulations specify a relevant standard for the purposes of this Article, from standards developed by the British Standards Institute, the European Committee for Standardisation or a comparable standardisation body. Until such a standard has been specified], the vehicle OBD information and vehicle repair and maintenance information shall be presented in an easily accessible manner that can be processed with reasonable effort by independent operators.

The vehicle OBD information and the vehicle repair and maintenance information shall be made available on the websites of manufacturers using a standardised format or, if this is not feasible, due to the nature of the information, in another appropriate format. For independent operators other than repairers, the information shall also be given in a machine-readable format that is capable of being electronically processed with commonly available information technology tools and software and which allows independent operators to carry out the task associated with their business in the aftermarket supply chain.

3 However, in the following cases, it shall be sufficient that the manufacturer provides the required information promptly in an easily accessible manner when an independent operator so requests:

- a for vehicle types covered by a <sup>F374</sup> ... type-approval of vehicles produced in small series as referred to in Article 42;
- b for special purpose vehicles;

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- c for vehicle types of categories O<sub>1</sub> and O<sub>2</sub> that do not use diagnostic tools or a physical or wireless communication with the on-board electronic control unit or units for the purpose of diagnostics or reprogramming of their vehicles;
- d for the final stage of type-approval in a multi-stage type-approval procedure, where the final stage only covers bodywork which does not contain electronic vehicle control systems, and all electronic vehicle control systems of the base vehicle remain unchanged.

4 The details of the technical requirements for access to vehicle OBD information and vehicle repair and maintenance information, in particular technical specifications on how vehicle OBD information and vehicle repair and maintenance information are to be provided, are laid down in Annex X.

5 Manufacturers shall also make training material available to independent operators and authorised dealers and repairers.

6 Manufacturers shall ensure that the vehicle OBD information and the vehicle repair and maintenance information are always accessible, except as required for maintenance purposes of the information system.

Manufacturers shall make any subsequent amendments and supplements to vehicle OBD information and vehicle repair and maintenance information available on their websites at the same time they are made available to authorised repairers.

7 For the purposes of manufacturing and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant vehicle OBD information and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer or repairer of components, diagnostic tools or test equipment.

8 For the purposes of the design, manufacturing and the repair of automotive equipment for alternative-fuel vehicles, manufacturers shall provide the relevant vehicle OBD information and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative-fuel vehicles.

9 Where repair and maintenance records of a vehicle are kept in a central database of the vehicle manufacturer or on its behalf, independent repairers shall have access to such records free of charge and shall be able to enter information on repair and maintenance which they have performed.

10 This Chapter shall not apply to vehicles that are covered by individual vehicle approvals.

11 [F<sup>375</sup>The Secretary of State may by regulations amend] Annex X to take account of technical and regulatory developments or prevent misuse by updating the requirements concerning the access to vehicle OBD information and vehicle repair and maintenance information, including the repair and maintenance activities supported by wireless wide area networks and by adopting and integrating the standards referred to in paragraph 2 of this Article. The [F<sup>376</sup>Secretary of State must] take into account current information technology, foreseeable vehicle technology developments, existing ISO standards and the possibility of a worldwide ISO standard.

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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### Textual Amendments

- F373** Words in Art. 61(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(1)(a)**
- F374** Word in Art. 61(3)(a) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(1)(b)**
- F375** Words in Art. 61(11) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(1)(c)(i)**
- F376** Words in Art. 61(11) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(1)(c)(ii)**

## Article 62

### Obligations with regard to holders of several type-approvals

- 1 The manufacturer responsible for the respective type-approval of a system, component or separate technical unit or for a particular stage of a vehicle shall be responsible, in the event of a mixed type-approval, a step-by-step type-approval or a multi-stage type-approval, for communicating to both the final manufacturer and the independent operators the repair and maintenance information relating to the particular system, component or separate technical unit or to the particular stage.
- 2 In the case of multi-stage type-approval, the final manufacturer shall be responsible for providing access to vehicle OBD information and vehicle repair and maintenance information regarding its own manufacturing stage or stages and the link to the previous stage or stages.

## Article 63

### Fees for access to vehicle repair and maintenance information

- 1 The manufacturer may charge reasonable and proportionate fees for access to vehicle repair and maintenance information other than the records referred to in Article 61(10). Those fees shall not discourage access to such information by failing to take into account the extent to which the independent operator uses it. Access to vehicle repair and maintenance information shall be offered free of charge to [<sup>F377</sup>the approval authority or the market surveillance authority], [<sup>F378</sup>and to] technical services.
- 2 The manufacturer shall make available vehicle repair and maintenance information, including transactional services such as reprogramming or technical assistance, on an hourly, daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

In addition to time-based access, manufacturers may offer transaction-based access for which fees are charged per transaction and not based on the duration for which access is granted.

Where the manufacturer offers both systems of access, independent repairers shall choose systems of access, which may be either time-based or transaction-based.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

- F377** Words in Art. 63(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(2)(a)**
- F378** Words in Art. 63(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(2)(b)**

### Article 64

#### Proof of compliance with vehicle OBD information and repair and maintenance information obligations

- 1 The manufacturer that has applied for [<sup>F379</sup>a GB type-approval, including a GB small series type-approval] shall provide the approval authority with proof of compliance with this Chapter within six months from the date of the respective type-approval.
- 2 Where such proof of compliance is not provided within the period referred to in paragraph 1 of this Article, the approval authority shall take appropriate measures in accordance with Article 65.

#### Textual Amendments

- F379** Words in Art. 64(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(3)**

### Article 65

#### Compliance with the obligations regarding access to vehicle OBD information and vehicle repair and maintenance information

- 1 [<sup>F380</sup>The approval] authority may at any time, whether on its own initiative, on the basis of a complaint, or on the basis of an assessment by a technical service, check that a manufacturer is in compliance with this Chapter and with the Manufacturer's certificate on access to vehicle OBD information and vehicle repair and maintenance information referred to in Appendix 1 to Annex X.

- 2 Where [<sup>F381</sup>the approval] authority finds that the manufacturer has failed to comply with its obligations regarding access to vehicle OBD information and vehicle repair and maintenance information, the approval authority <sup>F382</sup>... shall take appropriate measures to remedy the situation.

Those measures may include the withdrawal or suspension of the type-approval, fines or other measures adopted pursuant to Article 84.

- 3 Where an independent operator or a trade association representing independent operators files a complaint to the approval authority on the failure of the manufacturer to comply with this Chapter, the approval authority shall carry out an audit in order to verify compliance by the manufacturer. The approval authority shall <sup>F383</sup>... investigate the complaint

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and [<sup>F384</sup> subsequently] ask for evidence from the vehicle manufacturer demonstrating that the system that the vehicle manufacturer has in place is in compliance with this Regulation. The results of that investigation shall be communicated to <sup>F385</sup> ... the independent operator or trade association concerned within three months <sup>F386</sup> ....

4 When carrying out the audit, the approval authority may ask a technical service or any other independent expert to carry out an assessment to verify whether the obligations concerning access to vehicle OBD information and vehicle repair and maintenance information have been met.

#### Textual Amendments

- F380** Words in Art. 65(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(a)**
- F381** Words in Art. 65(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(b)(i)**
- F382** Words in Art. 65(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(b)(ii)**
- F383** Words in Art. 65(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(c)(i)**
- F384** Word in Art. 65(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(c)(ii)**
- F385** Words in Art. 65(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(c)(iii)**
- F386** Words in Art. 65(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(4)(c)(iv)**

#### <sup>F387</sup> Article 66

### Forum on Access to Vehicle Information

#### Textual Amendments

- F387** Art. 66 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **36(5)**



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CHAPTER XV

ASSESSMENT, DESIGNATION, NOTIFICATION  
AND MONITORING OF TECHNICAL SERVICES

Article 67

Type-approval authority responsible for technical services

1 The approval authority <sup>F388</sup> ..., shall be responsible for the assessment, designation, notification and monitoring of technical services, including, where appropriate, the subcontractors or subsidiaries of those technical services. The [<sup>F389</sup>approval] authority may decide that the assessment and monitoring of technical services and, where appropriate, of the subcontractors or subsidiaries of those technical services, is to be carried out by a national accreditation body.

<sup>F390</sup>2 .....

<sup>F391</sup>3 .....

4 The [<sup>F392</sup>approval] authority shall not provide consultancy services on a commercial or competitive basis.

<sup>F393</sup>5 .....

<sup>F393</sup>6 .....

<sup>F393</sup>7 .....

<sup>F393</sup>8 .....

<sup>F393</sup>9 .....

<sup>F393</sup>10 .....

Textual Amendments

- F388** Words in Art. 67(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(a)(i)**
- F389** Word in Art. 67(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(a)(ii)**
- F390** Art. 67(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(b)**
- F391** Art. 67(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(b)**
- F392** Word in Art. 67(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(c)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F393** Art. 67(5)-(10) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(1)(d)**

## Article 68

### Designation of technical services

1 The [<sup>F394</sup>approval authority must] designate technical services for one or more of the following categories of activities, depending on their field of competence:

- a category A: tests referred to in this Regulation and in the regulatory acts listed in Annex II that technical services carry out in their own facilities;
- b category B: the supervision of the tests, which includes test preparation, referred to in this Regulation and in the regulatory acts listed in Annex II, where such tests are performed at the manufacturer's facilities or at the facilities of a third party;
- c category C: the assessment and monitoring on a regular basis of the procedures of the manufacturer for controlling the conformity of production;
- d category D: the supervision or performance of tests or inspections for the surveillance of the conformity of production.

2 [<sup>F395</sup>The approval authority may designate itself] as a technical service for one or more of the categories of activities referred to in paragraph 1.

3 A technical service shall be established under the law of [<sup>F396</sup>the United Kingdom or any part of the United Kingdom or of] a Member State and have legal personality, except for a technical service belonging to a [<sup>F397</sup>approval] authority and except for an accredited in-house technical service of the manufacturer, as referred to in Article 72.

4 A technical service shall take out liability insurance for its activities, [<sup>F398</sup>unless a state has assumed liability for those activities in accordance with its national law], or unless the [<sup>F399</sup>Secretary of State] itself is directly responsible for the conformity assessment.

<sup>F400</sup>5 .....

#### Textual Amendments

**F394** Words in Art. 68(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(a)**

**F395** Words in Art. 68(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(b)**

**F396** Words in Art. 68(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(c)(i)**

**F397** Word in Art. 68(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(c)(ii)**

**F398** Words in Art. 68(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(d)(i)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F399** Words in Art. 68(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(d)(ii)**

**F400** Art. 68(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(2)(e)**

## Article 69

### Independence of the technical services

1 A technical service, including its personnel, shall be independent and shall carry out the activities for which it has been designated with the highest degree of professional integrity and the requisite technical competence in the specific field in which it operates and shall be free from all pressures and inducements, particularly financial, that might influence its judgment or the results of its assessment activities, in particular such pressures or inducements emanating from persons or groups of persons with an interest in the results of those activities.

2 Technical services shall be third-party organisation or body that is not involved in the process of the design, manufacturing, supply or maintenance of the vehicle, system, component or separate technical unit that it assesses, tests or inspects.

An organisation or body that belongs to a trade association or to a professional federation representing undertakings that are involved in the design, manufacturing, supply or maintenance of the vehicles, systems, components or separate technical units that it assesses, tests or inspects, may be considered as fulfilling the requirements of the first subparagraph, provided that its independence and the absence of any conflict of interest are demonstrated to the [<sup>F401</sup>approval authority].

3 A technical service, its top-level management and the personnel responsible for carrying out the activities for which they are designated in accordance with Article 68(1) shall not design, manufacture, supply, or maintain the vehicles, systems, components or separate technical units that they assess, nor represent parties engaged in those activities. This shall not preclude the use of those vehicles, systems, components or separate technical units that are necessary for the operation of the technical service or the use of such vehicles, systems, components or separate technical units for personal purposes.

4 A technical service shall ensure that the activities of its subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of the categories of activities for which it has been designated.

5 The personnel of a technical service shall observe professional secrecy with regard to all information obtained in carrying out their tasks under this Regulation, except in relation to the [<sup>F402</sup>approval] authority and, where relevant, to the national accreditation body, or where required by <sup>F403</sup>... law.

#### Textual Amendments

**F401** Words in Art. 69(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(3)(a)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F402** Word in Art. 69(5) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(3)(b)(i)**

**F403** Words in Art. 69(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(3)(b)(ii)**

## Article 70

### Competence of the technical services

1 A technical service shall be capable of carrying out all the activities for which it is applying to be designated in accordance with Article 68(1). It shall demonstrate to the <sup>F404</sup>[approval] authority or to the national accreditation body carrying out the assessment or monitoring of that technical service that it satisfies all of the following conditions:

- a its personnel have the appropriate skills, the specific technical knowledge, the vocational training and sufficient and appropriate experience to perform the activities for which it is applying to be designated;
- b it possesses descriptions of the procedures relevant for the performance of the activities for which it is applying to be designated, taking due account of the degree of complexity of the technology of the relevant vehicle, system, component or separate technical unit in question, as well as the mass or serial nature of the production process. The technical service shall demonstrate the transparency and reproducibility of those procedures;
- c it has the necessary means to perform the tasks connected with the category or categories of activities for which it is applying to be designated, and it has access to all necessary equipment or facilities.

2 A technical service shall also demonstrate that it has the appropriate skills, the specific technical knowledge and proven experience to carry out tests and inspections for assessing the conformity of the vehicles, systems, components and separate technical units with this Regulation and shall demonstrate its compliance with the standards listed in Appendix 1 to Annex III. However, the standards listed in Appendix 1 to Annex III do not apply for the purposes of the last stage of a national multi-stage procedure referred to in Article 47(1).

3 <sup>F405</sup>[The Secretary of State may by regulations amend] Annex III as regards the requirements for the assessment of the technical services.

#### Textual Amendments

**F404** Word in Art. 70(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(4)(a)**

**F405** Words in Art. 70(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(4)(b)**

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 71

### Subsidiaries of and subcontracting by technical services

1 Technical services may subcontract, with the agreement of the designating [<sup>F406</sup>approval] authority, some of the categories of activities for which they have been designated in accordance with Article 68(1), or have those activities carried out by a subsidiary.

2 Where a technical service subcontracts specific tasks within the categories of activities for which it has been designated or has a subsidiary perform those tasks, it shall ensure that the subcontractor or the subsidiary complies with the requirements set out in Articles 68, 69 and 70 and shall inform the [<sup>F406</sup>approval] authority thereof.

3 Technical services shall take full responsibility for the tasks performed by their subcontractors or subsidiaries, regardless of their place of establishment.

4 Technical services shall keep at the disposal of the <sup>F407</sup>... [<sup>F406</sup>approval] authority the relevant documents concerning the assessment carried out by the [<sup>F406</sup>approval] authority or the accreditation carried out by the national accreditation body of the subcontractor or the subsidiary and the tasks performed by them.

#### Textual Amendments

**F406** Word in Art. 71 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(5)(a)**

**F407** Word in Art. 71(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(5)(b)**

## Article 72

### In-house technical service of the manufacturer

1 An in-house technical service of a manufacturer may be designated as a technical service for activities under category A as referred to in point (a) of Article 68(1), and only with regard to the regulatory acts listed in Annex VII. An in-house technical service shall constitute a separate and distinct part of the manufacturer's company and shall not be involved in the design, manufacturing, supply or maintenance of the vehicles, systems, components or separate technical units that it assesses.

2 An in-house technical service referred to in paragraph 1 shall comply with the following requirements:

- a it has been accredited by a national accreditation body and complies with the requirements laid down in Appendices 1 and 2 to Annex III;
- b the in-house technical service, including its personnel, is organisationally identifiable and has reporting methods within the manufacturer's company of which they form part that ensures its impartiality and demonstrates that impartiality to the relevant type-approval authority and to the national accreditation body;

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- c neither the in-house technical service nor its personnel is engaged in any activity that might conflict with its independence or with its integrity to perform the activities for which it has been designated;
  - d it supplies its services only to the manufacturer's company of which it forms part.
- 3 <sup>[F408]</sup> The Secretary of State may by regulations amend] Annex VII to take account of technical and regulatory developments by updating the list of regulatory acts and restrictions contained therein.

#### Textual Amendments

**F408** Words in Art. 72(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(6)**

### Article 73

#### Assessment and designation of technical services

1 The applicant technical service shall submit a formal application to the <sup>[F409]</sup>approval] authority <sup>F410</sup>... in accordance with point 4 of Appendix 2 to Annex III. The application shall specify the categories of the activities for which the technical service is applying to be designated.

2 Before <sup>[F411]</sup>the approval] authority designates a technical service, <sup>[F412]</sup>the approval] authority or the national accreditation body shall assess it in accordance with an assessment check-list that covers at least the requirements laid down in Appendix 2 to Annex III. The assessment shall include an on-site assessment in the premises of the applicant technical service, and, where relevant, of any subsidiary or sub-contractor, whether located inside or outside the <sup>[F413]</sup>United Kingdom].

3 In cases where the assessment is carried out by a national accreditation body, the applicant technical service shall deliver to the <sup>[F414]</sup>approval] authority a valid accreditation certificate and the corresponding assessment report attesting that the technical service fulfils the requirements laid down in Appendix 2 to Annex III for the categories of activities for which the applicant technical service is applying to be designated.

<sup>F415</sup>4 .....

<sup>F415</sup>5 .....

<sup>F415</sup>6 .....

<sup>F415</sup>7 .....

8 <sup>[F416]</sup>The personnel of the approval authority carrying out an assessment must] produce after the on-site assessment a report setting out the extent to which the applicant technical service complies with the requirements laid down in Articles 68 to 72, in Articles 80 and 81 and in Appendix 2 to Annex III.

9 The report referred to in paragraph 8 shall contain a summary of any identified non-compliances, together with a recommendation as to whether the applicant may be designated as technical service.

<sup>F417</sup>10 .....



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- <sup>F417</sup>11 .....  
<sup>F417</sup>12 .....  
<sup>F417</sup>13 .....  
<sup>F417</sup>14 .....

15 The validity of the designation of technical services shall be limited to five years.

16 [<sup>F418</sup>Where the approval authority] intends to be designated as a technical service in accordance with Article 68(2) [<sup>F419</sup>it must] document compliance with this Regulation through an assessment conducted by independent auditors. Those auditors may be from within the same organisation provided that they are managed autonomously from the personnel undertaking the assessed activity, and provided that they comply with the requirements laid down in Appendix 2 to Annex III.

#### Textual Amendments

- F409** Word in Art. 73(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(a\)\(i\)](#)
- F410** Words in Art. 73(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(a\)\(ii\)](#)
- F411** Words in Art. 73(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(b\)\(i\)](#)
- F412** Words in Art. 73(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(b\)\(ii\)](#)
- F413** Words in Art. 73(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(b\)\(iii\)](#)
- F414** Word in Art. 73(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(c\)](#)
- F415** Art. 73(4)-(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(d\)](#)
- F416** Words in Art. 73(8) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(e\)](#)
- F417** Art. 73(10)-(14) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(f\)](#)
- F418** Words in Art. 73(16) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(g\)\(i\)](#)
- F419** Words in Art. 73(16) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), [37\(7\)\(g\)\(ii\)](#)



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## <sup>F420</sup>Article 74

### Notification to the Commission concerning designation of technical services

#### Textual Amendments

**F420** Art. 74 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(8)**

## Article 75

### Changes to and renewal of designations of technical services

1 Where the [<sup>F421</sup>approval] authority has ascertained or has been informed that a technical service no longer complies with the requirements laid down in this Regulation, that [<sup>F421</sup>approval] authority shall restrict, suspend or withdraw the designation, as appropriate, depending on the seriousness of the failure to comply with those requirements.

<sup>F422</sup> ...

2 In the event of a restriction, suspension or withdrawal of the designation, or where the technical service has ceased its activity, the [<sup>F423</sup>approval] authority shall keep the files of that technical service available for the <sup>F424</sup>... market surveillance [<sup>F425</sup>authority] or transfer those files to another technical service chosen by the manufacturer in agreement with that technical service.

3 The [<sup>F426</sup>approval] authority shall assess within three months of [<sup>F427</sup>restricting, suspending or withdrawing the designation under] paragraph 1 whether the non-compliance of the technical service has an impact on [<sup>F428</sup>GB] type-approval certificates issued on the basis of the inspection and test reports issued by [<sup>F429</sup>that technical service]<sup>F430</sup>....

Within two months after having [<sup>F431</sup>restricted, suspended or withdrawn] the designation, the [<sup>F432</sup>approval] authority shall [<sup>F433</sup>prepare] a report on its findings regarding the non-compliance<sup>F434</sup>.... Where necessary to ensure the safety of vehicles, systems, components or separate technical units already placed on the market, the <sup>F435</sup>... approval authority shall <sup>F436</sup>... suspend or withdraw within a reasonable period of time, any [<sup>F437</sup>GB] type-approval certificates which were unduly issued.

<sup>F438</sup>4 Where the designation of a technical service has been restricted, suspended or withdrawn, but the approval authority has decided not to suspend or withdraw, in accordance with the second subparagraph of paragraph 3, the GB type-approval certificates which were issued on the basis of inspection and test reports issued by that technical service, those certificates remain valid unless the type-approvals have been invalidated in accordance with point (f) of Article 35(2).]

5 Extensions of the scope of the technical service's designation that lead to the designation of an additional category of activities referred to in Article 68(1) shall be assessed in accordance with the procedure set out in Article 73.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Extensions of the scope of a technical service's designation only for the regulatory acts listed in Annex II may be carried out in accordance with the procedures laid down in Appendix 2 to Annex III <sup>F439</sup>....

6 The designation of a technical service shall only be renewed after the [<sup>F440</sup>approval] authority has verified that the technical service continues to comply with the requirements of this Regulation. That assessment shall be carried out in accordance with the procedure set out in Article 73.

#### Textual Amendments

- F421** Word in Art. 75(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(a\)\(i\)](#)
- F422** Words in Art. 75(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(a\)\(ii\)](#)
- F423** Word in Art. 75(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(b\)\(i\)](#)
- F424** Words in Art. 75(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(b\)\(ii\)](#)
- F425** Word in Art. 75(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(b\)\(iii\)](#)
- F426** Word in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(i\)\(aa\)](#)
- F427** Words in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(i\)\(bb\)](#)
- F428** Word in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(i\)\(cc\)](#)
- F429** Words in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(i\)\(dd\)](#)
- F430** Words in Art. 75(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(i\)\(ee\)](#)
- F431** Words in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(aa\)](#)
- F432** Word in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(bb\)](#)
- F433** Word in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(cc\)](#)
- F434** Words in Art. 75(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(dd\)](#)

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F435** Words in Art. 75(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(ee\)](#)
- F436** Words in Art. 75(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(ff\)](#)
- F437** Word in Art. 75(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(c\)\(ii\)\(gg\)](#)
- F438** Art. 75(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(d\)](#)
- F439** Words in Art. 75(5) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(e\)](#)
- F440** Word in Art. 75(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [37\(9\)\(f\)](#)

## Article 76

### Monitoring of technical services

1 The <sup>F441</sup>... approval authority shall continuously monitor the technical services to ensure compliance with the requirements laid down in Articles 68 to 72, in Articles 80 and 81 and in Appendix 2 to Annex III.

The first subparagraph of this paragraph shall not apply to any activities of technical services which are monitored by accreditation bodies in accordance with Article 67(1) for the purposes of ensuring compliance with the requirements laid down in Articles 68 to 72, in Articles 80 and 81 and in Appendix 2 to Annex III.

Technical services shall supply on request all relevant information and documents that are required to enable the <sup>F441</sup>... approval authority or national accreditation body to verify compliance with those requirements.

Technical services shall inform the <sup>F441</sup>... approval authority or national accreditation body without delay of any changes, in particular regarding their personnel, facilities, subsidiaries or subcontractors, which may affect compliance with the requirements set out in Articles 68 to 72, in Articles 80 and 81 and in Appendix 2 to Annex III, or their ability to perform the conformity assessment tasks relating to the vehicles, systems, components and separate technical units for which they have been designated.

2 Technical services shall respond without delay to requests by [<sup>F442</sup>the approval] authority <sup>F443</sup>... in relation to the conformity assessments they have carried out.

3 The <sup>F444</sup>... approval authority shall ensure that the technical service carries out its obligation laid down in paragraph 2 of this Article, unless there is a legitimate reason for not doing so.

<sup>F445</sup> ...

4 At least every 30 months, the [<sup>F446</sup>approval authority] shall assess whether each technical service under its responsibility continues to satisfy the requirements set out in Articles

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68 to 72, in Articles 80 and 81 and in Appendix 2 to Annex III. That assessment shall include an on-site assessment of each technical service under its responsibility.

F447  
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**Textual Amendments**

**F441** Words in Art. 76(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(a)**

**F442** Words in Art. 76(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(b)(i)**

**F443** Words in Art. 76(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(b)(ii)**

**F444** Words in Art. 76(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(c)(i)**

**F445** Words in Art. 76(3) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(c)(ii)**

**F446** Words in Art. 76(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(d)(i)**

**F447** Words in Art. 76(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(10)(d)(ii)**

F448 Article 77

Challenge to the competence of technical services

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**Textual Amendments**

**F448** Art. 77 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **37(11)**

F449 Article 78

Exchange of information on assessment,  
designation and monitoring of technical services

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

**F449** Art. 78 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(11)**

## Article 79

### Cooperation with national accreditation bodies

1 Where the designation of a technical service is based on accreditation within the meaning of Regulation (EC) No 765/2008, the national accreditation body and the [<sup>F450</sup>approval] authority shall fully cooperate and shall exchange relevant information in compliance with Regulation (EC) No 765/2008, including incident reports and other information that relate to matters under the control of the technical service when that information is relevant for the assessment of the performance of the technical service.

2 [<sup>F451</sup>The approval authority must keep] the national accreditation body in charge of the accreditation of a particular technical service informed of any findings that are relevant to the accreditation. The national accreditation body shall inform the [<sup>F452</sup>approval] authority <sup>F453</sup>... of its findings.

### Textual Amendments

**F450** Word in Art. 79(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(12)(a)**

**F451** Words in Art. 79(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(12)(b)(i)**

**F452** Word in Art. 79(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(12)(b)(ii)**

**F453** Words in Art. 79(2) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(12)(b)(iii)**

## Article 80

### Operational obligations of technical services

1 Technical services shall carry out the activities for which they have been designated in accordance with Article 68(1).

2 At all times, technical services shall:

- a allow the [<sup>F454</sup>approval] authority to witness the performance of the technical service during testing for type-approval; and
- b where requested, provide the [<sup>F454</sup>approval] authority with information on the categories of activities for which they have been designated.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3 Where a technical service finds that a manufacturer does not comply with the requirements laid down in this Regulation, it shall report this non-compliance to the [F455 approval] authority in order for that [F455 approval] authority to require the manufacturer to take appropriate corrective measures. The [F455 approval] authority shall refuse to issue a [F455 approval] certificate where those appropriate corrective measures have not been taken.

#### Textual Amendments

**F454** Word in Art. 80(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(13)(a)**

**F455** Word in Art. 80(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(13)(b)**

### Article 81

#### Information obligations of technical services

- 1 Technical services shall inform the F456 ... approval authority of the following:
  - a any non-conformity encountered which may require the refusal, restriction, suspension or withdrawal of a type-approval certificate;
  - b any circumstances affecting the scope of and conditions for their designation;
  - c any request for information which they have received from market surveillance authorities regarding their activities.
- 2 Upon request from the F456 ... approval authority, technical services shall provide information on the activities within the scope of their designation or on any other activity they have performed, including cross-border activities and subcontracting.

#### Textual Amendments

**F456** Words in Art. 81 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **37(14)**

## CHAPTER XVI

### DELEGATED AND IMPLEMENTING POWERS

#### [F457] Article 82

#### Regulations

- 1 Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
- 2 Such regulations may—
  - a make incidental, supplemental, consequential or transitional provision, and



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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- b make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.

3 Before making any regulations to which paragraph 4 applies the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.

4 This paragraph applies to regulations made under Articles 4(2), 5(3), 26(3), 30(8), 31(8), 41(5), 55(3) or (4), 61(11), 70(3), 72(3) or Annex X.

5 A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.]

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#### Textual Amendments

**F457** Art. 82 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **38(1)**

#### <sup>F458</sup>Article 83

### Committee procedure

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#### Textual Amendments

**F458** Art. 83 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **38(2)**

## CHAPTER XVII

### FINAL PROVISIONS

#### <sup>F459</sup>Article 84

### Penalties

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#### Textual Amendments

**F459** Art. 84 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **39**



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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## <sup>F460</sup> Article 85

### Administrative fines in support of corrective and restrictive measures at Union level

#### Textual Amendments

**F460** Art. 85 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **39**

## Article 86

### Amendments to Regulation (EC) No 715/2007

- 1 Regulation (EC) No 715/2007 is amended as follows:
    - (1) The title is replaced by the following:  
Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6);
    - (2) in Article 1, paragraph 2 is replaced by the following:
  2. In addition, this Regulation lays down rules for in-service conformity, the durability of pollution control devices, vehicle on-board diagnostic (OBD) systems and the measurement of fuel consumption.;
  - (3) in Article 3, points 14 and 15 are deleted;
  - (4) Chapter III is deleted;
  - (5) in Article 13(2), point (e) is deleted.
- 2 References to the deleted provisions of Regulation (EC) No 715/2007 shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in point 1 of Annex XI to this Regulation.

## Article 87

### Amendments to Regulation (EC) No 595/2009

- 1 Regulation (EC) No 595/2009 is amended as follows:
  - (1) The title is replaced by the following:  
Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC;

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(2) in Article 1, second paragraph is replaced by the following:

This Regulation also lays down rules for in-service conformity of vehicles and engines, the durability of pollution control devices, vehicle on-board diagnostic (OBD) systems and the measurement of fuel consumption and CO<sub>2</sub> emissions.;

(3) in Article 3, points 11 and 13 are deleted;

(4) Article 6 is deleted;

(5) in Article 11(2), point (e) is deleted.

2 References to the deleted provisions of Regulation (EC) No 595/2009 shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in point 2 of Annex XI to this Regulation.

### *Article 88*

#### **Repeal of Directive 2007/46/EC**

Directive 2007/46/EC is repealed with effect from 1 September 2020.

References to Directive 2007/46/EC shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in point 3 of Annex XI to this Regulation.

### *Article 89*

#### **Transitional provisions**

1 This Regulation shall not invalidate any whole-vehicle type-approval or EU type-approval granted to vehicles or to systems, components or separate technical units by 31 August 2020.

2 Approval authorities shall grant extensions and revisions of whole-vehicle type-approvals and EU type-approvals to the vehicles, systems, components or separate technical units referred to in paragraph 1 of this Article in accordance with Articles 33 and 34.

3 Technical services already designated before 4 July 2018 shall be subject to the assessment referred to in Article 73.

The designation of technical services already designated before 4 July 2018 shall be renewed by 5 July 2022 where those technical services comply with the relevant requirements set out in this Regulation.

The validity of the designation of technical services made before 4 July 2018 shall terminate by 5 July 2022.

### <sup>F461</sup>*Article 90*

#### **Reporting**

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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#### Textual Amendments

**F461** Art. 90 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **39**

#### Article 91

##### Entry into force and application

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

It shall apply from 1 September 2020.

However, from 5 July 2020, 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, if a manufacturer so requests.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 30 May 2018.

*For the European Parliament*

*The President*

A. TAJANI

*For the Council*

*The President*

L. PAVLOVA

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## ANNEX I

### GENERAL DEFINITIONS, CRITERIA FOR VEHICLE CATEGORISATION, TYPES OF VEHICLE AND TYPES OF BODYWORK INTRODUCTORY PART *Definitions and general provisions*

1. Definitions
  - 1.1. 'Seating position' means any location capable of accommodating one person seated who is at least as large as:
    - (a) the manikin of the 50th percentile adult male in the case of the driver;

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(b) the manikin of the 5th percentile adult female in all other cases.

1.2. ‘Seat’ means a complete structure with trim, integral or not with the vehicle body structure, which is intended to seat one person.

It includes both an individual seat and a bench seat, as well as folding seats and removable seats.

1.3. ‘Goods’ means primarily any movable things.

It includes products in bulk, manufactured goods, liquids, living animals, crops, indivisible loads.

1.4. ‘Maximum mass’ means the ‘technically permissible maximum laden mass’.

2. General provisions

2.1. Number of seating positions

2.1.1. The requirements regarding the number of seating positions apply to seats that are designed for use when the vehicle is travelling on the road.

2.1.2. They do not apply to seats that are designed for use when the vehicle is stationary and which are clearly identified to users either by means of a pictogram or a sign with an appropriate text.

2.1.3. The following requirements apply for the counting of the seating positions:

(a) each individual seat shall be counted as one seating position;

(b) in the case of a bench seat, any space having a width of at least 400 mm measured at the seat cushion level shall be counted as one seating position.

This condition shall not prevent the manufacturer from using the general provisions referred to in point 1.1;

(c) however, a space as referred to in point (b) shall not be counted as one seating position where:

(i) the bench seat includes features that prevent the bottom of the manikin from sitting in a natural way - for example: the presence of a fixed console box, an unpadded area or an interior trim interrupting the nominal seating surface;

(ii) the design of the floor pan located immediately in front of a presumed seating position (for example the presence of a tunnel) prevents the feet of the manikin from being positioned in a natural way.

2.1.4. With respect to vehicles covered by UN Regulations No 66 and No 107, the dimension referred to in point 2.1.3(b) shall be aligned with the minimum space required for one person in relation to the various classes of vehicles.

2.1.5. When seat anchors for a removable seat are present in a vehicle, the removable seat shall be counted in the determination of the number of the seating positions.

2.1.6. An area intended for an occupied wheelchair shall be regarded as one seating position.

2.1.6.1. This provision shall be without prejudice to the requirements of paragraphs 3.6.1 and 3.7 of Annex 8 to UN Regulation No 107.

2.2. Maximum mass

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- 2.2.1. In the case of a tractor unit for semi-trailer, the maximum mass to be considered for classifying the vehicle shall include the maximum mass of the semi-trailer borne by the fifth wheel coupling.
- 2.2.2. In the case of a motor vehicle that can tow a centre-axle trailer or a rigid drawbar trailer, the maximum mass to be considered for classifying the motor vehicle shall include the maximum mass transferred to the towing vehicle by the coupling.
- 2.2.3. In the case of a semi-trailer, a centre-axle trailer and a rigid drawbar trailer, the maximum mass to be considered for classifying the vehicle shall correspond to the maximum mass transmitted to the ground by the wheels of an axle or group of axles when coupled to the towing vehicle.
- 2.2.4. In the case of a converter dolly, the maximum mass to be considered for classifying the vehicle shall include the maximum mass of the semi-trailer borne by the fifth wheel coupling.
- 2.3. Special equipment
  - 2.3.1. Vehicles fitted primarily with fixed equipment such as machinery or apparatus shall be regarded as N or O category.
- 2.4. Units
  - 2.4.1. Unless otherwise stated any unit of measurement and associated symbol shall conform to <sup>F462</sup>the Units of Measurement Regulations 1986].

#### Textual Amendments

**F462** Words in Annex 1 point 2.4.1 substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **40(2)**

- 3. Categorisation into vehicle categories
  - 3.1. The manufacturer is responsible for the categorisation of a type of vehicle into a specific category.

For such purposes, all the relevant criteria described in this Annex shall be met.

- 3.2. The approval authority may request from the manufacturer appropriate additional information with the aim of demonstrating that a type of vehicle needs to be categorised as special purpose vehicle in the special group ('SG Code').

## PART A

### Criteria for vehicle categorisation

- 1. Vehicle categories

<sup>F463</sup>For the purposes of GB type-approval, including GB small series type-approval, and individual vehicle approval], vehicles shall be categorised in accordance with the classification referred to in Article 4.



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

**F463** Words in Annex 1 Pt. A point 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **40(3)(a)**

Approval can only be granted for the categories referred to in Article 4(1).

## 2. Vehicle subcategories

### 2.1. Off-road vehicles

‘Off-road vehicle (ORV)’ means a vehicle that belongs to category M or N, having specific technical features which permit its use off the normal roads.

For those categories of vehicles, the letter ‘G’ shall be added as suffix to the letter and numeral identifying the vehicle category.

The criteria for the subcategorisation of vehicles as ORV are specified in point 4 of this Part.

### 2.2. Special purpose vehicles (SPV)

2.2.1. For incomplete vehicles that are intended to fall into the SPV subcategory, the letter ‘S’ shall be added as suffix to the letter and numeral identifying the vehicle category.

The various types of special purpose vehicles are defined and listed in point 5.

### 2.3. Off road special purpose vehicle

2.3.1. ‘Off road special purpose vehicle (ORV-SPV)’ means a vehicle that belongs either to category M or N having the specific technical features referred to in points 2.1 and 2.2.

For those categories of vehicles, the letter ‘G’ shall be added as suffix to the letter and numeral identifying the vehicle category.

Moreover, for incomplete vehicles that are intended to fall into the SPV subcategory, the letter ‘S’ shall be added as second suffix.

## 3. Criteria for the categorisation of vehicles in category N

3.1. The categorisation of a type of vehicle in category N shall be based on the technical features of the vehicle as referred to in points 3.2 to 3.6.

3.2. As a matter of principle, the compartment(s) where all the seating positions are located, shall be completely separated from the loading area.

3.3. By way of derogation from the requirements of point 3.2, persons and goods may be transported in the same compartment under the condition that the loading area is provided with securing devices designed to protect persons transported against the displacement of the load during driving, including severe braking and cornering.

3.4. Securing devices - lashing devices - intended for securing the load as required in point 3.3 as well as partitioning systems, intended for vehicles up to 7,5 tonnes shall be designed in accordance with the provisions of sections 3 and 4 of international standard ISO 27956:2009 ‘Road vehicles – Securing of cargo in delivery vans – Requirements and test methods’.

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- 3.4.1. The requirements referred to in point 3.4 may be verified by a statement of compliance provided by the manufacturer.
- 3.4.2. As an alternative to the requirements of point 3.4, the manufacturer may demonstrate to the satisfaction of the approval authority that the securing devices fitted show an equivalent level of protection as provided in the referred standard.
- 3.5. The number of seating positions excluding the driver's seating position shall not exceed:
  - (a) 6 in the case of  $N_1$  vehicles;
  - (b) 8 in the case of  $N_2$  or  $N_3$  vehicles.
- 3.6. Vehicles shall show a goods-carrying capacity equal or higher than the person-carrying capacity expressed in kg.
  - 3.6.1. For such purposes, the following equations shall be satisfied in all configurations, in particular when all seating positions are occupied:
    - (a) when  $N = 0$ :  

$$P - M \geq 100 \text{ kg}$$
    - (b) when  $0 < N \leq 2$ :  

$$P - (M + N \times 68) \geq 150 \text{ kg};$$
    - (c) when  $N > 2$ :  

$$P - (M + N \times 68) \geq N \times 68;$$

where the letters have the following meaning:

    - 'P' is the technically permissible maximum laden mass;
    - 'M' is the mass in running order;
    - 'N' is the number of seating positions excluding the driver's seating position.
  - 3.6.2. The mass of equipment that is fitted to the vehicle in order to accommodate goods (e.g. tank, bodywork, etc.), to handle goods (e.g. crane, lift, etc.) and to secure goods (e.g. cargo securing devices) shall be included in M.
  - 3.6.3. The mass of equipment that is not used for the purposes referred to in point 3.6.2 (such as a compressor, a winch, an electric power generator, broadcasting equipment, etc.) shall not be included in M for the purposes of the application of the formulae referred to in point 3.6.1.
  - 3.7. The requirements referred to in points 3.2 to 3.6 shall be met for all variants and versions within the type of vehicle.
  - 3.8. Criteria for the categorisation of vehicles as  $N_1$ .
    - 3.8.1. A vehicle shall be categorised as  $N_1$  when all the applicable criteria are met.

When one or more of the criteria are not met, the vehicle shall be categorised as  $M_1$ .

- 3.8.2. In addition to the general criteria referred to in points 3.2 to 3.6, the criteria specified in this point shall be met for the categorisation of vehicles for which the compartment where the driver is located and the load are within a single unit (i.e. bodywork 'BB').

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3.8.2.1. The fact that a wall or a partition, complete or partial, is fitted between a seat row and the cargo area shall not rule out the obligation to meet the required criteria.

3.8.2.2. The criteria shall be as follows:

(a) the loading of the goods shall be possible by a rear door, a tailgate or a side-door designed and constructed for that purposes;

(b) in the case of a rear door or a tailgate, the loading aperture shall meet the following requirements:

(i) in the case the vehicle is fitted with only one row of seats or with only the driver seat, the minimum height of the loading aperture shall be at least 600 mm;

(ii) in the case the vehicle is fitted with two or more rows of seats, the minimum height of the loading aperture shall be at least 800 mm and the aperture shall show a surface of at least 12 800 cm<sup>2</sup>;

(c) The cargo area shall meet the following requirements:

‘cargo area’ means the part of the vehicle located behind the row(s) of seats or behind the driver seat when the vehicle is fitted with only one driver seat;

(i) the loading surface of the cargo area shall be generally flat;

(ii) where the vehicle is fitted with only one row of seats or with one seat, the minimum length of the cargo area shall be at least 40 % of the wheelbase;

(iii) where the vehicle is fitted with two or more rows of seats, the minimum length of the cargo area shall be at least 30 % of the wheelbase.

Where the seats of the last row of seats can be easily removed from the vehicle without the use of special tools, the requirements regarding the length of the cargo area shall be met with all the seats installed in the vehicle;

(iv) the requirements regarding the length of the cargo area shall be met when the seats of the first row or of the last row, as the case may be, are upright in their normal position for use by the vehicle occupants.

3.8.2.3. Specific conditions for measurement

3.8.2.3.1. Definitions

(a) ‘Height of the loading aperture’, means the vertical distance between two horizontal planes tangent respectively to the highest point of the lower part of the doorway and the lowest point of the upper part of the doorway;

(b) ‘Surface of the loading aperture’ means the greatest surface of the orthogonal projection on a vertical plane, perpendicular to the centreline of the vehicle, of the maximum aperture permitted when the rear door(s) or tailgate is (are) wide open;

(c) ‘Wheelbase’, for the purposes of application of the formulae in points 3.8.2.2 and 3.8.3.1, means the distance between:

(i) the centreline of the front axle and the centreline of the second axle in the case of a two axle vehicle; or

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- (ii) the centreline of the front axle and the centreline of a virtual axle equally distant from the second and third axle in the case of a three axle vehicle.

#### 3.8.2.3.2. Seat adjustments

- (a) The seats shall be adjusted at their rear outermost positions;
- (b) The seat back, if adjustable, shall be adjusted as to accommodate the three-dimensional H-point machine at a torso angle of 25 degrees;
- (c) The seat back, if not adjustable, shall be in the position designed by the vehicle manufacturer;
- (d) When the seat is adjustable in height, it shall be adjusted to its lowest position.

#### 3.8.2.3.3. Vehicle conditions

- (a) The vehicle shall be in loaded conditions corresponding to its maximum mass;
- (b) The vehicle shall be with its wheels straight ahead.

3.8.2.3.4. The requirements of point 3.8.2.3.2 shall not apply when the vehicle is fitted with a wall or a partition.

#### 3.8.2.3.5. Measurement of the length of the cargo area

- (a) When the vehicle is not fitted with a partition or a wall, the length shall be measured from a vertical plane tangent to the rear outermost point of the top of the seat back to the rear internal pane or door or tailgate, in closed position;
- (b) When the vehicle is fitted with a partition or a wall, the length shall be measured from a vertical plane tangent to the rear outermost point of the partition or the wall to the rear internal pane or door or tailgate, as the case may be, in closed position;
- (c) The requirements concerning the length shall be fulfilled at least along a horizontal line situated in the longitudinal vertical plane passing through the centreline of the vehicle, at the level of the load floor.

3.8.3. In addition to the general criteria referred to in points 3.2 to 3.6, the criteria specified in this point shall be met for the categorisation of vehicles for which the compartment where the driver is located and the load are not within a single unit (i.e. bodywork 'BE').

3.8.3.1. Where the vehicle is fitted with an enclosure type body, the following shall apply:

- (a) the loading of the goods shall be possible by a rear door, a tailgate or a panel or other means;
- (b) the minimum height of the loading aperture shall be at least 800 mm and the aperture shall show a surface of at least 12 800 cm<sup>2</sup>;
- (c) The minimum length of the cargo area shall be at least 40 % of the wheelbase.

3.8.3.2. Where the vehicle is fitted with an open type cargo area, only the provisions referred to in points 3.8.3.1(a) and (c) shall apply.

3.8.3.3. For the application of the provisions referred to in point 3.8.3, the definitions in point 3.8.2.3.1 shall apply.

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- 3.8.3.4. However, the requirements concerning the length of the cargo area shall be fulfilled along a horizontal line situated in the longitudinal plane passing through the centreline of the vehicle at the level of the load floor.
4. Criteria for the sub-categorisation of vehicles as off-road vehicles
- 4.1.  $M_1$  or  $N_1$  vehicles shall be subcategorised as off-road vehicles if they satisfy at the same time the following conditions:
- (a) at least one front and at least one rear axle designed to be driven simultaneously irrespective of whether one powered axle can be disengaged;
  - (b) at least one differential locking mechanism or a mechanism having similar effect is fitted;
  - (c) they are able to climb at least a 25 % gradient as a solo vehicle;
  - (d) they satisfy five out of the following six requirements:
    - (i) the approach angle shall be at least 25 degrees;
    - (ii) the departure angle shall be at least 20 degrees;
    - (iii) the ramp angle shall be at least 20 degrees;
    - (iv) the ground clearance under the front axle shall be at least 180 mm;
    - (v) the ground clearance under the rear axle shall be at least 180 mm;
    - (vi) the ground clearance between the axles shall be at least 200 mm.
- 4.2.  $M_2$ ,  $N_2$  or  $M_3$  vehicles the maximum mass of which does not exceed 12 tonnes shall be subcategorised as off-road vehicles if they satisfy either the condition set out in point (a) or the conditions set out in both points (b) and (c):
- (a) all their axles are driven simultaneously, irrespective of whether one or more powered axles can be disengaged;
  - (b)
    - (i) at least one front and at least one rear axle are designed to be driven simultaneously irrespective of whether one powered axle can be disengaged;
    - (ii) at least one differential locking mechanism or a mechanism having the same effect is fitted;
    - (iii) they are able to climb a 25 % gradient as a solo vehicle;
  - (c) they satisfy at least five out of the following six requirements if their maximum mass does not exceed 7,5 tonnes and at least four if their maximum mass exceeds 7,5 tonnes:
    - (i) the approach angle shall be at least 25 degrees;
    - (ii) the departure angle shall be at least 25 degrees;
    - (iii) the ramp angle shall be at least 25 degrees;
    - (iv) the ground clearance under the front axle shall be at least 250 mm;
    - (v) the ground clearance between axles shall be at least 300 mm;
    - (vi) the ground clearance under the rear axle shall be at least 250 mm.

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- 4.3.  $M_3$  or  $N_3$  vehicles whose maximum mass exceeds 12 tonnes shall be subcategorised as off-road vehicles if they satisfy either the condition set out in point (a) or the conditions set out in both points (b) and (c):
- (a) all their axles are driven simultaneously, irrespective of whether one or more powered axles can be disengaged;
  - (b)
    - (i) at least half of the axles (or two axles out of the three in the case of a three axle vehicle and three axles in the case of a five axle vehicle) is designed to be driven simultaneously, irrespective of whether one powered axle can be disengaged;
    - (ii) there is at least one differential locking mechanism or a mechanism having similar effect;
    - (iii) they are able to climb a 25 % gradient as solo vehicle;
  - (c) they satisfy at least four out of the following six requirements:
    - (i) the approach angle shall be at least 25 degrees;
    - (ii) the departure angle shall be at least 25 degrees;
    - (iii) the ramp angle shall be at least 25 degrees;
    - (iv) the ground clearance under the front axle shall be at least 250 mm;
    - (v) the ground clearance between axles shall be at least 300 mm;
    - (vi) the ground clearance under the rear axle shall be at least 250 mm.
- 4.4. The procedure for checking compliance with the geometrical provisions referred to in this Part shall be set out in Appendix 1.
- 4.5. The requirements in points 4.1(a), 4.2(a), 4.2(b), 4.3(a), 4.3(b) on simultaneous driven axles are considered to have been fulfilled if one of the following conditions is fulfilled:
- (a) the transmission of the tractive power to all axles is performed by mechanical means only which provides traction in heavy off-road; or
  - (b) each of the wheels of the axle in question is driven by an individual hydraulic or electric motor.

If the axles according to the requirements in points 4.1(a), 4.2(a), 4.2(b), 4.3(a), 4.3(b) on simultaneous driven axles are not powered by mechanical means only, the propulsion of the individual wheels shall be designed for heavy off-road operation. In such case it shall be ensured that at least 75 % of total tractive power can be transmitted to the wheel in question when the tractive conditions under the other wheels do not allow to transmit the tractive power properly via these wheels.

The auxiliary drive system according to point 4.5(b) shall not allow to disengage the tractive power automatically until the vehicle reaches 75 % of the maximum vehicle design speed or reaches 65 km/h.

## 5. Special purpose vehicles

	Name	Code	Definition
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5.1.	Motor caravan	SA	<p>A vehicle of category M with living accommodation space which contains the following equipment as a minimum:</p> <ul style="list-style-type: none"> <li>(a) seats and table;</li> <li>(b) sleeping accommodation which may be converted from the seats;</li> <li>(c) cooking facilities;</li> <li>(d) storage facilities.</li> </ul> <p>This equipment shall be rigidly fixed to the living compartment. However, the table may be designed to be easily removable.</p>
5.2.	Armoured vehicle	SB	A vehicle intended for the protection of conveyed persons or goods with anti-bullet armour plating.
5.3.	Ambulance	SC	A vehicle of category M intended for the transport of sick or injured persons and having special equipment for such purpose.
5.4.	Hearse	SD	A vehicle of category M intended for the transport of deceased persons and having special equipment for such purpose.
5.5.	Wheelchair accessible vehicle	SH	A vehicle of category M <sub>1</sub> constructed or converted specifically so that they accommodate one or more persons seated in their



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			wheelchairs when travelling on the road.
5.6.	Trailer caravan	SE	A vehicle of category O as defined in term 3.2.1.3 of international standard ISO 3833:1977.
5.7.	Mobile crane	SF	A vehicle of category N <sub>3</sub> , not fitted for the carriage of goods, provided with a crane whose lifting moment is equal to or higher than 400 kNm.
5.8.	Special group	SG	A special purpose vehicle that does not enter in any of the definitions mentioned in this Part.
5.9.	Converter dolly	SJ	A vehicle of category O equipped with a fifth-wheel coupling to support a semi-trailer with a view to converting the latter into a trailer.
5.10.	Exceptional load transport trailer	SK	A vehicle of category O <sub>4</sub> intended for the transport of indivisible loads that is subject to speed and traffic restrictions because of its dimensions. Under this term are also included hydraulic modular trailers irrespective of the number of modules.
5.11.	Exceptional load transport motor vehicle	SL	A road tractor or tractor unit for semi-trailer of category N <sub>3</sub> meeting all the following conditions: (a) having more than two axles and at least half

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			<p>of the axles (two axles out of three in the case of a three axle vehicle and three axles out of five in the case of a five axle vehicle) designed to be driven simultaneously, irrespective of whether one powered axle can be disengaged;</p> <p>(b) that is designed for towing and pushing exceptional load transport trailer of category O<sub>4</sub>;</p> <p>(c) that has a minimum engine power of 350 kW; and</p> <p>(d) that can be equipped with an additional front coupling device for heavy towable masses.</p>
5.12.	Multi-equipment carrier	SM	An off-road vehicle of category N (as defined in point 2.3) designed and constructed for pulling, pushing,

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carrying and actuating certain inter-changeable equipment:

- (a) with not less than two mounting areas for this equipment;
- (b) with standardised, mechanical, hydraulic and/or electrical interfaces (e.g. Power take off) for powering and actuating the inter-changeable equipment; and
- (c) that fulfils the definition of international standard ISO 3833-1977, paragraph 3.1.4 (special vehicle).

If the vehicle is equipped with an auxiliary load platform, its maximum length shall not exceed:

- (a) 1,4 times of the front or rear track width of the vehicle, whichever is the larger in the case of two axle vehicles; or

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			(b)	2,0 times of the front or rear track width of the vehicle, whichever is the larger in the case of vehicles having more than two axles.
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## 6. Remarks

### 6.1. Type-approval shall not be granted:

- (a) to converter dolly as defined in point 5.9 of this Part;
- (b) to rigid drawbar trailers as defined in point 5.4 of Part C;
- (c) to trailers in which persons may be carried when travelling on the road.

### 6.2. Point 6.1 is without prejudice to Article 42 on <sup>F464</sup>... small series type-approval.

#### Textual Amendments

**F464** Word in Annex 1 Pt. A point 6.2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **40(3)(b)**

## PART B

### Criteria for types of vehicle, variants and versions

#### 1. Category M<sub>1</sub>

##### 1.1. Type of vehicle

##### 1.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:

- (a) the manufacturer's company name.

A change in the legal form of ownership of the company does not require that a new approval has to be granted;

- (b) the design and assembly of the essential parts of the body structure in the case of a self-supporting body.

The same shall apply to vehicles the bodywork of which is bolted on or welded to a separate frame;

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- 1.1.2. By way of derogation from the requirements of point 1.1.1(b), when the manufacturer uses the floor portion of the body structure as well as the essential constituent elements forming the front part of the body structure located directly in front of the windscreen bay, in the construction of different kinds of bodywork (for example a saloon and a coupe), those vehicles may be considered as belonging to the same type. Evidence thereof shall be provided by the manufacturer.
- 1.1.3. A type shall consist of at least one variant and one version.
- 1.2. Variant
  - 1.2.1. A 'variant' within a type of vehicle shall group the vehicles that have the following construction features in common:
    - (a) the number of lateral doors or the type of bodywork as defined in point 2 of Part C when the manufacturer uses the criterion of point 1.1.2;
    - (b) the power plant with regard to the following construction features:
      - (i) the type of energy supply (internal combustion engine, electric motor or other);
      - (ii) the working principle (positive ignition, compression ignition or other);
      - (iii) the number and arrangement of cylinders in the case of internal combustion engine (L4, V6 or other);
    - (c) the number of axles;
    - (d) the number, and interconnection of powered axles;
    - (e) the number of steered axles;
    - (f) the stage of completion (e.g. complete/incomplete);
    - (g) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.
  - 1.3. Version
    - 1.3.1. A 'version' within a variant shall group the vehicles that have the following features in common:
      - (a) the technically permissible maximum laden mass;
      - (b) the engine capacity in the case of internal combustion engine;
      - (c) the maximum engine power output or the maximum continuous rated power (electric motor);
      - (d) the nature of the fuel (petrol, gas oil, LPG, bi-fuel or other);
      - (e) the maximum number of seating positions;
      - (f) drive-by sound level;
      - (g) exhaust emission level (for example Euro 5, Euro 6 or other);
      - (h) combined or weighted, combined CO<sub>2</sub> emissions;

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(i) electric energy consumption (weighted, combined);

(j) combined or weighted, combined fuel consumption;

As an alternative to the criteria in points (h), (i) and (j), the vehicles grouped into a version shall have in common all tests performed for the calculation of their CO<sub>2</sub> emissions, electric energy consumption and fuel consumption in accordance with sub-Annex 6 to Annex XXI to Commission Regulation (EU) 2017/1151<sup>(16)</sup>.

## 2. Categories M<sub>2</sub> and M<sub>3</sub>

### 2.1. Type of vehicle

2.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:

(a) the manufacturer's company name.

A change in the legal form of ownership of the company does not require that a new approval has to be granted;

(b) the category;

(c) the following aspects of construction and design:

(i) the design and construction of the essential constituent elements forming the chassis;

(ii) the design and construction of the essential constituent elements forming the body structure in the case of a self-supporting body;

(d) the number of decks (single or double);

(e) the number of sections (rigid/articulated);

(f) the number of axles;

(g) the mode of energy supply (on-board or off-board);

2.1.2. A type of vehicle shall consist of at least one variant and one version.

### 2.2. Variant

2.2.1. A 'variant' within a type of vehicle shall group the vehicles that have all of the following construction features in common:

(a) the type of bodywork as defined in point 3 of Part C;

(b) the class or combination of classes of vehicles as defined in paragraph 2.1.1 of UN Regulation No 107 (only in the case of complete and completed vehicles);

(c) the stage of completion (e.g. complete/incomplete/completed);

(d) the power plant with regard to the following construction features:

(i) the type of energy supply (internal combustion engine, electric motor or other);

(ii) the working principle (positive ignition, compression ignition or other);

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- (iii) the number and arrangement of cylinders in the case of internal combustion engine (L6, V8 or other);
- (e) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.
- 2.3. Version
  - 2.3.1. A 'version' within a variant shall group the vehicles that have all the following features in common:
    - (a) the technically permissible maximum laden mass;
    - (b) the ability of the vehicle to tow a trailer or not;
    - (c) the engine capacity in the case of internal combustion engine;
    - (d) the maximum engine power output or the maximum continuous rated power (electric motor);
    - (e) the nature of the fuel (petrol, gas oil, LPG, bi-fuel or other);
    - (f) drive-by sound level;
    - (g) exhaust emission level (for example Euro IV, Euro V or other).
  - 3. Category N<sub>1</sub>
    - 3.1. Type of vehicle
      - 3.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:
        - (a) the manufacturer's company name.
 

A change in the legal form of ownership of the company does not require that a new approval has to be granted;
        - (b) the design and assembly of the essential parts of the body structure in the case of a self-supporting body;
        - (c) the design and the construction of the essential constituent elements forming the chassis in the case of a non-self-supporting body.
      - 3.1.2. By way of derogation from the requirements of point 3.1.1(b), when the manufacturer uses the floor portion of the body structure as well the essential constituent elements forming the front part of the body structure located directly in front of the windscreen bay, in the construction of different kinds of bodywork (for example a van and a chassis-cab, different wheelbases and different roof heights), those vehicles may be considered as belonging to the same type. Evidence thereof shall be provided by the manufacturer.
      - 3.1.3. A type of vehicle shall consist of at least one variant and one version.
    - 3.2. Variant
      - 3.2.1. A 'variant' within a type of vehicle shall group the vehicles that have the following construction features in common:



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- (a) the number of lateral doors or the type of bodywork as defined in point 4 of Part C (for complete and completed vehicles) when the manufacturer uses the criterion of point 3.1.2;
- (b) the stage of completion (e.g. complete/incomplete/completed);
- (c) the power plant with regard to the following construction features:
  - (i) the type of energy supply (internal combustion engine, electric motor or other);
  - (ii) the working principle (positive ignition, compression ignition or other);
  - (iii) the number and arrangement of cylinders in the case of internal combustion engine (L6, V8 or other);
- (d) the number of axles;
- (e) the number and interconnection of powered axles;
- (f) the number of steered axles.
- (g) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.

### 3.3. Version

3.3.1. A 'version' within a variant shall group the vehicles that have the following features in common:

- (a) the technically permissible maximum laden mass;
- (b) the engine capacity in the case of internal combustion engine;
- (c) the maximum engine power output or maximum continuous rated power (electric motor);
- (d) the nature of the fuel (petrol, gas oil, LPG, bi-fuel or other);
- (e) the maximum number of seating positions;
- (f) drive-by sound level;
- (g) exhaust emission level (for example Euro 5, Euro 6 or other);
- (h) combined or weighted, combined CO<sub>2</sub> emissions;
- (i) electric energy consumption (weighted, combined);
- (j) combined or weighted, combined fuel consumption;
- (k) the existence of a unique set of innovative technologies, as specified in Article 12 of Regulation (EU) No 510/2011 of the European Parliament and of the Council<sup>(17)</sup>.

As an alternative to the criteria in points (h), (i) and (j), the vehicles grouped into a version shall have in common all tests performed for the calculation of their CO<sub>2</sub> emissions, electric energy consumption and fuel consumption in accordance with sub-Annex 6 to Annex XXI of Regulation (EU) 2017/1151.

## 4. Categories N<sub>2</sub> and N<sub>3</sub>

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#### 4.1. Type of vehicle

4.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:

(a) the manufacturer's company name.

A change in the legal form of ownership of the company does not require that a new approval has to be granted;

(b) the category;

(c) the design and construction of the chassis that are common to a single line of product;

(d) the number of axles;

4.1.2. A type of vehicle shall consist of at least one variant and one version.

#### 4.2. Variant

4.2.1. A 'variant' within a type of vehicle shall group the vehicles that have the following construction features in common:

(a) the body structural concept or type of bodywork as defined in point 4 of Part C and in Appendix 2 (only for complete and completed vehicles);

(b) the stage of completion (e.g. complete/incomplete/completed);

(c) the power plant with regard to the following construction features:

(i) the type of energy supply (internal combustion engine, electric motor or other);

(ii) the working principle (positive ignition, compression ignition or other);

(iii) the number and arrangement of cylinders in the case of internal combustion engine (L6, V8 or other);

(d) the number and interconnection of powered axles;

(e) the number of steered axles;

(f) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.

#### 4.3. Version

4.3.1. A 'version' within a variant shall group the vehicles that have the following features in common:

(a) the technically permissible maximum laden mass;

(b) the ability or not to tow a trailer as follows:

(i) an unbraked trailer;

(ii) a trailer with an inertia (or overrun) braking system as defined in paragraph 2.12 of UN Regulation No 13;

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- (iii) a trailer with a continuous or semi-continuous braking system as defined in paragraphs 2.9 and 2.10 of UN Regulation No 13;
  - (iv) a trailer of category O<sub>4</sub> that results in a maximum mass of the combination not exceeding 44 tonnes;
  - (v) a trailer of category O<sub>4</sub> that results in a maximum mass of the combination exceeding 44 tonnes;
- (c) the engine capacity;
- (d) the maximum engine power output;
- (e) the nature of the fuel (petrol, gas oil, LPG, bi-fuel or other);
- (f) drive-by sound level;
- (g) exhaust emission level (for example Euro IV, Euro V or other).
- 5. Categories O<sub>1</sub> and O<sub>2</sub>
- 5.1. Type of vehicle
- 5.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:
  - (a) the manufacturer's company name.  
A change in the legal form of ownership of the company does not require that a new approval has to be granted;
  - (b) the category;
  - (c) the concept as defined in point 5 of Part C;
  - (d) the following aspects of construction and design:
    - (i) the design and construction of the essential constituent elements forming the chassis;
    - (ii) the design and construction of the essential constituent elements forming the body structure in the case of a self-supporting body;
  - (e) the number of axles.
- 5.1.2. A type of vehicle shall consist of at least one variant and one version.
- 5.2. Variant
- 5.2.1. A 'variant' within a type of vehicle shall group the vehicles that have the following construction features in common:
  - (a) the kind of bodywork as referred to in Appendix 2 (for complete and completed vehicles);
  - (b) the stage of completion (e.g. complete/incomplete/completed);
  - (c) the type of braking system (e.g. unbraked/inertia/power);

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- (d) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.

### 5.3. Version

- 5.3.1. A 'version' within a variant shall group the vehicles that have the following features in common:

- (a) the technically permissible maximum laden mass;
- (b) the concept of the suspension (air, steel or rubber suspension, torsion bar or other);
- (c) the concept of the drawbar (triangle, tube or other).

### 6. Categories O<sub>3</sub> and O<sub>4</sub>

#### 6.1. Type of vehicle

- 6.1.1. A 'type of vehicle' shall consist of vehicles that have the following features in common:

- (a) the manufacturer's company name.  
A change in the legal form of ownership of the company does not require that a new approval has to be granted;
- (b) the category;
- (c) the concept of the trailer with relation to the definitions in point 5 of Part C;
- (d) the following aspects of construction and design:
  - (i) the design and construction of the essential constituent elements forming the chassis;
  - (ii) the design and construction of the essential constituent elements forming the body structure in the case of trailers with a self-supporting body;
- (e) the number of axles.

- 6.1.2. A type of vehicle shall consist of at least one variant and one version.

#### 6.2. Variants

- 6.2.1. A 'variant' within a type of vehicle shall group the vehicles that have the following construction and design features in common:

- (a) the kind of bodywork as referred to in Appendix 2 (for complete and completed vehicles);
- (b) the stage of completion (e.g. complete/incomplete/completed);
- (c) the concept of the suspensions (steel, air or hydraulic suspension);
- (d) the following technical features:
  - (i) the capability or not for the chassis to be extendible;
  - (ii) the deck height (normal, low loader, semi-low loader etc.);

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- (e) in the case of multi-stage built vehicles, the manufacturer and the type of the previous stage vehicle.
- 6.3. Versions
- 6.3.1. A 'version' within a variant shall group the vehicles that have the following features in common:
  - (a) the technically permissible maximum laden mass;
  - (b) the subdivisions or combination of subdivisions referred to in <sup>F465</sup>column 4 of table 6 in Schedule 3 to the Road Vehicles (Authorised Weight) Regulations 1998] into which the axle spacing between two consecutive axles forming a group belongs;
  - (c) the definition of the axles in the following respects:
    - (i) lift axles (number and position);
    - (ii) loadable axles (number and position);
    - (iii) steered axle (number and position).

#### Textual Amendments

**F465** Words in Annex 1 Pt. B point 6.3.1(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **40(4)**

- 7. Common requirements for all vehicle categories
  - 7.1. When a vehicle falls into several categories because of its maximum mass or the number of seating positions or both, the manufacturer may select to use the criteria of one or the other vehicle category for the definition of the variants and the versions.
  - 7.1.1. Examples:
    - (a) a vehicle 'A' may be type-approved as N<sub>1</sub> (3,5 tonnes) and N<sub>2</sub> (4,2 tonnes) in relation to its maximum mass. In such a case, the parameters mentioned in category N<sub>1</sub> may be used also for the vehicle that falls into category N<sub>2</sub> (or vice-versa);
    - (b) a vehicle 'B' may be type-approved as M<sub>1</sub> and M<sub>2</sub> in relation to the number of seating positions (7 + 1 or 10 + 1), the parameters mentioned in category M<sub>1</sub> may be used also for the vehicle that falls into category M<sub>2</sub> (or vice-versa).
  - 7.2. A vehicle of category N may be type-approved against the provisions required for category M<sub>1</sub> or M<sub>2</sub>, as the case may be, when it is intended to be converted into a vehicle of that category during the next step of a multi-stage type-approval procedure.
  - 7.2.1. This option shall only be permitted for incomplete vehicles.
- Such vehicles shall be identified by a specific variant code given by the manufacturer of the base vehicle.
- 7.3. Type-, variant- and version designations
  - 7.3.1. The manufacturer shall allocate an alphanumeric code to each type of vehicle, variant and version, made up of Roman letters and/or Arabic numerals.

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The use of brackets and hyphens is permitted provided they do not replace a letter or a numeral.

- 7.3.2. The whole code shall be designated: Type-Variant-Version or ‘TVV’.
- 7.3.3. The TVV shall clearly and unequivocally identify a unique combination of technical features in relation to the criteria defined in this Part.
- 7.3.4. The same manufacturer may use the same code in order to define a type of vehicle when the latter falls in two or more categories.
- 7.3.5. The same manufacturer shall not use the same code in order to define a type of vehicle for more than one type-approval within the same vehicle category.
- 7.4. Number of characters for the TVV
  - 7.4.1. The number of characters shall not exceed:
    - (a) 15 for the code of the type of vehicle;
    - (b) 25 for the code of one variant;
    - (c) 35 for the code of one version.
  - 7.4.2. The complete alphanumeric ‘TVV’ shall not contain more than 75 characters.
  - 7.4.3. When the TVV is used as a whole, a space shall be left between the type, the variant and the version.

Example of such TVV: 159AF[...space]0054[...space]977K(BE).

## PART C

### Definitions of types of bodywork

- 1. General
  - 1.1. The type of bodywork as well as the code for bodywork shall be indicated by means of codes.

The list of codes shall apply primarily to complete and completed vehicles.

- 1.2. As regards vehicles of categories M, the type of bodywork shall consist of two letters as specified in points 2 and 3.
- 1.3. As regards vehicles of categories N and O, the type of bodywork shall consist of two letters as referred to in points 4 and 5.
- 1.4. Where necessary (especially for the types of bodywork referred to respectively in points 4.1 and 4.6 and in points 5.1 to 5.4), they shall be supplemented by two digits.
  - 1.4.1. The list of digits shall be laid down in Appendix 2.
- 1.5. For special purpose vehicles, the type of bodywork to be used shall be linked to the category of the vehicle.
- 2. Vehicles belonging to category M<sub>1</sub>

Ref.	Code	Name	Definition
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2.1.	AA	Saloon	A vehicle defined in term 3.1.1.1 of international standard ISO 3833:1977, fitted with at least four side windows.
2.2.	AB	Hatchback	A saloon as defined in 2.1 with a hatch at the rear end of the vehicle.
2.3.	AC	Station wagon	A vehicle defined in term 3.1.1.4 of international standard ISO 3833:1977.
2.4.	AD	Coupé	A vehicle defined in term 3.1.1.5 of international standard ISO 3833:1977.
2.5.	AE	Convertible	A vehicle defined in terms No 3.1.1.6 of international standard ISO 3833:1977. However, a convertible may have no door.
2.6.	AF	Multi-purpose vehicle	A vehicle other than AG and those mentioned in AA to AE intended for carrying persons and their luggage or occasionally goods, in a single compartment.
2.7.	AG	Truck station wagon	A vehicle defined in term No 3.1.1.4.1 of international standard ISO 3833:1977. However, the luggage compartment must be completely separated from the passenger compartment. In addition, the reference point of the driver's seating position needs not to be at least at 750 mm above the



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			surface supporting the vehicle.
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### 3. Vehicles belonging to category M<sub>2</sub> or M<sub>3</sub>

Ref.	Code	Name	Definition
3.1.	CA	Single-deck vehicle	A vehicle where the spaces provided for persons are arranged in a single level or in a way that they do not constitute two superimposed levels;
3.2.	CB	Double-deck vehicle	A vehicle defined in paragraph 2.1.6 of UN Regulation No 107;
3.3.	CC	Single-deck articulated vehicle	A vehicle defined in paragraph 2.1.3 of UN Regulation No 107 with a single deck;
3.4.	CD	Double-deck articulated vehicle	A vehicle defined in paragraph 2.1.3.1 of UN Regulation No 107;
3.5.	CE	Low-floor single-deck vehicle	A vehicle defined in paragraph 2.1.4 of UN Regulation No 107 with a single deck;
3.6.	CF	Low-floor double-deck vehicle	A vehicle defined in paragraph 2.1.4 of UN Regulation No 107 with a double deck;
3.7.	CG	Articulated low-floor single-deck vehicle	A vehicle that combines the technical features of points 3.3 and 3.5 of this table;
3.8.	CH	Articulated low-floor double-deck vehicle	A vehicle that combines the technical features of points 3.4 and 3.6 of this table;

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3.9.	CI	Open top single deck vehicle	A vehicle with partial roof or without roof;
3.10.	CJ	Open top double deck vehicle	A vehicle without roof over all or part of its upper deck;
3.11.	CX	Bus chassis	An incomplete vehicle with just chassis rails or tube assembly, power train, axles, that is intended to be completed with bodywork, customised to the needs of the transport operator.

#### 4. Motor vehicles of category N<sub>1</sub>, N<sub>2</sub> or N<sub>3</sub>

Ref.	Code	Name	Definition
4.1.	BA	Lorry	A vehicle that is designed and constructed exclusively or principally for conveying goods. It may also tow a trailer.
4.2.	BB	Van	A lorry with the compartment where the driver is located and cargo area within a single unit.
4.3.	BC	Tractor unit for semi-trailer	A towing vehicle that is designed and constructed exclusively or principally to tow semi-trailers.
4.4.	BD	Road tractor	A towing vehicle that is designed and constructed exclusively to tow trailers other than semi-trailers.
4.5.	BE	Pick-up truck	A vehicle of a maximum mass not exceeding 3 500 kg

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			in which the seating positions and the cargo area are not located in a single compartment.
4.6.	BX	Chassis-cab or chassis-cowl	An incomplete vehicle with just a cabin (complete or partial), chassis rails, power train, axles, which is intended to be completed with bodywork, customised to the needs of the transport operator.

5. Vehicles of category O

Ref.	Code	Name	Definition
5.1.	DA	Semi-trailer	A trailer that is designed and constructed to be coupled to a tractor unit or to a converter dolly and to impose a substantial vertical load on the towing vehicle or on the converter dolly. The coupling to be used for a vehicle combination shall consist of a king pin and a fifth wheel.
5.2.	DB	Drawbar trailer	A trailer having at least two axles, of which at least one is a steered axle: (a) equipped with a towing device which can move vertically (in relation to the trailer); and

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			(b) that transmits less than 100 daN as a static vertical load to the towing vehicle.
5.3.	DC	Centre-axle trailer	A trailer where the axle(s) is (are) positioned close to the centre of gravity of the vehicle (when uniformly loaded) so that only a small static vertical load, not exceeding 10 % of that corresponding to the maximum mass of the trailer or a load of 1 000 daN (whichever is the lesser) is transmitted to the towing vehicle.
5.4.	DE	Rigid drawbar trailer	A trailer with one axle or one group of axles fitted with a drawbar which transmits a static load not exceeding 4 000 daN to the towing vehicle due to its construction and that does not meet the definition of a centre-axle trailer. The coupling to be used for a vehicle combination shall not consist of a king pin and a fifth wheel.

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## Appendix 1

### Procedure for checking whether a vehicle can be categorised as off-road vehicle

#### 1. General

- 1.1. For the purposes of classification of a vehicle as off-road vehicle, the procedure described in this Appendix shall apply.

#### 2. Test conditions for geometric measurements

- 2.1. Vehicles belonging to category M<sub>1</sub> or N<sub>1</sub> shall be in unloaded conditions with a manikin of the 50th percentile male installed on the driver's seat and fitted with coolant fluid, lubricants, fuel, tools, spare-wheel (if fitted as OEM equipment).

The manikin may be replaced by a similar device having the same mass.

- 2.2. Vehicles other than those referred to in point 2.1 shall be loaded to their technically permissible maximum laden mass.

The distribution of the mass on the axles shall be the one that represents the worst case with respect to compliance with the respective criteria.

- 2.3. A vehicle representative of the type shall be submitted to the technical service in the conditions specified in point 2.1 or 2.2. The vehicle shall be in a stationary position with its wheels set straight ahead.

The ground on which measurements are made shall be as flat and horizontal (maximum of inclination 0,5 %) as possible.

#### 3. Measurement of approach, departure and ramp angles

- 3.1. The approach angle shall be measured in accordance with paragraph 6.10 of international standard ISO 612:1978.

- 3.2. The departure angle shall be measured in accordance with paragraph 6.11 of international standard ISO 612:1978.

- 3.3. The ramp angle shall be measured in accordance with paragraph 6.9 of international standard ISO 612:1978.

- 3.4. When measuring the departure angle rear underrun protection devices which are adjustable in height may be set in the upper position.

- 3.5. The prescription in point 3.4 shall not be construed as an obligation for the base vehicle to be fitted with a rear underrun protection as original equipment. However, the base vehicle manufacturer shall inform the next stage manufacturer that the vehicle has to comply with the requirements on departure angle when fitted with a rear underrun protection.

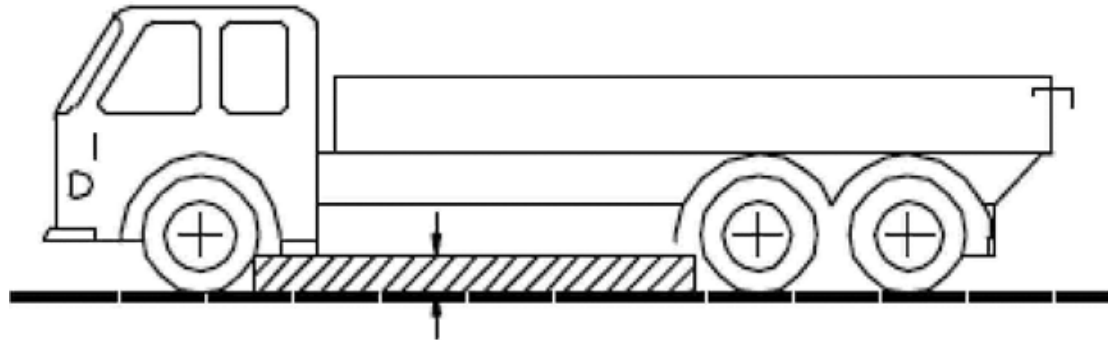
#### 4. Measurement of ground clearance

- 4.1. Ground clearance between the axles

- 4.1.1. 'Ground clearance between the axles' means the shortest distance between the ground plane and the lowest fixed point of the vehicle.

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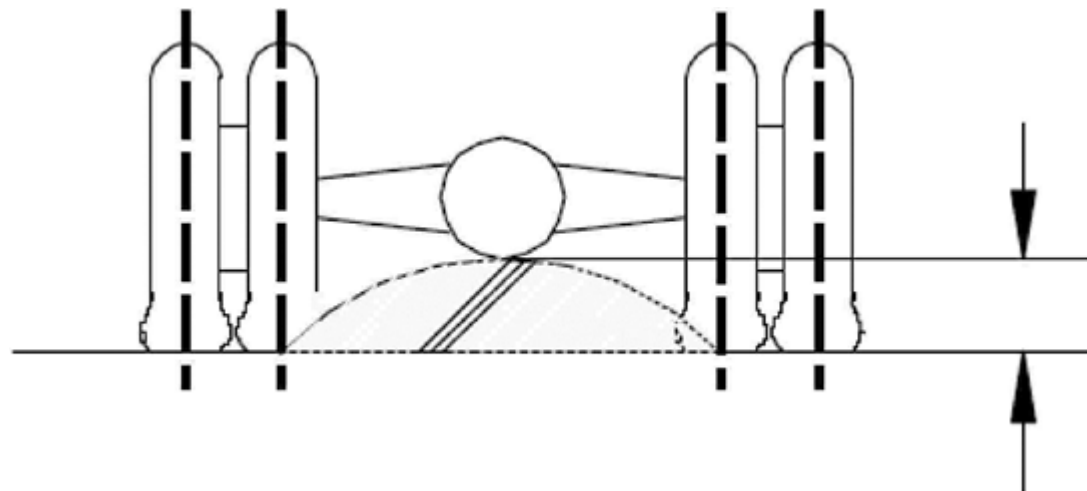
For the application of the definition, the distance between the last axle of a front group of axle and the first axle of a rear group of axle shall be considered.



4.1.2. No rigid part of the vehicle may project into the shaded area shown on the figure.

4.2. Ground clearance beneath one axle

4.2.1. 'Ground clearance beneath one axle' means the distance beneath the highest point of the arc of a circle passing through the centre of the tyre footprint of the wheels on one axle (the inner wheels in the case of twin tyres) and touching the lowest fixed point of the vehicle between the wheels.



4.2.2. Where appropriate, the measurement of ground clearance shall be conducted on each of the several axles of a group of axles.

5. Gradeability

5.1. 'Gradeability' means the ability of a vehicle to negotiate a gradient.

5.2. To the effect of checking the gradeability of an incomplete and a complete vehicle of category M<sub>2</sub>, M<sub>3</sub>, N<sub>2</sub> and N<sub>3</sub>, a test shall be performed.

5.3. The test shall be conducted by the technical service on a vehicle representative of the type to be tested.

5.4. At the request of the manufacturer and under the conditions specified in Annex VIII, the gradeability of a type of vehicle may be demonstrated by virtual testing.

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6. Test conditions and pass-fail criterion
- 6.1. The conditions set out in Annex II to Commission Regulation (EU) No 1230/2012<sup>(18)</sup> shall apply.
- 6.2. The vehicle shall climb the gradient at a steady speed without any wheel slipping, longitudinally or laterally.

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## Appendix 2

Digits used to supplement the codes to be used for various kinds of bodywork

01	Flat bed;
02	Drop-side;
03	Box body;
04	Conditioned body with insulated walls and equipment to maintain the interior temperature;
05	Conditioned body with insulated walls but without equipment to maintain the interior temperature;
06	Curtain-sided;
07	Swap body (interchangeable superstructure);
08	Container carrier;
09	Vehicles fitted with hook lift;
10	Tipper;
11	Tank;
12	Tank intended for transport of dangerous goods;
13	Livestock carrier;
14	Vehicle transporter;
15	Concrete mixer;
16	Concrete pump vehicle;
17	Timber;
18	Refuse collection vehicle;
19	Street sweeper, cleansing and drain clearing;
20	Compressor;
21	Boat carrier;
22	Glider carrier;
23	Vehicles for retail or display purposes;
24	Recovery vehicle;
25	Ladder vehicle;
26	Crane lorry (other than a mobile crane as defined in point 5.7 of Part A);
27	Aerial work platform vehicle;
28	Digger derrick vehicle;
29	Low floor trailer;
30	Glazing transporter;
31	Fire engine;
99	Bodywork that is not included in this list.

## ANNEX II

### REQUIREMENTS FOR THE PURPOSE OF [F466GB] TYPE-APPROVAL OF VEHICLES, SYSTEMS, COMPONENTS OR SEPARATE TECHNICAL UNITS

#### Textual Amendments

**F466** Word in Annex 2 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(2)**



## Regulatory acts for [F467GB] type-approval of vehicles produced in unlimited series

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	protection (RUP)											
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Commission Regulation (EU) No 1003/2010 <sup>b</sup>	Non	X	X	X	X	X	X	X	X	X
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	Non	X	X	X	X	X	X	X	X	X
6A	Vehicle access and manoeuvring (steps, running boards and handholds)	Regulation (EC) No 661/2009 Commission Regulation (EU) No 1003/2010 <sup>c</sup>	Non			X	X	X				
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation (EU) No 11	Non			X						
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	Non	X	X	X	X	X				X
8A	Devices for indirect vision and	Regulation (EC) No 661/2009	Non	X	X	X	X	X				X

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	their installation	UN Regulation No 46										
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	X <sup>(3)</sup>		X <sup>(4)</sup>							
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X	X	X	X	X	X	X	X	X	X
12A	Interior fittings	Regulation (EC) No 661/2009 UN Regulation No 21	X									
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 18	X <sup>(4A)</sup>	X <sup>(4A)</sup>		X <sup>(4A)</sup>	X <sup>(4A)</sup>					X
13B	Protection of motor vehicles against	Regulation (EC) No 661/2009 UN Regulation			X							X

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	unauthorised use	Not used 116										
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 13	X		X							
15A	Seats, their anchorage and any head restraint	Regulation (EC) No 661/2009 UN Regulation No 17	X (4B)	X (4B)	X	X	X					
15B	Seats of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 80	X	X								
16A	External project	Regulation (EC) No 661/2009 UN Regulation No 26										X
17A	Vehicle access and manoeuvre (reverse gear)	Regulation (EC) No 661/2009 UN Regulation (EU) No 130/2012	X	X	X	X	X					
17B	Speed equipment including	Regulation (EC)	X	X	X	X	X					





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25A	Power-driven vehicle sealed beam headlamps (SB) No emitting an asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31	Non	X	X	X	X	X					X
25B	Filament lamps for use in approval lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37	Non	X	X	X	X	X	X	X	X	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	Non	X	X	X	X	X					X
25D	Gas-discharge light sources for use in approval gas-	Regulation (EC) No 661/2009 UN Regulation No 99	Non	X	X	X	X	X					X

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	discharge lamp units of power- driven vehicles											
25E	Motor vehicle headlamps emitting an asymmetric passing beam 112 or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112	Non	X	X	X	X	X				X
25F	Adaptive front-lighting system (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	Non	X	X	X	X	X				X
26A	Power driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	Non	X	X	X	X	X				X
27A	Towing device	Regulation (EC) No 661/2009 Commission Regulation (EU)	Non	X	X	X	X	X				



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[illegible]

[illegible]

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[illegible]

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		No 661/2009 Commission Regulation (EU) No 458/2011 <sup>i</sup>										
46B	Pneumotyre for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 and Regulation No 30 (Class C <sub>1</sub> )	X		X			X	X			X
46C	Pneumotyre for commercial vehicles and their trailers (Classes C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 and Regulation No 54 (Classes C <sub>2</sub> and C <sub>3</sub> )	X	X	X	X	X			X	X	X
46D	Tyre rolling sound emission adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 and Regulation No 117	X	X	X	X	X	X	X	X	X	X
46E	Temporary use spare unit, run-	Regulation (EC) (9A) No 661/2009			X (9A)							X

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	flat tyres/ system and tyre pressure monitoring system	UN Regulation No 64										
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89	X	X		X	X					X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X	X	X	X	X	X	X	X	X	
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 661/2009			X	X	X					
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 Regulation No 55	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X	X	X	X	X
50B	Close- coupling device (CCD)	Regulation (EC) No 661/2009				X ( <sup>10</sup> )	X ( <sup>10</sup> )			X ( <sup>10</sup> )	X ( <sup>10</sup> )	X

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	fitting of an approved type of CCD	UN Regulation No 102										
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 118		X								
52A	M <sub>2</sub> and M <sub>3</sub> vehicles	Regulation (EC) No 661/2009 UN Regulation No 107	X	X								
52B	Strengthening of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 66	X	X								
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) <sup>(11)</sup> No 661/2009 UN Regulation No 194										
54A	Protection of occupants in the	Regulation (EC) <sup>(12)</sup> No 661/2009			X <sup>(12)</sup>							

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	event of lateral collision	UN Regulation No 95										
56A	Vehicle for the carriage of dangerous goods	Regulation (EC) No 661/2009 of the European Parliament and of the Council of 23 July 2009 on the approximation of the laws, regulations, administrative provisions and standards of the Member States relating to certain technical requirements for motor vehicles			X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	
57A	Front underrun protection devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 of the European Parliament and of the Council of 23 July 2009 on the approximation of the laws, regulations, administrative provisions and standards of the Member States relating to certain technical requirements for motor vehicles				X	X					X
58	Pedestrian protection	Regulation (EC) No 78/2009 of the European Parliament and of the Council <sup>j</sup>			X							X
59	Recycling	Directive 2005/64/EC of the European Parliament and of the Council <sup>k</sup>			X							
61	Air-conditioning systems of	Directive 2006/40/EC of the European Parliament and of the Council <sup>l</sup>			X <sup>(14)</sup>							

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		the European Parliament and of the Council <sup>1</sup>										
62	Hydrogen system	Regulation (EC) No 79/2009 of the European parliament and the Council <sup>m</sup>	X	X	X	X	X					
63	General Safety	Regulation (EC) (15) No 661/2009	X (15)	X (15)	X (15)	X (15)	X (15)	X (15)	X (15)	X (15)	X (15)	
64	Gear shift indicator	Regulation (EC) No 661/2009 Commission Regulation (EU) No 65/2012 <sup>n</sup>										
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Commission Regulation (EU) No 347/2012 <sup>n</sup>	X	X		X	X					
66	Lane departure warning system	Regulation (EC) No 661/2009 Commission Regulation (EU) No 351/2012 <sup>n</sup>	X	X		X	X					



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67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	Non	X	X	X	X	X					X
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	Non			X							X
69	Electrical safety	Regulation (EC) No 661/2009 UN Regulation No 100	Non	X	X	X	X	X					
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	Non	X	X	X	X	X					X
71	Cabin strength	Regulation (EC) No 661/2009 UN Regulation No 29				X	X	X					
72	eCall system	Regulation (EU) 2015/758 of	Non			X							

[illegible]

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- o Commission Regulation (EU) No 347/2012 of 16 April 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with respect to type-approval requirements for certain categories of motor vehicles with regard to advanced emergency braking systems (OJ L 109, 21.4.2012, p. 1).
- p Commission Regulation (EU) No 351/2012 of 23 April 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards type-approval requirements for the installation of lane departure warning systems in motor vehicles (OJ L 110, 24.4.2012, p. 18).
- q Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC (OJ L 123, 19.5.2015, p. 77).

#### Modifications etc. (not altering text)

- C2** Annex 2 Pt. 1 table modified (31.12.2022 at 11.00 p.m.) by [S.I. 2020/818](#), **reg. 6A** (as inserted by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022](#) (S.I. 2022/1273), regs. 1(2), **13(6)**)

#### Explanatory notes

- | X                 | Relevant regulatory act.   |
|-------------------|--|
| ( <sup>1</sup> )  | For vehicles with a reference mass not exceeding 2 610 kg. At the manufacturer's request, Regulation (EC) No 715/2007 may apply to vehicles with a reference mass not exceeding 2 840 kg.  |
| ( <sup>2</sup> )  | In case of vehicles equipped with a LPG or CNG installation, a vehicle type-approval in accordance with UN Regulation No 67 or UN Regulation No 110 is required.   |
| ( <sup>3</sup> )  | The fitting of an electronic stability control ('ESC') system is required in accordance with Article 12 and Article 13 of Regulation (EC) No 661/2009.   |
| ( <sup>4</sup> )  | The fitting of an ESC system is required in accordance with Article 12 and Article 13 of Regulation (EC) No 661/2009.  |
| ( <sup>4A</sup> ) | If fitted, the protective device shall fulfil the requirements of UN Regulation No 18.   |
| ( <sup>4B</sup> ) | This Regulation applies to seats not falling within the scope of UN Regulation No 80.  |
| ( <sup>5</sup> )  | Vehicles of this category shall be fitted with a suitable windscreen defrosting and demisting device.  |
| ( <sup>6</sup> )  | Vehicles of this category shall be fitted with a suitable windscreen washing and wiping devices.   |
| ( <sup>9</sup> )  | For vehicles with a reference mass exceeding 2 610 kg which are not type-approved (at the manufacturer's request and provided their reference mass does not exceed 2 840 kg) under Regulation (EC) No 715/2007.                                      |
| ( <sup>9A</sup> ) | Applies only where such vehicles are fitted with equipment covered by UN Regulation No 64. Tyre pressure monitoring system for M <sub>1</sub> vehicles applies on a compulsory basis in accordance with Article 9(2) of Regulation (EC) No 661/2009. |
| ( <sup>10</sup> ) | Applies only to vehicles equipped with coupling(s).  |
| ( <sup>11</sup> ) | Applies to vehicles with a technically permissible maximum laden mass not exceeding 2,5 tonnes.  |

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- (<sup>12</sup>) Only applicable to vehicles where the ‘Seating Reference Point (“R” point)’ of the lowest seat is not more than 700 mm above the ground level.
- (<sup>13</sup>) Applies only when the manufacturer applies for type-approval of vehicles intended for the transport of dangerous goods.
- (<sup>14</sup>) Applies only for vehicles of category N<sub>1</sub>, class I as described in Annex I to Regulation (EC) No 715/2007.
- (<sup>15</sup>) Compliance with Regulation (EC) No 661/2009 is mandatory, however, type-approval under this item number is not foreseen as it represents the collection of individual items 3A, 3B, 4A, 5A, 6A, 6B, 7A, 8A, 9A, 9B, 10A, 12A, 13A, 13B, 14A, 15A, 15B, 16A, 17A, 17B, 18A, 19A, 20A, 21A, 22A, 22B, 22C, 23A, 24A, 25A, 25B, 25C, 25D, 25E, 25F, 26A, 27A, 28A, 29A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 42A, 43A, 44A, 45A, 46A, 46B, 46C, 46D, 46E, 47A, 48A, 49A, 50A, 50B, 51A, 52A, 52B, 53A, 54A, 56A, 57A and 64 to 71. The series of amendments of the UN Regulations which apply on a compulsory basis are listed in Annex IV to Regulation (EC) No 661/2009. The series of amendments adopted subsequently are accepted as an alternative.

F468F469F470F471F472F473F474 Appendix 1

**Regulatory acts for [<sup>F475</sup>GB] type-approval of vehicles  
produced in [<sup>F476</sup>medium] series pursuant to Article 41**

TABLE 1

**M<sub>1</sub> vehicles**

Item	Subject	Regulatory act reference	Specific issues	Applicability and specific requirements
1A	Sound level	Regulation (EU) No 540/2014		A
2A	Emissions (Euro 5 and Euro 6) light duty vehicles/access to information	Regulation (EC) No 715/2007	(a) OBD	The vehicle shall be fitted with an OBD system that fulfils the requirements of Article 4(1) and (2) of Regulation (EC) No 692/2008 (The OBD system shall be designed to record at least the malfunction of the engine management system).

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				The OBD-interface shall be able to communicate with commonly available diagnostic tools.
			(b) In service conformity	N/A
			(c) Access to information	It is sufficient that the manufacturer provide access to repair and maintenance information in a readily accessible and prompt manner.
			(d) Power measurement	(When the vehicle manufacturer uses an engine from another manufacturer) Bench test data from the engine manufacturer are accepted provided that the engine management system is identical (i.e. having at least the same electronic control unit (ECU)). Power output test may be performed on a chassis dynamometer. It shall be taken into account of the power loss in the transmission.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	(a)	Liquid fuel tanks	B
			(b)	Installation in vehicle	B
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58			B
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010			B
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	(a)	Mechanical systems	The provisions of paragraph 5 of UN Regulation No 79 shall apply. All tests prescribed in paragraph 6.2 of UN Regulation No 79 shall be performed and the requirements of paragraph 6.1 of UN Regulation No 79 shall apply.
			(b)	Complex electronic vehicle control system	All the requirements of Annex 6 of UN Regulation No 79 shall apply. Compliance with these requirements may only be checked by a technical service.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11		C
			(a) General requirements (Paragraph 5 of UN Regulation No 11)	All the requirements of Paragraph shall apply.
			(b) Performance requirements (Paragraph 6 of UN Regulation No 11)	Only the requirements of paragraph 6.1.5.4 and paragraph 6.3 of UN Regulation No 11 shall apply.
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	(a) Components	X
			(b) Installation on vehicle	B
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	(a) Components	X
			(b) Installation on vehicle	B
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	(a) Design and tests requirements	A
			(b) Electronic stability control (ESC) and brake assist systems (BAS)	The fitting of BAS and ESC shall not be required. If fitted, they shall comply with the requirements of UN Regulation No 13-H.
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10		B
12A	Interior fittings	Regulation (EC) No 661/2009		C

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		UN Regulation No 21	(a)	Interior arrangement	
			(i)	Radii and protrusion requirements for switches, pull-knobs and the like, controls and general interior fittings	The requirements of paragraphs 5.1 to 5.6 of UN Regulation No 21 may be waived at the request of the manufacturer. The requirements of paragraph 5.2 of UN Regulation No 21 with the exception of paragraphs 5.2.3.1, 5.2.3.2 and 5.2.4 of that Regulation shall apply.
			(ii)	Energy absorption tests on the upper dashboard	Energy absorption tests on the upper dashboard shall only be performed when the vehicle is not fitted with at least two front airbags or two static four-point harnesses.
			(iii)	Energy absorption test on the rear part of the seats	N/A
			(b)	Power-operation of windows, roof-panel systems	All requirements of paragraph 5.8 of UN Regulation No 21 shall apply.



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			and partition systems	
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116		A The provisions of paragraph 8.3.1.1.1 of UN Regulation No 116 may be applied instead of paragraph 8.3.1.1.2 of that Regulation regardless of the type of powertrain.
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 12		C
				Tests are required when the vehicle has not been tested under UN Regulation No 94 (see item 53A).
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17		C
			(a) (i) General requirements Specifications	Requirements of paragraph 5.2 of UN Regulation No 17 shall apply with the exception of paragraph 5.2.3 of that Regulation.
			(ii) Strength tests for seat backrest and head restraints	The requirements of paragraph 6.2 UN Regulation No 17 shall apply.
			(iii) Unlocking and adjustment tests	The test shall be performed in accordance with the requirements of Annex 7 to

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				UN Regulation No 17.
			(b) (i)	Head restraints Specifications Requirements of paragraphs 5.4, 5.5, 5.6, 5.10, 5.11 and 5.12 of UN Regulation No 17 shall apply with the exception of paragraph 5.5.2 of that Regulation.
			(ii)	Strength tests on head restraints The test prescribed in paragraph 6.4 of UN Regulation No 17 shall be performed.
			(c)	Special requirements regarding the protection of occupants from displaced luggage The requirements of Annex 9 to UN Regulation No 26 may be waived at the request of the manufacturer.
16A	External projections	Regulation (EC) No 661/2009 UN Regulation No 26		C
			(a)	General specifications The requirements of paragraph 5 of UN Regulation No 26 shall apply.
			(b)	Particular specifications The requirements of paragraph 6 of UN Regulation No 26 shall apply.
17A	Vehicle access and manoeuvrability (reverse gear)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012		D
17B	Speedometer equipment	Regulation (EC) No 661/2009		B

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	including its installation	UN Regulation No 39		
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011		B
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14		B
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48		B [ <sup>F468</sup> The requirement for] Daytime Running Lights (DRL) [ <sup>F469</sup> does not apply to types which had EU whole-vehicle type-approval prior to 1st February 2026, in accordance with this Regulation or the EU Type Approval Regulation.]
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 3		X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 7		X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87		X
22C	Side-marker lamps for motor	Regulation (EC) No 661/2009		X

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	vehicles and their trailers	UN Regulation No 91		
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6		X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4		X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31		X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37		X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98		X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99		X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament	Regulation (EC) No 661/2009 UN Regulation No 112		X

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	lamps and/or LED modules			
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123		X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19		X
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010		B
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38		X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23		X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77		X
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	(a) Components	X
			(b) Installation requirements	B
32A	Forward field of vision	Regulation (EC) No 661/2009 UN Regulation No 125		A
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121		A
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010		C
			(a) Windscreen defrosting	Only point 1.1.1 of Annex II to Regulation (EU) No 672/2010 shall apply,

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				provided that warm air flow is ducted to the whole surface of the windscreen or the latter is electrically heated on its whole surface.
			(b) Windscreen demisting	Only point 1.2.1 of Annex II to Regulation (EU) No 672/2010 shall apply, provided that warm air flow is ducted to the whole surface of the windscreen or the latter is electrically heated on its whole surface.
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010		C
			(a) Windscreen wiper system	Points 1.1 to 1.1.10 of Annex III to Regulation (EU) No 1008/2010 shall apply. Only the test described in point 2.1.10 of Annex III to Regulation (EU) No 1008/2010 shall be performed.
			(b) Windscreen washer system	Point 1.2 of Annex III to Regulation (EU) No 1008/2010 shall apply with the exception of points 1.2.2, 1.2.3 and 1.2.5.
36A	Heating system	Regulation (EC) No 661/2009 UN Regulation No 122		C The fitting of a heating system

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				shall not be required.
			(a) All heating systems	The requirements of paragraphs 5.3 and 6 of UN Regulation No 122 shall apply.
			(b) LPG heating systems	The requirements of Annex 8 to UN Regulation No 122 shall apply.
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010		B
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UN Regulation No 25		X
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009		A With the exception of the set of requirements relating to OBDs and access to information.
			Power measurement	(When the vehicle manufacturer uses an engine from another manufacturer) Bench test data from the engine manufacturer are accepted, provided that the engine management system is identical (i.e. having at least the same ECU). Power output test may be performed

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				on a chassis dynamometer. It shall be taken into account of the power loss in the transmission.
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012		B The hill start test at maximum combination mass described in point 5.1 of Part A of Annex I to Regulation (EU) No 1230/2012 may be waived at the request of the manufacturer.
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43	(a) Components	X
			(b) Installation	B
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011		B Dates for progressive application shall be those set out in Article 13 of Regulation (EC) No 661/2009.
46B	Pneumatic tyres for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 UN Regulation No 30	Components	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	Components	X
46E	Temporary-use spare unit, run-flat tyres/system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UN Regulation No 64	Components	X
			Fitting of a tyre-pressure monitoring system (TPMS)	B The fitting of a TPMS shall not be required.



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50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	(a) Components	X
			(b) Installation	B
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UN Regulation No 94		C The requirements of UN Regulation No 94 shall apply to vehicles fitted with front airbags. Vehicles not fitted with airbags shall fulfil the requirement of item 14A of this table.
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UN Regulation No 95		C
			Head form test	The manufacturer shall supply the technical service with suitable information concerning a possible impact of the head of the dummy against the structure of the vehicle or the side glazing if made up of laminated glazing. When it is proven that such impact is likely to happen, the partial test using the head form test described in paragraph 3.1 of Annex 8 to UN Regulation No 95 shall be conducted and the criterion specified in

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				paragraph 5.2.1.1 of UN Regulation No 95 shall be met. In agreement with the technical service, the test procedure described in Annex 4 to UN Regulation No 21 may be used as an alternative to the test of UN Regulation No 95.
58	Pedestrian protection	Regulation (EC) No 78/2009	(a) Technical requirements applicable to vehicle	N/A
			(b) Frontal protection systems	X
59	Recyclability	Directive 2005/64/EC		N/A - Only Article 7 on reuse of component parts shall apply.
61	Air-conditioning systems	Directive 2006/40/EC		A
62	Hydrogen system	Regulation (EC) No 79/2009		X
63	General Safety	Regulation (EC) No 661/2009		See explanatory note <sup>(15)</sup> of the table in this Part with regulatory acts for [F470 GB] type-approval of vehicles produced in unlimited series.
64	Gear shift indicators	Regulation (EC) No 661/2009		N/A

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		Regulation (EU) No 65/2012		
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	(a) Components	X
			(b) Installation	A
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	(a) Components	X
			(b) Installation	B
69	Electric safety	Regulation (EC) No 661/2009 UN Regulation No 100		B
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	(a) Components	X
			(b) Installation	A
72	eCall system	Regulation (EU) 2015/758		N/A

#### Explanatory notes

X

Full application of the regulatory act as follows:

- (a) a type-approval certificate shall be issued;
- (b) tests and checks shall be conducted by the technical service or the manufacturer under the conditions laid down in Articles 67 to 81;
- (c) a test report shall be drafted in accordance with Annex III;
- (d) Conformity of Production (COP) shall be ensured.

A

Application of the regulatory act as follows:

- (a) all requirements of the regulatory act shall be fulfilled unless otherwise stated;
- (b) no type-approval certificate shall be required;
- (c) tests and checks shall be conducted by the technical service or the manufacturer under the conditions laid down in Articles 67 to 81;
- (d) a test report shall be drafted in accordance with Annex III;
- (e) COP shall be ensured.

B

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Application of the regulatory act as follows:

Same as for letter ‘A’ with the exception that the tests and checks may be performed by the manufacturer himself, subject to the agreement of the approval authority.

C

Application of the regulatory act as follows:

- (a) only the technical requirements from the regulatory shall be fulfilled, irrespective of any transitional provision;
- (b) no type-approval certificate shall be required;
- (c) tests and checks shall be conducted by the technical service or by the manufacturer (see decisions for letter ‘B’);
- (d) a test report shall be drafted in accordance with Annex III;
- (e) COP shall be ensured.

D

Same as for decisions in letters ‘B’ and ‘C’, with the exception that a statement of compliance submitted by the manufacturer is sufficient. No test report shall be required.

The approval authority or technical service may require additional information of further evidence, if need be.

N/A

The regulatory act shall not apply. Compliance with one or more specific aspects included in the regulatory act may however be imposed.

The series of amendments of the UN Regulations to be used are listed in Annex IV to Regulation (EC) No 661/2009. The series of amendments adopted subsequently are accepted as an alternative.

TABLE 2

**N<sub>1</sub> vehicles<sup>0</sup>**

Item	Subject	Regulatory act	Specific issues	Applicability and specific requirements
1A	Sound level	Regulation (EU) No 540/2014		A
2A	Emissions (Euro 5 and Euro 6) light duty vehicles/access to information	Regulation (EC) No 715/2007	(a) OBD	The vehicle shall be fitted with an OBD system that fulfils the requirements of Article 4(1) and (2) of Regulation (EC) No 692/2008

<sup>a</sup> The explanatory notes relating to the Table ‘Regulatory acts for [F<sup>471</sup>GB] type-approval of vehicles produced in unlimited series’ of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

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				(the OBD system shall be designed to record at least the malfunction of the engine management system). The OBD-interface shall be able to communicate with commonly available diagnostic tools.
			(b) In service conformity	N/A
			(c) Access to information	It is sufficient that the manufacturer provides access to vehicle repair and maintenance information in a readily accessible and prompt manner.
			(d) Power measurement	(When the vehicle manufacturer uses an engine from another manufacturer) Bench test data from the engine manufacturer are accepted provided that the engine management system is identical (i.e. having at least the same ECU). Power output test may be performed on a chassis

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471 GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

				dynamometer. It shall be taken into account of the power loss in the transmission.
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	(a) Liquid fuel tanks	B
			(b) Installation in vehicle	B
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58		B
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010		B
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79		C
			(a) Mechanical systems	The provisions of paragraph 5 of UN Regulation No 79.01 shall apply. All tests prescribed in paragraph 6.2 of UN Regulation No 79 shall be performed and the requirements of paragraph 6.1 of UN Regulation No 79 shall apply.
			(b) Complex electronic vehicle control system	All the requirements of Annex 6 of UN Regulation No 79 shall apply.

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471 GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

				Compliance with these requirements may only be checked by a technical service.
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11		C
			(a) General requirements 5 of UN Regulation No 11)	All requirements shall apply. (Paragraph
			(b) Performance requirements (Paragraph 6 of UN Regulation No 11)	Only the requirements of paragraph 6.1.5.4 and paragraph 6.3 of UN Regulation No 11 shall apply.
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	(a) Components	X
			(b) Installation on vehicle	B
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	(a) Components	X
			(b) Installation on vehicle	B
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13	(a) Design and test requirements	A
			(b) Electronic stability control (ESC)	The fitting of ESC shall not be required. If fitted, it shall comply with the requirements of UN Regulation No 13.

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471]GB' type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	(a)	Design and test requirements	A
			(b)	ESC and brake assist systems (BAS)	The fitting of BAS and ESC shall not be required. If fitted, they shall comply with the requirements of UN Regulation No 13-H.
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10			B
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116			A The provisions of paragraph 8.3.1.1.1 of UN Regulation No 116 may be applied instead of paragraph 8.3.1.1.2 of that Regulation regardless of the type of powertrain.
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 12			C
			(a)	Barrier impact test	A test shall be required.
			(b)	Body block impact test against steering wheel	Not required if the steering wheel is fitted with an airbag.
			(c)	Head form test	Not required if the steering wheel is fitted with an airbag.

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [E<sup>471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.



**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17		B
17A	Vehicle access and manoeuvrability (reverse gear)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012		D
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39		B
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011		B
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14		B
20A	Installation of lighting and light-signalling devices on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 48		B [ <sup>F472</sup> The requirement for] DRLs [ <sup>F473</sup> does not apply to types which had EU whole-vehicle type-approval prior to 1st February 2026, in accordance with this Regulation or the EU Type Approval Regulation.]
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 3		X
22A	Front and rear position lamps,	Regulation (EC) No 661/2009		X

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [<sup>F471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

## ANNEX II PART I

Document Generated: 2023-04-26

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	stop-lamps and end-outline marker lamps for motor vehicles and their trailers	UN Regulation No 7		
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87		X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 91		X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6		X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4		X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31		X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37		X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98		X
25D	Gas-discharge light sources for use in approved	Regulation (EC) No 661/2009		X

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [<sup>E471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	gas-discharge lamp units of power-driven vehicles	UN Regulation No 99		
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112		X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123		X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19		X
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010		B
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38		X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23		X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77		X
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	(a) Components	X
			(b) Installation requirements	B

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471]GB' type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121		A
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010		N/A The vehicle shall be fitted with a suitable windscreen defrosting and demisting system.
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010		N/A The vehicle shall be fitted with a suitable windscreen wiper and washer system.
36A	Heating system	Regulation (EC) No 661/2009 UN Regulation No 122		C The fitting of a heating system shall not be required.
			(a) All heating systems	The requirements of paragraphs 5.3 and 6 of UN Regulation No 122 shall apply.
			(b) LPG heating systems	The requirements of Annex 8 to UN Regulation No 122 shall apply.
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009		A With the exception of the set of requirements relating to OBDS and access to information.
			Power measurement	(When the vehicle manufacturer

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

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				uses an engine from another manufacturer) Bench test data from the engine manufacturer are accepted provided that the engine management system is identical (i.e. having at least the same ECU). Power output test may be performed on a chassis dynamometer. It shall be taken into account of the power loss in the transmission.
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011		B
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43	(a) Components	X
			(b) Installation	B
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011		B Dates for progressive application shall be those set out in Article 13 of Regulation (EC) No 661/2009.
46B	Pneumatic tyres for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 UN Regulation No 30	Components	X
46C	Pneumatic tyres for commercial vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 54	Components	X

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F<sup>471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	(Classes C <sub>2</sub> and C <sub>3</sub> )			
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	Components	X
46E	Temporary-use spare unit, run-flat tyres/system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UN Regulation No 64	Components	X
			Fitting of a tyre-pressure monitoring system	B The fitting of a TPMS shall not be required.
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012		B
			Hill start test at maximum combination mass	The hill start test at maximum combination mass described in point 5.1 of Part A of Annex 1 to Regulation (EU) No 1230/2012 may be waived at the request of the manufacturer.
49A	Commercial vehicles with regards to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 61		C
			(a) General specifications	The requirements of paragraph 5 of UN Regulation No 61 shall apply.
			(b) Particular specifications	The requirements of paragraph 6 of UN Regulation No 61 shall apply.
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	(a) Components	X
			(b) Installation	B

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F<sup>471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UN Regulation No 95	C	C
			Head form test	The manufacturer shall supply the technical service with suitable information concerning a possible impact of the head of the dummy against the structure of the vehicle or the side glazing, if made up of laminated glazing. When such impact is proven likely to happen, then the partial test using the head form test described in paragraph 3.1 of Annex 8 to UN Regulation No 95 shall be conducted and the criterion specified in paragraph 5.2.1.1 of UN Regulation No 95 shall be met. In agreement with the technical service, the test procedure described in Annex 4 to UN Regulation No 21 may be used as an alternative to the test of UN Regulation No 95 mentioned above.

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F<sup>471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

56A	Vehicles for the carriage of dangerous goods	Regulation (EC) No 661/2009 UN Regulation No 105		A
58	Pedestrian protection	Regulation (EC) No 78/2009	(a) Technical requirements applicable to a vehicle	N/A
			(b) Frontal protection systems	X
59	Recyclability	Directive 2005/64/EC		N/A Only Article 7 on reuse of component parts shall apply.
61	Air-conditioning systems	Directive 2006/40/EC		B
62	Hydrogen system	Regulation (EC) No 79/2009		X
63	General Safety	Regulation (EC) No 661/2009		See explanatory note <sup>(15)</sup> of the table in this Part with regulatory acts for [F <sup>474</sup> GB] type-approval of vehicles produced in unlimited series.
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	(a) Components	X
			(b) Installation	A
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	(a) Components	X
			(b) Installation	B
69	Electric safety	Regulation (EC) No 661/2009		B

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F<sup>471</sup>GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.



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		UN Regulation No 100		
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	(a) Components (b) Installation	X A
71	Cab strength	Regulation (EC) No 661/2009 UN Regulation No 29		C
72	eCall System	Regulation (EU) 2015/758		N/A

<sup>a</sup> The explanatory notes relating to the Table 'Regulatory acts for [F471 GB] type-approval of vehicles produced in unlimited series' of this Part also apply to this Table. The letters in this Table have the same meaning as in Table 1 of this Appendix.

### Textual Amendments

- F468** Words in Annex 2 Pt. 1 Appendix 1 table 1 inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(b)(i)(aa)**
- F469** Words in Annex 2 Pt. 1 Appendix 1 table 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(b)(i)(bb)**
- F470** Word in Annex 2 Pt. 1 Appendix 1 table 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(b)(ii)**
- F471** Word in Annex 2 Pt. 1 Appendix 1 table 2 footnote substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(c)(i)**
- F472** Words in Annex 2 Pt. 1 Appendix 1 table 2 inserted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(c)(ii)(aa)**
- F473** Words in Annex 2 Pt. 1 Appendix 1 table 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(c)(ii)(bb)**
- F474** Word in Annex 2 Pt. 1 Appendix 1 table 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(c)(iii)**
- F475** Word in Annex 2 Pt. 1 Appendix 1 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(a)(i)**
- F476** Word in Annex 2 Pt. 1 Appendix 1 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(3)(a)(ii)**

### Modifications etc. (not altering text)

- C3** Annex 2 Pt. 1 Appendix 1 table 1 modified (31.12.2022 at 11.00 p.m.) by [S.I. 2020/818](#), **reg. 6A** (as inserted by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **13(6)**)

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- C4** Annex 2 Pt. 1 Appendix 1 table 2 modified (31.12.2022 at 11.00 p.m.) by S.I. 2020/818, **reg. 6A** (as inserted by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **13(6)**)

<sup>F477</sup> Appendix . . . . .  
2

#### Textual Amendments

- F477** Annex 2 Pt. 1 Appendix 2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(4)**

#### Textual Amendments

- F467** Word in Annex 2 Pt. 1 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(2)**

## PART II

### List of UN Regulations recognised as an alternative to the Directives or Regulations referred to in Part I

Where reference is made to a separate Directive or Regulation in the table of Part I, an approval granted under the following UN Regulations which the [<sup>F478</sup>United Kingdom] has accepted as a Contracting Party to the ‘Revised 1958 Agreement’ <sup>F479</sup>... shall be considered as equivalent to [<sup>F480</sup>a GB] type-approval granted under the relevant separate Directive or Regulation.

#### Textual Amendments

- F478** Words in Annex 2 Pt. 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(5)(a)(i)**
- F479** Words in Annex 2 Pt. 2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(5)(a)(ii)**
- F480** Words in Annex 2 Pt. 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(5)(a)(iii)**

Any further amendment to the UN Regulations listed in the following table<sup>(19)</sup> shall also be deemed to be equivalent to [<sup>F481</sup>a GB] type-approval <sup>F482</sup>....

#### Textual Amendments

- F481** Words in Annex 2 Pt. 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(5)(b)(i)**

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**F482** Words in Annex 2 Pt. 2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(5)(b)(ii)**

	Subject	UN Regulation number	Series of amendments
1A <sup>a</sup>	Permissible sound level (not covering AVAS and replacement silencers)	51	03
	AVAS	138	00
	Replacement silencing systems	59	02
9B	Braking of passenger cars (ESC part)	140	00
58	Pedestrian protection (not covering brake assist)	127 (pedestrian protection)	00
	Pedestrian protection (brake assist part)	13-H (brake assist) or 139 (brake assist)	00 (Supplement 9 and above) 00
65	Advanced emergency braking system	131	01
66	Lane departure warning system	130	00

Where the separate Directive or Regulation contains installation requirements, these apply also to components and separate technical units approved in accordance with UN Regulations.

<sup>a</sup> The numbering of the entries in this table refers to the numbering used in the table of Part I.

### PART III

#### List of regulatory acts setting out the requirements for the purpose of [F483 GB] type-approval of special purpose vehicles

#### Appendix 1

#### Motor-caravans, ambulances and hearses

Item	Subject	Regulatory act reference	M <sub>1</sub> ≤ 2 500 kg <sup>a</sup>	M <sub>1</sub> > 2 500 kg <sup>a</sup>	M <sub>2</sub>	M <sub>3</sub>
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<sup>a</sup> Technically permissible maximum laden mass.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1A	Sound level	Regulation (EU) No 540/2014	H	G+H	G+H	G+H
2	Emissions (Euro 5 and Euro 6) light duty vehicles / access to information	Regulation (EC) No 715/2007	Q <sup>(1)</sup>	G+Q <sup>(1)</sup>	G+Q <sup>(1)</sup>	
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	F <sup>(2)</sup>	F <sup>(2)</sup>	F <sup>(2)</sup>	F <sup>(2)</sup>
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58	X	X	X	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	X	X	X
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	X	G	G	G
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X		

**a** Technically permissible maximum laden mass.

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6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11	B	G+B		
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	X	X	X	X
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	X	G	G	G
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13			G <sup>(3)</sup>	G <sup>(3)</sup>
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	X <sup>(4)</sup>	G+A <sub>1</sub>		
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X	X	X	X
12A	Interior fittings	Regulation (EC) No 661/2009 UN Regulation No 21	C	G+C		
13A	Protection of motor vehicles against	Regulation (EC) No 661/2009			G <sup>(4A)</sup>	G <sup>(4A)</sup>

**a** Technically permissible maximum laden mass.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	unauthorised use	UN Regulation No 18				
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116	X	G		
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 12	X	G		
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	D	G+D	G+D <sup>(4B)</sup>	G+D <sup>(4B)</sup>
15B	Seats of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 80			X	X
16A	External projections	Regulation (EC) No 661/2009 UN Regulation No 26	X for the cab; A +Z for the remaining part	G for the cab; A +Z for the remaining part		
17A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X	X	X
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	X	X	X	X

**a** Technically permissible maximum laden mass.

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18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X	X	X	X
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14	D	G+L	G+L	G+L
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48	A+N	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 3	X	X	X	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 7	X	X	X	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87	X	X	X	X

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22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 91	X	X	X	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6	X	X	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4	X	X	X	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31	X	X	X	X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37	X	X	X	X

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25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	X	X	X	X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	X	X	X	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112	X	X	X	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X	X	X	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X	X	X	X

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27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	E	E	E	E
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X	X	X	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77	X	X	X	X
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	D	G+M	G+M	G+M
32A	Forward field of vision	Regulation (EC) No 661/2009 UN Regulation No 125	X	G		
33A	Location and identification of hand controls,	Regulation (EC) No 661/2009	X	X	X	X

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	tell- tales and indicators	UN Regulation No 121				
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	X	G <sup>(5)</sup>	<sup>(5)</sup>	<sup>(5)</sup>
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	X	G <sup>(6)</sup>	<sup>(6)</sup>	<sup>(6)</sup>
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122	X	X	X	X
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	X	G		
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UN Regulation No 25	D	G+D		
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X	X		
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43	J	G+J	G+J	G+J

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46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X	G	G	G
46B	Pneumatic tyres for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 UN Regulation No 30	X	G		
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 54	—	G	G	G
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	X	G	G	G
46E	Temporary-use spare unit, run-flat tyres/ system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UN Regulation No 64	X	G		
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89			X	X

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48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012			X	X
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	X <sup>(10)</sup>	G <sup>(10)</sup>	G <sup>(10)</sup>	G <sup>(10)</sup>
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 118				G for the cab; X for the remaining part
52A	M <sub>2</sub> and M <sub>3</sub> vehicles	Regulation (EC) No 661/2009 UN Regulation No 107			A	A
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 66			A	A
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UN Regulation No 94	N/A	N/A		
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UN Regulation No 95	N/A	N/A		

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58	Pedestrian protection	Regulation (EC) No 78/2009	X	N/A However, any frontal protection systems supplied with the vehicle shall comply and shall be marked		
59	Recyclability	Directive 2005/64/EC	N/A	N/A		
61	Air-conditioning system	Directive 2006/40/EC	X	G <sup>(14)</sup>		
62	Hydrogen system	Regulation (EC) No 79/2009	Q	G+Q	G+Q	G+Q
63	General safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>
64	Gear shift indicators	Regulation (EC) No 661/2009 Regulation (EU) No 65/2012	X	G		
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012			N/A <sup>(16)</sup>	N/A <sup>(16)</sup>
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012			N/A <sup>(17)</sup>	N/A <sup>(17)</sup>
67	Specific components for liquefied petroleum	Regulation (EC) No 661/2009	X	X	X	X

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	gases (LPG) and their installation on motor vehicles	UN Regulation No 67				
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	X	G		
69	Electrical safety	Regulation (EC) No 661/2009 UN Regulation No 100	X	X	X	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	X	X	X	X
72	eCall system	Regulation (EU) 2015/758	G	G	N/A	N/A

**a** Technically permissible maximum laden mass.

#### Additional requirements for ambulances

The patient compartment of ambulances shall comply with the requirements of EN 1789:2007 +A1: 2010 +A2:2014 on Medical vehicles and their equipment – Road ambulances with the exception of section 6.5, list of equipment. Proof of compliance shall be provided with a test report of a technical service. If a wheelchair space is foreseen, the requirements of Appendix 3 relating to the wheelchair tie-down and occupant restraint systems shall apply.

#### Appendix 2

##### Armoured vehicles

Item	Subject	Regulation act reference	M <sub>1</sub>	M <sub>2</sub>	M <sub>3</sub>	N <sub>1</sub>	N <sub>2</sub>	N <sub>3</sub>	O <sub>1</sub>	O <sub>2</sub>	O <sub>3</sub>	O <sub>4</sub>
1A	Sound level	Regulation (EU) No 540/2014	X	X	X	X	X	X				

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2	Emissions Regulation (EC) No 715/2007 6) light duty vehicles / access to information	Regulation (EC) No 715/2007	A <sup>(1)</sup>		A <sup>(1)</sup>	A <sup>(1)</sup>					
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X	X	X	X
3B	Rear underrun protection devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 (RUPDs) and Regulation No 675/2009	X	X	X	A	A	X	X	X	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	X	X	X	X	X	X	X	X
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	X	X	X	X	X	X	X	X	X
6A	Vehicle access	Regulation (EC) No 661/2009	X	X	X	X	X				



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	and manoeuvring (steps, running boards and handholds)	No Regulation (EU) No 661/2009	Non								
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11	Non			X					
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	Non	A+K	A+K	A+K	A+K	A+K			
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	Non	A	A	A	A	A			
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13	Non	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	Non <sup>4)</sup>			X <sup>(4)</sup>					
10A	Electronic compatibility	Regulation (EU) No 531/2014	Non	X	X	X	X	X	X	X	X

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		No 661/2009 UN Regulation No 10									
12A	Interior fittings	Regulation (EC) No 661/2009 UN Regulation No 21									
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 18	X ( <sup>4A</sup> )	X ( <sup>4A</sup> )		X ( <sup>4A</sup> )	X ( <sup>4A</sup> )				
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116			X						
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 12			N/A						
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	D ( <sup>4B</sup> )	D ( <sup>4B</sup> )	D	D	D				
15B	Seats of	Regulation (EC)	D	D							

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	large passenger vehicles	No Regulation (EC) No 661/2009 UN Regulation No 80									
16A	External project	Regulation (EC) No 661/2009 UN Regulation No 26									
17A	Vehicle access and manoeuvring (reversing gear)	Regulation (EC) No 661/2009 UN Regulation (EU) No 130/2012	X	X	X	X	X				
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	X	X	X	X	X				
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 UN Regulation (EU) No 19/2011	X	X	X	X	X	X	X	X	X
19A	Safety belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14	A	A	A	A	A				





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	of power-driven vehicles and their trailers											
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	X	X	X	X	X					
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	X	X	X	X	X					
25E	Motor vehicle headlamps emitting an asymmetric passing beam or a driving beam or both and equipped with filament lamps and/	Regulation (EC) No 661/2009 UN Regulation No 112	X	X	X	X	X					

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	or LED modules											
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X	X	X	X	X					
26A	Power driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X	X	X	X	X					
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	A	A	A	A					
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X	X	X	X	X	X	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X	X	X	X	X	X	X	X	X	X
30A	Parking lamps for power-	Regulation (EC) No 661/2009	X	X	X	X	X					

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	driven vehicles	UN Regulation No 77									
31A	Safety belts, restraint systems child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	A	A	A	A	A				
32A	Forward field of vision	Regulation (EC) No 661/2009 UN Regulation No 125									
33A	Location and identification of hand control tell- tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121	X	X	X	X	X				
34A	Windscreens defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )				
35A	Windscreens wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	( <sup>6</sup> )	( <sup>6</sup> )	( <sup>6</sup> )	( <sup>6</sup> )	( <sup>6</sup> )				



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36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122	X	X	X	X	X	X	X	X	X
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010									
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UN Regulation No 25									
41A	Emissions (Euro VI) heavy duty vehicles/ access to information	Regulation (EC) No 595/2009	X <sup>(9)</sup>	X	X <sup>(9)</sup>	X <sup>(9)</sup>	X				
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UN Regulation No 73				X	X			X	X
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011			X	X	X	X	X	X	X



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	adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	UN Regulation No 117									
46E	Temporary use spare unit, run-flat tyres/ system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UN Regulation No 64			A <sup>(9A)</sup>						
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89	X	X		X	X				
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X	X	X	X	X	X	X	X	X
49A	Commercial vehicles with regard to their external projections forward	Regulation (EC) No 661/2009 UN Regulation No 10			A	A	A				

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	of the cab's rear panel											
50A	Mechanical coupling components of combination of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X	X	X	X	
50B	Close-coupling device (CCD) fitting of an approved type of CCD	Regulation (EC) No 661/2009 UN Regulation No 102				X <sup>(10)</sup>	X <sup>(10)</sup>			X <sup>(10)</sup>	X <sup>(10)</sup>	
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 118		X								
52A	M <sub>2</sub> and M <sub>3</sub> vehicles	Regulation (EC) No 661/2009 UN Regulation No 107	A	A								
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 66	A	A								

		No 66										
53A	Protection of occupant in the event of a frontal collision	Regulation (EC) No 661/2009 UN Regulation No 94	N/A									
54A	Protection of occupant in the event of lateral collision	Regulation (EC) No 661/2009 UN Regulation No 95	N/A			N/A						
56A	Vehicle for the carriage of dangerous goods	Regulation (EC) No 661/2009 UN Regulation No 105			X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>	X <sup>(13)</sup>
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 (FUPDs) and Regulation No 93; front underrun protection (FUP)				X	X					
58	Pedestrian protection	Regulation (EC) No 78/2009	N/A			N/A						
59	Recycling	Directive 2005/64/EC	N/A			N/A						
61	Air-conditioning system	Directive 2006/40/EC	X			X <sup>(14)</sup>						

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62	Hydrogen system	Regulation (EC) No 79/2009	A	A	A	A	A				
63	General Safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>
64	Gear shift indicators	Regulation (EC) No 661/2009 Regulation (EU) No 65/2012									
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	( <sup>16</sup> )	( <sup>16</sup> )		( <sup>16</sup> )	( <sup>16</sup> )				
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	( <sup>17</sup> )	( <sup>17</sup> )		( <sup>17</sup> )	( <sup>17</sup> )				
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	X	X	X	X	X				
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009			X						

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		UN Regulation No 97										
69	Electrical safety	Regulation (EC) No 661/2009 UN Regulation No 100	X	X	X	X	X					
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	X	X	X	X	X					
72	eCall system	Regulation (EU) 2015/758	N/A	N/A	G	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### Appendix 3

#### Wheelchair accessible vehicles

Item	Subject	Regulatory act	M <sub>1</sub>
1A	Sound level	Regulation (EU) No 540/2014	G+W <sub>9</sub>
2	Emissions (Euro 5 and Euro 6) light duty vehicles/access to information	Regulation (EC) No 715/2007	G+W <sub>1</sub>
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	X+W <sub>2</sub>
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58	X

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4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	G
6A	Vehicle access and manoeuvrability (steps, running boards and handholds)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11	X
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	X
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	X
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H	G+A <sub>1</sub>
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X
12A	Interior fittings	Regulation (EC) No 661/2009 UN Regulation No 21	G+C
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116	X
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 12	G
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	G+W <sub>3</sub>
16A	External projections	Regulation (EC) No 661/2009 UN Regulation No 26	G+W <sub>4</sub>



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17A	Vehicle access and manoeuvrability (reverse gear)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	X
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14	X+W <sub>5</sub>
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48	X
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 3	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 7	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87	X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 91	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4	X
25A	Power-driven vehicle's sealed-	Regulation (EC) No 661/2009	X

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	beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	UN Regulation No 31	
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	E
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X

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30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77	X
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	X+W <sub>6</sub>
32A	Forward field of vision	Regulation (EC) No 661/2009 UN Regulation No 125	G
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121	X
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	G <sup>(5)</sup>
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	G <sup>(6)</sup>
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122	X
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	G
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UN Regulation No 25	X
41A	Emissions (Euro VI) heavy duty vehicles/ access to information	Regulation (EC) No 595/2009	X+W <sub>1</sub> <sup>(9)</sup>
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X+W <sub>8</sub>
45A	Safety glazing materials and their	Regulation (EC) No 661/2009 UN Regulation No 43	G

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	installation on vehicles		
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X
46B	Pneumatic tyres for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 UN Regulation No 30	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	X
46E	Temporary-use spare unit, run-flat tyres/ system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UN Regulation No 64	G <sup>(9A)</sup>
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	X <sup>(10)</sup>
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UN Regulation No 94	N/A
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UN Regulation No 95	N/A
58	Pedestrian protection	Regulation (EC) No 78/2009	G
59	Recyclability	Directive 2005/64/EC	N/A
61	Air-conditioning systems	Directive 2006/40/EC	G
62	Hydrogen system	Regulation (EC) No 79/2009	X
63	General Safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>
64	Gear shift indicators	Regulation (EC) No 661/2009	G

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		Regulation (EU) No 65/2012	
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	X
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	X
69	Electric safety	Regulation (EC) No 661/2009 UN Regulation No 100	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	X
72	eCall system	Regulation (EU) 2015/758	G

Additional requirements for testing the wheelchair tie-down and occupant restraint system

The following point 2 and either point 3 or 4 shall apply.

1. Definitions
  - 1.1. Surrogate wheelchair (SWC) means a rigid, re-usable test wheelchair, as defined in section 3 of international standard ISO 10542-1:2012.
  - 1.2. Point P means a representation of the position of the wheelchair occupant's hip when seated in the SWC, as defined in section 3 of international standard ISO 10542-1:2012.
2. General requirements
  - 2.1. Each wheelchair location shall be provided with anchorages to which a wheelchair tie-down and occupant restraint system (WTORS) shall be fitted.
  - 2.2. The wheelchair occupant's lower belt anchorages shall be located in accordance with UN Regulation No 14.07, paragraph 5.4.2.2, relative to Point P on the SWC, when placed in the travelling position designated by the manufacturer. The upper actual anchorage(s) shall be located at least 1 100 mm above the horizontal plane passing through the points of contact between the rear tyres of the SWC and the vehicle floor. That condition shall still be satisfied after the test carried out in accordance with point 3 of this Appendix.
  - 2.3. An assessment shall be made of the WTORS occupant belt to ensure compliance with the UN Regulation No 16.06, paragraphs 8.2.2 to 8.2.2.4 and 8.3.1 to 8.3.4.
  - 2.4. The minimum number of ISOFIX child seat anchorages need not to be provided. In the case of a multi-stage type-approval where an ISOFIX anchorage system has been affected by the conversion, either the system shall be re-tested or the anchorages

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shall be rendered unusable. In the latter case the ISOFIX labels shall be removed and appropriate information shall be given to the vehicle purchaser.

### 3. Static in-vehicle testing

#### 3.1. Wheelchair occupant restraint anchorages

- 3.1.1. The wheelchair occupant restraint anchorages shall resist the static forces prescribed for occupant restraint anchorages in UN Regulation No 14.07, simultaneously with the static forces applied to the wheelchair tie-down anchorages as specified in point 3.2 of this Appendix.

#### 3.2. Wheelchair tie-down anchorages

The wheelchair tie-down anchorages shall resist the following forces, for at least 0,2 seconds, applied via the SWC (or a suitable surrogate wheelchair having a wheelbase, seat height and tie-down attachment points in accordance with the specification for the SWC), at a height of 300 +/- 100 mm from the surface on which the SWC rests:

- 3.2.1. In the case of a forward-facing wheelchair, a simultaneous force, coincident with the force applied to the occupant restraint anchorages, of 24,5 kN, and
- 3.2.2. a second test applying a static force of 8,2 kN directed towards the rear of the vehicle.
- 3.2.3. In the case of a rearward-facing wheelchair, a simultaneous force, coincident with the force applied to the occupant restraint anchorages, of 8,2 kN, and
- 3.2.4. a second test applying a static force of 24,5 kN directed towards the front of the vehicle.

#### 3.3. Components of the system

- 3.3.1. All components of the WTORS shall meet the relevant requirements of international standard ISO 10542-1:2012. However, the dynamic test specified in Annex A and paragraphs 5.2.2 and 5.2.3 of international standard ISO 10542-1:2012 shall be carried out on the complete WTORS using the vehicle anchorage geometry instead of the test geometry specified in Annex A of international standard ISO 10542-1:2012. This may be carried out within the vehicle structure or on a surrogate structure representative of the vehicle's WTORS anchorage geometry. The location of each anchorage shall lie within the tolerance provided for in paragraph 7.7.1 of UN Regulation No 16.06.
- 3.3.2. Where the occupant restraint part of the WTORS is approved in accordance with UN Regulation No 16.06, it shall be subject to the dynamic test of the complete WTORS specified in paragraph 3.3.1 of this Appendix but the requirements of paragraphs 5.1, 5.3 and 5.4 of international standard ISO10542-1:2012 shall be considered to have been met.

### 4. Dynamic in-vehicle testing

- 4.1. The full assembly of the WTORS system shall be tested by an in-vehicle dynamic test in accordance with paragraphs 5.2.2 and 5.2.3 and Annex A of international standard ISO 10542-1:2012, testing all components/anchorages simultaneously, using a vehicle body-in-white or representative structure.
- 4.2. The component parts of the WTORS shall meet the relevant requirements of international standard ISO 10542-1:2012, paragraphs 5.1, 5.3 and 5.4. These requirements shall be deemed to have been met in respect of the occupant restraint if it is approved in accordance with UN Regulation No 16.06.

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	rear registration plates	Regulation (EC) No 1003/2010								
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	X	X	X	X	X	X	X	X
6A	Vehicle access and manoeuvring (steps, running boards and handholds)	Regulation (EC) No 661/2009 UN Regulation No 130/2012	X	B	B	B				
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11		B						
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	X	X	X	X				
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	X	X	X	X				
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup> +U <sub>1</sub> ( <sup>3</sup> )	X <sup>(3)</sup> +U <sub>1</sub> ( <sup>3</sup> )	X	X	X <sup>(3)</sup>	X <sup>(3)</sup>



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		UN Regulation No 13								
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UN Regulation No 13-H		X <sup>(4)</sup>						
10A	Electronic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X	X	X	X	X	X	X	X
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 18	X <sup>(4A)</sup>		X <sup>(4A)</sup>	X <sup>(4A)</sup>				
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 116		X						
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UN Regulation No 13		X						

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15A	Seats, their anchorage and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	Don (4B)	D (4B)	D	D	D				
15B	Seats of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 80	Don	D							
17A	Vehicle access and manoeuvring (reverse gear)	Regulation (EC) No 661/2009 UN Regulation (EU) No 130/2012	Con	X	X	X	X				
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	Con	X	X	X	X				
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 UN Regulation (EU) No 19/2011	Con	X	X	X	X	X	X	X	X
19A	Safety belt anchorage, Isofix anchorage systems and Isofix top	Regulation (EC) No 661/2009 UN Regulation No 14	Don	D	D	D	D				



	for motor vehicles and their trailers	No 661/2009 UN Regulation No 91								
23A	Directional indicator for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6	X	X	X	X	X	X	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4	X	X	X	X	X	X	X	X
25A	Power-driven vehicle sealed beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31	X	X	X	X				
25B	Filament lamps for use in approved	Regulation (EC) No 661/2009 UN Regulation	X	X	X	X	X	X	X	X

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	lamp units of power-driven vehicles and their trailers	No 37									
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	Non	X	X	X	X				
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	Non	X	X	X	X				
25E	Motor vehicle headlamps emitting an asymmetric passing beam or a driving beam or both and equipped with filament	Regulation (EC) No 661/2009 UN Regulation No 112	Non	X	X	X	X				

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	lamps and/or LED modules									
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X	X	X	X				
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X	X	X	X				
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	A	A	A				
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X	X	X	X	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X	X	X	X	X	X	X	X
30A	Parking lamps	Regulation (EC)	X	X	X	X				

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	for power-driven vehicle	No 661/2009 UN Regulation No 77								
31A	Safety belts, restraint systems child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	D	D	D	D				
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121	X	X	X	X				
34A	Windscreens defrosting and demisting systems	Regulation (EC) No 661/2009 UN Regulation (EU) No 672/2010	( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )				
35A	Windscreens wiper and washer systems	Regulation (EC) No 661/2009 UN Regulation (EU) No 1008/2010	( <sup>6</sup> )	( <sup>6</sup> )	( <sup>6</sup> )	( <sup>6</sup> )				
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation	X	X	X	X	X	X	X	X

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		No 122								
38A	Head restraint (headrest), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 or UN Regulation No 25	Non							
41A	Emission (Euro VI) heavy duty vehicles/ access to information	Regulation (EC) No 595/2009	H	H <sup>(9)</sup>	H <sup>(9)</sup>	H				
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 or UN Regulation No 73			X	X			X	X
43A	Spray suppression systems	Regulation (EC) No 661/2009 or Regulation (EU) No 109/2011		X	X	X	X	X	X	X
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 or UN Regulation No 43	J	J	J	J	J	J	J	J
46A	Installation of tyres	Regulation (EC) No 661/2009	X	X	X	X	X	X	X	X



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		Regulation (EU) No 458/2011								
46B	Pneumotyres for motor vehicles and their trailers (Class C <sub>1</sub> )	Regulation (EC) No 661/2009 UN Regulation No 30		X			X	X		
46C	Pneumotyres for commercial vehicles and their trailers (Classes C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 54	X	X	X	X			X	X
46D	Tyre rolling sound emission on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	X	X	X	X	X	X	X	X
46E	Temporary spare unit, run-flat tyres/ system	Regulation (EC) No 661/2009 UN Regulation No 64		X <sup>(9A)</sup>						

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	and tyre pressure monitoring system										
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89	Non conforming	X		X	X				
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	Non conforming	X	X	X	X	X	X	X	X
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 1230/2012	Non conforming		X	X	X				
50A	Mechanical coupling components of combination of vehicles	Regulation (EC) ( <sup>10</sup> ) No 661/2009 UN Regulation No 55	Non conforming	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X ( <sup>10</sup> )	X	X	X	X
50B	Close- coupling device (CCD) fitting of an approved	Regulation (EC) No 661/2009 UN Regulation				X ( <sup>10</sup> )	X ( <sup>10</sup> )			X ( <sup>10</sup> )	X ( <sup>10</sup> )

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		No 105									
57A	Front underrun protection devices (FUPD) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 (FUPD) and Regulation No 661/2009; front underrun protection (FUP)			X	X					
58	Pedestrian protection	Regulation (EC) No 78/2009		N/A <sup>(2)</sup>							
59	Recycling	Directive 2005/64/EC		N/A							
61	Air-conditioning system	Directive 2006/40/EC		X <sup>(14)</sup>							
62	Hydrogen system	Regulation (EC) No 79/2009	X	X	X	X					
63	General Safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>	X <sup>(15)</sup>
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A		N/A	N/A					
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A		N/A	N/A					

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67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	Non	X	X	X	X				
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UN Regulation No 97	Non		X						
69	Electric safety	Regulation (EC) No 661/2009 UN Regulation No 100	Non	X	X	X	X				
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	Non	X	X	X	X				
72	eCall system	Regulation (EU) 2015/758	N/A	N/A	G	N/A	N/A	N/A	N/A	N/A	N/A

## Appendix 5

## Mobile cranes

Item	Subject	Reference to regulatory act	N <sub>3</sub>
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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1A	Sound level	Regulation (EU) No 540/2014	T+Z <sub>1</sub>
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58	A
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	X Crab steering allowed
6A	Vehicle access and manoeuvrability (steps, running boards and handholds)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	A
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	X
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	X
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13	U <sup>(3)</sup>
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 18	X <sup>(4A)</sup>
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	X
17A	Vehicle access and manoeuvrability (reverse gear)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X

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17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	X
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14	X
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48	A+Y
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 3	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 7	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87	X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 91	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing	Regulation (EC) No 661/2009 UN Regulation No 31	X

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	beam or a driving beam or both		
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77	X



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31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	X
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121	X
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	( <sup>5</sup> )
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	( <sup>6</sup> )
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122	X
41A	Emissions (Euro VI) heavy duty vehicles/ access to information	Regulation (EC) No 595/2009	V
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UN Regulation No 73	A
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011	Z <sub>1</sub>
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43	J
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 54	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance	Regulation (EC) No 661/2009 UN Regulation No 117	X

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	(Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )		
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	A
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 61	A
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	X <sup>(10)</sup>
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UN Regulation No 102	X <sup>(10)</sup>
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UN Regulation No 93	X
62	Hydrogen system	Regulation (EC) No 79/2009	X
63	General Safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A <sup>(16)</sup>
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A <sup>(17)</sup>
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	X

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69	Electric safety	Regulation (EC) No 661/2009 UN Regulation No 100	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	X

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**Exceptional load transport vehicles**

Item	Subject	Reference to regulatory act	N <sub>3</sub>	O <sub>4</sub>
1	Permissible sound level	Directive 70/157/EEC	T	
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UN Regulation No 34	X	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58	A	A
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	A+R
5A	Steering equipment	Regulation (EC) No 661/2009 UN Regulation No 79	X Crab steering allowed	X
6A	Vehicle access and manoeuvrability (steps, running boards and handholds)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28	X	

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8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46	X	
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UN Regulation No 13	U <sup>(3)</sup>	X <sup>(3)</sup>
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10	X	X
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UN Regulation No 18	X <sup>(4A)</sup>	
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UN Regulation No 17	X	
17A	Vehicle access and manoeuvrability (reverse gear)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UN Regulation No 39	X	
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X	X
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UN Regulation No 14	X	
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48	X	A+N
21A	Retro-reflecting devices for power-driven	Regulation (EC) No 661/2009	X	X

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	vehicles and their trailers	UN Regulation No 3		
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 7	X	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 87	X	
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 91	X	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 6	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 4	X	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UN Regulation No 31	X	
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 37	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UN Regulation No 98	X	

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25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 99	X	
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UN Regulation No 112	X	
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 123	X	
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UN Regulation No 19	X	
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 38	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UN Regulation No 23	X	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UN Regulation No 77	X	
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UN Regulation No 16	X	

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33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121	X	
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	( <sup>5</sup> )	
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	( <sup>6</sup> )	
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122	X	
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	X ( <sup>9</sup> )	
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UN Regulation No 73	X	A
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011	X	A
45	Safety glazing	Directive 92/22/EEC	X	
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43	X	
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X	I
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 54	X	I

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46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C <sub>1</sub> , C <sub>2</sub> and C <sub>3</sub> )	Regulation (EC) No 661/2009 UN Regulation No 117	X	I
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UN Regulation No 89	X	
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	A	A
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 61	A	
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55	X <sup>(10)</sup>	X
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UN Regulation No 102	X <sup>(10)</sup>	X <sup>(10)</sup>
56A	Vehicles for the carriage of dangerous goods	Regulation (EC) No 661/2009 UN Regulation No 105	X <sup>(13)</sup>	X <sup>(13)</sup>
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UN Regulation No 93	A	
62	Hydrogen system	Regulation (EC) No 79/2009	X	
63	General Safety	Regulation (EC) No 661/2009	X <sup>(15)</sup>	X <sup>(15)</sup>



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65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A <sup>(16)</sup>	
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A <sup>(17)</sup>	
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 67	X	
69	Electric safety	Regulation (EC) No 661/2009 UN Regulation No 100	X	
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UN Regulation No 110	X	

<sup>F484</sup>Explanatory Notes on the applicability of the requirements in this Part

X The requirements set out in the relevant regulatory act are applicable. The series of amendments of the UN Regulations that apply on a compulsory basis are listed in Annex IV to Regulation (EC) No 661/2009. The series of amendments adopted subsequently are accepted as an alternative. [<sup>F484</sup>The approval authority] may grant extensions to existing type-approvals granted in accordance with the Directives repealed by Regulation (EC) 661/2009 under the conditions laid down in Article 13(14) of that Regulation.

N/A This regulatory act is not applicable to this vehicle (no requirements).

<sup>(1)</sup> For vehicles with a reference mass not exceeding 2 610 kg. At the manufacturer's request, Regulation (EC) No 715/2007 may apply to vehicles with a reference mass not exceeding 2 840 kg.

With regard to access to information, for other parts (e.g. living compartment) than the base vehicle, it is sufficient that the manufacturer provides access to vehicle repair and maintenance information in a readily accessible and prompt manner.

<sup>(2)</sup> In case of vehicles equipped with a LPG or CNG installation, a vehicle type-approval in accordance with UN Regulation No 67 or UN Regulation No 110 is required.

<sup>(3)</sup> The fitting of an ESC system is required by Article 12 and Article 13 of Regulation (EC) No 661/2009. However, in accordance with UN Regulation No 13, the fitting of an ESC system is not required for special purpose vehicles of categories M<sub>2</sub>, M<sub>3</sub>,

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N<sub>2</sub> and N<sub>3</sub> and for vehicles for exceptional load transport and trailers with areas for standing passengers. N<sub>1</sub> vehicles may be approved in accordance with UN Regulations No 13 or No 13-H.

- (<sup>4</sup>) The fitting of an ESC system is required by Article 12 and Article 13 of Regulation (EC) No 661/2009. Therefore, the requirements set out in Part A of Annex 9 to UN Regulation No 13-H shall be fulfilled. N<sub>1</sub> vehicles may be approved in accordance with UN Regulation No 13 or UN Regulation No 13-H.
- (<sup>4A</sup>) If fitted, the protective device shall fulfil the requirements set out in UN Regulation No 18.
- (<sup>4B</sup>) This Regulation applies to seats not falling within the scope of UN Regulation No 80. For other options, see Article 2 of Regulation (EC) No 595/2009.
- (<sup>5</sup>) Vehicles of categories other than M<sub>1</sub> do not need to fully comply with Regulation (EU) No 672/2010 but shall be fitted with a windscreen defrosting and demisting device.
- (<sup>6</sup>) Vehicles of categories other than M<sub>1</sub> do not need to fully comply with Regulation (EU) No 1008/2010 but shall be fitted with a windscreen washing and wiping devices.
- (<sup>8</sup>) For vehicles with a reference mass exceeding 2 610 kg and that did not benefit from the possibility offered in note (<sup>1</sup>).
- (<sup>9</sup>) For vehicles with a reference mass exceeding 2 610 kg that are not type-approved (at the manufacturer's request and provided their reference mass does not exceed 2 840 kg) under Regulation (EC) No 715/2007. For other parts than the base vehicle, it is sufficient that the manufacturer provides access to vehicle repair and maintenance information in a readily accessible and prompt manner.
- (<sup>9A</sup>) Applies only where such vehicles are fitted with equipment covered by UN Regulation No 64. Tyre pressure monitoring system for M<sub>1</sub> vehicles applies on a compulsory basis in accordance with Article 9(2) of Regulation (EC) No 661/2009.
- (<sup>10</sup>) Applies only to vehicles equipped with coupling(s).
- (<sup>11</sup>) Applies to vehicles with a technically permissible maximum laden mass not exceeding 2,5 tonnes.
- (<sup>12</sup>) Only applicable to vehicles where the 'Seating Reference Point ("R" point)' of the lowest seat is not more than 700 mm above the ground level.
- (<sup>13</sup>) Applies only where the manufacturer applies for type-approval of vehicles intended for the transport of dangerous goods.
- (<sup>14</sup>) Applies only for vehicles of category N<sub>1</sub>, class I (reference mass ≤ 1 305 kg).
- (<sup>15</sup>) At the request of the manufacturer, a type-approval may be granted under this item, as an alternative to obtaining type-approvals under each individual item covered by Regulation (EC) No 661/2009.
- (<sup>16</sup>) The fitting of an advanced emergency braking system is not required for special purpose vehicles in accordance with Article 1 of Regulation (EU) No 347/2012.
- (<sup>17</sup>) The fitting of a lane departure warning system is not required for special purpose vehicles in accordance with Article 1 of Regulation (EU) No 351/2012.

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|----------------|---|
| A              | The approval authority may only grant exemption(s) if the manufacturer demonstrates that the vehicle cannot meet the requirements due to its special purpose. The exemptions granted are to be described on the vehicle type-approval certificate and the certificate of conformity.  |
| A <sub>1</sub> | The fitting of ESC is not mandatory. In the case of multi-stage type-approvals, where the modifications made at a particular stage are likely to affect the function of the base vehicle's ESC system, the manufacturer may either disable the system or demonstrate that the vehicle has not been rendered unsafe or unstable. This may be demonstrated, e.g., by performing rapid double lane-change manoeuvres in each direction at 80 km/h with sufficient severity to cause intervention by the ESC system. These interventions are to be well-controlled and should improve the stability of the vehicle. The technical service has the right to request further testing if deemed necessary. |
| B              | Application limited to doors giving access to the seats designated for normal use where the vehicle is used on a public road and where the distance between the R point of the seat and the average plane of the door surface, measured perpendicular to the longitudinal median plane of the vehicle, does not exceed 500 mm.  |
| C              | Application limited to that part of the vehicle in front of the rearmost seat designated for normal use where the vehicle is used on a public road and also limited to the head impact zone as defined in the relevant regulatory act.  |
| D              | Application limited to seats designated for normal use where the vehicle is used on a public road. Seats that are not designated for use where the vehicle is used on the public road are to be clearly identified to users either by means of a pictogram or a sign with an appropriate text. The luggage retention requirements of UN Regulation No 17 do not apply.  |
| E              | Front only.   |
| F              | Modification to the routing and length of the refuelling duct and re-positioning of the tank inboard is permissible.  |
| G              | In case of multi-stage type-approval, requirements according to the category of the base/incomplete vehicle (e.g. the chassis of which was used to build the special purpose vehicle) may also be used.   |
| H              | Modification of exhaust system length after the last silencer not exceeding 2 m is permissible without any further test.  |
| I              | Tyres are to be type-approved in accordance with the requirements set out in UN Regulation No 54 even if the design speed of the vehicle is less than 80 km/h. The load capacity may be adjusted in relation to the maximum design speed of the trailer in agreement with the tyre manufacturer.  |
| J              | For all window glazing other than driver's cab glazing (windshield and side glasses), the material may be either of safety glass or rigid plastic glazing.  |
| K              | Additional panic alarm devices are permitted.   |
| L              | Application limited to seats designated for normal use where the vehicle is used on a public road. At least anchorages for lap belts are required in the rear seating positions. Seats that are not designated for use where the vehicle is used on a public road are to be clearly identified to users either by means of a pictogram or a sign with an appropriate text. ISOFIX is not required on ambulances and hearses.  |
| M              | Application limited to seats designated for normal use where the vehicle is used on a public road. At least lap belts are required in all rear seating  |

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	positions. Seats that are not designated for use when the vehicle is used on a public road are to be clearly identified to users either by means of a pictogram or a sign with an appropriate text. ISOFIX is not required on ambulances and hearses.
N	Provided that all mandatory lighting devices are installed and that the geometric visibility is not affected.
Q	Modification of exhaust system length after the last silencer not exceeding 2 m is permissible without any further test. [ <sup>F485</sup> A GB] type-approval granted to the most representative base vehicle remains valid irrespective of change in the reference weight.
R	[ <sup>F486</sup> Space must be provided for a registration plate meeting the requirements of the Road Vehicles (Display of Registration Marks) Regulations 2001].
S	The light transmission factor is at least 60 % and the ‘A’ pillar obstruction angle is not more than 10 degrees.
T	Test to be performed only with the complete/completed vehicle. [ <sup>F487</sup> The vehicle may be subjected to the test procedures described in Directive 70/157/EEC, as it had effect immediately before IP completion day]. Concerning point 5.2.2.1 of Annex I to Directive 70/157/EEC, the following limit values are applicable: <ul style="list-style-type: none"> <li>(a) 81 dB(A) for vehicles with an engine power of less than 75 kW;</li> <li>(b) 83 dB(A) for vehicles with an engine power of not less than 75 kW but less than 150 kW;</li> <li>(c) 84 dB(A) for vehicles with an engine power of not less than 150 kW.</li> </ul>
U	Test to be performed only with the complete/completed vehicle. Vehicles up to 4 axles are to comply with all the requirements laid down in the relevant regulatory acts. Derogations are admitted for vehicles having more than 4 axles, provided that: <ul style="list-style-type: none"> <li>(a) they are justified by the particular construction; and</li> <li>(b) all the braking performances, related to parking, service and secondary braking laid down in the relevant regulatory act are fulfilled.</li> </ul>
U <sub>1</sub>	ABS is not mandatory for vehicles with hydrostatic drive.
V	Alternatively, [ <sup>F488</sup> Regulation (EU) 2016/1628] may also apply.
V <sub>1</sub>	Alternatively, [ <sup>F488</sup> Regulation (EU) 2016/1628] may also apply to vehicles with hydrostatic drive.
W <sub>0</sub>	Modification of exhaust system length is permitted without any further test, provided that the back pressure is similar. If a new test is required, an extra 2dB(A) above the applicable limit is allowed.
W <sub>1</sub>	Modification in the exhaust system is permitted without any further test of tailpipe emissions and CO <sub>2</sub> /fuel consumption provided that the emission control devices, including particulate filters (if any), are not affected. If the evaporative control devices are kept as fitted by the manufacturer of the base vehicle, no new evaporative test is required on the modified vehicle.

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	[ <sup>F489</sup> A GB] type-approval granted to the most representative base vehicle remains valid irrespective of change in the reference mass.
W <sub>2</sub>	Modification of the routing, length of the refuelling duct, fuel hoses and fuel vapour pipes is permitted without further test. Re-location of the original fuel tank is permitted provided all requirements are met. However, further testing in accordance with Annex 5 to UN Regulation No 34 are not required.
W <sub>3</sub>	The longitudinal plane of the intended wheelchair-travelling position should be parallel to the longitudinal plane of the vehicle.
	Appropriate information is to be made available to the vehicle owner that, in order to withstand the forces transmitted by the tie-down mechanism during the various driving conditions, a wheelchair with a structure meeting the relevant part of ISO 7176-19:2008 is recommended.
	The seats of the vehicle may be adapted without further testing, provided it can be demonstrated to the technical service that their anchorages, mechanisms and head restraints provide the same level of performance.
	The luggage retention requirements set out in UN Regulation No 17 do not apply.
W <sub>4</sub>	Compliance with the relevant regulatory act(s) is required for the boarding aids when in the resting position.
W <sub>5</sub>	Each wheelchair location is to be provided with anchorages to which a wheelchair tie-down and occupant restraint system (WTORS) is to be fitted, and that complies with the additional provisions for testing the wheelchair tie-down and occupant restraint system set out in Appendix 3.
W <sub>6</sub>	Each wheelchair location is to be provided with an occupant restraint belt that complies with the additional provisions for testing the wheelchair tie-down and occupant restraint system of set out in Appendix 3.
	When, due to the conversion, anchorage points for the safety belts need to be moved outside the tolerance provided for in paragraph 7.7.1 of UN Regulation No 16.06, the technical service is to check whether the alteration constitutes a worst case or not. If that is the case, the test provided for in paragraph 7.7.1. of UN Regulation No 16.06 is to be performed. [ <sup>F490</sup> An extension to the UNECE type-approval (or GB type-approval, if applicable) is not required.] The test may be performed using components that have not undergone the conditioning test prescribed by UN Regulation No 16.06.
W <sub>8</sub>	For the purposes of calculations, the mass of the wheel-chair including the user is assumed to be 160 kg. The mass is to be concentrated at the P point of the surrogate wheelchair in its travelling position declared by the manufacturer.
	Any limitation in the passenger capacity resulting from the use of wheelchair(s) is to be recorded in the owner's handbook, on side 2 of the [ <sup>F491</sup> GB] type-approval certificate and in the certificate of conformity.
W <sub>9</sub>	Modification of the exhaust system length is permitted without the need for retesting, provided that the exhaust back pressure remains similar.
Y	Provided that all mandatory lighting devices are installed.

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- Z The requirements on the protrusion of open windows do not apply to the living compartment.
- Z<sub>1</sub> Mobile cranes with more than six axles are considered to be off-road vehicles (N<sub>3</sub>G) when at least three axles are driven and provided they meet the provisions of point 4.3(b)(ii) and (iii), as well as point 4.3(c) of Part A of Annex I.

#### Textual Amendments

- F484** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(i)**
- F485** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(ii)**
- F486** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(iii)**
- F487** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(iv)**
- F488** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(v)**
- F489** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(vi)**
- F490** Words in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(vii)**
- F491** Word in Annex 2 Pt. 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(b)(viii)**

#### Textual Amendments

- F483** Word in Annex 2 Pt. 3 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **41(6)(a)**

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## ANNEX III

### PROCEDURES TO BE FOLLOWED WITH RESPECT TO [F492GB] TYPE-APPROVAL

#### Textual Amendments

**F492** Word in Annex 3 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **42(2)**

1. Objectives and scope
  - 1.1. This Annex establishes the procedures for the proper conduct of the vehicle type-approval in accordance with Articles 26, 27 and 28.
  - 1.2. It also includes:
    - (a) the list of international standards which are of relevance for the designation of the technical services in accordance with Articles 68 and 70;
    - (b) the description of the procedure to be followed for the assessment of the skills of technical services in accordance with Article 73;
    - (c) the general requirements for the drafting of test reports by technical services.
2. Type-approval procedure

When receiving an application for vehicle type-approval, the approval authority shall:

- (a) verify that all [F493GB] type-approval certificates issued pursuant to the regulatory acts as listed in Annex II which are applicable for vehicle type-approval cover the type of vehicle and correspond to the prescribed requirements;
- (b) make sure that the vehicle specifications and data are included in the data in the information packages and in the [F494GB] type-approval certificates issued in accordance with the relevant regulatory acts;
- (c) when an item number is not included in the information package as provided for in any of the regulatory acts, confirm that the relevant part or characteristic conforms to the particulars in the information folder;
- (d) on a selected sample of vehicles from the type to be approved carry out or arrange to be carried out inspections of vehicle parts and systems to verify that the vehicle or vehicles are built in accordance with the relevant data contained in the authenticated information package in respect of the relevant [F495GB] type-approval certificates;
- (e) carry out or arrange to be carried out relevant installation checks in respect of separate technical units, where applicable;
- (f) carry out or arrange to be carried out necessary checks in respect of the presence of the devices provided for in explanatory notes 1 and 2 of Part I of Annex II, where applicable;
- (g) carry out or arrange to be carried out necessary checks in order to ensure that the requirements set out in explanatory note 5 of Part I of Annex II are fulfilled.

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### Textual Amendments

**F493** Word in Annex 3 point 2(a) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **42(3)**

**F494** Word in Annex 3 point 2(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **42(3)**

**F495** Word in Annex 3 point 2(d) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **42(3)**

### 3. Combination of technical specifications

The number of vehicles to be submitted shall be sufficient to permit the proper check of the various combinations to be type-approved according to the following criteria:

Technical specifications	Vehicle category									
	M <sub>1</sub>	M <sub>2</sub>	M <sub>3</sub>	N <sub>1</sub>	N <sub>2</sub>	N <sub>3</sub>	O <sub>1</sub>	O <sub>2</sub>	O <sub>3</sub>	O <sub>4</sub>
Engine	X	X	X	X	X	X	—	—	—	—
Gear box	X	X	X	X	X	X	—	—	—	—
Number of axles	—	X	X	X	X	X	X	X	X	X
Powered axles (number, position and interconnection)	X	X	X	X	X	X	—	—	—	—
Steered axles (number and position)	X	X	X	X	X	X	X	X	X	X
Body styles	X	X	X	X	X	X	X	X	X	X
Number of doors	X	X	X	X	X	X	X	X	X	X
Hand of drive	X	X	X	X	X	X	—	—	—	—
Number of seats	X	X	X	X	X	X	—	—	—	—



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Level of equipment	X	X	X	X	X	X	—	—	—	—
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#### 4. Specific provisions

Where no approval certificates as provided for in the relevant regulatory acts are available, the approval authority shall:

- (a) arrange for the necessary tests and checks as required by each of the relevant regulatory acts;
- (b) verify that the vehicle conforms to the particulars in the information folder and that it meets the technical requirements of each of the relevant regulatory acts;
- (c) carry out or arrange to be carried out relevant installation checks in respect of separate technical units, where applicable;
- (d) carry out or arrange to be carried out necessary checks in respect of the presence of the devices provided for in explanatory notes 1 and 2 of Part I of Annex II where applicable;
- (e) carry out or arrange to be carried out necessary checks in order to ensure that the requirements set out in explanatory note 5 of Part I of Annex II are fulfilled.

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## Appendix 1

Standards with which the technical services referred to in Article 68 have to comply

1. Activities related to testing for type-approval to be carried out in accordance with the regulatory acts listed in Annex II:
  - 1.1. Category A (tests performed in own facilities):  
Standard EN ISO/IEC 17025:2005 on the general requirements for the competence of testing and calibration laboratories.  
A technical service designated for category A activities may also carry out the tests provided for in the regulatory acts for which it has been designated, in the facilities of a manufacturer or of a third party. In either case, the personnel responsible for using professional judgement for determination of conformity with the regulatory acts for which the technical service has been designated shall comply with the Standard EN ISO/IEC 17020:2012.
  - 1.2. Category B (supervision of tests, which includes test preparation, where such tests are performed at the manufacturer's facilities or at the facilities of a third party):  
Standard EN ISO/IEC 17020:2012 on the general criteria for the operation of various types of bodies performing inspection.  
Before performing or supervising any test in the manufacturer's facilities or in the facilities of a third party, the technical service shall verify that the tests facilities and measurement devices comply with the appropriate requirements of Standard EN ISO/IEC 17025:2005.
2. Activities related to conformity of production
  - 2.1. Category C (procedure for the initial assessment and surveillance audits of the manufacturer's quality management system):  
Standard EN ISO/IEC 17021:2011 on the requirements for bodies providing audit and certification of management systems.
  - 2.2. Category D (inspection or testing of production samples or supervision thereof):  
Standard EN ISO/IEC 17020:2012 on the general criteria for the operation of various types of bodies performing inspection.

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## Appendix 2

### Procedure for the assessment of the technical services

1. Objective and scope
  - 1.1. This Appendix establishes the conditions in accordance with which the assessment procedure of the technical services shall be conducted by the authority, competent under Article 73 ('competent authority').
  - 1.2. Those requirements shall apply to all technical services, irrespective of their legal status (independent organisation, manufacturer or approval authority acting as technical service).

### 2. Assessments

The carrying out of an assessment shall be governed by the following:

- (a) principle of independence, which is the basis for the impartiality and objectivity of the conclusions; and
- (b) an evidence-based approach, which guarantees reliable and reproducible conclusions.

Auditors shall show trust and integrity. They shall respect confidentiality and discretion.

They shall report truthfully and accurately about findings and conclusions.

3. Skills requirements for auditors
  - 3.1. The assessments may only be conducted by auditors having the technical and administrative knowledge necessary for such purposes.
  - 3.2. The auditors shall have been trained specifically for assessment activities. In addition, they shall have the specific knowledge of the technical area in which the technical service will exercise its activities.
  - 3.3. Without prejudice to points 3.1 and 3.2, the assessment referred to in Article 73 shall be conducted by auditors independent of the activities for which the assessment is conducted.
4. Application for designation
  - 4.1. A duly authorised representative of the applicant technical service shall submit a formal application to the competent authority that includes the following information:
    - (a) general features of the technical service, including corporate entity, name, addresses, legal status and technical resources;
    - (b) a detailed description, including curriculum vitae, of the personnel in charge of testing and of the managerial staff, setting out their educational qualifications and professional skills;
    - (c) technical services which use virtual testing methods shall provide evidence of their ability to work in a Computer-Aided-x environment;
    - (d) general information concerning the technical service, including its activities, its relationship in a larger corporate entity, if any, and addresses of all its physical location(s) to be covered by the scope of designation;

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- (e) an agreement to fulfil the requirements for designation and the other obligations of the technical service as provided for in the relevant regulatory acts for which it is designated;
- (f) a description of the conformity assessment services that the technical service undertakes in the framework of the relevant regulatory acts and a list of the regulatory acts for which the technical service applies for designation, including limits of capability, where applicable;
- (g) a copy of the quality assurance manual of the technical service.

4.2. The competent authority shall review the adequacy of the information provided by the technical service.

4.3. The technical service shall notify to the competent authority any modifications to the information provided in accordance with point 4.1.

#### 5. Resource review

The competent authority shall review its ability to carry out the assessment of the technical service, in terms of its own policy, its competence and the availability of suitable auditors and experts.

#### 6. Subcontracting the assessment

6.1. The competent authority may subcontract parts of the assessment to another competent authority or ask for support from technical experts provided by other competent authorities. The subcontractors and experts have to be accepted by the applicant technical service.

6.2. The competent authority shall take into account accreditation certificates with adequate scope in order to complete its global assessment of the technical service.

#### 7. Preparation for assessment

7.1. The competent authority shall formally appoint a joint assessment team. The competent authority shall ensure that the expertise brought to each joint assessment team is appropriate. In particular, the joint assessment team as a whole shall have both:

- (a) appropriate knowledge of the specific scope for which designation is sought; and
- (b) sufficient understanding to reliably assess the competence of the technical service to operate within its scope of designation.

7.2. The competent authority shall clearly define the assignment given to the joint assessment team. The task of the joint assessment team is to review the documents collected from the applicant technical service and to conduct the on-site assessment.

7.3. The competent authority shall agree, together with the technical service and the assigned assessment team, to the date and timetable for the assessment. However, it remains the responsibility of the competent authority to pursue a date that is in accordance with the surveillance and reassessment plan.

7.4. The competent authority shall ensure that the joint assessment team is provided with the appropriate criteria documents, previous assessment records, and the relevant documents and records of the technical service.

#### 8. On-site assessment

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The joint assessment team shall conduct the assessment of the technical service at the premises of the technical service from which one or more key activities are performed and, where relevant, shall perform eyewitness assessment at other selected locations where the technical service operates.

9. Analysis of findings and assessment report

- 9.1. The joint assessment team shall analyse all relevant information and evidence gathered during the document and record review and the on-site assessment. That analysis shall be sufficient to allow the team to determine the extent of competence and conformity of the technical service with the requirements for designation.
- 9.2. The competent authority's reporting procedures shall ensure that the following requirements are fulfilled.
  - 9.2.1. A meeting shall take place between the joint assessment team and the technical service prior to leaving the site. At that meeting, the joint assessment team shall provide a written and/or oral report on its findings obtained from the analysis. An opportunity shall be provided for the technical service to ask questions about the findings, including non-compliance, if any, and its basis.
  - 9.2.2. A written report on the outcome of the assessment shall be promptly brought to the attention of the technical service. That assessment report shall contain comments on competence and compliance, and shall identify non-compliance, if any, to be resolved in order to conform to all of the requirements for designation.
  - 9.2.3. The technical service shall be invited to respond to the assessment report and to describe the specific actions taken or planned to be taken, within a specific period of time, to resolve any identified non-compliance.
- 9.3. The competent authority shall ensure that the responses of the technical service are sufficient and effective to resolve non-compliance. If the technical service responses are found to be insufficient, further information shall be requested. Additionally, evidence of effective implementation of actions taken may be requested, or a follow-up assessment may be carried out, to verify effective implementation of corrective actions.
- 9.4. The assessment report shall include at least the following:
  - (a) unique identification of the technical service;
  - (b) date(s) of the on-site assessment;
  - (c) name(s) of the auditors(s) and/or expert(s) involved in the assessment;
  - (d) unique identification of all premises assessed;
  - (e) proposed scope of designation that was assessed;
  - (f) a statement on the adequacy of the internal organisation and procedures adopted by the technical service supporting its competence, as determined through its fulfilment of the requirements for designation;
  - (g) information on resolving all non-compliance;
  - (h) a recommendation of whether the applicant should be designated or confirmed as technical service and, if so, the scope of designation.

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10. Granting, confirming or extending a designation
  - 10.1. The competent authority shall, without undue delay, make the decision on whether to grant, confirm or extend a designation on the basis of the assessment report(s) and any other relevant information.
  - 10.2. The competent authority shall provide a certificate to the technical service. That certificate shall identify the following:
    - (a) the identity and logo of the competent- authority;
    - (b) the unique identity of the designated technical service;
    - (c) the effective date of designation and the expiry date;
    - (d) a brief indication of or a reference to the scope of designation (relevant regulatory acts or part of them);
    - (e) a statement of conformity and a reference to this Regulation.
11. Reassessment and surveillance
  - 11.1. Reassessment is similar to an initial assessment except that experience gained during previous assessments shall be taken into account. Surveillance on-site assessments are less comprehensive than reassessments.
  - 11.2. The competent authority shall design its plan for reassessment and surveillance of each designated technical service so that representative samples of the scope of designation are assessed on a regular basis.

The interval between on-site assessments, whether reassessment or surveillance, depends on the proven stability that the technical service has reached.

  - 11.3. Where, during surveillance or reassessments, non-compliance is identified, the competent authority shall define strict time limits for corrective actions to be taken.
  - 11.4. Where the corrective or improvement actions have not been taken within the agreed time limit or are not deemed to be sufficient, the competent authority shall adopt appropriate measures, such as conducting a further assessment, or suspending or withdrawing the designation for one or more of the activities for which the technical service has been designated.
  - 11.5. Where the competent authority decides to suspend or withdraw the designation of a technical service, it shall inform the technical service of its decision by registered mail. In any case, the competent authority shall adopt all the necessary measures to ensure the continuity of the activities already undertaken by the technical service.
12. Records on designated technical services
  - 12.1. The competent authority shall maintain records on technical services to demonstrate that the requirements for designation, including competence, have been effectively fulfilled.
  - 12.2. The competent authority shall keep the records on technical services secure to ensure confidentiality.
  - 12.3. Records on technical services shall include at least the following:

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- (a) relevant correspondence;
- (b) assessment records and reports;
- (c) copies of designation certificates.

## ANNEX IV

### CONFORMITY OF PRODUCTION PROCEDURES

1. Objectives
  - 1.1. The conformity of production procedure aims to ensure that each vehicle, system, component and technical separate unit, part or equipment produced is in conformity with the approved type.
  - 1.2. The conformity of production procedure shall always include the assessment of quality-assurance management systems, referred to in point 2 as the ‘initial assessment’, and the verification of the type-approval subject and product-related controls, referred to in point 3 as ‘product conformity arrangements’.
2. Initial assessment
  - 2.1. Before granting type-approval, the approval authority shall verify that the manufacturer has established satisfactory arrangements and procedures for ensuring that vehicles, systems, components, separate technical units or parts and equipment are produced in conformity with the approved type.
  - 2.2. Guidance for conducting those assessments may be found in standard EN ISO 19011:2011 — Guidelines for auditing management systems.
  - 2.3. Compliance with the requirements of point 2.1 shall be verified to the satisfaction of the approval authority, as follows:

The approval authority shall be satisfied with the initial assessment and the product conformity arrangements referred to in point 3, taking into account one of the arrangements referred to in points 2.3.1 to 2.3.3, or a combination of those arrangements in full or in part as appropriate.

- 2.3.1. The initial assessment and verification of product conformity arrangements shall be carried out by the approval authority or a body designated for that purpose by the approval authority.
  - 2.3.1.1. When considering the extent of the initial assessment to be carried out, the approval authority may take into account the following information:
    - (a) whether the manufacturer has a certification similar to the one referred to in point 2.3.3, but which has not been qualified or recognised under that point;
    - (b) in the case of a type-approval of a system, component or separate technical unit, quality system assessments that have been performed by vehicle manufacturer(s) in the premises of the manufacturer of the system, component or separate technical unit, in accordance with one or more of the industry sector specifications satisfying the requirements in the standard EN ISO 9001:2015 or ISO/TS16949:2009;
    - (c) whether <sup>F496</sup>... one or more of the manufacturer's type-approvals recently have been withdrawn, due to unsatisfactory control of conformity of production. In that case,

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the initial assessment by the approval authority shall not be limited to accepting the manufacturer's quality system certification, but shall include a verification whether all necessary improvements for ensuring effective control have been implemented, so that vehicles, components, systems or separate technical units are produced in conformity with the approved type.

#### Textual Amendments

**F496** Words in Annex 4 point 2.3.1.1(c) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **43(2)**

<sup>F497</sup>2.3.2. ....

#### Textual Amendments

**F497** Annex 4 point 2.3.2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **43(3)**

- 2.3.3. An approval authority may also accept the manufacturer's certification to standards EN ISO 9001:2015 or ISO/TS16949:2009 (the scope of that certification shall in that case cover the product(s) to be approved), or an equivalent certification standard as satisfying the initial assessment requirements of point 2.3., provided that conformity of production is indeed covered by the quality management system and that the manufacturer's type-approval has not been withdrawn as referred to in point 2.3.1.1. (c). The manufacturer shall provide details of the certification and inform the approval authority of any revisions to its validity or scope.
- 2.4. For the purpose of vehicle type-approval, the initial assessments carried out for the granting of type-approvals for systems, components and separate technical units of the vehicle need not be repeated, but shall be completed by an assessment of the locations and activities relating to the assembly of the whole vehicle that have not been covered by the initial assessments.
3. Product conformity arrangements
  - 3.1. Every vehicle, system, component or separate technical unit, part or item of equipment approved pursuant to a UN Regulation annexed to the Revised 1958 Agreement and to this Regulation shall be so manufactured as to conform to the type approved by meeting the requirements of this Annex, the said UN Regulation and this Regulation.
  - 3.2. Before granting a type-approval pursuant to this Regulation and to a UN Regulation annexed to the Revised 1958 Agreement, the approval authority shall verify the existence of adequate product conformity arrangements and documented control plans, to be agreed with the manufacturer for each approval, to carry out at specified intervals the tests or associated checks that are necessary to verify continued conformity with the approved type, including, where applicable, tests specified in this Regulation and the said UN Regulation.
  - 3.3. The holder of the type-approval shall, in particular:



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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- 3.3.1. ensure the existence and application of procedures for effective control of the conformity of vehicles, systems, components, separate technical units, parts or equipment to the approved type;
- 3.3.2. have access to the testing or other appropriate equipment necessary for checking the conformity to each approved type;
- 3.3.3. ensure that the data resulting from tests or checks are recorded and that annexed documents remain available for a period of up to 10 years to be determined in agreement with the approval authority;
- 3.3.4. analyse the results of each type of test or check, in order to verify and ensure the stability of the product characteristics, making allowance for variation of an industrial production;
- 3.3.5. ensure that for each type of product, at least the checks prescribed in this Regulation and the tests prescribed in the relevant regulatory acts listed in Annex II are carried out;
- 3.3.6. ensure that any set of samples or test pieces that gives evidence of non-conformity in the type of test in question, gives rise to a further sampling and testing. All the necessary steps shall be taken to restore the production process to ensure conformity with the approved type.
- 3.4. In the case of step-by-step, mixed or multi-stage type-approvals, the approval authority that is granting a whole-vehicle type-approval may request from any approval authority that has granted type-approval of any relevant system, component or separate technical unit specific details regarding compliance with the conformity of production requirements set out in this Annex.
- 3.5. The approval authority that is granting a whole-vehicle type-approval and is not satisfied with the reported information referred to in point 3.4., and that has communicated this in writing to the relevant manufacturer and to the approval authority granting the type-approval for the system, component or separate technical unit, shall request the performance of additional conformity of production audits or checks, which shall be performed at the site of the manufacturer(s) of those systems, components or separate technical units. The results of this additional conformity of production audits or checks shall immediately be made available to that approval authority.
- 3.6. Where points 3.4. and 3.5. apply and the approval authority granting the whole-vehicle type-approval has not been satisfied with the additional audit or check results, the manufacturer shall ensure that conformity of production is restored as soon as possible to the satisfaction of that approval authority and of the approval authority granting type-approval of the system, component or separate technical unit.
4. Continued verification arrangements
- 4.1. The approval authority that has granted type-approval may at any time verify the conformity control methods applied in each production facility by means of periodic audits. The manufacturer shall for that purpose allow access to that authority to the manufacturing, inspection, testing, storage and distribution sites and shall provide all necessary information with regard to the quality management system documentation and records.

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- 4.1.1. The normal arrangements for such periodic audits shall be to monitor the continued effectiveness of the procedures laid down in points 2 and 3 (initial assessment and product conformity arrangements).
- 4.1.1.1. Surveillance activities carried out by the technical services (qualified or recognised as required in point 2.3.3) shall be accepted as satisfying the requirement of point 4.1.1 with regard to the procedures established at initial assessment.
- 4.1.1.2. The normal frequency of verifications by the approval authority (other than those referred to in point 4.1.1.1) shall be such as to ensure that the relevant controls applied in accordance with points 2 and 3 are reviewed at intervals based on a risk assessment methodology that complies with the international standard ISO 31000:2018 – Risk Management – Principles and Guidelines, and such verification shall in any case be conducted at least once every three years. <sup>F498</sup>...

#### Textual Amendments

**F498** Words in Annex 4 point 4.1.1.2 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **43(4)**

- 4.2. At every review, records of tests or checks and records of production, in particular records of those tests or checks documented as required in point 2.2, shall be made available to the inspector.
- 4.3. The inspector may select samples at random manner to be tested in the manufacturer's laboratory or in the facilities of the technical service. In such a case only physical test shall be carried out. The minimum number of samples may be determined on the basis of the results of the manufacturer's own verification.
- 4.4. The inspector who is of the opinion that the level of control is unsatisfactory, or who deems it necessary to verify the validity of the tests carried out in accordance with point 4.2, shall select samples to be sent to a technical service to perform physical tests in accordance with the requirements on conformity of production, set out in the regulatory acts listed in Annex II.
- 4.5. Where unsatisfactory results are found during an inspection or a monitoring review, the approval authority shall take all necessary steps to ensure that the manufacturer restores the conformity of production as rapidly as possible.
- 4.6. In cases where compliance with UN Regulations is required by this Regulation, the manufacturer may choose to apply this Annex as an equivalent alternative to the conformity of production requirements in the respective UN Regulations. However, if points 4.4. or 4.5. apply, all separate conformity of production requirements in the UN Regulations have to be complied with to the satisfaction of the approval authority until it decides that conformity of production has been restored.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## ANNEX V

[<sup>F499</sup>GB MEDIUM SERIES, GB SMALL SERIES AND END-OF-SERIES LIMITS]**Textual Amendments**

**F499** Annex 5 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(2)**

A.SMALL [<sup>F500</sup>AND MEDIUM] SERIES QUANTITATIVE ANNUAL LIMITS

1. The number of units of one type of vehicle to be registered, made available on the market or entered into service annually [<sup>F501</sup>in Great Britain] shall not exceed, pursuant to Article 41, the quantitative annual limits shown in the following table for the vehicle category in question:

**Textual Amendments**

**F501** Words in Annex 5 Pt. A point 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(3)(b)**

Category	Units
M <sub>1</sub>	1 500
M <sub>2</sub> , M <sub>3</sub>	0
N <sub>1</sub>	1 500
N <sub>2</sub> , N <sub>3</sub>	0 until the date of application of the [ <sup>F502</sup> regulations] referred to in Article 41(5). 1 500 after that date
O <sub>1</sub> , O <sub>2</sub>	0
O <sub>3</sub> , O <sub>4</sub>	0

**Textual Amendments**

**F502** Word in Annex 5 Pt. A point 1 table substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(3)(c)**

2. The number of units of one type of vehicle to be registered, made available on the market or entered into service annually [<sup>F503</sup>in Great Britain] shall not exceed, pursuant to Article 42, the quantitative annual limits shown in the following table for the vehicle category in question:

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

**F503** Words in Annex 5 Pt. A point 2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(3)(d)**

Category	Units
M <sub>1</sub>	250
M <sub>2</sub> , M <sub>3</sub>	250
N <sub>1</sub>	250
N <sub>2</sub> , N <sub>3</sub>	250
O <sub>1</sub> , O <sub>2</sub>	500
O <sub>3</sub> , O <sub>4</sub>	250

## B. END-OF-SERIES LIMITS

The maximum number of complete and completed vehicles entered into service [<sup>F504</sup>in Great Britain] under the procedure ‘End-of-Series’ shall be restricted in one of the following ways to be chosen by [<sup>F505</sup>the Secretary of State]:

### Textual Amendments

**F504** Words in Annex 5 Pt. B substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(4)(a)(i)**

**F505** Words in Annex 5 Pt. B substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(4)(a)(ii)**

1. The maximum number of vehicles of one or more types may, in the case of category M<sub>1</sub>, not exceed 10 % and in the case of all other categories not exceed 30 % of the vehicles of all types concerned entered into service [<sup>F506</sup>in Great Britain] during the previous year. Should 10 %, respectively 30 %, be less than 100 vehicles, then [<sup>F507</sup>the Secretary of State] may allow the entry into service of a maximum of 100 vehicles.
2. Vehicles of any one type shall be restricted to those for which a valid certificate of conformity was issued on or after the date of manufacture of the vehicle and which remained valid for at least three months after its date of issue but subsequently lost its validity due to the entry into force of a regulatory act.

### Textual Amendments

**F506** Words in Annex 5 Pt. B point 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **44(4)(b)(i)**

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F507** Words in Annex 5 Pt. B point 1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), [44\(4\)\(b\)\(ii\)](#)

## ANNEX VI

### LIST OF PARTS OR EQUIPMENT THAT MAY POSE A SERIOUS RISK TO THE CORRECT FUNCTIONING OF SYSTEMS THAT ARE ESSENTIAL FOR THE SAFETY OF THE VEHICLE OR ITS ENVIRONMENTAL PERFORMANCE, THE PERFORMANCE REQUIREMENTS OF SUCH PARTS AND EQUIPMENT, THE APPROPRIATE TEST PROCEDURES, AND MARKING AND PACKAGING PROVISIONS

#### I. Parts or equipment having a significant impact on vehicle safety

Item No	Item description	Performance requirement	Test procedure	Marking requirement	Packaging requirements
1	[...]				
2					
3					

#### II. Parts or equipment having a significant impact on the environmental performance of the vehicle

Item No	Item description	Performance requirement	Test procedure	Marking requirement	Packaging requirements
1	[...]				
2					
3					

## ANNEX VII

### REGULATORY ACTS FOR WHICH A MANUFACTURER MAY BE DESIGNATED AS A TECHNICAL SERVICE

1. Objectives and scope
  - 1.1. This Annex lays down the list of the regulatory acts for which an in-house technical service of a manufacturer may be designated as a technical service in accordance with Article 72(1).
  - 1.2. It also includes appropriate provisions concerning the designation of an in-house technical service of a manufacturer as technical service, to be applied in the framework of the type-approval of vehicles, components and separate technical units concerned by Part I of Annex II.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 1.3. This Annex however does not apply to manufacturers who apply for the [F<sup>508</sup>GB] type-approval of vehicles produced in [F<sup>509</sup>medium] series, as referred to in Article 41.

#### Textual Amendments

**F508** Word in Annex 7 point 1.3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **45(2)(a)**

**F509** Word in Annex 7 point 1.3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **45(2)(b)**

2. Designation of an in-house technical service of a manufacturer as a technical service
- 2.1. An in-house technical service of a manufacturer designated as a technical service is a manufacturer which has been designated by the type-approval authority as a testing laboratory to carry out on its behalf the approval tests.

The expression ‘to carry out tests’ is not restricted to the measurement of performances, but also covers the registration of test results and the submission to the type-approval authority of a report, including the relevant conclusions.

It also covers the checking of compliance with those provisions that do not necessarily require measurement. This is the case for the assessment whether the design complies with the legislative requirements.

3. List of regulatory acts and restrictions

	Subject	Regulatory act reference
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UN Regulation No 28
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UN Regulation No 10
18A	Manufacturer's statutory plate and VIN	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UN Regulation No 121
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010
36A	Heating systems	Regulation (EC) No 661/2009 UN Regulation No 122 Except the provisions in Annex 8 relating to LPG combustion heaters and LPG heating systems
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UN Regulation No 43 Restricted to the provisions included in Annex 21
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 61
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55

## ANNEX VII

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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		Restricted to the provisions included in Annex 5 (up to and including paragraph 8) and Annex 7
61	Air-conditioning system	Directive 2006/40/EC



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## Appendix

### Designation of an in-house technical service of a manufacturer as technical service and subcontracting

1. General
  - 1.1. The designation and notification of an in-house technical service of a manufacturer as a technical service shall be made in accordance with Articles 68 to 81 and any subcontracting shall be done in accordance with this Appendix.
2. Subcontracting
  - 2.1. In accordance with Article 71(1), a technical service may nominate a subcontractor for performing tests on his behalf.
  - 2.2. For the purposes of this Appendix ‘Subcontractor’ means either a subsidiary of the technical service that has been entrusted by that technical service with testing activities inside its own organisation or a third party under contract with that technical service to perform test activities.
  - 2.3. The use of the services of a subcontractor does not release the technical service from its obligation to comply with Articles 69, 70, 80 and 81, and in particular with those concerning the skills of the technical services and compliance with Standard EN ISO/IEC 17025:2005.
  - 2.4. Point 2 of Annex VII shall apply to the subcontractor.
3. Test report

Test reports shall be drafted in accordance with the [F510] retained direct EU legislation made under Article 30(3) as it had effect before IP completion day, or regulations made under Article 30(3) as it is now in force].

#### Textual Amendments

**F510** Words in Annex 7 Appendix point 3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **45(3)**

## ANNEX VIII

### CONDITIONS FOR THE USE OF VIRTUAL TESTING METHODS BY A MANUFACTURER OR A TECHNICAL SERVICE

1. Objectives and scope

This Annex lays down provisions concerning virtual testing in accordance with Article 30(7).

2. List of regulatory acts

	Subject	Regulatory act reference
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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UN Regulation No 58
6A	Vehicle access and manoeuvrability (steps, running boards and handholds)	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UN Regulation No 11
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UN Regulation No 46
12A	Interior fittings	Regulation (EC) No 661/2009 UN Regulation No 21
16A	External projections	Regulation (EC) No 661/2009 UN Regulation No 26
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UN Regulation No 48
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010
32A	Forward field of vision	Regulation (EC) No 661/2009 UN Regulation No 125
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UN Regulation No 73
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UN Regulation No 61
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UN Regulation No 55
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UN Regulation No 102
52A	M <sub>2</sub> and M <sub>3</sub> vehicles	Regulation (EC) No 661/2009 UN Regulation No 107
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UN Regulation No 66
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UN Regulation No 93

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Appendix 1

### General conditions for the use of virtual testing methods

#### 1. Virtual test pattern

The following scheme shall be used as basis structure for describing and conducting virtual testing:

- (a) purpose;
- (b) structure model;
- (c) boundary conditions;
- (d) load assumptions;
- (e) calculation;
- (f) assessment;
- (g) documentation.

#### 2. Fundamentals of computer simulation and calculation

##### 2.1. Mathematical model

The mathematical model shall be supplied by the manufacturer. It shall reflect the complexity of the structure of the vehicle, system, component or separate technical unit to be tested in relation to the requirements of the relevant regulatory act and its boundary conditions.

The same provisions shall apply for testing components or separate technical units independently from the vehicle.

##### 2.2. Validation process of the mathematical model

The mathematical model shall be validated against the actual test conditions.

To that effect a physical test shall be conducted to compare the results obtained when using the mathematical model with the results of a physical test. Comparability of the test results shall be proven. The manufacturer or the technical service shall draft a validation report and submit it to the approval authority.

Any change to the mathematical model or to the software that is likely to invalidate the validation report shall be brought to the attention of the approval authority, which may require that a new validation process is conducted.

The flow chart of the validation process is shown in Appendix 3.

##### 2.3. Documentation

The manufacturer shall make available to the technical service and document the data and auxiliary tools used for simulation and calculation.

#### 3. Tools and support

The manufacturer shall supply the technical service at its request with the necessary tools to conduct the virtual testing, including appropriate software, or provide that technical service access to these tools.

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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The manufacturer shall also provide appropriate support to the technical service.

The access and support provided by the manufacturer to a technical service does not exempt the technical service from its obligations regarding the skills of its personnel, the payment of licence rights and confidentiality.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## Appendix 2

### Specific conditions for the use of virtual testing methods

#### 1. List of regulatory acts

	<b>Regulatory act reference</b>	<b>Annex and paragraphs</b>	<b>Specific conditions</b>
3B	Regulation (EC) No 661/2009 UN Regulation No 58	Paragraphs 2.3, 7.3. and 25.6 of UN Regulation No 58.	Dimensions and resistance to forces.
6A	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	Annex II, Part 1 and 2 of Regulation (EU) No 130/2012.	Dimensions of steps, running boards and handholds.
6B	Regulation (EC) No 661/2009 UN Regulation No 11	Annex 3 of UN Regulation No 11. Annex 4, paragraph 2.1. of UN Regulation No 11. Annex 5 of UN Regulation No 11.	Tensile strength tests and resistance of latches to acceleration.
8A	Regulation (EC) No 661/2009 UN Regulation No 46	Paragraph 15.2.4. of UN Regulation No 46.	Prescribed fields of vision of rear-view mirrors.
12A	Regulation (EC) No 661/2009 UN Regulation No 21	(a) Paragraphs 5. to 5.7. of UN Regulation No 21.	(a) Measurement of all radii of curvature and of all projections except for those requirements where a force has to be applied in order to check compliance with the provisions.
		(b) Paragraph 2.3. of UN Regulation No 21.	(b) Determination of the head-impact zone.
16A	Regulation (EC) No 661/2009	Paragraph 5.2.4. of UN Regulation No 26	Measurement of all radii of curvature

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	UN Regulation No 26	All provisions in paragraphs 5 (General requirements) and 6 (Particular requirements) of UN Regulation No 26.	and of all projections except for those requirements where a force has to be applied in order to check compliance with the provisions.
20A	Regulation (EC) No 661/2009 UN Regulation No 48	Paragraph 6. (Individual specifications), and Annexes 4, 5 and 6 to UN Regulation No 48.	The test drive provided for in paragraph 6.22.9.2.2 shall be performed on a real vehicle.
27A	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	Annex II, point 1.2. of Regulation (EU) No 1005/2010.	Tractive and compressive static force.
32A	Regulation (EC) No 661/2009 UN Regulation No 125	Paragraph 5 (Specifications) of UN Regulation No 125.	Obstructions and field of vision.
35A	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	Annex III, points 1.1.2. and 1.1.3. of Regulation (EU) No 1008/2010.	Determination of the swept area only.
37A	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	Annex II, point 2. of Regulation (EU) No 1009/2010.	Verification of the dimensional requirements.
42A	Regulation (EC) No 661/2009 UN Regulation No 73	Paragraph 12.10 of UN Regulation No 73.	Resistance under a horizontal force and deflection measurement.
48A	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	(a) Annex I, Part B, points 7 and 8 of Regulation (EU) No 1230/2012.	(a) Check of compliance with the manoeuvrability requirements including manoeuvrability of vehicles fitted with lift- or loadable axles.
		(b) Annex I, Part C,	(b) Measurement of the

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		points 6 and 7 of Regulation (EU) No 1230/2012.	maximum rear swing-out.
49A	Regulation (EC) No 661/2009 UN Regulation No 61	Paragraphs 5 and 6 of UN Regulation No 61.	Measurement of all radii of curvature and of all projections except for those requirements where a force has to be applied in order to check compliance with the provisions.
50A	Regulation (EC) No 661/2009 UN Regulation No 55	(a) Annex 5 'Requirements for mechanical coupling devices' of UN Regulation No 55.	(a) All provisions of paragraphs 1 to 8 included.
		(b) Annex 6, paragraph 1.1. of UN Regulation No 55.	(b) Strength tests on mechanicals couplings of simple design may be replaced by virtual tests.
		(c) Annex 6, paragraph 3 of UN Regulation No 55.	(c) Paragraphs 3.6.1. (Strength test), 3.6.2. (Resistance to buckling) and 3.6.3. (Resistance to bending moment) only.
52A	Regulation (EC) No 661/2009 UN Regulation No 107	Annex 3 of UN Regulation No 107.	Paragraph 7.4.5. (calculation method).



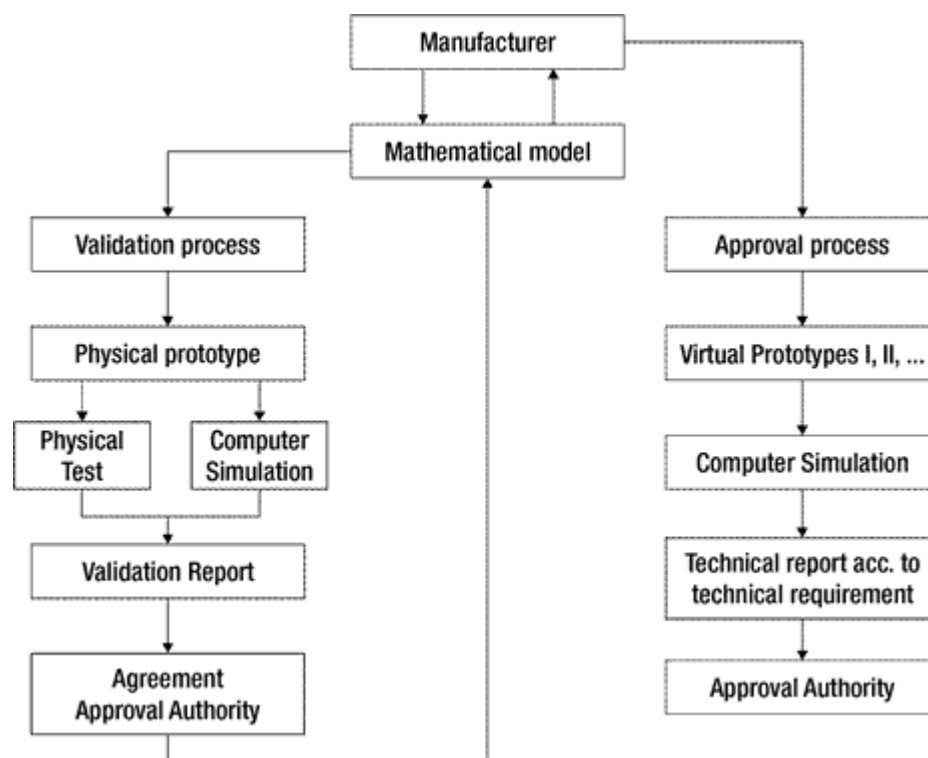
**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

52B	Regulation (EC) No 661/2009 UN Regulation No 66	Annex 9 of UN Regulation No 66.	Computer simulation of rollover test on complete vehicle as an equivalent approval method.
57A	Regulation (EC) No 661/2009 UN Regulation No 93	Annex 5, paragraph 3 of UN Regulation No 93.	Resistance under a horizontal force and deflection measurement.

**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### <sup>F511</sup>Appendix 3

#### Validation process



### ANNEX IX

#### PROCEDURES TO BE FOLLOWED DURING MULTI-STAGE TYPE-APPROVAL

1. Obligations of manufacturers
  - 1.1. The satisfactory operation of the multi-stage type-approval requires joint action by all the manufacturers concerned. To that end [<sup>F512</sup>the approval authority] must ensure, before granting first and subsequent stage type-approvals, that suitable arrangements exist between the relevant manufacturers for the supply and interchange of documents and information, so that the completed type of vehicle meets the technical requirements of all the relevant regulatory acts listed in Annex II. Such information must include details of relevant system, component and separate technical unit type-approvals and of vehicle parts that form part of the incomplete vehicle but have not yet been type-approved.

#### Textual Amendments

**F512** Words in Annex 9 point 1.1 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **47(2)**

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- 1.2. Each manufacturer involved in a multi-stage type-approval shall be responsible for the approval and conformity of production of all systems, components or separate technical units manufactured or added by that manufacturer to the previously built stage. The manufacturer of the subsequent stage shall not be responsible for objects that have been approved in an earlier stage, except where that manufacturer modifies relevant parts to such an extent that the previously granted type-approval becomes invalid.
2. Obligations of [F513the approval authority]
- 2.1. The approval authority shall:
  - (a) verify that all [F514GB] type-approval certificates issued pursuant to the regulatory acts that are applicable for vehicle type-approval cover the type of vehicle at its state of completion and correspond to the prescribed requirements;
  - (b) ensure that all the relevant data, taking account of the state of completion of the vehicle, is included in the information folder;
  - (c) by reference to the documentation ensure that the vehicle specification(s) and data contained in the information folder are included in the data in the information packages and in the [F514GB] type-approval certificates issued in accordance with the relevant regulatory acts; and in the case of a completed vehicle, where an item number of the information folder is not included in the information package of any of the regulatory acts, confirm that the relevant part or characteristic conforms to the particulars in the information folder;
  - (d) on a selected sample of vehicles from the type to be approved carry out or arrange to be carried out inspections of vehicle parts and systems to verify that the vehicle(s) is/are built in accordance with the relevant data contained in the authenticated information package in accordance with all relevant regulatory acts; and
  - (e) where required carry out, or arrange to be carried out, relevant installation checks for separate technical units.

#### Textual Amendments

**F514** Word in Annex 9 point 2.1 substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), 47(4)

- 2.2. The number of vehicles to be inspected for the purposes of point 2.1 (d) shall be sufficient to permit the proper control of the various combinations to be [F515GB] type-approved according to the state of completion of the vehicle and the following criteria:

#### Textual Amendments

**F515** Word in Annex 9 point 2.2 substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), 47(5)

- engine;
- gearbox;

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- powered axles (number, position, interconnection);
- steered axles (number and position);
- body styles;
- number of doors;
- hand of drive;
- number of seats;
- level of equipment.

#### Textual Amendments

**F513** Words in Annex 9 point 2 heading substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **47(3)**

3. Applicable requirements
  - 3.1. Multi-stage type-approvals shall be granted on the basis of the state of completion of the type of vehicle and shall incorporate all type-approvals granted at earlier stages.
  - 3.2. For the whole-vehicle type-approval, this Regulation (in particular the requirements of Annex I and the particular regulatory acts listed in Annex II) shall apply in the same manner as if the approval would have been granted (or extended) to the manufacturer of the base vehicle.
    - 3.2.1. Where a type of system, component or separate technical unit has not been modified, the system, component or separate technical unit type-approval granted in the previous stage shall remain valid until the expiration date for the first registration, as specified in the particular regulatory act.
    - 3.2.2. Where a type of system has been modified at the subsequent stage of completion of the vehicle, to the extent that the system has to be retested for type-approval purposes, that retesting shall be limited to only those parts of the system that have been modified or affected by the changes.
    - 3.2.3. Where a type of vehicle or a type of system has been modified by another manufacturer at the subsequent stage of completion of the vehicle, to the extent that, apart from the manufacturers name, the vehicle or system may still be considered as the same type, the requirement applying to existing types may still be applied as long as the date for first registration in the relevant regulatory act has not been reached.
    - 3.2.4. The change of category of a vehicle shall lead to the application of the relevant requirements to the new category of vehicle. The [<sup>F516</sup>GB] type-approval certificates from the previous category shall be accepted provided that the vehicle complies with the same requirements as, or more stringent than, those applying to the new category.

#### Textual Amendments

**F516** Word in Annex 9 point 3.2.4 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **47(6)**

- 3.3. Subject to the agreement of the approval authority, a whole-vehicle type-approval granted to the manufacturer of the subsequent stage of completion of the vehicle

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does not need to be extended or revised where an extension given at the previous stage vehicle does not affect the subsequent stage or the technical data of the vehicle. However, the type-approval number including the extension of the previous stage(s) vehicle shall be copied in the certificate of conformity of the subsequent stage vehicle.

3.4. Where the cargo area of a complete or completed vehicle of category N or O is modified by another manufacturer for the addition of removable fittings to store and secure the cargo (for example, load space lining, storage racks and roof racks), such items can be treated as part of the pay-mass and a type-approval is not needed, provided both of the following conditions are met:

- (a) the modifications do not affect the vehicle's type-approval in any way, other than an increase of the actual mass of the vehicle;
- (b) the added fittings can be removed without using special tools.

4. Identification of the vehicle

4.1. The VIN, prescribed by Regulation (EU) No 19/2011, shall be retained during all the subsequent stages of the type-approval to ensure the traceability of the process.

4.2. At the second and subsequent stages, in addition to the statutory plate prescribed by Regulation (EU) No 19/2011, each manufacturer shall affix to the vehicle an additional plate the model of which is shown in the Appendix to this Annex. This plate shall be firmly attached, in a conspicuous and readily accessible position on a part not subject to replacement in use. It shall clearly and indelibly show the following information in the order listed:

- the name of the manufacturer;
- sections 1, 3 and 4 of the [<sup>F517</sup>GB] type-approval number;
- the stage of approval;
- the VIN of the base vehicle;
- the technically permissible maximum laden mass of the vehicle where the value has changed during the current stage of approval;
- the technically permissible maximum laden mass of the combination (where the value has changed during the current stage of approval and where the vehicle is permitted to tow a trailer). '0' shall be used if the vehicle is not permitted to tow a trailer;
- the technically permissible maximum mass on each axle, listed in order from front to rear where the value has changed during the current stage of approval;
- in the case of a semi-trailer or centre axle trailer, the technically permissible maximum mass at the coupling point where the value has changed during the current stage of approval.

#### Textual Amendments

**F517** Word in Annex 9 point 4.2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), 47(7)

Unless otherwise provided for in point 4.1 and this point the additional plate shall comply with the requirements set out in Annex I and Annex II to Regulation (EU) No 19/2011.

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## Appendix

### Model of the manufacturer's additional plate

The example below is given as a guide only.

MANUFACTURER'S NAME (stage 3)

[<sup>F518</sup>g11\*201X/XX\*2609]

#### Textual Amendments

**F518** Word in Annex 9 Appendix substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **47(8)**

Stage 3

WD9VD58D98D234560

1 500 kg

2 500 kg

1 – 700 kg

2 – 810 kg

## ANNEX X

### ACCESS TO VEHICLE OBD INFORMATION AND VEHICLE REPAIR AND MAINTENANCE INFORMATION

#### 1. Introduction

This Annex lays down technical requirements for the access to vehicle OBD information and vehicle repair and maintenance information.

#### 2. Access to vehicle OBD information and vehicle repair and maintenance information

2.1. A manufacturer shall put in place the necessary arrangements and procedures, in accordance with Article 61, to ensure that vehicle OBD information and vehicle repair and maintenance information is accessible through websites using a standardised format in a readily accessible and prompt manner, and in a manner which is non-discriminatory compared to the provisions given or access granted to authorised dealers and repairers.

2.2. [<sup>F519</sup>The approval authority] shall only grant type-approval after receiving from the manufacturer a certificate on access to vehicle OBD information and vehicle repair and maintenance information.

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#### Textual Amendments

**F519** Words in Annex 10 point 2.2 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **48(2)**

- 2.3. The certificate on access to vehicle OBD information and vehicle repair and maintenance information shall serve as the proof of compliance with Article 64.
- 2.4. The certificate on access to vehicle OBD information and vehicle repair and maintenance information shall be drawn up in accordance with the model set out in Appendix 1.
- 2.5. The vehicle OBD information and vehicle repair and maintenance information shall include the following:
  - 2.5.1. an unequivocal identification of the vehicle, system, component or separate technical unit for which the manufacturer is responsible;
  - 2.5.2. service handbooks, including service and maintenance records;
  - 2.5.3. technical manuals;
  - 2.5.4. component and diagnosis information (such as minimum and maximum theoretical values for measurements);
  - 2.5.5. wiring diagrams;
  - 2.5.6. diagnostic trouble codes, including manufacturer specific codes;
  - 2.5.7. the software calibration identification number applicable to a type of vehicle;
  - 2.5.8. information provided concerning, and delivered by means of, proprietary tools and equipment;
  - 2.5.9. data record information and two-directional monitoring and test data;
  - 2.5.10. standard work units or time periods for repair and maintenance tasks if they are made available to authorised dealers and repairers of the manufacturer either directly or through a third party;
  - 2.5.11. in case of multi-stage type-approval, the information required under point 3, and all other information necessary to comply with the requirements set out in Article 61.
- 2.6. The manufacturer shall make available to interested parties the following information:
  - 2.6.1. relevant information to enable the development of replacement components that are critical to the correct functioning of the OBD system;
  - 2.6.2. information to enable the development of generic diagnostic tools.
- 2.7. For the purposes of point 2.6.1., the development of replacement components shall not be restricted by any of the following:
  - 2.7.1. the unavailability of pertinent information;

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- 2.7.2. the technical requirements relating to malfunction indication strategies if the OBD thresholds are exceeded or if the OBD system is unable to fulfil the basic OBD monitoring requirements of this Regulation;
- 2.7.3. specific modifications to the handling of OBD information to deal independently with vehicle operation on petrol or on gas;
- 2.7.4. the type-approval of gas-fuelled vehicles that contain a limited number of minor deficiencies.
- 2.8. For the purposes of point 2.6.2, where manufacturers use diagnostic and test tools in accordance with ISO 22900 – Modular vehicle communication interface (MVICI) – and ISO 22901 – Open diagnostic data exchange (ODX) in their franchised networks –, the ODX files shall be accessible to independent operators via the website of the manufacturer.
- 2.9. For the purpose of vehicle OBD, diagnostics, repair and maintenance, the direct vehicle data stream shall be made available through the serial data port on the standardised data link connector specified in paragraph 6.5.1.4 of Appendix 1 of Annex 11 to UN Regulation No 83 and paragraph 4.7.3 of Annex 9B to UN Regulation No 49.

When the vehicle is in motion, the data shall only be made available for read-only functions.

### 3. Multi-stage type-approval

- 3.1. In the case of a multi-stage type-approval, the final manufacturer shall be responsible for providing access to vehicle OBD information and vehicle repair and maintenance information regarding its own manufacturing stage(s) and the link to the previous stage(s).
- 3.2. In addition, the final manufacturer shall on its website provide independent operators with the following information:
  - 3.2.1. the website address of the manufacturer(s) responsible for the previous stage(s);
  - 3.2.2. the name and address of all the manufacturers responsible for the previous stage(s);
  - 3.2.3. the type-approval number(s) of the previous stage(s);
  - 3.2.4. the engine number.
- 3.3. Each manufacturer responsible for a particular stage or stages of type-approval shall be responsible for providing through his website access to vehicle OBD and vehicle repair and maintenance information regarding the stage(s) of type-approval for which he is responsible and the link to the previous stage(s).
- 3.4. The manufacturer responsible for a particular stage or stages of type-approval shall provide the following information to the manufacturer responsible for the next stage:
  - 3.4.1. the certificate of conformity relating to the stage(s) for which he is responsible;
  - 3.4.2. the certificate on access to vehicle OBD information and vehicle repair and maintenance information, including its annexes;
  - 3.4.3. the type-approval number corresponding to the stage(s) for which he is responsible;
  - 3.4.4. the documents referred to in points 3.4.1, 3.4.2 and 3.4.3 as provided by the manufacturer(s) involved in the previous stage(s).



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- 3.5. Each manufacturer shall authorise the manufacturer responsible for the next stage to pass the documents to the manufacturers responsible for any subsequent stages and the final stage.
- 3.6. In addition, on a contractual basis, the manufacturer responsible for a particular stage or stages of type-approval shall:
  - 3.6.1. provide the manufacturer responsible for the next stage with access to vehicle OBD information and vehicle repair and maintenance information and interface information corresponding to the particular stage(s) for which he is responsible;
  - 3.6.2. provide, at the request of a manufacturer responsible for a subsequent stage of type-approval, with access to vehicle OBD information and vehicle repair and maintenance information and interface information corresponding to the particular stage(s) for which he is responsible.
- 3.7. A manufacturer, including a final manufacturer, may only charge fees in accordance with Article 63 concerning the particular stage(s) for which he is responsible.

A manufacturer, including a final manufacturer, shall not charge fees for providing information relating to the website address or contact details of any other manufacturer.

#### 4. Customer adaptations

- 4.1. By derogation from point 2, if the number of systems, components or separate technical units subject to a specific customer adaptation is lower than 250 units produced worldwide, repair and maintenance information for the customer adaptation shall be provided in a readily accessible and prompt manner, and in a manner which is non-discriminatory compared to the provisions given or access granted to authorised dealers and repairers.

For the servicing and reprogramming of the electronic control units relating to the customer adaptation, the manufacturer shall make the respective proprietary specialist diagnostic tool or test equipment available to independent operators as provided to authorised repairers.

The customer adaptations shall be listed on the manufacturer's repair and maintenance information website and mentioned in the certificate on access to vehicle OBD information and vehicle repair and maintenance information at the time of type-approval.

- 4.2. Manufacturers shall make the proprietary specialist diagnostic tool or test equipment to service the customer-adapted systems, components or technical units available to independent operators via sale and rent.
- 4.3. The manufacturer shall mention in the certificate on access to vehicle OBD information and vehicle repair and maintenance information, at the time of type-approval, the customer adaptations for which the obligation under point 2 to provide access to vehicle OBD information and vehicle repair and maintenance information in a standardised format is derogated from and any electronic control unit related to them.

Those customer adaptations and any electronic control unit related to them shall also be listed on the manufacturer's repair and maintenance information website.

#### 5. Small volume manufacturers

- 5.1. By derogation from point 2, manufacturers whose worldwide annual production of a type of vehicle, system, component or separate technical unit subject to this Regulation is for vehicles of category M<sub>1</sub> and N<sub>1</sub> less than 1 000 vehicles or for vehicles of

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category M<sub>2</sub>, M<sub>3</sub>, N<sub>2</sub>, N<sub>3</sub> and O less than 250 units, shall provide access to vehicle repair and maintenance information in a readily accessible and prompt manner, and in a manner that is non-discriminatory compared to the provisions given or access granted to authorised dealers and repairers.

- 5.2. The vehicle, system, component and separate technical unit subject to point 5.1 shall be listed on the manufacturer's repair and maintenance information website.

<sup>F520</sup>5.3. ....

#### Textual Amendments

**F520** Annex 10 point 5.3 omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **48(3)**

## 6. Requirements

- 6.1. Vehicle OBD information and vehicle repair and maintenance information available through websites shall follow the relevant common standard referred to in Article 61.

Those requiring the right to duplicate or republish the information shall negotiate directly with the manufacturer concerned. Information for training material shall also be available, but may be presented through other media than websites.

Information on all parts of the vehicle, with which the vehicle, as identified by the VIN and any additional criteria such as wheelbase, engine output, trim level or options, is equipped by the vehicle manufacturer and that can be replaced by spare parts offered by the vehicle manufacturer to its authorised repairers or dealers or third parties by means of reference to original equipment (OE) parts number, shall be made available, in the form of machine readable and electronically processable datasets, in a database that is easily accessible to independent operators.

This database shall comprise the VIN, OE parts numbers, OE naming of the parts, validity attributes (valid-from and valid-to dates), fitting attributes and, where applicable, structuring characteristics.

The information on the database shall be updated regularly. If this information is available to authorised dealers, the updates shall include in particular all modifications to individual vehicles after their production.

- 6.2. Access to vehicle security features used by authorised dealers and repairers shall be made available to independent operators under protection of security technology in accordance with the following requirements:

6.2.1. data shall be exchanged ensuring confidentiality, integrity and protection against replay;

6.2.2. the standard https//ssl-tls (RFC4346) shall be used;

6.2.3. security certificates in accordance with international standard ISO 20828 shall be used for mutual authentication of independent operators and manufacturers;

6.2.4. the independent operator's private key shall be protected by secure hardware.

- 6.3. The [<sup>F521</sup>Secretary of State must by regulations] specify the parameters for fulfilling the requirements referred to in point 6.2 in accordance with the state of the art. The

*Changes to legislation:* Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

independent operator shall be approved and authorised for this purpose on the basis of documents demonstrating that he pursues a legitimate business activity and has not been convicted of any relevant criminal activity.

#### Textual Amendments

**F521** Words in Annex 10 point 6.3 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **48(4)**

- 6.4. Reprogramming of control units shall be conducted in accordance with either international standard ISO 22900-2 or SAE J2534 or TMC RP1210B using non-proprietary hardware.

For the validation of the compatibility of the manufacturer-specific application and the vehicle communication interfaces (VCI) complying to international standard ISO 22900-2 or SAE J2534 or TMC RP1210B, the manufacturer shall offer either a validation of independently developed VCIs or the information, and loan of any special hardware, required for a VCI manufacturer to conduct such validation himself.

The conditions of Article 63(1) shall apply to fees for such validation or information and hardware.

- 6.5. The requirements of point 6.4. shall not apply in the case of reprogramming of speed limitation devices and recording equipment.
- 6.6. All emission-related DTCs shall be consistent with Annex XI to <sup>F522</sup>Commission Regulation (EU) 2017/1151] and Annex X to Regulation (EU) No 582/2011.

#### Textual Amendments

**F522** Words in Annex 10 point 6.6 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **48(5)**

- 6.7. For access to any vehicle OBD information and vehicle repair and maintenance information other than that relating to secure areas of the vehicle, registration requirements for use of the manufacturer's website by an independent operator shall require only such information as is necessary to confirm how payment for the information is to be made. For information concerning access to secure areas of the vehicle, the independent operator shall present a certificate in accordance with international standard ISO 20828 to identify himself and the organisation to which he belongs and the manufacturer shall respond with his own certificate in accordance with international standard ISO 20828 to confirm to the independent operator that he is accessing a legitimate site of the intended manufacturer. Both parties shall keep a log of any such transactions indicating the vehicles and changes made to them under this provision.
- 6.8. Manufacturers shall indicate in their repair information websites the type-approval number by model.
- 6.9. If the vehicle OBD information and vehicle repair and maintenance information that is available on a manufacturer's website does not contain specific relevant information to permit the proper design and manufacture of alternative fuels retrofit systems, any

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interested alternative fuels retrofit system manufacturer shall be able to obtain the information required by contacting the manufacturer directly with such a request. Contact details for that purpose shall be clearly indicated on the manufacturer's website and the information shall be provided within 30 days. It shall only be necessary to provide such information for alternative fuels retrofit systems that are subject to UN Regulation No 115 or for alternative fuels retrofit components that form part of systems subject to UN Regulation No 115. In addition, it shall only be necessary to provide such information in response to a request that clearly specifies the exact specification of the vehicle model for which the information is required and that specifically confirms that the information is required for the development of alternative fuels retrofit systems or components subject to UN Regulation No 115.

7. Requirements for type-approval

- 7.1. In order to receive a type-approval, the manufacturer shall submit the filled in certificate, the template of which is provided in Appendix 1.
- 7.2. Where the vehicle OBD information and vehicle repair and maintenance information is not available, or does not conform to the requirements of this Annex, the manufacturer shall provide that information within six months of the date of the type-approval.
- 7.3. The obligation to provide information within the period referred to in point 7.2. shall apply only if, following the type-approval, the vehicle is placed on the market.

Where the vehicle is placed on the market more than six months after the type-approval has been granted the information shall be provided on the date on which the vehicle is placed on the market.

- 7.4. On the basis of a completed certificate on access to vehicle OBD information and vehicle repair and maintenance information, the approval authority may presume that the manufacturer has put in place satisfactory arrangements and procedures with regard to access to vehicle OBD information and vehicle repair and maintenance information, provided that no complaint has been made and that the manufacturer provides that certificate within the period referred to in point 7.2.

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## Appendix 1

### Manufacturer's certificate on access to vehicle OBD information and vehicle repair and maintenance information

(Manufacturer): ...

(Address of the manufacturer): ...

Certifies that

it provides access to vehicle OBD information and vehicle repair and maintenance information in compliance with the provisions of:

Article 61 of Regulation (EU) 2018/858 of the European Parliament and of the Council <sup>(1)</sup> and Annex X to that Regulation with respect to the types of vehicle, system, component or separate technical unit listed in an attachment to this certificate.

The following derogations are applied: Customer adaptations (\*) — Small volume (\*) —.

The principal website addresses through which the relevant information, which is hereby certified to be in compliance with those provisions, may be accessed, are listed in an attachment to this certificate along with the contact details of the responsible manufacturer's representative who has signed this certificate.

Where applicable: The manufacturer hereby also certifies that he has complied with the obligation of Article 62 of Regulation (EU) 2018/858 to provide the relevant information concerning previous approvals of these types of vehicle no later than six months after the date of type-approval.

Done at ... [Place]

On ... [Date]

[Signature] [Position]

Annexes:

- Annex A: Website addresses;
- Annex B: Contact details;
- Annex C: Types of vehicle, system, component or separate technical unit.

Explanatory note:

(\*) Delete where not applicable.

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<sup>(1)</sup> Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

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## ANNEX A

### WEBSITE ADDRESSES REFERRED TO IN THIS CERTIFICATE:

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## ANNEX B

### **CONTACT DETAILS OF THE MANUFACTURER'S REPRESENTATIVE REFERRED TO IN THIS CERTIFICATE:**

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## ANNEX C

### **TYPES OF VEHICLE, SYSTEM, COMPONENT OR SEPARATE TECHNICAL UNIT:**



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## Appendix 2

### Vehicle OBD information

1. The vehicle manufacturer shall provide the information required in this Appendix for the purposes of enabling the manufacture of OBD-compatible replacement or service parts and diagnostic tools and test equipment.
2. Upon request, the following information shall be made available, on a non-discriminatory basis, to any interested manufacturer of components, diagnostic tools or test equipment:
  - 2.1. a description of the type and number of the preconditioning cycles used for the original type-approval of the vehicle;
  - 2.2. a description of the type of the OBD demonstration cycle used for the original type-approval of the vehicle for the component monitored by the OBD system;
  - 2.3. a comprehensive document describing all sensed components with the strategy for fault detection and MI activation (fixed number of driving cycles or statistical method), including a list of relevant secondary sensed parameters for each component monitored by the OBD system and a list of all OBD output codes and format used (with an explanation of each code and format) associated with individual emission-related power-train components and individual non-emission related components, where monitoring of the component is used to determine MI activation. In particular, in the case of types of vehicles that use a communication link in accordance with ISO 15765-4 'Road vehicles — Diagnostics on controller area network (CAN) — Part 4: Requirements for emissions-related systems', a comprehensive explanation for the data given in service \$ 05 Test ID \$ 21 to FF and the data given in service \$ 06, and a comprehensive explanation for the data given in service \$ 06 Test ID \$ 00 to FF, for each OBD monitor ID supported, shall be provided.

In case other communication protocols standards are used, equivalent comprehensive explanation shall be provided.

This information may be provided in the form of a table, with the following column and row headings:

Component Fault code; Monitoring strategy; Fault detection criteria; MI activation criteria; Secondary parameters; Preconditioning Demonstration test.

Catalyst P0420 Oxygen sensor; 1 and 2 signals; Difference between sensor 1 and sensor 2 signals; 3rd cycle Engine speed; engine load; A/F mode; catalyst temperature; Two Type 1 cycles; Type 1.

3. Information required for the manufacturing of diagnostic tools

In order to facilitate the provision of generic diagnostic tools for multi-make repairers, vehicle manufacturers shall make available the information referred to in points 3.1, 3.2 and 3.3 through their repair information websites. That information shall include all diagnostic tool functions and all the links to repair information and troubleshooting instructions. The access to the information may be subject to the payment of a reasonable fee.

- 3.1. Communication protocol information

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The following information shall be required indexed against vehicle make, model and variant, or another workable definition such as the VIN or the vehicle and systems identification:

- 3.1.1. any additional protocol information system necessary to enable complete diagnostics in addition to the standards prescribed in paragraph 4.7.3 of Annex 9B to UN Regulation No 49 and in paragraph 6.5.1.4 of Annex 11 to UN Regulation No 83, including any additional hardware or software protocol information, parameter identification, transfer functions, 'keep alive' requirements, or error conditions;
- 3.1.2. details of how to obtain and interpret all the fault codes that do not comply with the standards prescribed in paragraph 4.7.3 of Annex 9B to UN Regulation No 49 and in paragraph 6.5.1.4 of Annex 11 to UN Regulation No 83;
- 3.1.3. a list of all available live data parameters, including scaling and access information;
- 3.1.4. a list of all available functional tests, including device activation or control and the means to implement them;
- 3.1.5. details of how to obtain all component and status information, time stamps, pending DTC and freeze frames;
- 3.1.6. resetting adaptive learning parameters, variant coding and replacement component setup, and customer preferences;
- 3.1.7. Electronic control unit (ECU) identification and variant coding;
- 3.1.8. details of how to reset service lights;
- 3.1.9. location of diagnostic connector and connector details;
- 3.1.10. engine code identification.
- 3.2. Test and diagnosis of OBD monitored components

The following information shall be required:

- 3.2.1. a description of tests to confirm the functionality, at the component or in the harness;
- 3.2.2. information concerning the test procedure, including test parameters and component information;
- 3.2.3. connection details, including minimum and maximum input and output and driving and loading values;
- 3.2.4. values to be expected under certain driving conditions, including idling;
- 3.2.5. electrical values for the component in its static and dynamic states;
- 3.2.6. failure mode values for each of the scenarios;
- 3.2.7. failure mode diagnostic sequences, including fault trees and guided diagnostics elimination.
- 3.3. Data required to perform the repair

The following information shall be required:

- 3.3.1. ECU and component initialisation (in the event of replacements being fitted);

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- 3.3.2. initialisation of new or replacement ECU's where relevant using pass-through (re-) programming techniques.

## ANNEX XI

### CORRELATION TABLE

1. Regulation (EC) No 715/2007

<b>Regulation (EC) No 715/2007</b>	<b>This Regulation</b>
Article 1(2)	Article 86(1), point (2)
Article 3, points (14) and (15)	Article 3, points (48) and (45)
Article 6	Article 61
Article 7	Article 63
Article 8	—
Article 9	—
Article 13(2), point (e)	Article 86(1), point (5)

2. Regulation (EC) No 595/2009

<b>Regulation (EC) No 595/2009</b>	<b>This Regulation</b>
Article 1, second paragraph	Article 87(1), point 2
Article 3, points (11) and (13)	Article 3, points (48) and (45)
Article 6	Article 61
Article 11(2), point (e)	Article 84(3), point (a)

3. Directive 2007/46/EC

<b>Directive 2007/46/EC</b>	<b>This Regulation</b>
Article 1	Article 1(1)
—	Article 1(2)
Article 2	Article 2
Article 3, point (1)	—
Article 3, point (2)	—
Article 3, point (3)	Article 3, point (1)
Article 3, point (4)	Article 3, point (3)
Article 3, point (5)	Article 3, point (2)
Article 3, point (6)	Article 3, point (6)

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Article 3, point (7)	Article 3, point (8)
Article 3, point (8)	Article 3, point (9)
Article 3, point (9)	Article 3, point (10)
Article 3, point (10)	Article 3, point (11)
Article 3, point (11)	Article 3, point (16)
Article 3, point (12)	Article 3, point (17)
Article 3, point (13)	Article 3, point (15)
Article 3, point (14)	—
Article 3, point (15)	—
Article 3, point (16)	—
Article 3, point (17)	Article 3, point (32)
Article 3, point (18)	Article 3, point (24)
Article 3, point (19)	Article 3, point (25)
Article 3, point (20)	Article 3, point (26)
Article 3, point (21)	Article 3, point (27)
Article 3, point (22)	Article 3, point (28)
Article 3, point (23)	Article 3, point (18)
Article 3, point (24)	Article 3, point (19)
Article 3, point (25)	Article 3, point (20)
Article 3, point (26)	—
Article 3, point (27)	Article 3, point (40)
Article 3, point (28)	Article 3, point (41)
Article 3, point (29)	Article 3, point (36)
Article 3, point (30)	—
Article 3, point (31)	Article 3, point (38)
Article 3, point (32)	Article 3, point (54)
Article 3, point (33)	Article 3, point (4)
Article 3, point (34)	—
Article 3, point (35)	—
Article 3, point (36)	Article 3, point (5)
Article 3, points (37) to (40)	—
—	Article 3, point (7)
—	Article 3, points (12), (13) and (14)
—	Article 3, points (21), (22) and (23)

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—	Article 3, points (29), (30), (31), (33), (34) and (35)
—	Article 3, point (37)
—	Article 3, point (39)
—	Article 3, points (42) to (53)
—	Article 3, points (55) to (58)
—	Article 5(2) and (3)
—	Article 6(1), third subparagraph, (2) and (3)
—	Article 7(2), (3) and (4)
Article 4(1)	—
Article 4(2)	Article 7(1)
Article 4(3), first subparagraph	Article 6(4)
Article 4(3), second subparagraph	Article 6(5), first subparagraph
Article 4(4)	Article 6(1), first and second subparagraphs
—	Article 6(5), second subparagraph and (6) to (10)
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—	Article 10
—	Article 11
—	Article 12
Article 5(1)	Article 13(1) and (2), first subparagraph
Article 5(2), first subparagraph	Article 13(2), second subparagraph
Article 5(2), second subparagraph	Article 13(3)
Article 5(3)	Article 13(4), first sentence
—	Article 13(4), second sentence and (5) to (10)
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Article 6(1)	Article 22(1)

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—	Article 22(2) and (4)
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Article 9(4)	Article 28(5)
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Article 10(4)	Article 29(3)
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Article 13(1)	Article 33(1)

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Article 13(2)	Article 33(2)
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Article 14(3) and Article 15(3)	Article 34(3)
Article 14(4)	Article 34(4)
Article 16(1) and (2)	Article 27(1)
Article 16(3)	Article 27(2)
Article 17(1) to (4)	Article 35(2) to (5)
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—	Article 37(1) and (3) to (9)
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Article 20 (2), points (a), (b) and (c)	Article 39(2)
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Article 20(4), first subparagraph	Article 39(3)
Article 20(4), second subparagraph	Article 39(6)
Article 20(4), third subparagraph	Article 39(7)
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Article 21	Article 40
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Article 23(1)	Article 42(1)
Article 23(2) and (3)	Article 42(2)

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Article 23(6), third subparagraph	Article 43(4)
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—	Article 52(2)
—	Article 52(4)
Article 29(1), second subparagraph	Article 53(1) and (2)
—	Article 53(3) and (4)
Article 29(2)	Article 53(5), first subparagraph
—	Article 53(5), second subparagraph, (6) and (8)
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Article 29(4)	—
Article 30(1)	Article 53(1)
Article 30(2), first subparagraph	Article 53(2)
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Article 30(3)	Article 54(1)
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—	Article 69(3) and (4)
Article 41(6)	Article 72(1)

## ANNEX XI

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Article 42	Article 73
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- (1) [OJ C 303, 19.8.2016, p. 86.](#)
- (2) Position of the European Parliament of 19 April 2018 (not yet published in the Official Journal) and decision of the Council of 22 May 2018.
- (3) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ([OJ L 263, 9.10.2007, p. 1.](#))
- (4) Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 ([OJ L 218, 13.8.2008, p. 30.](#))
- (5) Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') ([OJ L 346, 17.12.1997, p. 78.](#))
- (6) 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 ([OJ L 200, 31.7.2009, p. 1.](#))
- (7) Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information ([OJ L 171, 29.6.2007, p. 1.](#))
- (8) Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC ([OJ L 188, 18.7.2009, p. 1.](#))
- (9) Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC ([OJ L 127, 29.4.2014, p. 51.](#))
- (10) [OJ L 123, 12.5.2016, p. 1.](#)
- (11) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13.](#))
- (12) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ([OJ L 119, 4.5.2016, p. 1.](#))
- (13) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([OJ L 8, 12.1.2001, p. 1.](#))
- (14) 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 or forestry vehicles ([OJ L 60, 2.3.2013, p. 1.](#))
- (15) Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles ([OJ L 60, 2.3.2013, p. 52.](#))
- (16) Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 ([OJ L 175, 7.7.2017, p. 1.](#))

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (17) Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles ([OJ L 145, 31.5.2011, p. 1](#)).
- (18) Commission Regulation (EU) No 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers and amending Directive 2007/46/EC of the European Parliament and of the Council ([OJ L 353, 21.12.2012, p. 31](#)).
- (19) For subsequent amendments, see UNECE TRANS/WP.29/343.

**Changes to legislation:**

Regulation (EU) 2018/858 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Annex 2 Pt. I Table 1 TEXT addition by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 3 PT 5 addition by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 4 amendment by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Appendix 2 PT 4 TABL amendment by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 3 TABL amendment by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 2 TABL amendment by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. II Table TEXT repeal by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 17 repeal by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 16 repeal by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 1 TABL TEXT replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Appendix 1 TABL 1 NOTE replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 9A replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 5 TABL TEXT replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 3 replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Point 3A TABL TEXT replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 4 replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Appendix 1 TABL 1 NOTE replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III Appendix 6 TABL TEXT replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. III NOTE 15 replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Text replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Appendix 1 TABL 2 TEXT replacement by [EUR 2019/2144](#) Regulation
- Annex 2 Pt. I Table 1 TEXT replacement by [EUR 2019/2144](#) Regulation