

Approval and market surveillance of two- or three-wheel vehicles and quadricycles

2010/0271(COD) - 20/11/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 643 votes to 16, with 18 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on the approval and market surveillance of two-or three-wheeled vehicles and quadricycles.

The Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted at plenary are the result of a compromise negotiated between the European Parliament and the Council. They amend the proposal as follows:

Scope of the Regulation: the Regulation establishes the administrative and technical requirements for the **type-approval of all new vehicles**, systems, components and separate technical units. It also establishes the requirements for the market surveillance of parts and equipment for such vehicles. In certain limited cases, it is appropriate to allow for national small series type-approval.

The Regulation also applies to **enduro motorcycles, trial motorcycles and heavy all terrain quads**.

Safety provisions: amendments seek to ensure a high level of vehicle functional safety, occupational safety and environmental protection, in harmonising the technical requirements and environmental standards applicable to vehicles, systems, components and separate technical units with regard to type-approval.

Environmental requirements: the Regulation sets environmental requirements for two stages with the second stage (Euro 5) being mandatory for new types of vehicles as of 1 January 2020, thereby creating long-term planning predictability for the vehicle manufacturers and the supplier industry.

Access to repair and maintenance information: the amended text stresses that unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market. A great proportion of such information is related to **on-board diagnostic systems** and their interaction with other vehicle systems.

The Regulation stipulates that manufacturers shall make vehicle repair and maintenance information available in an unrestricted, itemised, user-friendly and legible way to independent operators by means of internet sites. In particular, this access should be provided in a non-discriminatory way as regards the content provided to or accessible to official dealers and repairers. This requirement does not apply to small series vehicles.

Delegated acts: to add further technical specifications to the Regulation, the Commission can adopt delegated acts in respect of functional safety, construction requirements, environmental and propulsion performance.

Penalties: Member States shall provide for penalties for infringement by economic operators of this Regulation and the delegated or implementing acts adopted pursuant to this Regulation. They shall take all measures necessary to ensure that the penalties are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

Reports: by **31 December 2021**, the Commission shall submit a report on the implementation of the Regulation. In particular, the report shall consider whether, on the basis of experience gained with the application of this Regulation, it would be appropriate to provide also for EU type-approval of small series. If it considers necessary, the Commission shall present a proposal to this effect.

On the basis of reports submitted by the Member States, the Commission will prepare, **no later than 31 December 2022**, a report on

- the number of individual approvals granted to vehicles covered by this Regulation before their first registration per year by the national authorities of that Member State since 1 January 2016;
- the national criteria upon which such approvals were based insofar as these criteria deviated from the requirements obligatory for EU type-approval.

The report shall be accompanied, where appropriate, by legislative proposals, and shall examine the inclusion of individual approvals in this Regulation on the basis of harmonised requirements.

Timetable: the Regulation will apply from 1 January 2016. A recital stresses the need to allow industry sufficient time to adapt to the new provisions laid down in this Regulation and to the technical specifications and administrative provisions set out in the delegated and implementing acts adopted pursuant to this Regulation.