


Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2008/0100(COD)</p> <p>Road safety: type-approval requirements of motor vehicles</p> <p>Repealing Directive 97/27/EC 1991/0348(COD) Repealing Directive 95/28/EC 1992/0417(COD) Repealing Directive 96/27/EC 1994/0322(COD) Repealing Directive 96/79/EC 1994/0323(COD) Repealing Directive 98/91/EC 1996/0267(COD) Repealing Directive 2001/85/EC 1997/0176(COD) Repealing Directive 2001/56/EC 1998/0277(COD) Repealing Directive 2000/40/EC 1999/0007(COD) Repealing Directive 2003/97/EC 2001/0317(COD) Repealed by 2018/0145(COD)</p> <p>Subject</p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance</p> <p>3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence</p> <p>3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles</p> <p>3.70.02 Atmospheric pollution, motor vehicle pollution</p>	<p>Procedure completed</p>

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	IMCO Internal Market and Consumer Protection		03/06/2008
		PPE-DE SCHWAB Andreas	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	ITRE Industry, Research and Energy		02/07/2008
		ALDE CHATZIMARKAKIS Jorgo	
	TRAN Transport and Tourism	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2952	22/06/2009
European Commission	Commission DG	Commissioner	
	Internal Market, Industry, Entrepreneurship and SMEs	VERHEUGEN Günter	

Key events			
05/06/2008	Committee referral announced in Parliament, 1st reading		
02/12/2008	Vote in committee, 1st reading		Summary
08/12/2008	Committee report tabled for plenary, 1st reading	A6-0482/2008	
10/03/2009	Results of vote in Parliament		

10/03/2009	Debate in Parliament		
10/03/2009	Decision by Parliament, 1st reading	T6-0092/2009	Summary
22/06/2009	Act adopted by Council after Parliament's 1st reading		
09/07/2009	End of procedure in Parliament		
13/07/2009	Final act signed		
31/07/2009	Final act published in Official Journal		

Technical information

Procedure reference	2008/0100(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 97/27/EC 1991/0348(COD) Repealing Directive 95/28/EC 1992/0417(COD) Repealing Directive 96/27/EC 1994/0322(COD) Repealing Directive 96/79/EC 1994/0323(COD) Repealing Directive 98/91/EC 1996/0267(COD) Repealing Directive 2001/85/EC 1997/0176(COD) Repealing Directive 2001/56/EC 1998/0277(COD) Repealing Directive 2000/40/EC 1999/0007(COD) Repealing Directive 2003/97/EC 2001/0317(COD) Repealed by 2018/0145(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/6/63635

Documentation gateway

Legislative proposal		COM(2008)0316	23/05/2008	EC	Summary
Document attached to the procedure		SEC(2008)1908	23/05/2008	EC	
Document attached to the procedure		SEC(2008)1909	23/05/2008	EC	
Committee draft report		PE414.362	29/10/2008	EP	
Committee opinion		PE409.703	05/11/2008	EP	
Amendments tabled in committee		PE415.348	18/11/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0482/2008	08/12/2008	EP	
Economic and Social Committee: opinion, report		CES0037/2009	14/01/2009	ESC	
Text adopted by Parliament, 1st reading/single reading		T6-0092/2009	10/03/2009	EP	Summary

Commission response to text adopted in plenary		SP(2009)3060	04/06/2009	EC	
Draft final act		03621/2009/LEX	13/07/2009	CSL	

Additional information					
National parliaments		IPEX			
European Commission		EUR-Lex			

Final act					
Regulation 2009/661 OJ L 200 31.07.2009, p. 0001 Summary					
Corrigendum to final act 32009R0661R(05) OJ L 308 25.11.2015, p. 0011					
Corrigendum to final act 32009R0661R(1) OJ L 337 20.12.2011, p. 0027					

Road safety: type-approval requirements of motor vehicles

PURPOSE: to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of safety and environmental protection.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

CONTENT: the technical requirements for the type-approval of motor vehicles with regard to numerous safety and environmental elements have been harmonised at Community level in order to avoid requirements that differ from one Member State to another, and to ensure a high level of road safety and environmental protection throughout the Community. New technologies are now available which can dramatically improve vehicle safety (such as Electronic Stability Control Systems) or reduce CO2 emissions (such as low rolling-resistance tyres). Research has indicated that there would be significant benefits if such technologies were introduced as standard on new vehicles. Setting common mandatory requirements would also prevent the fragmentation of the internal market which could result from varying product standards emerging across Member States.

The proposal aims at enhancing the safety of vehicles by requiring the mandatory fitting of some advanced safety features. The proposal also aims at enhancing the environmental performance of vehicles by reducing the amount of road noise and vehicle CO2 emissions from tyres. Finally, the proposal contributes to the competitiveness of the automotive industry by simplifying the existing vehicle safety type-approval legislation, improving transparency and easing administrative burden.

The draft Regulation proposes to:

- significantly simplify the type-approval legislation by replacing 50 base Directives (and around 100 related amending Directives) in the field of motor vehicle safety and tyres with one Council and Parliament Regulation. 50 Directives on the type-approval of vehicles will be repealed;
- introduce new mandatory requirements on advanced safety features. In particular, the proposal requires mandatory fitting of: (a) Electronic Stability Control Systems on all vehicles; (b) Tyre Pressure Monitoring Systems on passenger cars; (c) Advanced Emergency Braking Systems and Lane Departure Warning Systems on heavy-duty vehicles. In case of voluntary fitting of Advanced Emergency Braking Systems and Lane Departure Warning Systems on other categories of vehicles, these systems shall fulfil the requirements laid down in the proposal;
- set more stringent noise emission limit values for tyres than those set out in existing legislation and introduces new requirements on wet grip and rolling resistance.

Road safety: type-approval requirements of motor vehicles

The Committee on the Internal Market and Consumer Protection adopted the report drafted by Andreas SCHWAB (EPP-ED, DE), amending the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles.

The main amendments ? made in the framework of the codecision procedure ? are as follows:

Scope:MEPs aim to clarify that this Regulation establishes requirements for the type-approval of motor vehicles, their trailers, and of systems, components and separate technical units with regard to their safety. The type-approval requirements with regard to installation of

Tyre Pressure Monitoring Systems refer to safety, fuel efficiency and CO2 emissions. It also establishes requirements for the type-approval of newly-manufactured tyres, with regard to their rolling resistance performance and rolling noise emissions.

Noise reduction objectives: MEPs support the CO2 emissions goals of the proposal and consider that these objectives should perhaps be more visibly tied to the Parliaments ongoing work on the Regulation setting performance standards for new passenger cars. They consider

however that the market should be well prepared as a whole for clear and timely implementation of the new prerogatives without significant disruption to industry and supply chains. Amendments have been introduced to further harmonise the proposed implementation dates, and the corresponding marginal implementation delays.

Electronic stability control systems, advanced emergency braking systems and lane departure warning systems: MEPs consider that requirements for such systems should be established by the Commission in line with UNECE regulations for those vehicle categories in which their application is appropriate and for which it is demonstrated (through an impact assessment) that they will improve the overall level of safety. Sufficient lead time until implementation should be provided to allow for implementation measures to be completed and subsequently for development and in-vehicle application of these complex technologies. In setting detailed implementation deadlines for electronic stability control systems, a lead time of 12 months after completion of implementation measures should be allowed before the initial mandatory implementation deadline.

Type-approval of vehicles, components and separate technical units: the report underlines that systems such as electronic stability control systems, ISOFIX child seat anchorages, seat belt reminders and tyre pressure monitoring systems are currently in the market and have proven their efficiency towards improving road safety. MEPs consider that they should be mandated as early as possible and therefore bring forward the dates provided for the Commission in this context.

Electronic stability control systems: until these systems are introduced, the Commission should take measures and run campaigns to provide information on their effectiveness and to promote their sale. In addition, the Commission should watch price developments to ascertain that the price of new cars is not being disproportionately increased as a result of equipping them to meet new safety standards.

Tyres: MEPs consider that the Commission should assess the feasibility of strengthening the requirements for wet grip for tyres, and if appropriate, propose an amendment to this Regulation. Member States should ensure effective market surveillance. The report underlines that the full potential of increasing safety, reducing CO₂ emissions and lowering traffic noise can only be achieved in combination with a labelling scheme for tyres. The label should inform the consumer regarding safety (wet grip), CO₂ emissions and noise. The regulation should envisage an exemption for retreaded tyres. The Commission should make a proper assessment of this business sector, involving all stakeholders, and evaluate if there is any need for an evolution of the actual regulatory regime.

Comitology: there are a number of provisions in the Commission proposal which give concern in terms of respect of Comitology rules. In particular, Article 5(3) of the initial proposal appears to delegate the definition of the scope of the Regulation to the Commission. This is however an essential aspect of the Regulation which is for the legislature to decide. Furthermore, MEPs consider that the criteria for setting out the "additional safety requirements" applicable to transport of dangerous goods are not specified and the same applies in other articles in so far as they refer to "further technical requirements" to be established by the Commission. These provisions are problematic in that the ambit of the powers conferred on the Commission is not clearly defined. Amendments are introduced to address these problems.

New safety features: MEPs consider that the Commission should continue to assess the technical and economic feasibility and market maturity of other advanced safety features, and carry out a review, with possible revision of this Regulation, if appropriate, by 1 December 2012, and every three years thereafter.

Transport noise: in addition to the ongoing Commission initiative which aims to define a road grading system, the Commission should, within 12 months of the entry into force of this Regulation, bring forward a proposal on the classification of EU roads according to noise generation that will complement noise mapping in motor vehicle transportation with a view to fixing appropriate priorities and road surface requirements and setting maximum road noise generation limits.

Road safety: type-approval requirements of motor vehicles

The European Parliament adopted by 610 votes to 34, with 20 abstentions, a legislative resolution amending, under the first reading of the codecision procedure, the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles.

The amendments were the result of a compromise negotiated with the Council.

Subject matter: the amended text notes that the Regulation also establishes:

- requirements for the type-approval of motor vehicles, in respect of Tyre Pressure Monitoring Systems, with regard to their safety, fuel efficiency and CO₂ emissions and, in respect of Gear Shift Indicators, with regard to their fuel efficiency and CO₂ emissions;
- requirements for the type-approval of newly manufactured tyres, with regard to their safety and their rolling resistance performance and rolling noise emissions.

General obligations: manufacturers shall demonstrate that all new vehicles sold, registered or put into service in the Community are type-approved in accordance with this Regulation and its implementing measures.

Manufacturers may choose to apply for the type-approval of the vehicle with regard to all the systems, and the installation of all the components and separate technical units covered by this Regulation or for the type-approval of the vehicle with regard to one or more systems, and the installation of one or more components and one or more separate technical units covered by this Regulation. Type approval in accordance with the UNECE regulations listed in Annex IV shall be considered as EC type-approval in accordance with this Regulation and its implementing measures.

Manufacturers shall demonstrate that all new separate technical units, systems or components which are sold or put into service in the Community are type-approved in accordance with this Regulation and its implementing measures.

Requirements and tests: manufacturers shall ensure that vehicles, systems, components and separate technical units comply with a series of requirements, including the requirements relating to electrical safety and gear shift indicators.

Tyres: some of the rules on tyre standards have also been revised, as regards not just safety but also environmental impact. The new regulation lays down various standards on tyres which will cut CO₂ emissions and fuel consumption. Vehicles in category M1 shall be equipped with an accurate Tyre Pressure Monitoring System capable of giving, when necessary, an in-car warning to the driver when a loss of pressure occurs in any tyre, which is in the interests of optimum fuel consumption and road safety. Appropriate limits in the technical

specifications shall be set to achieve this, which shall furthermore allow for a technology-neutral and cost-effective approach in the development of accurate Tyre Pressure Monitoring Systems.

MEPs also clarified the definitions of certain tyres to make them more accurate: "special use tyre", "off-road professional tyre" and "reinforced tyre" or "extra load tyre".

In the recitals, it is stressed that the Commission should: (i) assess the feasibility of extending mandatory installation of Tyre Pressure Monitoring Systems and Lane Departure Warning Systems and Advanced Emergency Braking Systems to other categories of vehicle; (ii) assess the feasibility of strengthening the requirements for wet grip for tyres. In both cases, the Commission shall propose, if appropriate, an amendment to the Regulation. A labelling scheme aimed at informing the consumer on the various performances of tyres should also be provided for.

With regard to retreaded tyres, the Commission should make a proper assessment of this business sector, involving all stakeholders, and evaluate if there is any need for an evolution of the actual regulatory regime.

Gear shift indicators: vehicles of category M1 with a reference mass not exceeding 2 610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 which are fitted with a manual gearbox shall be equipped with gear shift indicators in accordance with the requirements of the Regulation and its implementing measures.

Electronic Stability Control Systems: vehicles in categories M1 and N1 shall be equipped with an Electronic Stability Control System meeting the requirements of the Regulation and its implementing measures. With the exception of off-road vehicles, vehicles in the categories listed below shall be equipped with an Electronic Stability Control System:

- vehicles in categories M2 and M3 (except for those with more than three axles, articulated buses and coaches, and buses in Class I or Class A);
- vehicles in categories N2 and N3 (except for those with more than three axles, tractors for semi-trailers with a gross vehicle mass between 3.5 and 7.5 tonnes, and special purpose vehicles as defined in paragraphs 5.7 and 5.8 of Annex III, section A, of Directive 2007/46/EC);
- vehicles in categories O3 and O4 equipped with air suspension (except for those with more than three axles, trailers for exceptional load transport and trailers with areas for standing passengers).

Transport noise: in addition to the ongoing Commission initiative which aims to define a road grading system, the Commission should, within 12 months of the entry into force of this Regulation, bring forward a proposal on the classification of EU roads according to noise generation that will complement noise mapping in motor vehicle transportation with a view to fixing appropriate priorities and road surface requirements and setting maximum road noise generation limits.

Implementing measures - comitology: the Commission shall adopt the following implementing measures:

- detailed rules concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, components and separate technical units;
- detailed rules concerning specific safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States taking account of Regulation UNECE No 105;
- a more precise definition of the physical characteristics and performance requirements a tyre must fulfil to be defined as "snow tyre", "traction tyre", "special use tyre", "off-road professional tyre", "reinforced tyre", and "extra load tyre";
- provisions amending Annex IV to include the UNECE Regulations that are made mandatory;
- detailed rules on the procedure for the determination of the noise levels referred to in point 1 of Part C of Annex II (rolling noise of tyres);
- amendments to the limit values on rolling resistance and rolling noise in so far as necessary as a result of changes in the test procedures, and without lowering the existing ambition level with regard to the environment.

These measures, with the exception of those relating to the provisions of Article 10 (advanced vehicle systems), shall be adopted by 31 December 2010. The measures relating to the provisions of Article 10 shall be adopted by 31 December 2011.

The Commission may also adopt the following implementing measures:

- providing exemptions for certain vehicles or classes of vehicles within categories M2, M3, N2 and N3 from the obligation to install the advanced vehicle systems referred to therein where, following a cost/benefit analysis and taking into account all relevant safety aspects, the application of those systems proves not to be appropriate to the vehicle or the class of vehicles concerned;
- by 31 December 2010, and on the basis of a cost/benefit analysis, shortening the period of 30 months during which certain tyres may be sold, which may be differentiated according to the class or category of the tyres concerned.

All of these measures shall be adopted in accordance with the regulatory procedure with scrutiny.

Reporting: by 1 December 2012 and every three years thereafter, the Commission shall present a review to the European Parliament and to the Council including, where appropriate, proposals for revision of the Regulation or other relevant Community acts regarding the inclusion of further new safety features.

Gradual application: once adopted by Parliament and Council, the Regulation should apply from 1 November 2011, one year earlier than the Commission proposed. However, various transition periods are provided for, in some cases until 2018, to enable the car industry to adapt to the new measures.

Road safety: type-approval requirements of motor vehicles

PURPOSE: to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of safety and environmental protection.

LEGISLATIVE ACT: Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor.

CONTENT: following the agreement reached at first reading with the European Parliament, the Council adopted a Regulation strengthening the type-approval requirements for the general safety of motor vehicles in the EU.

The Regulation establishes requirements for:

- the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor with regard to their safety;
- the type-approval of motor vehicles, in respect of tyre pressure monitoring systems, with regard to their safety, fuel efficiency and CO₂ emissions and, in respect of gear shift indicators, with regard to their fuel efficiency and CO₂ emissions;
- the type-approval of newly-manufactured tyres with regard to their safety, rolling resistance performance and rolling noise emissions.

General obligations: Manufacturers shall demonstrate that all new vehicles sold, registered or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.

Manufacturers may choose to apply for type-approval with regard to all the systems, and the installation of all the components and separate technical units covered by this Regulation, or for type-approval with regard to one or more systems and the installation of one or more components and one or more separate technical units covered by this Regulation. Type-approval in accordance with the UNECE Regulations listed in Annex IV shall be considered as EC type-approval in accordance with this Regulation and its implementing measures.

Manufacturers shall also demonstrate that all new systems, components and separate technical units sold or put into service within the Community are type-approved in accordance with this Regulation and its implementing measures.

Requirements and tests: Manufacturers shall ensure that vehicles, systems, components and separate technical units comply with a number of requirements, including requirements relating to electrical safety and gear shift indicators. The Regulation also establishes specific requirements relating to certain vehicles of categories N and O and of categories M2 and M3.

Tyres: the new Regulation lays down various standards on tyres which will cut CO₂ emissions and fuel consumption. Vehicles in category M1 shall be equipped with an accurate Tyre Pressure Monitoring System capable of giving, when necessary, an in-car warning to the driver when a loss of pressure occurs in any tyre, which is in the interests of optimum fuel consumption and road safety. Appropriate limits in the technical specifications shall be set to achieve this, which shall furthermore allow for a technology-neutral and cost-effective approach in the development of accurate Tyre Pressure Monitoring Systems.

In the recitals, it is stressed that the Commission should: (i) assess the feasibility of extending mandatory installation of Tyre Pressure Monitoring Systems and Lane Departure Warning Systems and Advanced Emergency Braking Systems to other categories of vehicle; (ii) assess the feasibility of strengthening the requirements for wet grip for tyres. In both cases, the Commission shall propose, if appropriate, an amendment to the Regulation. A labelling scheme aimed at informing the consumer on the various performances of tyres should also be provided for.

With regard to retreaded tyres, the Commission should make a proper assessment of this business sector, involving all stakeholders, and evaluate if there is any need for an evolution of the actual regulatory regime.

Gear shift indicators: vehicles of category M1 with a reference mass not exceeding 2610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 which are fitted with a manual gearbox shall be equipped with gear shift indicators in accordance with the requirements of this Regulation and its implementing measures.

Electronic Stability Control Systems: vehicles in categories M1 and N1 shall be equipped with an Electronic Stability Control System meeting the requirements of the Regulation and its implementing measures. With the exception of off-road vehicles, vehicles in the categories listed below shall be equipped with an Electronic Stability Control System:

- vehicles in categories M2 and M3 (except for those with more than three axles, articulated buses and coaches, and buses in Class I or Class A);
- vehicles in categories N2 and N3 (except for those with more than three axles, tractors for semi-trailers with a gross vehicle mass between 3.5 and 7.5 tonnes, and special purpose vehicles as defined in paragraphs 5.7 and 5.8 of Annex III, section A, of Directive 2007/46/EC);
- vehicles in categories O3 and O4 equipped with air suspension (except for those with more than three axles, trailers for exceptional load transport and trailers with areas for standing passengers).

Obligations of Member States: the Regulation establishes the grounds on which Member States shall refuse to grant EC type-approval or national type-approval as well as EC component/separate technical unit type-approval for certain types of vehicle categories.

Transport noise: in addition to the ongoing Commission initiative which aims to define a road grading system, the Commission should, within 12 months of the entry into force of this Regulation, bring forward a proposal on the classification of EU roads according to noise generation that will complement noise mapping in motor vehicle transportation with a view to fixing appropriate priorities and road surface requirements and setting maximum road noise generation limits.

Implementing measures - comitology: the Commission shall adopt the following implementing measures:

- detailed rules concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, components and separate technical units;
- detailed rules concerning specific safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States taking account of Regulation UNECE No 105;
- a more precise definition of the physical characteristics and performance requirements a tyre must fulfil to be defined as "snow tyre", "traction tyre", "special use tyre", "off-road professional tyre", "reinforced tyre", and "extra load tyre?";
- provisions amending Annex IV to include the UNECE Regulations that are made mandatory;
- detailed rules on the procedure for the determination of the noise levels referred to in point 1 of Part C of Annex II (rolling noise of tyres);
- amendments to the limit values on rolling resistance and rolling noise in so far as necessary as a result of changes in the test procedures, and without lowering the existing ambition level with regard to the environment.

These measures, with the exception of those relating to the provisions of Article 10 (advanced vehicle systems), shall be adopted by

31 December 2010. The measures relating to the provisions of Article 10 shall be adopted by 31 December 2011.

The Commission may also adopt the following implementing measures:

- providing exemptions for certain vehicles or classes of vehicles within categories M2, M3, N2 and N3 from the obligation to install the advanced vehicle systems referred to therein where, following a cost/benefit analysis and taking into account all relevant safety aspects, the application of those systems proves not to be appropriate to the vehicle or the class of vehicles concerned;
- by 31 December 2010, and on the basis of a cost/benefit analysis, shortening the period of 30 months during which certain tyres may be sold, which may be differentiated according to the class or category of the tyres concerned.

All of these measures shall be adopted in accordance with the regulatory procedure with scrutiny.

Reporting: by 1 December 2012 and every three years thereafter, the Commission shall present a review to the European Parliament and to the Council including, where appropriate, proposals for revision of the Regulation or other relevant Community acts regarding the inclusion of further new safety features.

Gradual application: once adopted by Parliament and Council, the Regulation should apply from 1 November 2011. However, various transition periods are provided for, in some cases until 2018, to enable the car industry to adapt to the new measures.

ENTRY INTO FORCE: 20/08/2009. 49 Directives referred to in the Regulation shall be repealed with effect from 1 November 2014 and Directive 92/23/EEC shall be repealed with effect from 1 November 2017.