Commission Implementing Regulation (EU) 2019/621 of 17 April 2019 on the technical information necessary for roadworthiness testing of the items to be tested, on the use of the recommended test methods, and establishing detailed rules concerning the data format and the procedures for accessing the relevant technical information (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/621

of 17 April 2019

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 4(3) thereof,

Whereas:

(1) In accordance with Directive 2014/45/EU, in order to facilitate the periodic roadworthiness testing of motor vehicles and their trailers, the Commission should adopt implementing acts defining the set of technical information necessary for the items to be tested and on the use of the recommended test methods.

(2) Annex I to Directive 2014/45/EU sets out the items to be tested as a minimum, the minimum standards to be used and the recommended test methods.

(3) In order to facilitate the periodic roadworthiness testing of motor vehicles and their trailers the Commission should also adopt detailed rules concerning the data format and the procedures for accessing the relevant technical information.

(4) Member States may exclude from the roadworthiness test two- or three-wheel vehicles – vehicle categories L3e, L4e, L5e and L7e with an engine displacement of more than 125 cm^3 — if effective alternative road safety measures have been put in place. However, with a view to facilitating the introduction and harmonisation of the roadworthiness testing of such vehicles, a set of information should be also defined for guidance.

(5) The obligations and requirements set out in this Regulation should not affect the obligations and requirements set out in Regulations (EC) No 715/2007[(2)] and (EC) No 595/2009[(3)] of the European Parliament and of the Council.

(6) Manufacturers should be provided with sufficient time to implement the online solutions needed to make the technical information available to testing centres and to relevant competent authorities.

(7) The measures provided for in this Regulation are adopted in accordance with the opinion of the Committee set up by Article 19(1) of Directive 2014/45/EU,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

1 This Regulation sets out for the periodic roadworthiness tests of motor vehicles and their trailers:

a the set of technical information on braking equipment, steering, visibility, lamps, reflectors, electrical equipment, axles, wheels, tyres, suspension, chassis, chassis attachments, other equipment and nuisance necessary for roadworthiness testing of the items to be tested and on the use of the recommended test methods, in accordance with point 3 of Annex I of Directive 2014/45/EU; and

b detailed rules concerning the data format and the procedures for accessing the relevant technical information.

Article 2

Scope

This Regulation shall apply to vehicles subject to roadworthiness tests pursuant to Article 2(1) of Directive 2014/45/EU, which are first registered or first put into service in a Member State as from 20 May 2018.

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

(1) ‘manufacturer’ means any natural or legal person as defined in Regulations (EU) No 167/2013[(4)] and (EU) No 168/2013[(5)] of the European Parliament and of the Council and Directive 2007/46/EC of the European Parliament and of the Council[(6)];

(2) ‘manufacturer's representative’ means any natural or legal person as defined in Regulations (EU) No 167/2013 and (EU) No 168/2013, and Directive 2007/46/EC;

(3) ‘machine readable’ means directly usable by a computer;

(4) ‘repair and maintenance information’ means the information as defined in Regulations (EU) No 167/2013 and (EU) No 168/2013, and Directive 2007/46/EC;

(5) ‘registration’ means the administrative authorisation for the entry into service in road traffic of a vehicle as defined in Article 2 point (b) of Council Directive 1999/37/EC[(7)].

Article 4

Vehicle technical information

The technical information necessary for carrying out the roadworthiness test is set out in the Annex to this Regulation.

Article 5

Procedures for accessing the vehicle technical information

1 The vehicle technical information laid down in the Annex to this Regulation shall be made available to testing centres and relevant competent authorities in a non-discriminatory, readily accessible, unrestricted, timely and consistent manner.

2 The technical information shall be made available not later than 6 months after the registration or entry into service of the vehicle. However, for vehicles registered or put into service between 20 May 2018 and 20 November 2019, this information shall be made available on 20 May 2020.

3 By way of exception to paragraph 2, in the cases set out in the first, second and fifth indents of Article 5(4) of Directive 2014/45/EU, the manufacturer shall provide the technical information to the testing centre and the relevant competent authority upon request and without delay.

4 The manufacturer shall provide subsequent amendments and supplements to the technical information referred to in paragraph 1 to testing centres and relevant competent authorities at the same time as amendments and supplements to the vehicle repair and maintenance information are made available.

5 The technical information shall be made available in the official language or languages of the Member State of the testing centre or in any other language agreed upon by the competent authority of the Member State concerned.

6 Manufacturers shall designate a contact point responsible for granting access to the vehicle technical information. The contact details of the contact point shall be made available on the manufacturer's website. The contact point may also be the manufacturer's representative.

7 In order to ensure that a testing centre requesting access to vehicle technical information is authorised in accordance with Article 12(1) of Directive 2014/45/EU, Member States or their competent authorities shall assist the manufacturer as appropriate.

Article 6

Data format

1 The technical information shall be made available by the manufacturer based on the vehicle identification number of the vehicle in an open source and structured data format:

a to the competent authorities, upon request, as a collection of offline usable machine readable data files, and

b to the testing centres and to the competent authorities using an online solution. When using an online solution, the technical information, which has to be provided by the

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/621. (See end of Document for details)*

manufacturer at the same time as part of the repair and maintenance information on a website, shall be made available in the same data format. Other vehicle technical information shall be made available in the data format that is used for similar information.

2 The manufacturer may deviate from the requirements defined in paragraph 1 in respect of vehicles in receipt of individual, national or small series type approval as referred to in Regulations (EU) No 167/2013 and (EU) No 168/2013, and Directive 2007/46/EC, or if the manufacturer does not have to comply with Regulations (EC) No 715/2007 and (EU) No 167/2013, or (EU) No 168/2013. However, the information shall be provided in an easily accessible and consistent manner that can be processed with reasonable effort.

3 In the case of vehicles in receipt of step-by-step, mixed or multi-stage type-approval as referred to in Regulations (EU) No 167/2013 and (EU) No 168/2013, and Directive 2007/46/EC, the manufacturer responsible for the particular stage of the build shall be responsible for communicating the vehicle technical information relating to a particular system, component or separate technical unit for that stage to the final manufacturer. The final manufacturer shall be responsible for providing the technical information on the finished vehicle to the competent authorities and the testing centres.

4 Paragraph 3 shall not apply to vehicles in receipt of individual, national or small series approvals as referred to in Regulations (EU) No 167/2013 and (EU) No 168/2013, and Directive 2007/46/EC.

Article 7

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 20 May 2020.

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

Done at Brussels, 17 April 2019.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/621. (See end of Document for details)*

ANNEX

1. **GENERAL**

I. For the purposes of this Annex, ‘instructions for the use of the electronic vehicle interface’ shall mean basic diagnostic information and fitment test information, in particular:

I.1. Vehicle specific description of the location of and the access to the electronic vehicle interface.

I.2. Information on whether the specific system supports diagnostic interaction (Yes/No). If yes:

I.2.1. Vehicle-specific specification of bus types and protocols

I.2.2. Vehicle-specific specification of the communication parameters of the inspected system/function

I.3. Vehicle-specific information about the originally installed system.

II. The vehicle technical information concerning L-category vehicles and vehicles outside the scope of Directive 2014/45/EU is indicated as guidance.

2. **INFORMATION FOR TESTING**

Item	**Method**	**Information needed**	**Category for which the information is needed**				
			< 3,5 t	**> 3,5 t**	**O**	**L**	**T**
1.	BRAKING EQUIPMENT						
1.1.	Mechanical condition and operation						
1.1.1. brake pedal/ hand lever pivot	Visual inspection of the components while the braking system is operated. Note: Vehicles with power-Service						

a	Type-approved in accordance with Directive 70/220/EEC, Regulation (EC) No 715/2007, Annex I, Table 1 (Euro 5), Directive 88/77/EEC and Directive 2005/55/EC.
b	Type-approved in accordance with Regulation (EC) No 715/2007, Annex I, Table 2 (Euro 6) and Regulation (EC) No 595/2009 (Euro VI).
c	Type-approved in accordance with Directive 70/220/EEC, Annex I, Table 1 (Euro 5) to Regulation (EC) No 715/2007, Directive 88/77/EEC and Directive 2005/55/EC.
d	Type-approved in accordance with Annex I, Table 2 (Euro 6) to Regulation (EC) No 715/2007, and Regulation (EC) No 595/2009 (Euro VI)