Commission Regulation (EU) 2019/543 of 3 April 2019 amending Annex IV to Regulation (EC) No 661/2009 of the European Parliament and of the Council and Annexes I, III and IV to Directive 2007/46/EC of the European Parliament and of the Council as regards updating the references to and including certain Regulations of the United Nations Economic Commission for Europe on the type-approval of motor vehicles (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/543

of 3 April 2019

amending Annex IV to Regulation (EC) No 661/2009 of the European Parliament and of the Council and Annexes I, III and IV to Directive 2007/46/EC of the European Parliament and of the Council as regards updating the references to and including certain Regulations of the United Nations Economic Commission for Europe on the type-approval of motor vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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)[(1)], and in particular Article 39(2) thereof,

Having regard to 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[(2)], and in particular Article 14(1)(a) and (f) thereof,

Whereas:

(1) Annex IV of Directive 2007/46/EC lists the requirements applicable for the purpose of EC type-approval of motor vehicles. Those requirements include Union legislation and in some cases UN Regulations adopted in the context of the United Nations Economic Commission for Europe, which apply either on a compulsory basis or as an alternative to the Union requirements.

(2) Annex IV to Regulation (EC) No 661/2009 lists the UN Regulations which apply on a compulsory basis in the context of the general safety of vehicles.

(3) The lists of requirements applicable for the purpose of EC type-approval in Annex IV of Directive 2007/46/EC and the list of UN Regulations which apply on a compulsory basis in Annex IV to Regulation (EC) No 661/2009 are updated frequently to reflect the application at Union level of new requirements in the respective UN Regulations.

Changes to legislation: Commission Regulation (EU) 2019/543 is up to date with all changes known to be in force on or before 25 June 2021. 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) UN Regulation No 0 on the International Whole Vehicle Type Approval[3] was recently adopted in the context of the United Nations Economic Commission for Europe in order to reduce barriers to trade between the Contracting Parties applying that UN Regulation, which include the Union and its Member States, and to provide an increased level of certainty for vehicle manufacturers seeking recognition of their type-approval in those Contracting Parties.

(5) It is appropriate to update the lists of requirements which apply for the purpose of EC type-approval of vehicles included in Annex IV of Directive 2007/46/EC, as well as the list of UN regulations which apply on a compulsory basis set out in Annex IV to Regulation (EC) No 661/2009 in order to reflect the changes introduced by UN Regulation No 0.

(6) The table in Part II of Annex IV to Directive 2007/46/EC is outdated. For this reason, it is necessary to update the list of UN Regulations the requirements of which are considered as equivalent to the Union requirements for the purposes of EC type-approval.

(7) It is also necessary to update the list of information for the purposes of EC type-approval of vehicles contained in Annex I and the information document in Section A of Part I of Annex III to Directive 2007/46/EC with references to Acoustic Vehicle Alerting System to be approved in accordance with the provisions either of Regulation (EU) No 540/2014 of the European Parliament and of the Council[4] or of UN Regulation No 138[5].

(8) From 1 September 2018 new UN Regulations No 140[6] and No 141[7] became applicable. Sufficient time should be provided for manufacturers to adapt their vehicles to the new requirements. Therefore, it should be clarified that for the purposes of EC type-approval those requirements apply only to new types of vehicles with regard to their electronic stability control and tyre pressure monitoring systems.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee — Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EC) No 661/2009 is amended in accordance with Annex I to this Regulation.

Article 2

Annexes I, III and IV to Directive 2007/46/EC are amended in accordance with Annex II to this Regulation.

Article 3

1 With effect from 24 April 2019, for the purposes of EC type-approval of new vehicle types with regard to their electronic stability control systems, Member States shall only accept approvals granted under UN Regulation No 140.

***Changes to legislation:** Commission Regulation (EU) 2019/543 is up to date with all changes known to be in force on or before 25 June 2021. 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 With effect from 24 April 2019, for the purposes of EC type-approval of new vehicle types with regard to their tyre pressure monitoring systems, Member States shall only accept approvals granted under UN Regulation No 141.

Article 4

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

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

Done at Brussels, 3 April 2019.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: Commission Regulation (EU) 2019/543 is up to date with all changes known to be in force on or before 25 June 2021. 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 I

Annex IV to Regulation (EC) No 661/2009 is amended as follows:

(1) the table is amended as follows:

(a) the row for regulation number 10 is replaced by the following:

10	Electromagnetic compatibility	Supplement 1 to the 05 series of amendments	OJ L 41, 17.2.2017, p. 1.	M, N, O;

(b) the row for regulation number 16 is replaced by the following:

16	Safety-belts, restraint systems, child restraint systems and ISOFIX child restraint systems	Supplement 2 to the 07 series of amendments	OJ L 109, 27.4.2018, p. 1.	M, N ([d]);

(c) the row for regulation number 34 is replaced by the following:

34	Prevention of fire risks (liquid fuel tanks)	Supplement 1 to the 03 series of amendments	OJ L 231, 26.8.2016, p. 41.	M, N, O ([e]);

(d) the row for regulation number 39 is replaced by the following:

39	Speedometer equipment including its installation	Supplement 1 to the 01 series of amendments	OJ L 302, 28.11.2018, p. 106	M, N;

(e) the row for regulation number 44 is replaced by the following:

44	Restraining devices for child occupants of power-driven vehicles (‘child restraint system’)	Supplement 10 to the 04 series of amendments	OJ L 265, 30.9.2016, p. 1.	M, N ([h]);

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(f) the row for regulation number 48 is replaced by the following:

48	Installation of lighting and light-signalling devices on motor vehicles	Supplement 10 to the 06 series of amendments	OJ L 14, 16.1.2019, p. 42	M, N, O;

(g) the row for regulation number 58 is replaced by the following:

58	Rear underrun protective devices (RUPDs) and their installation; Rear underrun protection (RUP)	03 series of amendments	OJ L 49, 20.2.2019, p. 1.	M, N, O;

(h) the row for regulation number 67 is replaced by the following:

67	Motor vehicles using LPG	Supplement 14 to the 01 series of amendments	OJ L 285, 20.10.2016, p. 1.	M, N;

(i) the row for regulation number 79 is replaced by the following:

79	Steering equipment	03 series of amendments	OJ L 318, 14.12.2018, p. 1.	M, N, O;

(j) the row for regulation number 94 is replaced by the following:

94	Protection of occupants in the event of a frontal collision	03 series of amendments	OJ L 35, 8.2.2018, p. 1.	$M_{1;}$

(k) the row for regulation number 100 is replaced by the following:

100	Electric safety	Supplement 3 to the 02 series of amendments	OJ L 302, 28.11.2018, p. 114.	M, N;