Changes to legislation: *Commission Regulation (EU) 2016/1004 is up to date with all changes known to be in force on or before 24 December 2020. 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*

Commission Regulation (EU) 2016/1004 of 22 June 2016 amending Regulation (EC) No 661/2009 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION REGULATION (EU) 2016/1004

of 22 June 2016

amending Regulation (EC) No 661/2009 of the European Parliament and of the Council

(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 to Regulation (EC) No 661/2009 lists the UNECE regulations annexed to the 'Revised 1958 Agreement'[(3)] which apply on a compulsory basis. This list should be updated to reflect the application at EU level of new requirements in the respective UNECE regulations.

(2) In accordance with Article 13(14) of Regulation (EC) No 661/2009, the Appendix to its Annex IV lists the repealed Directives under which type-approvals granted before 1 November 2012 should continue to be valid unless new requirements become applicable. As new requirements become applicable at EU level with the update of Annex IV, it is also necessary to update the Appendix to Annex IV to the regulation.

(3) Since the new requirements of UNECE Regulations No 107 and 118 will require manufacturers to adapt their vehicles, sufficient time should be provided for the application of those requirements.

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

HAS ADOPTED THIS REGULATION:

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Article 1

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

Article 2

With effect from 1 July 2016, national authorities shall, on grounds relating to indirect vision, consider the certificates of conformity of new vehicles of categories N_2 and N_3 approved to Directive 2003/97/EC of the European Parliament and of the Council[(4)] to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and shall prohibit the registration, sale and entry into service of such vehicles.

Article 3

With effect from 1 July 2016, national authorities shall, on grounds relating to their general construction, consider the certificates of conformity of new vehicles of categories M_2 and M_3 to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and shall prohibit the registration, sale and entry into service of such vehicles where they do not comply with the provisions of UNECE Regulation No 107 as amended by the 05 series of amendments.

Article 4

With effect from 1 July 2016, national authorities shall, on grounds relating to the burning behaviour and/or the capability to repel fuel or lubricant of materials used in the construction, consider the certificates of conformity of new vehicles of category M_3 Classes II and III to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and shall prohibit the registration, sale and entry into service of such vehicles where they do not comply with the provisions of UNECE Regulation No 118 as amended by the 01 series of amendments.

Article 5

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 July 2016.

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

Done at Brussels, 22 June 2016.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

Amendments to Regulation (EC) No 661/2009

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

(1) in the table, the rows for UNECE Regulations Nos 13, 13-H, 14, 16, 58, 95, 100, 107, 110, 118 and 121 are replaced by the following:

13	Braking of vehicles and trailers	Supplement 13 to the 11 series of amendments	OJ L 42, 18.2.2016, p. 1	M_2, M_3, N, O ([b])
13-H	Braking of passenger cars	Supplement 16 to the original version of the Regulation	OJ L 335, 22.12.2015, p. 1	M_1, N_1 ([c])
14	Safety-belt anchorages, ISOFIX anchorages systems and ISOFIX top tether anchorages	Supplement 5 to the 07 series of amendments	OJ L 218, 19.8.2015, p. 27	M, N
16	Safety-belts, restraint systems, child restraint systems and ISOFIX child restraint systems	Supplement 5 to the 06 series of amendments	OJ L 304, 20.11.2015, p. 1	M, N ([d])
58	Rear underrun protective devices (RUPDs) and their installation; Rear underrun protection (RUP)	Supplement 3 to the 02 series of amendments	OJ L 89, 27.3.2013, p. 34	M, N, O
95	Protection of occupants in the event of a lateral collision	Supplement 4 to the 03 series of amendments	OJ L 183, 10.7.2015, p. 91	M_1, N_1
100	Electric safety	Supplement 1 to the 02 series of amendments	OJ L 87, 31.3.2015, p. 1	M, N