Commission Regulation (EU) No 214/2014 of 25 February 2014 amending Annexes II, IV, XI, XII and XVIII to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Text with EEA relevance)

COMMISSION REGULATION (EU) No 214/2014

of 25 February 2014

amending Annexes II, IV, XI, XII and XVIII to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such 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,

Whereas:

(1) Directive 2007/46/EC establishes an harmonised framework containing the administrative provisions and general technical requirements for all new vehicles. In particular, it lists the regulatory acts laying down the technical requirements with which vehicles have to comply in order to be granted EC vehicle type-approval. Furthermore, Directive 2007/46/EC made the EC whole-vehicle type-approval mandatory for special purpose vehicles in accordance with the timetable set out in its Annex XIX.

(2) Regulation (EC) No 661/2009 of the European Parliament and of the Council[(2)], introduced new safety features for vehicles and provided for the repeal of several directives and their replacement by the corresponding United Nations Economic Commission for Europe (UNECE) Regulations.

(3) Annex XI to Directive 2007/46/EC contains a list of regulatory acts for the EC type-approval of special purpose vehicles, as well as specific provisions for such vehicles. It is essential to adapt Annex XI to take into account the changes introduced by Regulation (EC) No 661/2009. The date of application of Regulation (EC) No 661/2009 shall apply.

(4) To achieve the harmonisation of the technical requirements applying for the EC whole-vehicle type-approval of special purpose vehicles, it is essential to amend Annex II to Directive 2007/46/EC and to establish stricter requirements on ambulances and wheelchair accessible vehicles. In order to give time to industry to adapt their vehicles, those sticter requirements shall only apply to new vehicle types.

Changes to legislation: *Commission Regulation (EU) No 214/2014 is up to date with all changes known to be in force on or before 28 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*

(5) Annex XVIII to Directive 2007/46/EC was relevant for the registration of special purpose vehicles based on incomplete vehicles holding a national type-approval. Since EC type-approvals will replace national type-approvals in accordance with the dates set out in Annex XIX to Directive 2007/46/EC, it is appropriate to delete Annex XVIII at the end of the transitional period foreseen by Annex XIX to Directive 2007/46/EC.

(6) Part II of Annex IV to Directive 2007/46/EC lists the UNECE Regulations recognised as an alternative to the directives mentioned in Part I of Annex IV. With the repeal of most of those directives by Regulation (EC) No 661/2009 from 1 November 2014 and the adoption of a new UNECE Regulation on pedestrian safety, it is appropriate to update the relevant entries in Part II of Annex IV to Directive 2007/46/EC. Furthermore, it is appropriate to correct several errors in Annex IV to that directive.

(7) Annex XII to Directive 2007/46/EC was amended the same day by Commission Regulation (EU) 1229/2012[(3)] and by Commission Regulation (EU) 1230/2012[(4)], which may lead to an unclear situation regarding the number of units allowed for vehicles holding a small series type-approval because Regulation (EU) 1229/2012 was drafted to be published after Regulation (EU) 1230/2012. To remove this uncertainty, it is appropriate to publish again the consolidated version of Annex XII as amended by these two legal texts.

(8) Directive 2007/46/EC should therefore be amended accordingly.

(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

Directive 2007/46/EC is amended as follows:

(1) Annexes II, IV, XI and XII are amended in accordance with the Annex to this Regulation;

(2) Annex XVIII is deleted.

Article 2

From 1 November 2014, National authorities shall consider certificates of conformity for vehicles to be no longer valid for the purpose of Article 26(1) unless the type-approvals concerned have been updated to the requirements of Annex XI to Directive 2007/46/EC as amended by this Regulation.

However, the additional requirements on the patient compartment of ambulances in Appendix 1 of Annex XI to Directive 2007/46/EC and the Additional requirements for testing the wheel chair tie down and occupant restraint system of wheelchair accessible vehicles in Appendix 3 of Annex XI to Directive 2007/46/EC shall apply from 1 November 2014 only to new types of vehicles.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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Article 1, point (2), Article 2 and Points 1(a) and 2(b)(i) of the Annex shall apply from 1 November 2014.

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

Done at Brussels, 25 February 2014.

For the Commission

The President

José Manuel BARROSO

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ANNEX

Directive 2007/46/EC is amended as follows:

(1) In Annex II, Part A,

(a) Point 5.3 is amended as follows:

5.3.	Ambulance	SC	a vehicle of category M intended for the transport of sick or injured persons and having special equipment for such purpose.

(b) the following points 5.11 and 5.12 are added:

5.11.	Exceptional load transport motor vehicle	SL	a road tractor or tractor unit for semi-trailer of category N_3 meeting all the following conditions: (a) having more than two axles and at least half of the axles (two axles out of three in the case of a three axle vehicle and *mutatis mutandis* in the case of a five axle vehicle)

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			designed to be driven simultaneously, irrespective of whether one powered axle can be disengaged, (b) which is designed for towing and pushing exceptional load transport trailer of category O_4, (c) which has a minimum engine power of 350 kW, and (d) which can be equipped with an additional front coupling device for heavy towable masses
5.12.	Multi-equipment carrier	SM	an off-road vehicle of category N (as defined in point 2.3) designed and