Commission Regulation (EU) No 1229/2012 of 10 December 2012 amending Annexes IV and XII 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 (Framework Directive) (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1229/2012

of 10 December 2012

amending Annexes IV and XII 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 (Framework Directive)

(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) and (3) thereof,

Whereas:

(1) Directive 2007/46/EC establishes a harmonised framework containing the administrative provisions and general technical requirements for all new vehicles. In particular it includes the regulatory acts laying down the technical requirements with which vehicles have to comply in order to be granted EC vehicle type-approval.

(2) Part 1 of Annex IV to Directive 2007/46/EC contains a list of regulatory acts for EC type-approval of vehicles produced in unlimited series. Directive 2007/46/EC has been amended several times and that list has accordingly been updated.

(3) 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)], provides for the repeal of several Directives. The repealed Directives have been replaced by corresponding United Nations Economic Commission for Europe (UNECE) Regulations and by Commission Regulations. Those changes should be reflected in Annex IV to Directive 2007/46/EC.

(4) It is essential to adapt the requirements for EC type-approval of small series in order to ensure that manufacturers who produce small series of vehicles may continue to have access to the internal market. For such purposes, it is necessary to adopt simplified measures to reduce the cost required by the type-approval process whereas at the same time ensuring a high level of road safety and protection of the environment.

Changes to legislation: *Commission Regulation (EU) No 1229/2012 is up to date with all changes known to be in force on or before 01 March 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*

(5) Since N_1 vehicles exhibit construction features similar to those of M_1 vehicles, it is also appropriate to lay down harmonised technical requirements for vehicles of category N_1 in order to allow such vehicles produced in small series to access the internal market.

(6) It is essential that the requirements laid down in Appendix 1 to Annex IV to Directive 2007/46/EC apply to all new vehicles. However, sufficient time should be given to manufacturers to allow them to adapt their vehicles to the new requirements.

(7) Sections 1 and 2 of Part A of Annex XII to Directive 2007/46/EC include quantitative limits for the purposes of EC type-approval of small series. It is appropriate, when extending EC type-approval of small series to vehicles of category N_1, to introduce a quantitative limit for vehicles of that category. Likewise, given the purpose of EC type-approval, namely to foster access to the internal market, the number of vehicles of category N_1 that may benefit from national type-approval pursuant to Article 23 of Directive 2007/46/EC should be restricted to the necessary minimum. Therefore, the quantity of those vehicles should also be laid down.

(8) Annexes IV and XII to 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

Annexes IV and XII to Directive 2007/46/EC are amended in accordance with the Annex to this Regulation.

Article 2

EC type-approval of small series granted before 1 November 2012 shall cease to be valid on 31 October 2016. National authorities shall consider certificates of conformity for vehicles to be no longer valid for the purposes of Article 26(1) of Directive 2007/46/EC, unless the type-approvals concerned have been updated to the requirements of Appendix 1 to Annex IV to Directive 2007/46/EC.

Article 3

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

However, point (1)(b) of the Annex shall apply in accordance with the dates set out therein.

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

***Changes to legislation:** Commission Regulation (EU) No 1229/2012 is up to date with all changes known to be in force on or before 01 March 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*

Done at Brussels, 10 December 2012.

For the Commission

The President

José Manuel BARROSO

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ANNEX

Directive 2007/46/EC is amended as follows:

(1) Annex IV is amended as follows:

(a) Part I is replaced by the following:

PART I

(b) Appendix 1 to Part I is replaced by the following:

Appendix 1

Regulatory acts for EC type-approval of vehicles produced in small series pursuant to Article 22

1. This Appendix applies to new EC type-approvals of small series granted from 1 November 2012, except for item 54A which applies from 1 November 2014.

2. EC type-approvals of small series granted before 1 November 2012 shall cease to be valid on 31 October 2016. National authorities shall consider certificates of conformity for vehicles to be no longer valid for the purposes of Article 26(1) of this Directive, unless the type-approvals concerned have been updated to the requirements of this Appendix.

Table 1

M_1 vehicles[a]

Item	Subject	Regulatory act	Specific issues	Applicability and specific requirements
1	Permissible sound level	Directive 70/157/EEC		A
2	Emissions (Euro 5 and 6) light duty vehicles/ access to information	Regulation (EC) No 715/2007		A
			(a) On-board diagnostic (OBD)	The vehicle shall be fitted with an OBD system that fulfils the requirements of Article 4(1) and (2) of Regulation (EC) No 692/2008 (The OBD system shall be designed

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Table 1

M_1 vehicles[a]

				to record at least the malfunction of the engine management system). The OBD-interface shall be able to communicate with commonly available diagnostic tools.
			(b) In service conformity	N/A
			(c) Access to information	It is sufficient that the manufacturer provide access to repair and maintenance information in a readily accessible and prompt manner.
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	(a) Liquid fuel tanks	B
			(b) Installation in vehicle	B
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010		B
5A	Steering equipment			C