Commission Regulation (EU) No 458/2011 of 12 May 2011 concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (Text with EEA relevance)

COMMISSION REGULATION (EU) No 458/2011

of 12 May 2011

concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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[(1)], and in particular Article 14(1)(a) thereof,

Whereas:

(1) Regulation (EC) No 661/2009 is a separate Regulation for the purposes of the type-approval procedure provided for by 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)[(2)].

(2) Regulation (EC) No 661/2009 repeals Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting[(3)]. The requirements set out in that Directive should be carried over to this Regulation and, where necessary, adapted to the development of scientific and technical knowledge.

(3) The scope of this Regulation should be in line with that of Directive 92/23/EEC. The Regulation should therefore cover vehicles of categories M, N and O.

(4) Regulation (EC) No 661/2009 lays down basic requirements for the type-approval of motor vehicles with regard to the installation of tyres. Therefore, it is necessary to set out the specific procedures, tests and requirements for such type-approval to ensure that the tyres used on a vehicle are appropriate for the load, speed and use characteristics of that vehicle.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 458/2011. (See end of Document for details)*

(5) 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

Scope

This Regulation applies to vehicles of categories M, N and O, as defined in Annex II to Directive 2007/46/EC.

Article 2

Definitions

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

(1) 'vehicle type with regard to the installation of its tyres' means vehicles which do not differ in such essential respects as the types of tyres, minimum and maximum tyre size designations, wheel dimensions and off-sets as well as speed and load capabilities suitable for fitment, and the characteristics of the wheel guards;

(2) 'type of tyre' means a range of tyres which do not differ in the following essential characteristics:

(a) the tyre class: C1, C2 or C3, as described in Article 8(1) of Regulation (EC) No 661/2009; and

(b) in the case of class C1, tyres, the characteristics of a type of pneumatic tyre as defined in paragraph 2.1 of UNECE Regulation No 30[(4)];

(c) in the case of class C2 or C3 tyres, the characteristics of a type of pneumatic tyre as defined in paragraph 2.1 of UNECE Regulation No 54[(5)];

(3) 'tyre size designation' means the designation as defined in paragraph 2.17 of UNECE Regulation No 30 for class C1 tyres and paragraph 2.17 of UNECE Regulation No 54 for class C2 and C3 tyres;

(4) 'wheel off-set' means the distance from the hub abutment face to the centre line of the rim;

(5) 'pneumatic-tyre structure' means the technical characteristics of the tyre's carcass;

(6) 'normal tyre' means a tyre or run flat tyre intended for normal on-road use;

(7) 'run flat tyre' means a tyre as defined in paragraph 2.4.3 of UNECE Regulation No 64[(6)];

(8) 'temporary-use spare tyre' means a tyre different from a tyre intended to be fitted to any vehicle for normal driving conditions but intended only for temporary-use under restricted driving conditions;

(9) 'wheel' means a complete wheel consisting of a rim and a wheel disc;

(10) ‘temporary-use spare wheel’ means a wheel different from one of the normal wheels on the vehicle type;

(11) ‘unit’ means an assembly of a wheel and tyre;

(12) ‘standard unit’ means a unit which is capable of being fitted to the vehicle for normal operation;

(13) ‘spare unit’ means a unit which is intended to be exchanged for a standard unit in case of malfunction of the latter and may be either of the following;

(14) ‘standard spare unit’ means an assembly of a wheel and tyre identical in terms of wheel and tyre size designation, wheel offset and tyre structure to that fitted in the same axle position and to the particular vehicle variant and version for normal operation, including wheels produced from a different material and which may use different wheel fixing nut or bolt designs, but which is otherwise identical to the wheel intended for normal operation;

(15) ‘temporary-use spare unit’ means an assembly of any wheel and tyre that does not fall within the definition of standard spare unit and which falls within one of the temporary-use spare unit type descriptions as defined in paragraph 2.10 of UNECE Regulation No 64;

(16) ‘speed category symbol’ means the symbol as defined in paragraph 2.29 of UNECE Regulation No 30 for class class C1 tyres and paragraph 2.28 of UNECE Regulation No 54 for class C2 and C3;

(17) ‘load capacity index’ means a number associated to the maximum load rating of the tyre in relation to the definition in paragraph 2.28 of UNECE Regulation No 30 for class C1 tyres and paragraph 2.27 of UNECE Regulation No 54 for class C2 and C3 tyres;

(18) ‘maximum load rating’ means the mass which a tyre can carry when operated in conformity with requirements governing utilisation specified by the tyre manufacturer.

Article 3

Provisions for EC type-approval of a vehicle with regard to the installation of its tyres

1 The manufacturer or the representative of the manufacturer shall submit to the type-approval authority the application for EC type-approval of a vehicle with regard to the installation of its tyres.

2 The application shall be drawn up in accordance with the model of the information document set out in Part 1 of Annex I.

3 If the relevant requirements set out in Annex II to this Regulation are met, the type-approval authority shall grant an EC type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.

A Member State may not assign the same number to another vehicle type.

4 For the purposes of paragraph 3, the approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part 2 of Annex I.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 458/2011. (See end of Document for details)*

Article 4

Entry into force

This Regulation shall enter into force on the 20th day following 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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 458/2011. (See end of Document for details)*

ANNEX I

Administrative provisions for the type-approval of vehicles with regard to the installation of their tyres

PART 1

Information document

MODEL

Information document No … relating to the EC type-approval of a vehicle with regard to the installation of its tyres.

The following information, if applicable, shall be supplied in triplicate and include a list of contents. Any drawings shall be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, shall show sufficient detail.

If the systems, components or separate technical units referred to in this information document have electronic controls, information concerning their performance shall be supplied.

0. GENERAL

0.1. Make (trade name of manufacturer):

0.2. Type:

0.2.1. Commercial name(s) (if available):

0.3. Means of identification of type, if marked on the vehicle[7]:

0.3.1. Location of that marking:

0.4. Category of vehicle[8]:

0.5. Name and address of manufacturer:

0.8. Name(s) and address(es) of assembly plant(s):

0.9. Name and address of the manufacturer's representative (if any):

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

1.1. Photographs and/or drawings of a representative vehicle:

1.3. Number of axles and wheels:

1.3.1. Number and position of axles with tyres in dual (twin) formation:

1.3.2. Number and position of steered axles:

1.3.3. Powered axles (number, position, interconnection):

2. MASSES AND DIMENSIONS[9][10]

2.3. Axle track(s) and width(s)

2.3.1. Track of each steered axle[11]:

2.3.2. Track of all other axles[11]: