



# Kraftfahrt-Bundesamt

(Federal Motor Transport Authority)  
Your central provider of services and information concerning  
vehicles and their users – Vehicle Technology -

Information Sheet on Initial Assessment (MAB)  
Issue: May 2011



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## 1 Important information on using this information sheet

The Kraftfahrt-Bundesamt (KBA, Federal Motor Transport Authority) grants type-approvals for complete and incomplete vehicles and for vehicle components (parts, systems, separate technical units) in accordance with national and international statutory regulations. The KBA also grants type-approvals in accordance with some other regulations that are not directly related to road traffic (e.g. exhaust gases emitted by mobile machinery).

Interested companies will be able to find out from this information sheet:

- **Whether they will be able to hold a type-approval**

and

- **What requirements they must fulfil before a type-approval can be issued to them.**

In order for the KBA to be able to issue you with type-approvals an initial assessment must first be carried out. An initial assessment means that your company must verify who is behind it, how its production is carried out in conformance with the provisions of the approval and how it wishes to fulfil its obligations as a future type-approval holder. For this purpose various pre-printed forms are provided that must be completed and submitted to the KBA. There may also be a visit to your premises to audit your facilities as a future type-approval holder. Such an audit is intended to provide you with a practical opportunity to demonstrate how you are going to fulfil your obligations.

This information sheet on the initial assessment deals only with **general and administrative issues**. Special circumstances that only apply to special approval items, directives or regulations are not discussed in detail here for reasons of clarity.

The information sheet on the initial assessment is divided into sections. Each section deals with a particular aspect of the approval procedure and the pre-printed forms applicable to the corresponding aspects will also be provided. Please select the required pre-printed forms and send the **signed**, completed **originals** to the following address:

*Kraftfahrt-Bundesamt  
Abteilung Fahrzeugtechnik  
24932 Flensburg*

The **pre-printed forms** should **not be changed** when they are being completed because changes frequently lead to queries that can **significantly delay** processing.

Specific questions that arise because of the type of object under approval or that arise from specific legislation should be queried by addressing a **written enquiry** to the KBA.



In addition to the stated postal address the following **contacts** may be also used **for this purpose**:

Type-approvals for passenger cars	kba-sgb421@kba.de
Type-approvals for other types of vehicle	kba-sgb422@kba.de
Type-approvals for vehicle components	kba-sgb423@kba.de

For special type-approval procedures such as for **multi-stage type-approvals** and type-approvals for **small series production** or **end-of-series vehicles**, deviating requirements will apply in some instances. Such deviating requirements will not be dealt with in this information sheet. Any information you require on this issue can be found in other information sheets and on the KBA website ([www.kba.de](http://www.kba.de)).



## 2 General information

### 2.1 Definition of terms for this information sheet

#### **Applicant**

The applicant is the term given to the person or body that applies for the issue of a type-approval for him/itself to the KBA. Applicants may be manufacturers that may also be represented vis-à-vis the KBA by an appointed representative. Producers, authorised agents or exclusive distributors may also be applicants.

#### **Authorised agents or exclusive distributors**

The terms “authorised agent” or “exclusive distributor” are only used in association with German national type-approvals (Allgemeine Betriebserlaubnisse (ABE) and Allgemeine Bauartgenehmigungen (ABG)).

Authorised agents or exclusive distributors may be entrusted by producers to submit type-approval applications. They must demonstrate to the KBA that they are responsible for matters pertaining to the type-approval procedure and for conformity of production and have made all the necessary arrangements for this.

#### **External KBA partners**

External KBA partners are authorised to carry out facility audits (a primary component of the initial assessment) without prior agreement from the KBA. A list of the external partners can be found at [www.kba.de](http://www.kba.de).

#### **Maker**

“Maker” is the term given to the entity that undertakes the final approval-relevant production step that creates the “approval object” that is then used by the end user. A maker, in contrast to a manufacturer, is not responsible for all aspects of the type-approval process and for ensuring conformity of production.

#### **Type-approval holder**

The type-approval holder is the person or body who is responsible for all aspects of the type-approval process and for ensuring conformity of production. Manufacturers, producers, authorised agents or exclusive distributors acting for the producer may become type-approval holders. Appointed representatives, makers or suppliers cannot become type-approval holders.

#### **Approval object**

This is a synonym for products for which it is intended to apply for a type-approval or for which a type-approval has already been issued.

#### **Manufacturer**

“Manufacturer” is the term given to the person or body that demonstrates that he/it is responsible to the KBA for all aspects of the type-approval process and for ensuring conformity of production. It is not essential that the manufacturer is also the maker (see above).



### **Verification of conformity**

Verification of conformity means measures undertaken by the KBA that are used to verify that a finished product conforms with the type-approval as issued or that the facilities and installations at the company justify the expectation that the finished products will conform with the type-approval.

### **Producer**

The term “producer” is only used in association with national type-approvals (Allgemeine Betriebserlaubnis (ABE) and Allgemeine Bauartgenehmigung (ABG)). In this information sheet the term “producer” is used instead of the term “Hersteller” (manufacturer) that is used in the German national Straßenverkehrs-Zulassungs-Ordnung (StVZO, National vehicle safety standard). This is in order to differentiate the producer from the manufacturer in international law (see definition above). The producer makes the approval object or commissions a third party to finish them.

If the producer is domiciled in the European Economic Area (EEA) it or its representative must demonstrate that it is responsible to the KBA for all aspects of the type-approval process and for ensuring conformity of production and have made all the necessary arrangements for this. If the producer is domiciled outside the EEA then it must entrust its authorised agent or exclusive distributor to make the application for type-approval. These then become responsible – in place of the producer – for all of the above stated issues.

### **Supplier**

The supplier, in contrast to the maker, does not undertake the final production step that creates the approval object that is then used by the end user.



## 2.2 Index of sections and pre-printed forms

Section	Contents	
3	Rights and obligations of type-approval holders	
4	Basic requirements	
5	Verification of the quality assurance system and conformity of production	
	Form 5.1:	Application details
	Form 5.2:	Declaration on carrying out an inspection
	Form 5.3:	Declaration on verification of approval-relevant requirements
6	Companies that are not directly involved in the decisive manufacturing stage, but that want to be considered as manufacturers	
	Form 6.1:	Contract on the establishment of manufacturer's capacity for vehicles/vehicle components in cases of external manufacture
	Form 6.2:	Declaration on the establishment of manufacturer's capacity for vehicles/vehicle components in cases of external manufacture
7	Exclusive distributors and authorised agents	
	Form 7.1:	<i>Authorisation to apply</i>
	Form 7.2:	<i>Confirmation of application</i>
8	Type-approval application by proxy	
	Form 8.1:	Appointing a representative
	Form 8.2:	Confirmation of the representative
	Form 8.3:	Appointing an authorised person for delivery
	Form 8.4:	Confirmation of the authorised person for delivery
	Form 8.5:	Confirmation of payment of fees by third parties
9	Filing an application following completed initial assessment	
	Form 9:	Application for granting of a type-approval

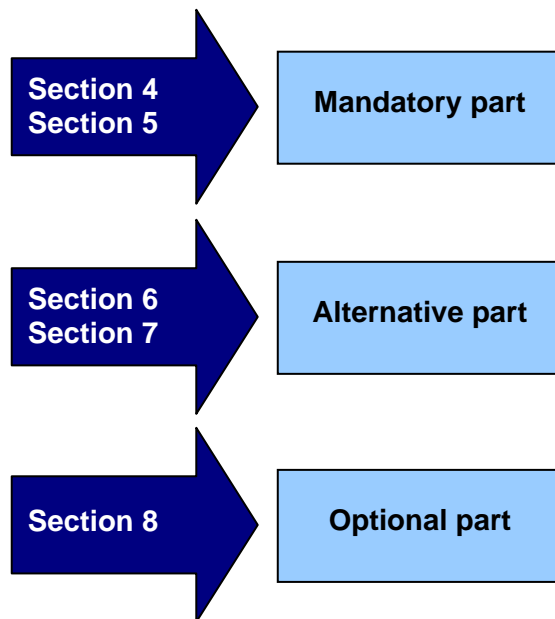


### 2.3 Overview of the applicable sections of this information sheet

An overview of the specific sections of the information sheet which need to be observed for the initial assessment in each case is described below.

Generally, each section sets out several possible procedures. The forms required for each of these procedures are included in the sections. Please only submit the forms and documents required for each individual case.

The forms and documents to be provided are grouped into the following categories:



The forms and documents included in the **mandatory part** must always be completed and/or submitted to the KBA. Forms of the **alternative part** must be completed in parts – dependent upon the individual circumstances (for details please see examples). The **optional part** only needs to be dealt with in special cases that do not necessarily always apply.



### 2.3.1 International type-approvals issued in accordance with statutory EU or ECE regulations

- **Manufacturer that manufactures in-house**

You are seeking type-approval for approval objects manufactured in-house, in accordance with the statutory regulations of the European Union (EU) or the Economic Commission for Europe (ECE).

**Please observe:**

- Section 4
- Section 5

- **Manufacturer that does not manufacture in-house**

You are seeking type-approval in accordance with the statutory EU or ECE regulations. The approval objects are manufactured by another company which is a legally independent entity.

**Please observe:**

- Section 4
- Section 5
- Section 6

### 2.3.2 National type-approval in accordance with the StVZO (National vehicle safety standard)

- **Producer that manufactures in-house**

Your company is domiciled within the European Economic Area (EEA). Manufacture of the approval objects is carried out at your company. In your capacity as manufacturer you are seeking type-approval in accordance with national legislation.

**Please observe:**

- Section 4
- Section 5

- **Producer that does not manufacture in-house**

Your company is domiciled within the EEA. The approval objects are manufactured by another company that is a legally independent entity. [Note: It makes no difference to the documents to be submitted if this company is domiciled inside or outside the EEA]. In your capacity as producer you are seeking type-approval in accordance with national legislation.



**Please observe:**

- Section 4
  - Section 5
  - Section 6
- **Exclusive distributor or authorised representative of the producer**
    - Your company is domiciled within the EEA. The products under approval are manufactured by another company that is domiciled outside the EEA. In your capacity as exclusive distributor or authorised representative of the producer, you are seeking type-approval in accordance with national legislation.

or

- Your company is domiciled within the EEA but outside Germany. The products under approval are manufactured by another company that is also domiciled within the EEA. In your capacity as authorised representative of the producer, you are seeking type-approval in accordance with national legislation.

**Please observe:**

- Section 4
- Section 5
- Section 7

*If you as the approval holder wish to be represented by a proxy vis-à-vis the KBA, the forms included in section 8 must be completed in addition.*

*A manufacturer domiciled outside the European Union that seeks to apply for a motor vehicle or trailer type-approval in accordance with Directive 2007/46/EC must appoint a representative domiciled in the European Un-*



### 3. Rights and obligations of type-approval holders

The holder of a type-approval has the **right** to market a normally **unlimited number of approval objects** in the countries that recognise the type-approval. A type-approval means that end users can be certain that all rules, directives and regulations pertaining to the approval status have been complied with.

The holder of a type-approval in turn is obligated to comply with **the requirements of the type-approval procedure** and to **ensure conformity of production**.

He is technically and legally responsible for the approved product.

**Your obligations as approval holder** include the following:

- You must ensure that only approval objects are placed on the market under that type-approval and these must conform to the type-approval in all respects.
- Where an approval-relevant change to the approval object is made, you must apply immediately to the KBA for the corresponding change to your type-approval.
- You must be aware of the current version of any type-approval regulations relevant to your approval object.
- An approval that has been granted may only be used for the time period allowed according to the approval status (observance of deadlines regarding prohibitions for placing product on the market).
- You must immediately notify the KBA about each change to the legal company form, the name and the company address and/or to those of producers' and manufacturers' companies.
- You must provide all documentation relevant to the approval object – such as approval copies, certificates of conformity, and similar when placing those products on the market.
- Processes for ensuring production conformity must be established, used and documented. This also applies to manufacture at third-party companies.
- You must ensure that conformity of production can be audited by the KBA and/or their representatives.

The obligations arising from the type-approval may not be assigned to third parties. Any agreements of this kind are void and have no effect vis-à-vis the KBA.



## 4. Basic requirements

### 4.1 Application for type-approval by companies domiciled outside Germany

Type-approvals are issued to **legal entities**. At the beginning of the initial assessment, evidence in the form of an **official registration document**, confirming the legal identity of the entity must be submitted. **You must submit this to the KBA either as an original document or as a certified copy.**

Should this document not already (exclusively or additionally) have been drafted in German or English by the issuing authority, a translation must be provided in German or English either as an original document or as a certified copy.

A specifically prepared **translation** must be completed by an authorised sworn or certified interpreter or translator. In case of doubt, the KBA may request evidence of such authorisation.

### 4.2 Application for type-approval by companies domiciled in Germany

Type-approvals are issued to **natural persons** or to **legal entities**.

For the purpose of initial assessment please submit one of the following documents in its original form or as certified copy.

- Current **excerpt from the register of companies** (if the applicant is legally required to register)

or

- Current **registration of a business** (applies to applicants that are not registered in the register, but that do operate a business)



## 5. Verification of the quality assurance system and conformity of production

The initial assessment is only carried out once. It is valid for as long as the assessed company remains the holder of type-approvals for products that were the subject of the initial assessment that was carried out. If applications for approval of products of a different kind are submitted it may be necessary to expand the existing initial assessment. It will remain valid only as long the approval holder fulfils the KBA regulations on **verification of conformity**.

**In order to allow a general assessment of your company please always complete Form 5.1 “Applicant’s information”.**

Depending upon the actual circumstances at your company, you may decide to select one of the following procedures:

### 5.1 Alternative 1

If you choose the procedure described here, an on-site inspection will be required. The inspection may be carried out

- By the KBA itself
- By external partners of the KBA
- In exceptional cases, by a third-party authority to be agreed in advance with the KBA.

If the KBA carries out the inspection, we will schedule a visit after the required documents have been received and notify you of the scheduled date. (Please complete form 5.2 “Declaration on carrying out an inspection”.)

**A type-approval shall not be granted until the on-site inspection and the initial assessment have been completed.**

### 5.2 Alternative 2

For the purpose of the initial assessment, submission of suitable documentation shall also be accepted as evidence of your quality assurance programme. The following documents may be acceptable:

- A suitable certificate verifying compliance with the EN ISO 9001 - 2008 quality standard or at least an equivalent standard,
- A confirmation issued by another European type-approval authority on an initial assessment successfully carried out by it,

or

- A confirmation of verification.



A certificate is deemed suitable/acceptable if it meets the following requirements:

- It was issued by a **certifying body designated as technical service by the KBA**. A list of designated certifying bodies can be found as “**List of designated technical services**” on the KBA website ([www.kba.de](http://www.kba.de)). The technical service will in addition attest to your company’s compliance with the approval-relevant requirements. (Note: The technical service is aware of these requirements).
- The certificate and the attestation extend to the production of the approval objects. Both documents are valid.

In case of third-party manufacture, please note that no certificates or attestations are required for the third-party manufacturer. The approval holder must ensure that the manufacturer and the affected approval objects are covered by his company’s QM system.

If only the attestation confirming compliance with the approval relevant requirements is missing, please submit Form 5.3 “Declaration on verification of compliance with approval-relevant requirements”, or use alternative 1.

*In case of doubt the certificate should be submitted to the KBA  
in advance for preliminary review.*

### 5.3 Fees and charges

If an initial assessment is carried out in accordance with 1.1 and the **on-site inspection** is carried out by the KBA, then the KBA will charge a **fee** in accordance with Gebührenordnung für Maßnahmen im Straßenverkehr (GebOSt, scale of fees and charges for road traffic related services) for the on-site inspection. In addition disbursements and any other travel related expenses must be refunded.

In all other cases **no fees** are payable to the KBA for the initial assessment.



FORM 5.1

**Application details**

**1. In what capacity do you intend to file the application for approval?**

- a) As manufacturer/producer that makes all approval objects in-house
- b) As manufacturer/producer that produces whole approval objects in-house but that also sub-contracts a certain proportion of approval objects for external manufacture  
 [Note: It is necessary to submit a contract or a declaration establishing capacity as manufacturer – see section 6 of the information sheet on the initial assessment.]
- c) As manufacturer that does not produce in-house but is responsible to the KBA for meeting the requirements pertaining to the type-approval procedure and conformity of production  
 [Note: It is necessary to submit a contract or a declaration establishing capacity as manufacturer – see section 6 of the information sheet on the initial assessment.]
- d) As authorised representative or sole distributor that is applying for national type-approval (Allgemeine Betriebserlaubnis (ABE) or Allgemeine Bauartgenehmigung (ABG))  
 [Note: It is necessary to submit an authorisation for filing for national type-approval (ABE or ABG) – see section 7 of the information sheet on the initial assessment.]

**2. Detailed information about the applicant:**

Officially registered name: .....

Street, number: .....

Post code, town: .....

Country: .....

Phone: .....

Fax: .....

E-mail: .....

Managing Director: .....

Technical Director: .....

Contact for type-approvals:

Name: .....

Phone: .....

E-mail: .....



Postal address (if different):

Name: .....

Street, number: .....

Post code, town: .....

**3. Workforce**

Workforce total: .....

Number of staff in the quality assurance department: .....

**4. Where may approved products be removed for verification of conformity purposes?**

- In our company
- At the maker's company
- At the following centre:

.....  
(Name of company)

.....  
(Street)

.....  
(Town)

.....  
(Country)

**5. Who will pay the fees?**

- The approval holder
- His authorised agent
- The following centre:

.....  
(Name of company)

.....  
(Street)

.....  
(Town)

.....  
(Country)



**6. Approval objects for which type-approvals are to be filed at the KBA:**

Approval objects	Basis for approval
.....	.....
.....	.....

.....  
(Official name of applicant)

.....  
(Date)

.....  
(Signature)



FORM 5.2

## Declaration on carrying out an inspection

Our company

.....  
(Name)

.....  
(Street)

.....  
(Town)

.....  
(Country)

has applied/is applying for a type-approval.

We are aware that the initial assessment can only be completed on the basis of a positive verification (yet to be carried out) by the KBA. Furthermore we are aware that a first type-approval cannot be granted before initial assessment is completed.

We undertake

- To facilitate the verification of the information given,
- To pay the fees relating to this issue

and

- To reimburse the expenses incurred by the KBA.

We ask KBA to appoint a time for the on-site inspection.

.....  
(Official name of applicant)

.....  
(Town, date)

.....  
(Signature)



FORM 5.3

**Declaration  
 on verification of approval-relevant requirements**

Our company

.....  
 (Name)

.....  
 (Street)

.....  
 (Town)

.....  
 (Country)

has applied/is applying for a type-approval.

The QM certificate awarded to our company by ..... in accordance with quality standard..... does not take into account the approval-relevant requirements.

We undertake to provide evidence that these requirements have been met during the course of the next routine monitoring audit and/or during the course of re-certification (re-verification) of our company. We shall send an appropriate certificate to the KBA verifying compliance with all approval-relevant requirements by \_\_.\_\_.\_\_\_\_ (DD.MM.YYYY).

We are aware that approvals granted to our company are subject to verification of approval-relevant requirements. Failure to provide such verification evidence by the agreed date may lead to type-approvals being revoked by the KBA.

.....  
 (Official name of applicant)

.....  
 (Place, date)

.....  
 (Signature)

**Verification by the above named Technical Service**

.....  
 (Place, date)

.....  
 (Signature)



## 6. Notes on recognition as manufacturer in the case of external manufacture

Approvals in accordance with international **EU** and **ECE** legislation can only be granted to the **manufacturer** of the approval object. Where this manufacturer is domiciled is of no consequence to the issue of approvals.

Approvals under **domestic German legislation** may only be granted to the manufacturer (producer) of the approval objects if he is domiciled within the European Economic Area (EEA).

**The following forms apply to companies that**

- Wish to apply for approval as manufacturer although the crucial phase of manufacture takes place at another, legally independent company (external manufacture).

The forms **do not** apply to companies that seek type-approval as manufacturer, and

- Subcontract manufacture of the approved product to a legally dependent subsidiary company

or

- Subcontract the manufacture of vendor parts to third-party companies, but that themselves subsequently carry out the final manufacturing stage leading to the product as sold to the end-customer for the purpose of type-approval.

**Nor** do the forms apply to companies that apply for approval as an exclusive distributor or authorised representative of the producer.

**The following procedures are possible:**

1. You may as manufacturer, enter into a "Contract on the establishment of manufacturer's capacity for vehicles/vehicle components in cases of external manufacture", which must be submitted as an original document to the KBA.
2. You may as manufacturer, submit a "Declaration on the establishment of manufacturer's capacity for vehicles/vehicle components in cases of external manufacture", to the KBA.



FORM 6.1

Contract on the establishment of manufacturer's capacity for  
vehicles/vehicle components in cases of external manufacture

We, the company

.....  
(Officially registered name of manufacturer)

.....  
(Street)

.....  
(Town)

.....  
(Country)

hereinafter referred to as "**company A**", shall have company

.....  
(Officially registered name of the maker)

.....  
(Street)

.....  
(Town)

.....  
(Country)

hereinafter referred to as "**company B**", manufacture the following approval objects  
(Please state equipment type(s), vehicle class(es) and/or type(s)):

.....  
.....



**We conclude the following agreement:**

**§ 1**

- (1) Company A shall assume the technical responsibility for the products requiring approval manufactured by company B and shall be authorised to give instructions directly to the competent departments of company B on the assembly, installation process and observance of quality standards. The authority to give instructions shall also include the right to check the assembly and/or manufacturing facility and to supervise and monitor the assembly and production process.
- (2) Company B shall ensure that the instructions given by company A are fully observed.
- (3) In order to ensure that the quality standards are complied with,
  - Company A**
  - Company B**
  - A third company

shall supply the necessary manufacturing and installation documentation as well as documents pertaining to scope of tests and means of testing to be used by **company B**. In case of any deviation from the approved manufacturing and installation procedure, **company A** shall have the right and the duty to have the production interrupted if necessary.

- (4) In order to carry out the afore-mentioned instructions, **company A** shall maintain its own quality management system, which shall, as a minimum, fulfil the requirements prescribed for an initial assessment. The quality management system of **company A** shall also be applied to the approval objects manufactured by **company B** for them within the scope of this agreement.
- (5) The approval objects supplied by company B shall undergo a product audit at regular intervals in order to ensure that said products conform to the approved type.
- (6)
  - Company A**
  - Company B**

shall identify any non-conforming products clearly and shall ensure that they are not placed on the market.

If products that do not conform to the approved type are delivered despite the quality control measures, **company A** shall co-ordinate the recall action.



§ 2

**Company A** shall be manufacturer of the approval objects produced by **company B** and shall be solely responsible for fulfilling all obligations in connection with the type-approval. Company A shall be liable for such obligations in relations with the KBA. Agreements to assign these obligations shall not be allowed and no binding effects shall ensue from them for the KBA.

§ 3

- (1) The KBA and/or its representatives shall be entitled at any time to inspect the approval objects manufactured by **company B** on behalf of **company A**, as well as the production facilities, materials and tools used during production. This shall also apply to the observance of this agreement.
- (2) The costs of these inspections shall be borne by **company A** in its capacity as manufacturer and holder of the type-approval.

§ 4

- (1) The KBA and/or its representatives shall be entitled at any time to make or arrange for a second inspection of the approval objects manufactured by **company B** on behalf of **company A** or, in case of EU/ECE-type-approvals or comparable approvals, to carry out a Conformity of Production (CoP) Audit.
- (2) The costs of these audits shall be borne by **company A** in its capacity as manufacturer and holder of the approval, unless diverging statutory legislation applies. The costs of CoP Audits shall be invoiced to **company A** as holder of the type-approval in accordance with the GebOSt (Gebührenordnung für Maßnahmen im Straßenverkehr, English: current scale of fees and charges for road traffic related services).

§ 5

**Company A** shall inform the KBA immediately in writing of any change in its relationship with **company B**.

.....  
(Official name of **Company A**)

.....  
(Place, date)

.....  
(Signature)

.....  
(Official name **Company B**)

.....  
(Place, date)

.....  
(Signature)



FORM 6.2

**Declaration on the establishment of manufacturer's capacity for vehicles/vehicle components in cases of external manufacture**

We, the company

.....  
(Officially registered name of manufacturer)

.....  
(Street)

.....  
(Town)

.....  
(Country)

hereinafter referred to as "**company A**", shall have company

.....  
(Officially registered name of the maker)

.....  
(Street)

.....  
(Town)

.....  
(Country)

hereinafter referred to as "**company B**", manufacture the following approval objects

(Please state equipment type(s), vehicle class(es) and/or type(s)):

.....  
.....



**Company A declares as follows thereto:**

**§ 1**

(1) **Company A** shall assume the technical responsibility for the products requiring approval that are manufactured by **company B** and shall be authorised to give instructions directly to the competent departments of **company B** on the assembly, installation process and observance of quality standards. The authority to give instructions shall also include the right to check the assembly and/or manufacturing facility and to supervise and monitor the assembly and production process.

(2) In order to ensure that the quality standards are complied with,

- Company A**
- Company B**
- A third company

shall supply the necessary manufacturing and installation documentation as well as documents pertaining to scope of tests and means of testing to be used by **company B**. In case of any deviation from the approved manufacturing and installation procedure, **company A** shall have the right and shall be obliged to interrupt production if necessary.

(3) In order to carry out the afore-mentioned instructions, **company A** shall maintain its own quality management system, which shall, as a minimum, fulfil the requirements prescribed for an initial assessment. The quality management system of **company A** shall also be applied to the approval objects manufactured by **company B** for them within the scope of this agreement.

(4) The approval objects supplied by **company B** shall undergo a product audit at regular intervals in order to ensure that said products conform to the approved type.

(5)

- Company A**
- Company B**

shall identify any non-conforming products clearly and shall ensure that they are not placed on the market.

If products that do not conform to the approved type are delivered despite the quality control measures, **company A** shall co-ordinate the recall action.

**§ 2**

**Company A** shall be manufacturer of the approval objects produced by **company B** and shall be solely responsible for fulfilling all obligations in connection with the type-approval. **Company A** shall be liable for such obligations in relations with the KBA. Agreements to assign these obligations shall not be allowed and no binding effects shall ensue from them for the KBA.



**§ 3**

- (1) The KBA and/or its representatives shall be entitled at any time to inspect the approval objects manufactured by **company B** on behalf of **company A**, as well as the production facilities, materials and tools used during production. This shall also apply to the observance of this declaration. **Company A** shall ensure that the KBA and/or its representatives have access at any time, including unannounced access, to the production facilities of **company B** and that they can carry out such inspections.
- (2) The costs of these inspections shall be borne by **company A** in its capacity as manufacturer and holder of the type-approval.

**§ 4**

- (1) The KBA and/or its representatives shall be entitled at any time to make or arrange for a second inspection of the approval objects manufactured by **company B** on behalf of **company A** or, in case of EU/ECE-type-approvals or comparable approvals, to carry out a Conformity of Production (CoP) Audit. **Company A** shall ensure that the KBA and/or its representatives have access at any time, including unannounced access, to the production facilities of **company B** and that they can carry out such inspections.
- (2) The costs of these audits shall be borne by **company A** in its capacity as manufacturer and holder of the approval, unless diverging statutory legislation applies. The costs of CoP Audits shall be invoiced to **company A** as holder of the type-approval in accordance with the Gebührenordnung für Maßnahmen im Straßenverkehr (GebOSt, current scale of charges for road traffic measures).

**§ 5**

**Company A** shall inform the KBA immediately in writing of any change in its relationship with **company B**.

.....  
(Official name of company A)

.....  
(Place, Date)

.....  
(Signature)



## 7. Obtaining a national type-approval through an exclusive distributor or an authorised representative of the producer

### 7.1 What are national type-approvals granted for?

National type-approvals (ABE) in accordance with § 20 StVZO (National vehicle safety standard) are granted for certain vehicle categories for which an international type-approval is not prescribed.

Insofar as parts comprise a separate technical unit that may be treated autonomously during the approval procedure, national type-approvals may also be issued here (§ 22 StVZO). In particular cases it may be reasonable to check with the KBA beforehand if a national type-approval for a specific type of vehicle parts may be granted. The types of vehicle parts for which national-type-approvals (ABG) **must** be granted, are clearly defined in § 22a of StVZO.

### 7.2 Who may hold a national type-approval?

In addition to granting of a type-approval to a producer (manufacturer) of a approval object domiciled within the European Economic Area (EEA), it is also possible to grant a type-approval to another company:

- If the approval object is to be manufactured within the EEA, the type-approval **may** be applied for by a company that is domiciled within the EEA. This company then becomes the **authorised representative** of the producer.
- If the approval object is to be manufactured outside the EEA, the type-approval may be granted to an **exclusive distributor** that is domiciled in Germany or to an **authorised representative** of the producer that is domiciled outside Germany but inside the EEA.

For approval objects that are manufactured in Germany only the producer can be the type-approval holder. The requirements to be met by an exclusive distributor or an authorised representative are, according type-approval legislation, the same.

An "Authorisation to apply for a national type-approval" (ABE/ABG) (**Form 7.1**), signed by the producer, together with a "Confirmation of application for national type-approval" (ABE/ABG) (**Form 7.2**), signed by the exclusive distributor or authorised representative must be submitted. This authorisation may apply to one type or to a range of types of products.

### 7.3 Who is responsible for the obligations associated with the type-approval?

Responsibility always lies with the approval holder which means, depending upon the circumstances (see above), that it is the sole responsibility of the representative or the exclusive distributor.



FORM 7.1

**Authorisation to apply for a**

- National type approval (ABE)**       **National type approval (ABG)**  
(in accordance with §§ 20 or 22 StVZO)      (in accordance with § 22 a StVZO)

We,

.....  
(Official name of the producer of the approval objects)

.....  
(Street)

.....  
(Town)

.....  
(Country)

herewith confirm that

.....  
(Official name of the applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

Is entitled to apply for type-approvals for the following approval objects:

equipment type(s), vehicle class/(es) and/or type(s):

.....  
.....



We guarantee that for the above named products, no further application has been made by us or by any company authorised by us in Germany.

The applicant has agreed to grant us access to the approval documentation at all times and to immediately inform our company of any and all changes arising in connection with the type-approval.

We have granted the applicant the following rights for which he shall assume sole responsibility in connection with the approval object:

1. Representatives of the applicant shall be given unhindered access to our production and storage facilities at any time for the purpose of checking the products that are to be produced or that have been produced.
2. The applicant may nominate persons to monitor production for conformity with the approved process, including during the production process. Should such persons issue instructions that are in conformance with the existing approval, our company undertakes to observe such instructions.

We acknowledge that we are aware of the following:

- a Our company may label the product with the officially assigned approval marks only with the express consent of the type-approval holder.
- b Labelling the products of the type named above with the officially assigned approval marks may only be carried out where such products were manufactured by us and if they conform to the official type-approval.
- c Products manufactured by another company under licence or under contract may not carry the officially assigned approval mark.
- d Infringements of the type-approval may result in withdrawal.
- e The rights assigned in connection with the type-approval shall end upon termination of this authorisation.

All changes to this authorisation must immediately be communicated in writing to the KBA.

.....  
(Official name of the producer)

.....  
(Town, date)

.....  
(Signature)



FORM 7.2

**Confirmation of application for**

- National type approval (ABE)**       **National type approval (ABG)**  
 (in accordance with §§ 20 or 22 StVZO)      (in accordance with § 22 a StVZO)

We,

.....  
 (Official name of the applying company)

.....  
 (Street)

.....  
 (Town)

.....  
 (Country)

undertake to implement all of the measures required to ensure that only such products

.....  
 (of the equipment type, vehicle class and/or the type)

are delivered, which fully conform to the type-approval documents.

We are able to ensure that the approval objects will be manufactured in conformity with the ABE and/or ABG.

We undertake

- To allow the KBA and/or its authorised agents access to our storage facilities at any time,
- To ensure that samples of the approved products can be removed for testing,
- To pay the costs connected with the conformity tests, and
- To immediately notify the KBA of any change to the legal form and the business address of the producer of the approval object.

.....  
 (Official name of the applicant)

.....  
 (Town, date)

.....  
 (Signature)



## 8. Type-approval application by proxy vis-à-vis the KBA

The following forms 8.1 to 8.5 **may** be used by any company that wishes to be represented by an agent.

The nomination of an authorised person for delivery or the payment of fees by a third party do not represent the conditions necessary for granting or maintaining the validity of a type-approval.

The following individual points must be observed:

### A representative

- May represent the applicant/approval holder by undertaking the representations and dealings that are required (or possible) regarding the granting, extension, continuity or cancellation of the type-approval. The representations and dealings undertaken by the representative shall have the same effect as if these representations and dealings were undertaken by the applicant/approval holder himself.

⇒ Forms 8.1 and 8.2

### An authorised person for delivery

- May not undertake representations and dealings for the applicant/approval holder. He is solely a recipient of mail. The serving of a document to the authorised person for delivery has the same effect as if the document had been served to the applicant/approval holder himself.

⇒ Forms 8.3 and 8.4

### Payment of fees by third parties

- May facilitate the payment process and therefore accelerate the approval process in individual circumstances. Fee payment includes all costs arising in connection with initial assessment, issue of approval and verification of conformity by the KBA.

⇒ Form 8.5

The nomination of a representative, an authorised person for delivery or a third party that will pay the fees may be revoked at any time. Such revocation does not affect the continuity of type-approvals already granted.

Holders of a vehicle type-approval in accordance with Directive 2007/46/EC who are domiciled outside the European Union must appoint a new representative at the same time the previous representative appointed at the KBA is cancelled.

The forms for the nomination of a representative or an authorised person for delivery are not required simply to charge a named person within the applicant/approval holder's company with this task.



Form 8.1

## Appointing a representative

We,

.....  
(Official name of the applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

appoint

.....  
(Official company name or name of the representative)

.....  
(Street)

.....  
(Town)

.....  
(Country)

as our representative. We agree and understand that representations and dealings undertaken by our representative have the same legal effect as if these representations and dealings had been initiated by us.

This authorisation includes the receipt of documents to be served that are intended for our company.

The appointment of a sub-agent is not permitted.

We undertake to notify the KBA immediately, should our agreement with the authorised representative be cancelled.

.....  
(Official name of the applicant)

.....  
(Town, date)

.....  
(Signature)



Form 8.2

## Confirmation of the representative

We,

.....  
(Official name of the company or name of the representative)

.....  
(Street)

.....  
(Town)

.....  
(Country)

agree to take responsibility as representative for

.....  
(Official name of the applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

We undertake to notify the KBA immediately of any change of our business address.

.....  
(Official name of the representative)

.....  
(Place, date)

.....  
(Signature)



FORM 8.3

## Appointing an authorised person for delivery

We,

.....  
(Official name of the applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

appoint

.....  
(Official name of the company or person authorised for delivery)

.....  
(Street)

.....  
(Town)

.....  
(Country)

as our authorised person for delivery. We herewith confer upon the above named person our mandate to receive written communications on behalf of our company with the result that written communications delivered to them shall have the same legal effect as if such written communications had been delivered to us.

The appointment of a sub-agent is not permitted.

The KBA must be notified immediately, should the agreement with the authorised person for delivery be cancelled,

.....  
(Official name of the applicant)

.....  
(Place, date)

.....  
(Signature)



Form 8.4

## Confirmation of the authorised person for delivery

We,

.....  
(Official name of the company or person authorised for delivery)

.....  
(Street)

.....  
(Town)

.....  
(Country)

agree to take responsibility as authorised person for delivery for

.....  
(Official name of the applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

We undertake to notify the KBA immediately of any change of our business address.

.....  
(Official name of the authorised person for delivery)

.....  
(Place, date)

.....  
(Signature)



FORM 8.5

## Confirmation of payment of fees by third parties

We

.....  
(Official name of company or person that undertakes to pay the fees)

.....  
(Street)

.....  
(Town)

.....  
(Country)

herewith agree to pay all costs for

.....  
(Applicant)

.....  
(Street)

.....  
(Town)

.....  
(Country)

payable to the KBA in connection with the initial assessment, the granting of approval and verification of conformity.

.....  
(Official name of company or person that undertakes to pay the fees)

.....  
(Place, date)

.....  
(Signature)



## 9. Notes on filing the application

You have successfully completed your initial assessment? Then you may now proceed to apply for type-approvals at the KBA.

Type-approvals are only issued by the KBA if a written application is submitted. For this purpose we strongly recommend that you use Form 9 “Application for granting a type-approval”, to avoid unnecessary queries and protracted processing. Even where an application is filed through an authorised agent the application must always unambiguously state the full company name and address of the applicant.

It is important to properly state the **type designation** of the approval object. You may freely choose the type designation but this is of central importance for entering and processing an application in the data processing system of the KBA. To avoid unnecessary queries and delays it should be ensured that uniform spelling is used to identify the type in all documentation and forms submitted to the KBA.

A fee must be paid to the KBA for filing the application. The amount to be charged is set-out in the Gebührenordnung für Maßnahmen im Straßenverkehr (GebOSt, Scale of fees and charges for road traffic related services). A relevant extract from this Scale of fees and charges can be found on the KBA website ([www.kba.de](http://www.kba.de)).



FORM 9

**Application for granting of a type-approval**

Date application filed .....

Kraftfahrt-Bundesamt (Federal Motor Transport Authority)  
**24932 Flensburg**

**Application for granting/extension of a type-approval**

Dear Sir or Madam,

We,

.....  
 (Official name of applicant)

.....  
 (Street)

.....  
 (Town)

.....  
 (Country)

- As the company's representative .....
- As the company's exclusive distributor or authorised agent

.....

herewith apply for

- Issuance of a type-approval
- Extension of the type-approval granted to our company under number

.....

This concerns

- The issue/extension of a national type-approval subject to § 20 and 22 of the StVZO (National vehicle safety standard)
- The issue/extension of a national type-approval for specific technical parts subject to § 22a of the StVZO
- The issue/extension of a type-approval in accordance with EU Directive no..... as last amended by Directive: .....
- The issue/extension of a type-approval in accordance with ECE Regulation no. .... as last amended by: .....



for

- |   |  |
|---|--|
| <input type="checkbox"/> A system                     | <input type="checkbox"/> A separate technical unit |
| <input type="checkbox"/> A component, vehicle part    | <input type="checkbox"/> A vehicle                 |
| <input type="checkbox"/> An item of equipment, a part |  |

Description of the approval object .....

Type .....

Contact person for this application is:

Name .....

Telephone .....

E-mail .....

We hereby certify, for applications for an internationally valid type-approval, that in respect of the approval object, no application has to-date been made by ourselves or by a representative authorised by us, to the KBA or to any type-approval authority of another member state that might be entitled to grant type-approvals as contracting partner.

Yours sincerely

Name and signature

Enclosures: - -

## Legal notice

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Kraftfahrt-Bundesamt (Federal Motor Transport Authority)  
24932 Flensburg

Internet: [www.kba.de](http://www.kba.de)

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