

Type-Approval Procedure

Information System of the German Type-Approval Authority

Not examined English translation!
Valid is only the German-language original!

Directive 2004/104/EC adapting Directive 72/245/EEC;
- Suppression of radio interference (electromagnetic compatibility) of vehicles

Question or problem:

According to the Amending Directive 2004/104/EC, after-market equipment unrelated to safety functions in the vehicle shall no longer be regulated by Directive 72/245/EEC. The Directive, however, does specify provisions for such equipment. The question has therefore arisen as to which procedures these after-market parts are governed by and how they should be treated.

Solution:

Directive 2004/104/EC makes things simpler for after-market parts in the motor vehicle sector that are unrelated to safety functions. The type approval obligation is no longer required under this Directive. During a transition period, however, additional requirements apply with respect to the Certificate of Conformity, which has to be supplied with the after-market part in accordance with the provisions of Directive 89/336/EEC and 1999/5/EC.

According to Directive 2004/104/EC, the applicability of the latter with respect to the after-market part has to be verified with the help of the diagram in Annex I no. 3.2.1 and thereafter with respect to the functions in connection with radio interference suppression (no. 2.1.12). For after-market parts that, when used in a motor vehicle, do not control any of the functions listed there, a recognized test laboratory can issue the Certificate in accordance with Annex III C of the Directive. The Federal Motor Vehicle Department (KBA) will no longer be involved for these parts. The test laboratories, however, are required to provide the KBA with an annual analysis of the number of Certificates of Conformity requested and issued during the preceding year.

No. 3.2.9 of the Directive further provides that a Certificate of Conformity must be supplied in accordance with the procedure set forth by Directive 89/336/EEC or 1995/5/EC, which confirms that the ESA meets the limits set forth in paragraphs 6.5, 6.6, 6.8 and 6.9 of Directive 2004/104/EC. As no further details for the evaluation procedure are provided here, Directive 89/336/EEC and 1995/5/EC determine the way in which the proof of compliance with the limit values shall be furnished.

Flensburg, 26 April 2005
412-622
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