

Type-Approval Procedure

Information System of the German Type-Approval Authority

Directive 2007/46/EC and regulation (EC) 661/2009 to regulation (EC) 195/2013 – which regulation is to be applied as of when?

Question or problem:

Recently, a multitude of amending regulations was published for Directive 2007/46/EC. Therefore, the question is which state of adjustment currently can or has to be considered in the type-approval procedure for whole vehicles pursuant to Directive 2007/46/EC when preparing the information sheet, the test report and finally the type-approval.

Interim regulations result both from the articles of the relevant regulation and the reference to regulation (EC) no. 661/2009 with regard to the overall safety of vehicles. Different dates are given for application in the approval procedure and for the initial circulation (validity of Certificates of Conformity – CoC). The latter dates also refer to possible extensions of existing type-approvals for whole vehicles (WVTA) which is why different types of applications will be explained separately herein.

The last amending regulation stated in the type-approval for the whole vehicle does not necessarily show the current state of the applied single regulatory acts. These characteristics are explained in more detail in the following.

Result:

Application no. 1: New type-approval for the whole vehicle

Since 01 July 2013, it has been necessary to apply the amending regulations up to and including regulation (EU) no. 195/2013 when applying for new whole vehicle type-approvals.

The conditions of the following regulations must be complied with, among others:

- Annex II of the Directive 2007/46/EC as amended by regulation (EU) no. 678/2011
- Regulation (EU) no. 65/2012
- Annex IV of the Directive 2007/46/EC as amended by regulation (EU) no. 1229/2012 (also applies to the single regulatory acts required by directive (EC) no. 661/2009)

The information sheets are completed according to Annexes I or III of Directive 2007/46/EC, the test reports according to Annex VIII, the certificates of conformity according to Annex IX as last amended by regulation (EU) no. 195/2013.

Note: Unless recognisable from the provided information package without a doubt whether the conditions of the new Annex II are complied with (in particular for commercial vehicles, e.g. with regard to loading area and loading opening), a suitable confirmation must be supplied in the test report or separately by the manufacturer.

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Application no. 2: Existing type-approval for the whole vehicle

For whole vehicle types for which approval was initially issued prior to 29 October 2012 (e.g. pursuant to the adjustment state of regulation (EC) no. 371/2010), the amending regulations up to and including regulation (EU) 195/2013 can be considered within the scope of extension of the type-approval.

The conditions of

- Annex II of the Directive 2007/46/EC as amended by regulation (EU) no. 678/2011
- regulation (EU) no. 65/2012
- Annex IV of the Directive 2007/46/EC as amended by regulation (EU) no. 1229/2012 (also applies to the to the single regulatory acts required by regulation (EC) no. 661/2009)

can be complied with optionally. However, as of 01 November 2014, certificates of conformity will become invalid for vehicle types which do not satisfy single regulatory acts (e.g. regulation (EU) no. 65/2012 and various UN-ECE provisions) required by regulation (EC) no. 661/2009.

The information sheet can be completed according to Annexes I or III of the Directive 2007/46/EC as last amended by regulation (EU) no. 195/2013.

For both applications, the following applies in addition for all whole vehicle types:

- The technical requirements actually fulfilled are shown in the table according to Annex III, part III of the Directive 2007/46/EC or in the single-phase procedure in the list of test reports pursuant to the single regulatory act.
- If an approval issued prior to 10 January 2013 pursuant to Directives 92/21/EEC or 97/27/EC continues to apply with regard to volumes and dimensions instead of e.g. regulation (EU) no. 1230/2012, the information sheet for the whole vehicle type-approval can still be completed comprehensively according to regulation (EU) no. 1230/2012 (with regard to 2.6.2 – volume of the accessories, among other items).
- The dates to be complied with for initial circulation or the date the CoC becomes invalid are determined by the single regulatory acts and their implementation regulation (e.g. regulation (EC) no. 661/2009 (common strategic framework – with regard to shift indicator, electronic stability program systems, tyre pressure control systems, etc.).

For regulations not explicitly stated herein, the above explanations shall apply accordingly unless other conditions have been or will be established by the legislative authority.

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The following regulations were referenced for this interpretation:

Regulation (EC) no. 661/2009, art. 13, para. 14

Regulation (EU) no. 678/2011, art. 2 and 3

Regulation (EU) no. 1230/2012, art. 7, para. 1

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