

Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (Text with EEA relevance)

CHAPTER I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1

Subject matter

1 This Regulation establishes common technical requirements for the type approval of motor vehicles (vehicles) and replacement parts, such as replacement pollution control devices, with regard to their emissions.

2 In addition, this Regulation lays down rules for in-service conformity, durability of pollution control devices, on-board diagnostic (OBD) systems, measurement of fuel consumption and accessibility of vehicle repair and maintenance information.

Article 2

Scope

1 This Regulation shall apply to vehicles of categories M₁, M₂, N₁ and N₂ as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 610 kg.

2 At the manufacturer's request, type approval granted under this Regulation may be extended from vehicles covered by paragraph 1 to M₁, M₂, N₁ and N₂ vehicles as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 840 kg and which meet the conditions laid down in this Regulation and its implementing measures.

Article 3

Definitions

For the purposes of this Regulation and its implementing measures the following definitions shall apply:

1. 'hybrid vehicle' means a vehicle with at least two different energy converters and two different energy storage systems (on vehicle) for the purpose of vehicle propulsion;
2. 'vehicles designed to fulfil specific social needs' means diesel vehicles of category M₁ which are either:
 - (a) special purpose vehicles as defined in Directive 70/156/EEC with a reference mass exceeding 2 000 kg;
 - (b) vehicles with a reference mass exceeding 2 000 kg and designed to carry seven or more occupants including the driver with the exclusion, as from 1

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September 2012, of vehicles of category M₁G as defined in Directive 70/156/EEC;

or

- (c) vehicles with a reference mass exceeding 1 760 kg which are built specifically for commercial purposes to accommodate wheelchair use inside the vehicle;
3. 'reference mass' means the mass of the vehicle in running order less the uniform mass of the driver of 75 kg and increased by a uniform mass of 100 kg;
 4. 'gaseous pollutants' means the exhaust gas emissions of carbon monoxide, oxides of nitrogen, expressed in nitrogen dioxide (NO₂) equivalent, and hydrocarbons;
 5. 'particulate pollutants' means components of the exhaust gas which are removed from the diluted exhaust gas at a maximum temperature of 325 °K (52 °C) by means of the filters described in the test procedure for verifying average tailpipe emissions;
 6. 'tailpipe emissions' means the emission of gaseous and particulate pollutants;
 7. 'evaporative emissions' means the hydrocarbon vapours emitted from the fuel system of a vehicle other than those from tailpipe emissions;
 8. 'crankcase' means the spaces in, or external to, an engine which are connected to the oil sump by internal or external ducts through which gases and vapours can be emitted;
 9. 'on-board diagnostic system' or 'OBD system' means a system for emission control which has the capability of identifying the likely area of malfunction by means of fault codes stored in a computer memory;
 10. 'defeat device' means any element of design which senses temperature, vehicle speed, engine speed (RPM), transmission gear, manifold vacuum or any other parameter for the purpose of activating, modulating, delaying or deactivating the operation of any part of the emission control system, that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use;
 11. 'pollution control device' means those components of a vehicle that control and/or limit tailpipe and evaporative emissions;
 12. 'original pollution control device' means a pollution control device or an assembly of such devices covered by the type approval granted for the vehicle concerned;
 13. 'replacement pollution control device' means a pollution control device or an assembly of such devices intended to replace an original pollution control device and which can be approved as a separate technical unit as defined in Directive 70/156/EEC;
 14. 'vehicle repair and maintenance information' means all information required for diagnosis, servicing, inspection, periodic monitoring, repair, re-programming or re-initialising of the vehicle and which the manufacturers provide for their authorised dealers and repairers, including all subsequent amendments and supplements to such information. This information includes all information required for fitting parts or equipment on vehicles;
 15. 'independent operator' means undertakings other than authorised dealers and repairers which are directly or indirectly involved in the repair and maintenance of motor

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vehicles, in particular repairers, manufacturers or distributors of repair equipment, tools or spare parts, publishers of technical information, automobile clubs, roadside assistance operators, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative fuel vehicles;

16. 'biofuels' means liquid or gaseous fuels for transport, produced from biomass;
17. 'alternative fuel vehicle' means a vehicle designed to be capable of running on at least one type of fuel that is either gaseous at atmospheric temperature and pressure, or substantially non-mineral oil derived.

CHAPTER II

MANUFACTURERS' TYPE-APPROVAL OBLIGATIONS

Article 4

Manufacturers' obligations

1 Manufacturers shall demonstrate that all new vehicles sold, registered or put into service in the Community are type approved in accordance with this Regulation and its implementing measures. Manufacturers shall also demonstrate that all new replacement pollution control devices requiring type approval which are sold or put into service in the Community are type approved in accordance with this Regulation and its implementing measures.

These obligations include meeting the emission limits set out in Annex I and the implementing measures referred to in Article 5.

2 Manufacturers shall ensure that type approval procedures for verifying conformity of production, durability of pollution control devices and in-service conformity are met.

In addition, the technical measures taken by the manufacturer must be such as to ensure that the tailpipe and evaporative emissions are effectively limited, pursuant to this Regulation, throughout the normal life of the vehicles under normal conditions of use. Therefore, in-service conformity measures shall be checked for a period of up to five years or 100 000 km, whichever is the sooner. Durability testing of pollution control devices undertaken for type approval shall cover 160 000 km. To comply with this durability test, the manufacturers should have the possibility to make use of test bench ageing, subject to the implementing measures referred to in paragraph 4.

In-service conformity shall be checked, in particular, for tailpipe emissions as tested against emission limits set out in Annex I. In order to improve control of evaporative emissions and low ambient temperature emissions, the test procedures shall be reviewed by the Commission.

3 Manufacturers shall set out carbon dioxide emissions and fuel consumption figures in a document given to the purchaser of the vehicle at the time of purchase.

4 The specific procedures and requirements for the implementation of paragraphs 2 and 3 shall be established in accordance with the procedure referred to in Article 15(2).

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Article 5

Requirements and tests

1 The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation and its implementing measures.

2 The use of defeat devices that reduce the effectiveness of emission control systems shall be prohibited. The prohibition shall not apply where:

- a the need for the device is justified in terms of protecting the engine against damage or accident and for safe operation of the vehicle;
 - b the device does not function beyond the requirements of engine starting;
- or
- c the conditions are substantially included in the test procedures for verifying evaporative emissions and average tailpipe emissions.

3 The specific procedures, tests and requirements for type approval set out in this paragraph, as well as requirements for the implementation of paragraph 2, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3). This shall include establishing the requirements relating to:

- a tailpipe emissions, including test cycles, low ambient temperature emissions, emissions at idling speed, smoke opacity and correct functioning and regeneration of after-treatment systems;
 - b evaporative emissions and crankcase emissions;
 - c OBD systems and in-use performance of pollution control devices;
 - d durability of pollution control devices, replacement pollution control devices, in-service conformity, conformity of production and roadworthiness;
 - e measurement of greenhouse gas emissions and fuel consumption;
 - f hybrid vehicles and alternative fuel vehicles;
 - g extension of type approvals and requirements for small volume manufacturers;
 - h test equipment;
- and
- i reference fuels, such as petrol, diesel, gaseous fuels and biofuels, such as bioethanol, biodiesel and biogas.

The above requirements shall, where relevant, apply to vehicles regardless of the type of fuel by which they are powered.

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CHAPTER III

ACCESS TO VEHICLE REPAIR AND MAINTENANCE INFORMATION

Article 6

Manufacturers' obligations

1 Manufacturers shall provide unrestricted and standardised access to vehicle repair and maintenance information to independent operators through websites using a standardised format in a readily accessible and prompt manner, and in a manner which is non-discriminatory compared to the provision given or access granted to authorised dealers and repairers. With a view to facilitating the achievement of this objective, the information shall be submitted in a consistent manner, initially in accordance with the technical requirements of the OASIS format⁽¹⁾. Manufacturers shall also make training material available to independent operators and authorised dealers and repairers.

2 The information referred to in paragraph 1 shall include:

- a an unequivocal vehicle identification;
 - b service handbooks;
 - c technical manuals;
 - d component and diagnosis information (such as minimum and maximum theoretical values for measurements);
 - e wiring diagrams;
 - f diagnostic trouble codes (including manufacturer specific codes);
 - g the software calibration identification number applicable to a vehicle type;
 - h information provided concerning, and delivered by means of, proprietary tools and equipment;
- and
- i data record information and two-directional monitoring and test data.

3 Authorised dealers or repairers within the distribution system of a given vehicle manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the vehicle manufacturer's distribution system.

4 The vehicle repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

5 For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

6 For the purposes of the design and manufacture of automotive equipment for alternative fuel vehicles, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel vehicles.

7 When applying for EC type approval or national type approval, the manufacturer shall provide the type approval authority with proof of compliance with this Regulation relating to access to vehicle repair and maintenance information and to the information referred to in

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paragraph 5. In the event that such information is not yet available, or does not yet conform to this Regulation and its implementing measures at that point in time, the manufacturer shall provide it within six months from the date of type approval. If such proof of compliance is not provided within that period, the approval authority shall take appropriate measures to ensure compliance.

The manufacturer shall make subsequent amendments and supplements to vehicle repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

Article 7

Fees for access to vehicle repair and maintenance information

1 Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information covered by this Regulation; a fee is not reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it.

2 Manufacturers shall make available vehicle repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

Article 8

Implementing measures

The measures necessary for implementation of Articles 6 and 7, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3). This shall include the definition and updating of technical specifications relating to the way in which OBD and vehicle repair and maintenance information shall be provided, with special attention being paid to the specific needs of SMEs.

Article 9

Report

Not later than 2 July 2011, the Commission shall present to the European Parliament and to the Council a report on the operation of the system of access to vehicle repair and maintenance information, with particular consideration being given to the effect on competition and the operation of the internal market and the environmental benefits. The report shall consider whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within a revised framework directive on type approval.

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CHAPTER IV

OBLIGATIONS OF MEMBER STATES

Article 10

Type approval

1 With effect from 2 July 2007, if a manufacturer so requests, the national authorities may not, on grounds relating to emissions or fuel consumption of vehicles, refuse to grant EC type approval or national type approval for a new type of vehicle, or prohibit the registration, sale or entry into service of a new vehicle, where the vehicle concerned complies with this Regulation and its implementing measures, and in particular with the Euro 5 limit values set out in Table 1 of Annex I or with the Euro 6 limit values set out in Table 2 of Annex I.

2 With effect from 1 September 2009, and from 1 September 2010 in the case of category N₁ class II and III and category N₂ vehicles, the national authorities shall refuse, on grounds relating to emissions or fuel consumption, to grant EC type approval or national type approval for new types of vehicle which do not comply with this Regulation and its implementing measures, and in particular with the Annexes, with the exception of the Euro 6 limit values set out in Table 2 of Annex I. For the test on tailpipe emissions, the limit values applied to vehicles designed to fulfil specific social needs shall be the same as for category N₁ class III vehicles.

3 With effect from 1 January 2011, and from 1 January 2012 in the case of category N₁ class II and III and category N₂ vehicles and vehicles designed to fulfil specific social needs, national authorities shall, in the case of new vehicles which do not comply with this Regulation and its implementing measures, and in particular with the Annexes with the exception of the Euro 6 limit values set out in Table 2 of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles. For the test on tailpipe emissions, the limit values applied to vehicles designed to fulfil specific social needs shall be the same as for category N₁ class III vehicles.

4 With effect from 1 September 2014, and from 1 September 2015 in the case of category N₁ class II and III and category N₂ vehicles, the national authorities shall refuse, on grounds relating to emissions or fuel consumption, to grant EC type approval or national type approval for new types of vehicle which do not comply with this Regulation and its implementing measures, and in particular with the Euro 6 limit values set out in Table 2 of Annex I.

5 With effect from 1 September 2015, and from 1 September 2016 in the case of category N₁ class II and III and category N₂ vehicles, national authorities shall, in the case of new vehicles which do not comply with this Regulation and its implementing measures, and in particular with the Euro 6 limit values set out in Table 2 of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles.

[^{F16} The 5,0 mg/km emission limit for mass of particulate matter referred to in Tables 1 and 2 of Annex I shall be effective from the applicable dates set out in paragraphs 1, 2 and 3.

The 4,5 mg/km emission limit for mass of particulate matter and the particle number limit referred to in Tables 1 and 2 of Annex I shall be effective from 1 September 2011 for the type-approval on new types of vehicles and from 1 January 2013 for all new vehicles sold, registered or put into service in the Community.]

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Textual Amendments

- F1** Inserted by [Commission Regulation \(EC\) No 692/2008 of 18 July 2008 implementing and amending Regulation \(EC\) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles \(Euro 5 and Euro 6\) and on access to vehicle repair and maintenance information \(Text with EEA relevance\).](#)

Article 11

Type approval of replacement parts

- 1 For new replacement pollution control devices intended to be fitted on vehicles approved under this Regulation, national authorities shall prohibit their sale or installation on a vehicle if they are not of a type in respect of which a type approval has been granted in compliance with this Regulation and its implementing measures.
- 2 National authorities may continue to grant extensions to EC type approvals for replacement pollution control devices intended for standards preceding this Regulation under the terms which originally applied. National authorities shall prohibit the sale or installation on a vehicle of such replacement pollution control devices unless they are of a type in respect of which a relevant type approval has been granted.
- 3 Replacement pollution control devices intended to be fitted on vehicles type approved prior to the adoption of component type approval requirements are exempt from the requirements of paragraphs 1 and 2.

Article 12

Financial incentives

- 1 Member States may make provision for financial incentives that apply to vehicles in series production which comply with this Regulation and its implementing measures.
Those incentives shall be valid for all new vehicles offered for sale on the market of a Member State which comply at least with the emission limit values in Table 1 of Annex I in advance of the dates set out in Article 10(3); they shall cease on those dates.
Financial incentives that apply exclusively to vehicles which comply with the emission limit values in Table 2 of Annex I may be granted for such new vehicles offered for sale on the market of a Member State from the dates set out in Article 10(3) in advance of the dates set out in Article 10(5); they shall cease on the dates set out in Article 10(5).
- 2 Member States may grant financial incentives for the retrofitting of in-use vehicles and for scrapping vehicles which do not comply.
- 3 For each type of vehicle, the financial incentives referred to in paragraphs 1 and 2 shall not exceed the additional cost of the technical devices introduced to ensure compliance with the emission limits specified in Annex I, including the cost of installation on the vehicle.
- 4 The Commission shall be informed in sufficient time of plans to institute or change the financial incentives referred to in paragraphs 1 and 2.

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Article 13

Penalties

1 Member States shall lay down the provisions on penalties applicable for infringement by manufacturers of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 2 January 2009 and shall notify it without delay of any subsequent amendment affecting them.

2 The types of infringements which are subject to a penalty shall include:

- a making false declarations during the approval procedures or procedures leading to a recall;
 - b falsifying test results for type approval or in-service conformity;
 - c withholding data or technical specifications which could lead to recall or withdrawal of type approval;
 - d use of defeat devices;
- and
- e refusal to provide access to information.

CHAPTER V

FINAL PROVISIONS

Article 14

Redefinition of specifications

1 The Commission shall consider including methane emissions in the calculation of carbon dioxide emissions. If necessary, the Commission shall present a proposal to the European Parliament and the Council with measures to account for, or limit, methane emissions.

2 After the completion of the UN/ECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonisation of Vehicle Regulations, and at the latest upon entry into force of Euro 6, the Commission shall adopt the following measures, which are designed to amend non-essential elements of this Regulation, inter alia by supplementing it, without lowering the existing ambition level with regard to the environment:

- a amendment of this Regulation in accordance with the regulatory procedure with scrutiny referred to in Article 15(3) for the purpose of recalibrating the particulate mass based limit values set out in Annex I to this Regulation, and introducing particle number based limit values in that Annex so that they correlate broadly with the petrol and diesel mass limit values;
- b adoption of a revised measurement procedure for particulates and a particle number limit value, in accordance with the regulatory procedure with scrutiny referred to in Article 15(3).

3 The Commission shall keep under review the procedures, tests and requirements referred to in Article 5(3) as well as the test cycles used to measure emissions. If the review finds that these are no longer adequate or no longer reflect real world emissions, they shall be

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adapted so as to adequately reflect the emissions generated by real driving on the road. The necessary measures, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3).

4 The Commission shall keep under review the pollutants subject to the requirements and tests referred to in Article 5(3). If the Commission concludes that it is appropriate to regulate the emissions of additional pollutants it shall present a proposal to the European Parliament and to the Council to amend this Regulation accordingly.

5 The Commission shall review the emission limits set out in Table 4 of Annex I for the carbon monoxide and hydrocarbon tailpipe emissions after a cold start test and shall present, as appropriate, a proposal to the European Parliament and to the Council with a view to tightening the emission limits.

6 The relevant Annexes of Directive 2005/55/EC shall be amended in accordance with the regulatory procedure with scrutiny referred to in Article 15(3) so that they contain requirements for the type approval of all vehicles covered by the scope of that Directive.

Article 15

Committee procedure

1 The Commission shall be assisted by a committee.

2 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 16

Amendments to Directives 70/156/EEC and 2005/55/EC

1 Directive 70/156/EEC shall be amended in accordance with Annex II to this Regulation.

2 Directive 2005/55/EC is hereby amended as follows:

a The title shall be replaced by the following:

Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on type approval of heavy duty vehicles and engines with respect to their emissions (Euro IV and V);

b Article 1 shall be replaced by the following:

Article 1

For the purposes of this Directive the following definitions shall apply:

(a) “vehicle” means any motor vehicle as defined in Article 2 of Directive 70/156/EEC with a reference mass exceeding 2 610 kg;

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- (b) “engine” means the motive propulsion source of a vehicle for which type-approval as a separate technical unit, as defined in Article 2 of Directive 70/156/EEC, may be granted;
 - (c) “enhanced environment-friendly vehicle (EEV)” means a vehicle propelled by an engine which complies with the permissive emission limit values set out in row C of the tables in Section 6.2.1 of Annex I.;
- c Section 1 of Annex I shall be replaced by the following:
1. This Directive applies to the control of gaseous and particulate pollutants, useful life of emission control devices, conformity of in-service vehicles/engines and on-board diagnostic (OBD) systems of all motor vehicles, and to engines as specified in Article 1 with the exception of those vehicles of category M₁, N₁, N₂ and M₂ for which type-approval has been granted under Regulation (EC) No 715/2007⁽²⁾.

Article 17

Repeal

- 1 The following Directives shall be repealed with effect from 2 January 2013:
 - Directive 70/220/EEC,
 - Directive 72/306/EEC,
 - Directive 74/290/EEC,
 - Directive 77/102/EEC,
 - Directive 78/665/EEC,
 - Directive 80/1268/EEC,
 - Directive 83/351/EEC,
 - Directive 88/76/EEC,
 - Directive 88/436/EEC,
 - Directive 89/458/EEC,
 - Directive 91/441/EEC,
 - Directive 93/59/EEC,
 - Directive 93/116/EC,
 - Directive 94/12/EC,
 - Directive 96/44/EC,
 - Directive 96/69/EC,
 - Directive 98/69/EC,
 - Directive 98/77/EC,
 - Directive 1999/100/EC,
 - Directive 1999/102/EC,
 - Directive 2001/1/EC,
 - Directive 2001/100/EC,
 - Directive 2002/80/EC,
 - Directive 2003/76/EC,
 - Directive 2004/3/EC.

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2 Annexes II and V of Commission Directive 89/491/EEC of 17 July 1989 adapting to technical progress Council Directives 70/157/EEC, 70/220/EEC, 72/245/EEC, 72/306/EEC, 80/1268/EEC and 80/1269/EEC relating to motor vehicles⁽³⁾ shall be deleted with effect from 2 January 2013.

3 References made to the repealed Directives shall be construed as being made to this Regulation.

4 Member States shall repeal their implementing legislation adopted under the Directives referred to in paragraph 1 with effect from 2 January 2013.

Article 18

Entry into force

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

2 This Regulation shall apply from 3 January 2009, with the exception of Articles 10(1) and 12 which shall apply from 2 July 2007.

3 The amendments or implementing measures referred to in Article 5(3) and Article 14(6) shall be adopted by 2 July 2008.

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

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- (1) The ‘OASIS format’ refers to the technical specifications of OASIS Document SC2-D5, Format of Automotive Repair Information, version 1.0, 28 May 2003 (available at: <http://www.oasis-open.org/committees/download.php/2412/Draft%20Committee%20Specification.pdf>) and of Sections 3.2, 3.5, 3.6, 3.7 and 3.8 of OASIS Document SC1-D2, Autorepair Requirements Specification, version 6.1, dated 10.1.2003 (available at: <http://lists.oasis-open.org/archives/autorepair/200302/pdf00005.pdf>), using only open text and graphic formats.
- (2) OJ L 171, 29.6.2007, p. 1.’
- (3) OJ L 238, 15.8.1989, p. 43.

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