

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 1

Subject matter

This Regulation lays down measures for the implementation of Articles 4, 5 and 8 of Regulation (EC) No 715/2007.

Article 2

Definitions

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

1. 'vehicle type with regard to emissions and vehicle repair and maintenance information' means a group of vehicles which do not differ in the following respects:
 - (a) the equivalent inertia determined in relation to the reference mass as provided for in paragraph 5.1 of Annex 4 of UN/ECE Regulation 83⁽¹⁾;
 - (b) the engine and vehicle characteristics as set out in Appendix 3 of Annex I;
2. 'EC type-approval of a vehicle with regard to emissions and vehicle repair and maintenance information' means an EC type-approval of a vehicle with regard to its tailpipe emissions, crankcase emissions, evaporative emissions, fuel consumption and access to vehicle OBD and vehicle repair and maintenance information;
3. 'gaseous pollutants' means the exhaust gas emissions of carbon monoxide, oxides of nitrogen, expressed in nitrogen dioxide (NO₂) equivalent, and hydrocarbons with the following ratio:
 - (a) C₁H_{1,89}O_{0,016} for petrol (E5);
 - (b) C₁H_{1,86}O_{0,005} for diesel (B5);
 - (c) C₁H_{2,525} for liquefied petroleum gas (LPG);
 - (d) CH₄ for natural gas (NG) and biomethane;
 - (e) C₁H_{2,74}O_{0,385} for ethanol (E85);
4. 'starting aid' means glow plugs, modifications to the injection timing and other devices which assist the engine to start without enrichment of the air/fuel mixture of the engine;
5. 'engine capacity' means either of the following:
 - (a) for reciprocating piston engines, the nominal engine swept volume;
 - (b) for rotary piston (Wankel) engines, double the nominal engine swept volume;

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

6. 'periodically regenerating system' means catalytic converters, particulate filters or other pollution control devices that require a periodical regeneration process in less than 4 000 km of normal vehicle operation
7. 'original replacement pollution control device' means a pollution control device or an assembly of pollution control devices whose types are indicated in Appendix 4 to Annex I to this Regulation but are offered on the market as separate technical units by the holder of the vehicle type-approval;
8. 'type of pollution control device' means catalytic converters and particulate filters which do not differ in any of the following essential aspects:
 - (a) number of substrates, structure and material;
 - (b) type of activity of each substrate;
 - (c) volume, ratio of frontal area and substrate length;
 - (d) catalyst material content;
 - (e) catalyst material ratio;
 - (f) cell density;
 - (g) dimensions and shape;
 - (h) thermal protection;
9. 'mono fuel vehicle' means a vehicle that is designed to run primarily on one type of fuel;
10. 'mono fuel gas vehicle' means a mono fuel vehicle that primarily runs on LPG, NG/biomethane, or hydrogen but may also have a petrol system for emergency purposes or starting only, where the petrol tank does not contain more than 15 litres of petrol;
11. 'bi fuel vehicle' means a vehicle with two separate fuel storage systems that can run part-time on two different fuels and is designed to run on only one fuel at a time;
12. 'bi fuel gas vehicle' means a bi fuel vehicle that can run on petrol and also on either LPG, NG/biomethane or hydrogen;
13. 'flex fuel vehicle' means a vehicle with one fuel storage system that can run on different mixtures of two or more fuels;
14. 'flex fuel ethanol vehicle' means a flex fuel vehicle that can run on petrol or a mixture of petrol and ethanol up to an 85 % ethanol blend (E85);
15. 'flex fuel biodiesel vehicle' means a flex fuel vehicle that can run on mineral diesel or a mixture of mineral diesel and biodiesel;
16. [^{F1}'hybrid electric vehicle' (HEV) means a vehicle, including vehicles which draw energy from a consumable fuel only for the purpose of re-charging the electrical energy/power storage device, that, for the purpose of mechanical propulsion, draws energy from both of the following on-vehicle sources of stored energy/power:
 - (a) a consumable fuel;
 - (b) a battery, capacitor, flywheel/generator or other electrical energy/power storage device;]

Status: Point in time view as at 02/08/2012.

*Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 692/2008. (See end of Document for details)*

17. 'properly maintained and used' means, for the purpose of a test vehicle, that such a vehicle satisfies the criteria for acceptance of a selected vehicle laid down in section 2 of Appendix 1 to Annex II;
18. 'emission control system' means, in the context of the OBD system, the electronic engine management controller and any emission-related component in the exhaust or evaporative system which supplies an input to or receives an output from this controller;
19. 'malfunction indicator (MI)' means a visible or audible indicator that clearly informs the driver of the vehicle in the event of a malfunction of any emission-related component connected to the OBD system, or of the OBD system itself;
20. 'malfunction' means the failure of an emission-related component or system that would result in emissions exceeding the limits in section 3.3.2 of Annex XI or if the OBD system is unable to fulfil the basic monitoring requirements set out in Annex XI;
21. 'secondary air' means the air introduced into the exhaust system by means of a pump or aspirator valve or other means that is intended to aid in the oxidation of HC and CO contained in the exhaust gas stream;
22. 'driving cycle', in respect of vehicle OBD systems, consists of engine start-up, driving mode where a malfunction would be detected if present, and engine shut-off;
23. 'access to information' means the availability of all vehicle OBD and vehicle repair and maintenance information, required for the inspection, diagnosis, servicing or repair of the vehicle.
24. 'deficiency' means, in the context of the OBD system, that up to two separate components or systems which are monitored contain temporary or permanent operating characteristics that impair the otherwise efficient OBD monitoring of those components or systems or do not meet all of the other detailed requirements for OBD;
25. 'deteriorated replacement pollution control device' means a pollution control device as defined in Article 3(11) of Regulation (EC) No 715/2007 that has been aged or artificially deteriorated to such an extent that it fulfils the requirements laid out in Section 1 to Appendix 1 to Annex XI of UN/ECE Regulation No 83;
26. 'vehicle OBD information' means information relating to an on-board diagnostic system for any electronic system on the vehicle
27. 'reagent' means any product other than fuel that is stored on-board the vehicle and is provided to the exhaust after-treatment system upon request of the emission control system;
28. 'mass of the vehicle in running order' means the mass described in point 2.6 of Annex I to Directive 2007/46/EC;
29. 'engine misfire' means lack of combustion in the cylinder of a positive ignition engine due to absence of spark, poor fuel metering, poor compression or any other cause;
30. 'cold start system or device' means a system which temporarily enriches the air/fuel mixture of the engine thus assisting the engine to start;
31. 'power take-off operation or unit' means an engine-driven output provision for the purposes of powering auxiliary, vehicle mounted, equipment;

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

32. ‘small volume manufacturers’ means vehicle manufacturers whose worldwide annual production is less than 10 000 units^[F2];
33. ^[F1]‘Electric power train’ means a system consisting of one or more electric energy storage devices, one or more electric power conditioning devices and one or more electric machines that convert stored electric energy to mechanical energy delivered at the wheels for propulsion of the vehicle;]
34. ^[F3]‘Pure electric vehicle’ means a vehicle powered by an electric power train only;
35. ‘flex fuel H2NG vehicle’ means a flex fuel vehicle that can run on different mixtures of hydrogen and NG/biomethane;
36. ‘Hydrogen fuel cell vehicle’ means a vehicle powered by a fuel cell that converts chemical energy from hydrogen into electric energy, for propulsion of the vehicle.]

Textual Amendments

- F1** Substituted by Commission Regulation (EU) No 630/2012 of 12 July 2012 amending Regulation (EC) No 692/2008, as regards type-approval requirements for motor vehicles fuelled by hydrogen and mixtures of hydrogen and natural gas with respect to emissions, and the inclusion of specific information regarding vehicles fitted with an electric power train in the information document for the purpose of EC type-approval (Text with EEA relevance).
- F2** Substituted by Commission Regulation (EU) No 566/2011 of 8 June 2011 amending Regulation (EC) No 715/2007 of the European Parliament and of the Council and Commission Regulation (EC) No 692/2008 as regards access to vehicle repair and maintenance information (Text with EEA relevance).
- F3** Inserted by Commission Regulation (EU) No 630/2012 of 12 July 2012 amending Regulation (EC) No 692/2008, as regards type-approval requirements for motor vehicles fuelled by hydrogen and mixtures of hydrogen and natural gas with respect to emissions, and the inclusion of specific information regarding vehicles fitted with an electric power train in the information document for the purpose of EC type-approval (Text with EEA relevance).

Article 3

Requirements for type-approval

1 In order to receive an EC type-approval with regard to emissions and vehicle repair and maintenance information, the manufacturer shall demonstrate that the vehicles comply with the test procedures specified in Annexes III to VIII, X to XII, XIV and XVI to this Regulation. The manufacturer shall also ensure compliance with the specifications of reference fuels set out in Annex IX to this Regulation.

2 Vehicles shall be subject to the tests specified in Figure I.2.4 of Annex I.

3 As an alternative to the requirements contained in Annexes II, III, V to XI and XVI, small volume manufacturers may request the granting of EC type-approval to a vehicle type which was approved by an authority of a third country on the basis of the legislative acts set out in Section 2.1 of Annex I.

The emissions tests for roadworthiness purposes set out in Annex IV, tests fuel consumption and CO₂ emissions set out in Annex XII and the requirements for access to vehicle OBD and vehicle repair and maintenance information set out in Annex XIV shall still be required to obtain EC type-approval with regard to emissions and vehicle repair and maintenance information under this paragraph.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

The approval authority shall inform the Commission of the circumstances of each type approval granted under this paragraph.

4 Specific requirements for inlets to fuel tanks and electronic system security are laid down in Section 2.2 and 2.3 of Annex I.

5 The manufacturer shall take technical measures so as to ensure that the tailpipe and evaporative emissions are effectively limited, in accordance with this Regulation, throughout the normal life of the vehicle and under normal conditions of use.

These measures shall include ensuring that the security of hoses, joints and connections, used within the emission control systems, are constructed so as to conform with the original design intent.

6 The manufacturer shall ensure that the emissions test results comply with the applicable limit value under the specified test conditions of this Regulation.

7 For the Type 2 test set out in Appendix 1 to Annex IV, at normal engine idling speed, the maximum permissible carbon monoxide content in the exhaust gases shall be that stated by the vehicle manufacturer. However, the maximum carbon monoxide content shall not exceed 0,3 % vol.

At high idle speed, the carbon monoxide content by volume of the exhaust gases shall not exceed 0,2 %, with the engine speed being at least 2 000 min⁻¹ and Lambda being 1 ± 0,03 or in accordance with the specifications of the manufacturer.

8 The manufacturer shall ensure that for the Type 3 test set out in Annex V, the engine's ventilation system does not permit the emission of any crankcase gases into the atmosphere.

9 The Type 6 test measuring emissions at low temperatures set out in Annex VIII shall not apply to diesel vehicles.

However, when applying for type-approval, manufacturers shall present to the approval authority with information showing that the NO_x aftertreatment device reaches a sufficiently high temperature for efficient operation within 400 seconds after a cold start at – 7 °C as described in the Type 6 test.

In addition, the manufacturer shall provide the approval authority with information on the operating strategy of the exhaust gas recirculation system (EGR), including its functioning at low temperatures.

This information shall also include a description of any effects on emissions.

The approval authority shall not grant type-approval if the information provided is insufficient to demonstrate that the aftertreatment device actually reaches a sufficiently high temperature for efficient operation within the designated period of time.

At the request of the Commission, the approval authority shall provide information on the performance of NO_x aftertreatment devices and EGR system at low temperatures.

Article 4

Requirements for type-approval regarding the OBD system

1 The manufacturer shall ensure that all vehicles are equipped with an OBD system.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

2 The OBD system shall be designed, constructed and installed on a vehicle so as to enable it to identify types of deterioration or malfunction over the entire life of the vehicle.

3 The OBD system shall comply with the requirements of this Regulation during conditions of normal use.

4 When tested with a defective component in accordance with Appendix 1 of Annex XI, the OBD system malfunction indicator shall be activated.

The OBD system malfunction indicator may also activate during this test at levels of emissions below the OBD thresholds limits specified in Annex XI.

5 The manufacturer shall ensure that the OBD system complies with the requirements for in-use performance set out in section 3 of Appendix 1 to Annex XI of this Regulation under all reasonably foreseeable driving conditions.

6 In-use performance related data to be stored and reported by a vehicle's OBD system according to the provisions of point 3.6 of Appendix 1 to Annex XI shall be made readily available by the manufacturer to national authorities and independent operators without any encryption.

F47

Textual Amendments

- F4** Deleted by [Commission Regulation \(EU\) No 459/2012 of 29 May 2012 amending Regulation \(EC\) No 715/2007 of the European Parliament and of the Council and Commission Regulation \(EC\) No 692/2008 as regards emissions from light passenger and commercial vehicles \(Euro 6\) \(Text with EEA relevance\).](#)

Article 5

Application for EC type-approval of a vehicle with regard to emissions and access to vehicle repair and maintenance information

1 The manufacturer shall submit to the approval authority an application for EC type-approval of a vehicle with regard to emissions and access to vehicle repair and maintenance information.

2 The application referred to in paragraph 1 shall be drawn up in accordance with the model of the information document set out in Appendix 3 to Annex I.

3 In addition, the manufacturer shall submit the following information:

- a in the case of vehicles equipped with positive-ignition engines, a declaration by the manufacturer of the minimum percentage of misfires out of a total number of firing events that either would result in emissions exceeding the limits given in section 2.3 of Annex XI if that percentage of misfire had been present from the start of a type 1 test as described in Annex III to this Regulation or could lead to an exhaust catalyst, or catalysts, overheating prior to causing irreversible damage;
- b detailed written information fully describing the functional operation characteristics of the OBD system, including a listing of all relevant parts of the emission control system of the vehicle that are monitored by the OBD system;
- c a description of the malfunction indicator used by the OBD system to signal the presence of a fault to a driver of the vehicle;

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

- d a declaration by the manufacturer that the OBD system complies with the provisions of section 3 of Appendix 1 to Annex XI relating to in-use performance under all reasonably foreseeable driving conditions;
- e a plan describing the detailed technical criteria and justification for incrementing the numerator and denominator of each monitor that must fulfil the requirements of sections 3.2 and 3.3 of Appendix 1 to Annex XI, as well as for disabling numerators, denominators and the general denominator under the conditions outlined in section 3.7 of Appendix 1 to Annex XI;
- f a description of the provisions taken to prevent tampering with and modification of the emission control computer;
- g if applicable, the particulars of the vehicle family as referred to in Appendix 2 to Annex XI;
- h where appropriate, copies of other type-approvals with the relevant data to enable extension of approvals and establishment of deterioration factors.

4 For the purposes of paragraph 3(d), the manufacturer shall use the model of a manufacturer's certificate of compliance with the OBD in-use performance requirements set out in Appendix 7 of Annex I

5 For the purposes of paragraph 3(e), the approval authority that grants the approval shall make the information referred to in that point available to the approval authorities or the Commission upon request.

6 For the purposes of points (d) and (e) of paragraph 3, approval authorities shall not approve a vehicle if the information submitted by the manufacturer is inappropriate for fulfilling the requirements of section 3 of Appendix 1 to Annex XI.

Sections 3.2, 3.3 and 3.7 of Appendix 1 to Annex XI shall apply under all reasonably foreseeable driving conditions.

For the assessment of the implementation of the requirements set out in the first and second subparagraphs, the approval authorities shall take into account the state of technology.

7 For the purposes of paragraph 3(f), the provisions taken to prevent tampering with and modification of the emission control computer shall include the facility for updating using a manufacturer-approved programme or calibration.

8 For the tests specified in Figure I.2.4 of Annex I the manufacturer shall submit to the technical service responsible for the type-approval tests a vehicle representative of the type to be approved.

9 The application for type-approval of mono fuel, bi-fuel and flex-fuel vehicles shall comply with the additional requirements laid down in Sections 1.1 and 1.2 of Annex I.

10 Changes to the make of a system, component or separate technical unit that occur after a type-approval shall not automatically invalidate a type approval, unless its original characteristics or technical parameters are changed in such a way that the functionality of the engine or pollution control system is affected.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

Article 6

Administrative provisions for EC type-approval of a vehicle with regard to emissions and access to vehicle repair and maintenance information

1 If all the relevant requirements are met, the 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.

Without prejudice to the provisions of Annex VII to Directive 2007/46/EC, section 3 of the type-approval number shall be drawn up in accordance with Appendix 6 to Annex I to this Regulation.

An approval authority shall not assign the same number to another vehicle type.

[^{F5}The relevant requirements shall be deemed to be met if all the following conditions are fulfilled:

- a the requirements of Article 13 are met;
- b the vehicle has been approved according to UN/ECE Regulations No 83, series of amendments 06, No 101, series of amendments 01 and in the case of compression ignition vehicles No 24 Part III, series of amendments 03.

In the case referred to in the fourth subparagraph Article 14 shall also apply.]

2 By way of derogation from paragraph 1, at the request of the manufacturer, a vehicle with an OBD system may be accepted for type-approval with regard to emissions and vehicle repair and maintenance information, even though the system contains one or more deficiencies such that the specific requirements of Annex XI are not fully met, provided that the specific administrative provisions set out in Section 3 of that Annex are complied with.

The approval authority shall notify the decision to grant such a type approval to all approval authorities in the other Member States in accordance with the requirements set out in Article 8 of Directive 2007/46/EC.

3 When granting an EC type approval under paragraph 1, the approval authority shall issue an EC type-approval certificate using the model set out in Appendix 4 to Annex I.

Textual Amendments

- F5** Inserted by [Commission Regulation \(EU\) No 566/2011 of 8 June 2011 amending Regulation \(EC\) No 715/2007 of the European Parliament and of the Council and Commission Regulation \(EC\) No 692/2008 as regards access to vehicle repair and maintenance information \(Text with EEA relevance\).](#)

Article 7

Amendments to type-approvals

Articles 13, 14 and 16 of Directive 2007/46/EC shall apply to any amendments to the type-approvals.

At the manufacturer's request the provisions specified in Section 3 of Annex I shall apply without the need for additional testing only to vehicles of the same type.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

Article 8

Conformity of production

1 Measures to ensure the conformity of production shall be taken in accordance with the provisions of Article 12 of Directive 2007/46/EC.

2 Conformity of production shall be checked on the basis of the description in the type-approval certificate set out in Appendix 4 to Annex I to this Regulation.

3 The specific provisions concerning conformity of production are laid down in Section 4 of Annex I to this Regulation and the relevant statistical methods in Appendices 1 and 2 to that Annex.

Article 9

In service conformity

1 The provisions for in-service conformity are laid down in Annex II to this Regulation and, for vehicles type-approved under Council Directive 70/220/EEC⁽²⁾, in Annex XV to this Regulation.

2 Measures to ensure in-service conformity of vehicles type-approved under this Regulation or Directive 70/220/EEC shall be taken in accordance with Article 12 of Directive 2007/46/EC.

3 The in-service conformity measures shall be appropriate for confirming the functionality of the pollution control devices during the normal useful life of the vehicles under normal conditions of use as specified in Annex II to this Regulation.

4 The in-service conformity measures shall be checked for a period of up to 5 years of age or 100 000 km, whichever is the sooner.

5 The manufacturer shall not be obliged to carry out an audit of in-service conformity if the number of vehicles sold precludes obtaining sufficient samples to test. Therefore, an audit shall not be required if the annual sales of that vehicle type are less than 5 000 across the Community.

However, the manufacturer of such small series vehicles shall provide the approval authority with a report of any emissions related warranty and repair claims and OBD faults as set out in point 2.3 of Annex II to this Regulation. In addition, the type-approval authority may require such vehicle types to be tested in accordance with Appendix 1 to Annex II to this Regulation.

6 With regard to vehicles type-approved under this Regulation, where the approval authority is not satisfied with the results of the tests in accordance with the criteria defined in Appendix 2 to Annex II, the remedial measures referred to in Article 30(1) and in Annex X to Directive 2007/46/EC shall be extended to vehicles in service belonging to the same vehicle type which are likely to be affected with the same defects in accordance with section 6 of Appendix 1 to Annex II.

The plan of remedial measures presented by the manufacturer according to section 6.1 of Appendix 1 of Annex II to this Regulation shall be approved by the approval authority. The manufacturer shall be responsible for the execution of the approved remedial plan.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

The approval authority shall notify its decision to all Member States within 30 days. Member States may require that the same plan of remedial measures be applied to all vehicles of the same type registered in their territory.

7 If an approval authority has established that a vehicle type does not conform to the applicable requirements of Appendix 1, it shall notify without delay the Member State which granted the original type-approval in accordance with the requirements of Article 30(3) of Directive 2007/46/EC.

Following that notification and subject to the provision of Article 30(6) of Directive 2007/46/EC, the approval authority which granted the original type-approval shall inform the manufacturer that a vehicle type fails to satisfy the requirements of these provisions and that certain measures are expected of the manufacturer. The manufacturer shall submit to that authority, within two months after this notification, a plan of measures to overcome the defects, the substance of which should correspond to the requirements of sections 6.1 to 6.8 of Appendix 1. The approval authority which granted the original type-approval shall, within two months, consult the manufacturer in order to secure agreement on a plan of measures and on the carrying out the plan. If the approval authority which granted the original type-approval establishes that no agreement can be reached, the procedure pursuant to Article 30(3) and (4) of Directive 2007/46/EC shall be initiated

Article 10

Pollution control devices

1 The manufacturer shall ensure that replacement pollution control devices intended to be fitted to EC type-approved vehicles covered by the scope of Regulation (EC) No 715/2007 are EC type-approved, as separate technical units within the meaning of Article 10(2) of Directive 2007/46/EC, in accordance with Article 12, Article 13 and Annex XIII to this Regulation.

Catalytic converters and particulate filters shall be considered to be pollution control devices for the purposes of this Regulation.

[^{F5}The relevant requirements shall be deemed to be met if all the following conditions are fulfilled:

- a the requirements of Article 13 are met;
- b the replacement pollution control devices have been approved according to UN/ECE Regulation No 103.

In the case referred to in the third subparagraph Article 14 shall also apply.]

2 Original equipment replacement pollution control devices, which fall within the type covered by point 2.3 of the Addendum to Appendix 4 to Annex I and are intended for fitment to a vehicle to which the relevant type-approval document refers, do not need to comply with Annex XIII provided they fulfil the requirements of points 2.1 and 2.2 of that Annex.

3 The manufacturer shall ensure that the original pollution control device carries identification markings.

4 The identification markings referred to in paragraph 3 shall comprise the following:

- a the vehicle or engine manufacturer's name or trade mark;
- b the make and identifying part number of the original pollution control device as recorded in the information mentioned in point 3.2.12.2 of Appendix 3 to Annex I.

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

Textual Amendments

- F5** Inserted by [Commission Regulation \(EU\) No 566/2011 of 8 June 2011 amending Regulation \(EC\) No 715/2007 of the European Parliament and of the Council and Commission Regulation \(EC\) No 692/2008 as regards access to vehicle repair and maintenance information \(Text with EEA relevance\).](#)

Article 11

Application for EC type-approval of a type of replacement pollution control device as a separate technical unit

1 The manufacturer shall submit to the approval authority an application for EC type-approval of a type of replacement pollution control device as a separate technical unit.

The application shall be drawn up in accordance with the model of the information document set out in Appendix 1 to Annex XIII.

2 In addition to the requirements laid down in paragraph 1, the manufacturer shall submit to the technical service responsible for the type-approval test the following:

- a a vehicle or vehicles of a type approved in accordance with this Regulation equipped with a new original equipment pollution control device
- b one sample of the type of the replacement pollution control device
- c an additional sample of the type of the replacement pollution control device, in the case of a replacement pollution control device intended to be fitted to a vehicle equipped with an OBD system.

3 For the purposes of paragraph 2(a), the test vehicles shall be selected by the applicant with the agreement of the technical service.

The test vehicles shall comply with the requirements set out in Section 3.1 of Annex 4 to UN/ECE Regulation 83.

The test vehicles shall respect the following requirements:

- a they shall have no emission control system defects;
- b any excessively worn out or malfunctioning emission-related original part shall be repaired or replaced;
- c they shall be tuned properly and set to manufacturer's specification prior to emission testing.

4 For the purposes of points (b) and (c) of paragraph 2, the sample shall be clearly and indelibly marked with the applicant's trade name or mark and its commercial designation.

5 For the purposes of paragraph 2(c), the sample shall have been deteriorated as defined under point 25 of Article 2.

Article 12

Administrative provisions for EC type-approval of replacement pollution control device as separate technical unit

1 If all the relevant requirements are met, the type approval authority shall grant an EC type-approval for replacement pollution control devices as separate technical unit and issue

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.

The approval authority shall not assign the same number to another replacement pollution control device type.

The same type-approval number may cover the use of that replacement pollution control device type on a number of different vehicle types.

2 For the purposes of paragraph 1, the approval authority shall issue an EC type-approval certificate established in accordance with the model set out in Appendix 2 to Annex XIII.

3 If the applicant for type-approval is able to demonstrate to the approval authority or technical service that the replacement pollution control device is of a type indicated in section 2.3 of the Addendum to Appendix 4 to Annex I, the granting of a type-approval shall not be dependent on verification of compliance with the requirements specified in section 4 of Annex XIII.

Article 13

Access to vehicle OBD and vehicle repair and maintenance information

1 Manufacturers shall put in place the necessary arrangements and procedures, in accordance with Articles 6 and 7 of Regulation (EC) No 715/2007 and Annex XIV of this regulation, to ensure that vehicle OBD and vehicle repair and maintenance information is readily accessible.

2 Approval authorities shall only grant type-approval after receiving from the manufacturer a Certificate on Access to Vehicle OBD and Vehicle Repair and Maintenance Information.

3 The Certificate on Access to Vehicle OBD and Vehicle Repair and Maintenance Information shall serve as the proof of compliance with Article 6(7) of Regulation (EC) No 715/2007.

4 The Certificate on Access to Vehicle OBD and Vehicle Repair and Maintenance Information shall be drawn up in accordance with the model set out in Appendix 1 of Annex XIV.

5 If the vehicle OBD and vehicle repair and maintenance information is not available, or does not conform to Article 6 and 7 of Regulation (EC) No 715/2007 and Annex XIV of this Regulation, when the application for type-approval is made, the manufacturer shall provide that information within six months of the relevant date set out in paragraph 2 of Article 10 of Regulation (EC) No 715/2007 or within six months of the date of type-approval, whichever date is later.

6 The obligations to provide information within the dates specified in paragraph 5 shall apply only if, following type-approval, the vehicle is placed on the market.

When the vehicle is placed on the market more than six months after type-approval, the information shall be provided on the date on which the vehicle is placed on the market.

7 The approval authority may presume that the manufacturer has put in place satisfactory arrangements and procedures with regard to access to vehicle OBD and vehicle repair and maintenance information, on the basis of a completed Certificate on Access to Vehicle OBD

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

and Vehicle Repair and Maintenance Information, providing that no complaint was made, and that the manufacturer provides this information within the period set out in paragraph 5.

8 In addition to the requirements for the access to OBD information that are specified in Section 4 of Annex XI, the manufacturer shall make available to interested parties the following information:

- a relevant information to enable the development of replacement components which are critical to the correct functioning of the OBD system.
- b information to enable the development of generic diagnostic tools.

For the purposes of point (a), the development of replacement components shall not be restricted by: the unavailability of pertinent information, the technical requirements relating to malfunction indication strategies if the OBD thresholds are exceeded or if the OBD system is unable to fulfil the basic OBD monitoring requirements of this Regulation; specific modifications to the handling of OBD information to deal independently with vehicle operation on petrol or on gas; and the type-approval of gas-fuelled vehicles that contain a limited number of minor deficiencies.

For the purposes of point (b), where manufacturers use diagnostic and test tools in accordance with ISO 22900 Modular Vehicle Communication Interface (MVCI) and ISO 22901 Open Diagnostic Data Exchange (ODX) in their franchised networks, the ODX files shall be accessible to independent operators via the web site of the manufacturer.

[^{F29} The Forum on Access to Vehicle Information (the Forum) is hereby established.

The Forum shall consider whether access to information affects the advances made in reducing vehicle theft and shall make recommendations for improving the requirements relating to access to information. In particular, the Forum shall advise the Commission on the introduction of a process for approving and authorising independent operators by accredited organisations to access information on vehicle security.

The Commission may decide to keep the discussions and findings of the Forum confidential.]

Textual Amendments

- F2** Substituted by [Commission Regulation \(EU\) No 566/2011 of 8 June 2011 amending Regulation \(EC\) No 715/2007 of the European Parliament and of the Council and Commission Regulation \(EC\) No 692/2008 as regards access to vehicle repair and maintenance information \(Text with EEA relevance\).](#)

Article 14

Compliance with the obligations regarding access to vehicle OBD and vehicle repair and maintenance information

1 An approval authority may, at any time, whether on its own initiative, on the basis of a complaint, or on the basis of an assessment by a technical service, check the compliance of a manufacturer with the provisions of Regulation (EC) No 715/2007, this Regulation, and the terms of the Certificate on Access to Vehicle OBD and Vehicle Repair and Maintenance Information.

2 Where an approval authority finds that the manufacturer has failed to comply with its obligations regarding access to vehicle OBD and vehicle repair and maintenance information,

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008. (See end of Document for details)

the approval authority which granted the relevant type approval shall take appropriate steps to remedy the situation.

3 These steps may include withdrawal or suspension of type-approval, fines, or other measures adopted in accordance with Article 13 of Regulation (EC) No 715/2007.

4 The approval authority shall proceed to an audit in order to verify compliance by the manufacturer with the obligations concerning access to vehicle OBD and vehicle repair and maintenance information, if an independent operator or a trade association representing independent operators files a complaint to the approval authority.

5 When carrying out the audit, the approval authority may ask a technical service or any other independent expert to carry out an assessment to verify whether these obligations are met.

Article 15

Special requirements regarding type approval information

1 By way of derogation from Annex I to Council Directive 70/156/EEC⁽³⁾ and until 29 April 2009, the additional requirements set out in Annex XVIII to this Regulation shall also apply.

2 By way of derogation from Annex III to Council Directive 70/156/EEC and until 29 April 2009, the additional requirements set out in Annex XIX to this Regulation shall also apply.

Article 16

Amendments to Regulation (EC) No 715/2007

Regulation (EC) No 715/2007 is amended in accordance with Annex XVII to this Regulation.

Article 17

Entry into force

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

However, the obligations set out in Articles 4(5), 4(6), 5(3)(d) and 5(3)(e) shall apply from 1 September 2011 for the type-approval of new types of vehicles and from 1 January 2014 for all new vehicles sold, registered or put into service in the Community.

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

Status: Point in time view as at 02/08/2012.

Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 692/2008. (See end of Document for details)

- (1) [OJ L 375, 27.12.2006, p. 223.](#)
- (2) [OJ L 76, 6.4.1970, p. 1.](#)
- (3) [OJ L 42, 23.2.1970, p. 1](#) Directive as last amended by Commission Directive 2007/37/EC

Status:

Point in time view as at 02/08/2012.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 692/2008.