

Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (Text with EEA relevance)

CHAPTER III

OBLIGATIONS OF THE MEMBER STATES

Article 13

Type-approval of vehicles, components and separate technical units

1 With effect from 1 November 2011, national authorities shall refuse, on grounds relating to electronic stability control systems, to grant EC type-approval or national type-approval in respect of new types of vehicle of categories M₁ and N₁ which do not comply with this Regulation and its implementing measures.

Following the implementation dates set out in Table 1 of Annex V, national authorities shall refuse, on grounds relating to electronic stability control systems, to grant EC type-approval or national type-approval in respect of new types of vehicle of categories M₂, M₃, N₂, N₃, O₃ and O₄, which do not comply with this Regulation and its implementing measures.

2 With effect from 1 November 2012, national authorities shall refuse to grant on grounds relating to the areas of vehicle safety and tyres covered by Articles 5 to 8, Article 9(2) and Article 11:

- a EC type-approval or national type-approval in respect of new types of vehicle of the categories specified in those Articles and their implementing measures, where such vehicles do not comply with this Regulation and its implementing measures; and
- b EC component/separate technical unit type-approval in respect of new types of components or separate technical units intended for such vehicles, where such components or separate technical units do not comply with this Regulation and its implementing measures.

3 With effect from 1 November 2012, national authorities shall refuse, on grounds relating to the areas of tyres covered by Article 9(1) and (3) to (7) and Annex II, with the exception of the rolling resistance limit values set out in Table 2 of Part B of Annex II, to grant EC component/separate technical unit type-approval in respect of new types of tyre which do not comply with this Regulation and its implementing measures.

With effect from 1 November 2013, national authorities shall refuse, on grounds relating to the areas of tyres covered by Article 9(1) and (3) to (7) and Annex II, with the exception of the rolling resistance limit values set out in Table 2 of Part B of Annex II, to grant EC type-approval or national type-approval in respect of new types of vehicle of the categories M, N and O which do not comply with this Regulation and its implementing measures.

4 Following the implementation dates set out in Table 2 of Annex V, national authorities shall, on grounds relating to electronic stability control systems, consider certificates of

conformity for new vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄ to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and shall prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures.

5 With effect from 1 November 2014, national authorities shall, on grounds relating to the areas of vehicle safety and tyres covered by Articles 5, 6, 7 and 8, Article 9(1) to (4), Article 11, Article 12(1) and Parts A and B of Annex II, with the exception of the rolling resistance limit values for C3 tyres and the rolling resistance limit values set out in Table 2 of Part B of Annex II:

- a consider certificates of conformity for new vehicles of the categories specified in those Articles to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures; and
- b prohibit the sale and entry into service of new components or separate technical units intended for such vehicles, where such components or separate technical units do not comply with this Regulation and its implementing measures.

6 With effect from 1 November 2016, national authorities shall, on grounds relating to tyre rolling noise and, in the case of C3 tyres, also on grounds relating to tyre rolling resistance, with the exception of the rolling resistance limit values set out in Table 2 of Part B of Annex II:

- a consider certificates of conformity for new vehicles of categories M, N and O to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures; and
- b prohibit the sale and entry into service of new tyres intended for such vehicles, where such tyres do not comply with this Regulation and its implementing measures.

7 With effect from 1 November 2016 national authorities shall refuse, on grounds relating to tyre rolling resistance, to grant EC component/separate technical unit type-approval in respect of new types of tyres which do not comply with the rolling resistance limit values set out in Table 2 of Part B of Annex II.

8 With effect from 1 November 2017 national authorities shall refuse, on grounds relating to tyre rolling resistance, to grant EC type-approval or national type-approval in respect of new types of vehicle of categories M, N and O which do not comply with the rolling resistance limit values set out in Table 2 of Part B of Annex II.

9 With effect from 1 November 2018 national authorities shall:

- a on grounds relating to the rolling resistance limit values of C1 and C2 tyres set out in Table 2 of Part B of Annex II, consider certificates of conformity for new vehicles of categories M, N and O to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures; and
- b prohibit the sale and entry into service of new tyres intended for such vehicles, where such tyres do not comply with the rolling resistance limit values set out in Table 2 of Part B of Annex II.

10 With effect from 1 November 2020 national authorities shall:

- a on grounds relating to the rolling resistance limit values of C3 tyres set out in Table 2 of Part B of Annex II, consider certificates of conformity for new vehicles of categories M, N and O to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures; and

- b prohibit the sale and entry into service of new tyres intended for such vehicles, where such tyres do not comply with the rolling resistance limit values set out in Table 2 of Part B of Annex II.

11 C1, C2 and C3 tyres that were manufactured prior to the dates set out in paragraphs 5, 6, 9 and 10 and which do not comply with the requirements of Annex II may be sold for a period not exceeding 30 months from those dates.

12 With effect from 1 November 2013 national authorities shall refuse, on grounds relating to the areas of vehicle safety covered in Article 10, to grant EC type-approval or national type-approval in respect of new types of vehicle of categories M₂, M₃, N₂ and N₃, where such vehicles do not comply with this Regulation and its implementing measures.

13 With effect from 1 November 2015 national authorities shall, on grounds relating to vehicle safety covered in Article 10, consider certificates of conformity for new vehicles of categories M₂, M₃, N₂ and N₃ to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, and prohibit the registration, sale and entry into service of such vehicles, where such vehicles do not comply with this Regulation and its implementing measures.

14 National authorities shall permit the sale and entry into service of vehicles, components and separate technical units type-approved before the dates referred to in paragraphs 1, 2 and 3 and continue to grant extension of approvals to those vehicles, components and separate technical units under the terms of the regulatory act under which they were originally permitted or granted, unless the requirements applying to such vehicles, components or separate technical units have been modified or new requirements have been added by this Regulation and its implementing measures.

National authorities shall permit the sale and entry into service of and continue to grant extensions to EC type-approval to replacement components and separate technical units, with the exception of replacement tyres, intended for vehicles type-approved before the dates referred to in paragraphs 1, 2 and 3, under the terms of the regulatory act under which they were originally permitted or granted.

15 Without prejudice to paragraphs 1 to 14, and subject to entry into force of the implementing measures referred to in Article 14, if a manufacturer so requests, national authorities may not, on grounds relating to the areas of vehicle safety and tyres covered in Articles 5 to 12:

- a refuse to grant EC type-approval or national type-approval for a new type of vehicle or to grant EC component/separate technical unit type-approval for a new type of component or separate technical unit, where such vehicle, component or separate technical unit complies with this Regulation and its implementing measures; or
- b prohibit the registration, sale or entry into service of a new vehicle or prohibit the sale or entry into service of a new component or separate technical unit, where the vehicle, component or separate technical unit concerned complies with this Regulation and its implementing measures.