

Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (Text with EEA relevance)

## CHAPTER IX

### PRODUCTION REPORTING AND VERIFICATION

#### *Article 37*

#### **Obligations of manufacturers with regard to production reporting**

1 The manufacturer shall submit to the approval authority which granted the EU type-approval a list containing the number of engines for each engine type and engine sub-category produced in accordance with this Regulation and in conformity with the EU type-approval since the last production report was submitted, or since the requirements of this Regulation first became applicable.

That list shall be submitted:

- a within 45 days following the end of each calendar year;
- b immediately after each of the dates for the placing on the market of engines referred to in Annex III; and
- c by any other date that the approval authority may stipulate.

2 The list referred to in paragraph 1 shall specify how the identification numbers correlate to the corresponding engine types and, where applicable, engine families and to the EU type-approval numbers where those correlations are not identified by the engine coding system.

3 The list referred to in paragraph 1 shall indicate clearly any case in which the manufacturer ceases to produce an approved engine type or engine family.

4 The manufacturer shall retain a copy of the list referred to in paragraph 1 for a minimum period of 20 years following the end of the validity of the EU type-approval concerned.

5 The Commission may adopt implementing acts laying down the format of the list referred to in paragraph 1 of this Article. Those implementing acts shall be adopted, by 31 December 2016, in accordance with the examination procedure referred to in Article 56(2).

#### *Article 38*

#### **Verification measures**

1 The approval authority of a Member State that granted an EU type-approval shall take the measures necessary to ensure that, where appropriate in cooperation with the approval authorities of the other Member States, the identification numbers relating to the EU type-

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/1628 of the European Parliament and of the Council, CHAPTER IX. (See end of Document for details)

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approval are correctly allocated to, and are properly used by, manufacturers before the type-approved engine is placed or made available on the market.

2 An additional verification of the identification numbers may be carried out in conjunction with the control of conformity of production laid down in Article 26.

3 With regard to the verification of the identification numbers, the manufacturer or the manufacturer's representative shall, upon request, provide without delay to the responsible approval authority the information required concerning the manufacturer's purchasers, together with the identification numbers of the engines reported as produced in accordance with Article 37. Where engines are made available to an OEM, no additional information shall be required of the manufacturer.

4 If, further to a request from the approval authority, the manufacturer is unable to demonstrate compliance with the statutory marking requirements, the approval authority may withdraw the EU type-approval granted in respect of the corresponding engine type or engine family. The approval authorities shall inform each other within one month of any EU type-approval having been withdrawn and of the reasons for that withdrawal, in accordance with Article 22(5).

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2016/1628 of the European Parliament and of the Council, CHAPTER IX.