

Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (Text with EEA relevance)

## CHAPTER XI

### SAFEGUARD CLAUSES

#### *Article 51*

#### **<sup>F1</sup>... Evaluation regarding vehicles, systems, components and separate technical units suspected of presenting a serious risk or non-compliance**

Where, based on their own market surveillance activities, or based on information provided by [<sup>F2</sup>the approval] authority or a manufacturer or based on complaints, the market surveillance [<sup>F3</sup>authority has] sufficient reasons to believe that a vehicle, system, component or separate technical unit presents a serious risk to the health or safety of persons or to other aspects of the protection of public interests covered by this Regulation or does not comply with the requirements laid down in this Regulation [<sup>F4</sup>or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation], they shall evaluate the vehicle, system, component or separate technical unit concerned with respect to the relevant requirements laid down in this Regulation [<sup>F5</sup>or, where applicable, the EU Type Approval Regulation]. The relevant economic operators <sup>F6</sup>... shall cooperate fully with the market [<sup>F7</sup>surveillance authority,] which shall include forwarding the results of all relevant checks or tests performed in accordance with Article 31.

Article 20 of Regulation (EC) No 765/2008 shall apply to the risk assessment of the vehicle, system, component or separate technical unit concerned.

#### **Textual Amendments**

- F1** Word in Art. 51 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(a)**
- F2** Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(i)**
- F3** Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(ii)**
- F4** Words in Art. 51 inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(iii)**
- F5** Words in Art. 51 inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **33(1)(b)(iv)**

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**Changes to legislation:** Regulation (EU) 2018/858 of the European Parliament and of the Council, Article 51 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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| <p><b>F6</b> Words in Art. 51 omitted (31.12.2022 at 11.00 p.m.) by virtue of <a href="#">The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273)</a>, regs. 1(2), <b>33(1)(b)(v)</b></p> <p><b>F7</b> Words in Art. 51 substituted (31.12.2022 at 11.00 p.m.) by <a href="#">The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273)</a>, regs. 1(2), <b>33(1)(b)(vi)</b></p> |
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**Changes and effects yet to be applied to :**

- Regulation power to amend conferred by [2024 c. 10 s. 91](#)