

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 XVII

FINAL PROVISIONS

Article 84

Penalties

- 1 Member States shall lay down the rules on penalties applicable to infringements by economic operators and technical services of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. In particular, those penalties shall be proportionate to the seriousness of the non-compliance and to the number of non-compliant vehicles, systems, components or separate technical units made available on the market of the Member State concerned. Member States shall, by 1 September 2020, notify the Commission of those rules and of those measures and shall notify it without delay of any subsequent amendment affecting them.
- 2 The types of infringements by economic operators and technical services subject to penalties shall be at least the following:
 - a making false declarations during approval procedures or corrective or restrictive measures being imposed in accordance with Chapter XI;
 - b falsifying test results for type-approval or for market surveillance;
 - c withholding data or technical specifications that could lead to the recall of vehicles, systems, components and separate technical units, or to the refusal or withdrawal of EU type-approval certificate;
 - d non-compliance by technical services in respect of the requirements for their designation.
- 3 In addition to the types of infringements set out in paragraph 2, the types of infringements by economic operators that are also subject to penalties shall be at least the following:
 - a refusing to provide access to information;
 - b making available on the market vehicles, systems, components or separate technical units subject to approval without such approval or falsifying documents, certificates of conformity, statutory plates or approval marks with that intention.
- 4 Member States shall report to the Commission every year on the penalties they have imposed in the preceding year. If no penalties were imposed in a given year, Member States shall not be required to report to the Commission.

Status: Point in time view as at 31/01/2020. This version of this provision has been superseded.

Changes to legislation: Regulation (EU) 2018/858 of the European Parliament and of the Council, Article 84 is up to date with all changes known to be in force on or before 09 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)

5 Each year, the Commission shall elaborate a summary report on the penalties imposed by Member States. That report may include recommendations for Member States and shall be submitted to the Forum.

Status:

Point in time view as at 31/01/2020. This version of this provision has been superseded.

Changes to legislation:

Regulation (EU) 2018/858 of the European Parliament and of the Council, Article 84 is up to date with all changes known to be in force on or before 09 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.