

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 VI

CERTIFICATE OF CONFORMITY AND MARKINGS

Article 36

Certificate of conformity in paper format

1 The manufacturer shall issue a certificate of conformity in paper format to accompany each vehicle, whether complete, incomplete or completed, that is manufactured in conformity with the approved type of vehicle. For that purpose, the manufacturer shall use the template set out in the implementing acts referred to in paragraph 4.

The certificate of conformity in paper format shall describe the main characteristics of the vehicle, as well as its technical performance in concrete terms. The certificate of conformity in paper format shall include the date of manufacture of the vehicle. The certificate of conformity in paper format shall be designed in such a way as to prevent forgery.

The certificate of conformity in paper format shall be delivered free of charge to the buyer, together with the vehicle. Its delivery may not be made dependent on an explicit request or on the submission of additional information to the manufacturer.

2 From 5 July 2026, the manufacturer shall be exempted from the obligation in paragraph 1 of this Article to issue the certificate of conformity in paper format to accompany each vehicle, where the manufacturer makes the certificate of conformity available as structured data in electronic format in accordance with the Article 37(1).

3 For a period of 10 years after the date of manufacture of the vehicle, the manufacturer shall, at the request of the vehicle owner, issue a duplicate of the certificate of conformity in paper format in return for a payment that does not exceed the cost of issuing the duplicate certificate. The word ‘duplicate’ shall be clearly visible on the face of any duplicate certificate.

4 The Commission shall adopt implementing acts concerning the certificate of conformity in paper format, setting out, in particular:

- a the template for the certificate of conformity;
- b the security elements to prevent forgery of the certificate of conformity; and
- c the specification concerning the manner of signing of the certificate of conformity.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 83(2). The first such implementing act shall be adopted before 1 September 2020.

5 The certificate of conformity in paper format shall be drawn up in at least one of the official languages of the Union.

Status: Point in time view as at 31/01/2020.

Changes to legislation: Regulation (EU) 2018/858 of the European Parliament and of the Council, CHAPTER VI is up to date with all changes known to be in force on or before 02 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)

6 The person or persons authorised to sign certificates of conformity in paper format shall be employed by the manufacturer, and shall be duly authorised to engage the legal responsibility of the manufacturer with respect to the design and the construction of the vehicle or to the conformity of its production.

7 The certificate of conformity in paper format shall be completed in its entirety and shall not contain restrictions as regards the use of the vehicle other than those provided for in this Regulation or in any of the regulatory acts listed in Annex II.

8 In the case of an incomplete base vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that are relevant in view of the state of completeness of the vehicle.

9 In the case of an incomplete or completed vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that concern the additions or changes carried out at the current stage of approval and, where applicable, shall attach all certificates of conformity in paper format that were delivered at the previous stages.

Article 37

Certificate of conformity in electronic format

1 Without prejudice to Article 36(1), from 5 July 2026, the manufacturer shall, free of charge and without undue delay after the date of manufacture of the vehicle, make the certificate of conformity available to the approval authority that has granted the whole-vehicle type-approval as structured data in electronic format in accordance with the implementing acts referred to in paragraph 8 of this Article.

2 Without prejudice to Article 36(1), any manufacturer may make available certificates of conformity in accordance with paragraph 1 of this Article before 5 July 2026.

3 The approval authority shall make available the certificate of conformity as structured data in electronic format in accordance with the implementing acts referred to in paragraph 8, so that the certificate of conformity can be accessed by the approval authorities, market surveillance authorities and registration authorities of the Member States and by the Commission.

4 Member States may exempt manufacturers from the obligation set out in paragraph 1 of this Article with respect to types of vehicles which have national small series vehicle type-approval, in accordance with Article 42.

5 The approval authority receiving the certificate of conformity as structured data in electronic format in accordance with the implementing acts referred to in paragraph 8 of this Article, shall give read-only access to the certificate of conformity as laid down in Article 12(2). In the case of vehicles built in multiple stages such access shall be given to the manufacturer of the subsequent stage.

6 All data exchange in accordance with this Article shall be performed by means of secure data exchange protocols.

7 Member States shall establish the organisation and structure of their data network to enable data reception of the certificates of conformity as structured data in electronic format in accordance with the implementing acts referred to in paragraph 8 as from 1 September 2025, preferably by making use of existing systems for the exchange of structured data.

Status: Point in time view as at 31/01/2020.

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8 Taking into account the data that are required to be provided on the certificate of conformity in paper format, the Commission shall adopt implementing acts concerning certificates of conformity as structured data in electronic format setting out, in particular:

- a the basic format and structure of the data elements of the certificates of conformity in electronic format and the messages used in the exchange;
- b minimum requirements for secure data exchange, including the prevention of data corruption and data misuse, and measures to guarantee the authenticity of the electronic data, such as the use of digital signature;
- c the means of exchange of the data of the certificate of conformity in electronic format;
- d the minimum requirements for a vehicle-specific unique identifier and the form of information for the buyer in accordance with paragraph 5;
- e the read-only access referred to in paragraph 5;
- f exemptions for manufacturers of particular vehicle categories and types of vehicle that are produced in small series.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 83(2). The first such implementing act shall be adopted before 1 September 2020.

9 Member States shall be able to exchange certificates of conformity in electronic format in accordance with this Article with the other Member States at the latest from 5 July 2026.

10 From 5 July 2026, where, in exceptional cases, a national authority so requests, the manufacturer shall issue a duplicate of the certificate of conformity in paper format.

Article 38

Manufacturer's statutory and additional plates, markings and type-approval mark of components and separate technical units

1 The manufacturer of a vehicle shall affix to every vehicle manufactured in conformity with the approved type a statutory plate, where relevant additional plates, and indications or symbols, with the markings required under this Regulation and the relevant regulatory acts listed in Annex II.

2 The manufacturer of a component or separate technical unit shall affix to every component and separate technical unit manufactured in conformity with the approved type, whether or not it is part of a system, the type-approval mark required by the relevant regulatory acts listed in Annex II.

Where no such type-approval mark is required, the manufacturer shall affix at least the trade name or trade mark of the manufacturer, as well as the type number or an identification number, to the component or separate technical unit.

3 The Commission shall adopt implementing acts laying down the model for the EU type-approval mark. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 83(2). The first such implementing act shall be adopted by 5 July 2020.

4 Economic operators shall only place on the market or make available on the market vehicles, components and separate technical units which are marked in compliance with this Regulation.

Status:

Point in time view as at 31/01/2020.

Changes to legislation:

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