

Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 of the European Parliament and of the Council and Commission Regulations (EC) No 631/2009, (EU) No 406/2010, (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 458/2011, (EU) No 65/2012, (EU) No 130/2012, (EU) No 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) 2015/166 (Text with EEA relevance)

CHAPTER III

FINAL PROVISIONS

Article 12

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 4(3) and (6) and Article 6(6) shall be conferred on the Commission for a period of five years from 5 January 2020. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 4(3) and (6) and Article 6(6) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6 A delegated act adopted under Article 4(3) and (6) and Article 6(6) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Status: Point in time view as at 27/11/2019.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/2144 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 13

Committee procedure

1 The Commission shall be assisted by the Technical Committee — Motor Vehicles (TCMV). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 14

Review and reporting

1 By 7 July 2027 and every five years thereafter, the Commission shall submit an evaluation report to the European Parliament and to the Council on the achievements of the safety measures and systems, including their penetration rates and convenience for the user. The Commission shall investigate whether those safety measures and systems act as intended by this Regulation. Where appropriate, that report shall be accompanied by recommendations, including a legislative proposal to amend the requirements concerning general safety and the protection and safety of vehicle occupants and vulnerable road users, in order to further reduce or to eliminate accidents and injuries in road transport.

In particular, the Commission shall evaluate the reliability and efficiency of new intelligent speed assistance systems and the accuracy and error rate of such systems under real driving conditions. Where appropriate, the Commission shall present a legislative proposal.

2 By 31 January of each year, for the previous year, the Commission shall submit to the European Parliament and to the Council a report on the activities of the UNECE's World Forum for Harmonization of Vehicle Regulations (WP.29) as regards the progress made in the implementation of vehicle safety standards with regard to the requirements set out in Articles 5 to 11 and as regards the position of the Union related to these matters.

Article 15

Transitional provisions

1 This Regulation shall not invalidate any EU type-approvals granted to vehicles, systems, components or separate technical units which were granted in accordance with Regulation (EC) No 78/2009, Regulation (EC) No 79/2009 or Regulation (EC) No 661/2009 and their implementing measures, by 5 July 2022, unless the relevant requirements applying to such vehicles, systems, components or separate technical units have been modified, or new requirements have been added, by this Regulation and the delegated acts adopted pursuant to it, as further specified in the implementing acts adopted pursuant to this Regulation.

Status: Point in time view as at 27/11/2019.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/2144 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

2 Approval authorities shall continue to grant extensions of EU type-approvals referred to in paragraph 1.

3 By way of derogation from this Regulation, Member States shall continue to permit until the date specified in Annex IV the registration of vehicles, as well as the sale or entry into service of components, which do not comply with the requirements of UN Regulation No 117.

Article 16

Implementation dates

With respect to vehicles, systems, components and separate technical units, national authorities shall:

- (a) with effect from the dates specified in Annex II, with respect to a particular requirement listed in that Annex, refuse, on grounds relating to that requirement, to grant EU type#approval or national type-approval to any new type of vehicle, system, component or separate technical unit that does not comply with the requirements of this Regulation and of the delegated acts and implementing acts adopted pursuant to it;
- (b) with effect from the dates specified Annex II, with respect to a particular requirement listed in that Annex, consider, on grounds relating to that requirement, certificates of conformity in respect to new vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858, and prohibit the registration of such vehicles, if those vehicles do not comply with the requirements of this Regulation and of the delegated acts and implementing acts adopted pursuant to it;
- (c) with effect from the dates specified in Annex II, with respect to a particular requirement listed in that Annex, prohibit, on grounds relating to that requirement, the placing on the market or entry into service of components and separate technical units, where they do not comply with the requirements of this Regulation and of the delegated acts and implementing acts adopted pursuant to it.

Article 17

Amendments to Regulation (EU) 2018/858

Annex II to Regulation (EU) 2018/858 is amended in accordance with Annex III to this Regulation.

Article 18

Repeal

1 Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 and Regulations (EC) No 631/2009, (EU) No 406/2010, (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 458/2011, (EU) No 65/2012, (EU) No 130/2012, (EU) No 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) 2015/166 are repealed with effect from the date of application of this Regulation.

2 References to Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 shall be construed as references to this Regulation.

Status: Point in time view as at 27/11/2019.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/2144 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 19

Entry into force and date of application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 6 July 2022.

However, Article 4(3), (6) and (7), Article 5(4), Article 6(6), Article 7(6), Article 8(3), Article 9(7), Article 10(3), Article 11(2) and Articles 12 and 13 shall apply from 5 January 2020.

Status:

Point in time view as at 27/11/2019.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2019/2144 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.