

Commission Implementing Regulation (EU) 2020/1812 of 1 December 2020 laying down rules on the online data exchange and the notification of EU type-approvals under Regulation (EU) 2018/858 of the European Parliament and of the Council

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1812
of 1 December 2020

laying down rules on the online data exchange and the notification of EU type-approvals under Regulation (EU) 2018/858 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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⁽¹⁾, and in particular the second subparagraph of Article 12(4) and Article 27(3) thereof,

Whereas:

- (1) Article 12(4) of Regulation (EU) 2018/858 requires Member States to use a common secure electronic exchange system in order to make accessible to the public as from 1 September 2022 a list of the EU type-approvals for vehicles, systems, components and separate technical units that they have granted, amended, refused or withdrawn, as well as a list of the technical services which have performed the tests for the respective EU type-approvals.
- (2) Article 27 of Regulation (EU) 2018/858 requires approval authorities to use that same system in order to make certain documents pertaining to EU type-approvals available to the approval authorities of the other Member States, to the market surveillance authorities and to the Commission, as well as to inform the approval authorities of the other Member States and the Commission of the refusal or withdrawal of any EU type-approval, including the reasons therefor.
- (3) The European Type Approval Exchange System ('ETAES') is a software application accessible via the internet and developed by the Member States in order to assisting the EU type-approval authorities with the practical implementation of information exchange requirements laid down in Union acts by providing a centralised communication mechanism to facilitate cross-border exchange of a copy of the EU type-approval certificate together with the attachments. A similar system, the Database for the Exchange of Type Approval documentation and information system, has been established under the auspices of the United Nations Economic Commission for Europe. It is therefore appropriate to designate ETAES as the common secure electronic exchange system referred to in Article 27(3) of Regulation (EU) 2018/858.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2020/1812. 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) [View outstanding changes](#)

- (4) To preserve confidential data, requirements on access to ETAES and the use of secure data exchange protocols should be laid down.
- (5) In order to make ETAES a searchable online database, requirements regarding the upload of the EU type-approval documents referred to in Article 27(1) of Regulation (EU) 2018/858 should be laid down.
- (6) In order to better establish the different access rights to ETAES, approval authorities should upload the documents referred to in Article 27(1) of Regulation (EU) 2018/858 in ETAES separately on the basis of their nature and, where relevant, their status.
- (7) Considering that ETAES is, in its current version, a communication tool for administrative cooperation between Member States that is not open to the public, it is necessary to harmonise the format and content of the lists referred to Article 12(4) of Regulation (EU) 2018/858 to ensure that the relevant information is made accessible to the public.
- (8) The empowerments laid down in the second subparagraph of Article 12(4) and in Article 27(3) of Regulation (EU) 2018/858 set out the requirements for the use of the common secure electronic exchange system of EU type-approval information for motor vehicles and their trailers, and for systems, components and separate technical units intended for such vehicles. As those empowerments are closely linked by their subject matter, they should be bundled for the purposes of this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles (TCMV),

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2020/1812. 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) [View outstanding changes](#)

(1) [OJ L 151, 14.6.2018, p. 1.](#)

Changes to legislation:

There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2020/1812. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2022/1273 reg. 87\(4\)](#)
- Art. 4(2)(a) omitted by [S.I. 2022/1273 reg. 87\(3\)\(c\)\(i\)](#)