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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	ANNEX to the COMMISSION DELEGATED REGULATION (EU) .../... of XXX amending Regulation (EU) No 540/2014 of the European Parliament and of the Council on the sound level of motor vehicles and of replacement silencing systems

Delegations will find attached document C(2019) 1774 final.

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ANNEX

ANNEX

to the

**COMMISSION DELEGATED REGULATION (EU) .../...
of XXX**

**amending Regulation (EU) No 540/2014 of the European Parliament and of the Council
on the sound level of motor vehicles and of replacement silencing systems**

ANNEX

Regulation (EU) No 540/2014 is amended as follows:

(1) in Annex I, Appendix 1 is amended as follows:

(a) point 12.8 is deleted;

(b) the following point 12.9 is added:

“12.9. AVAS

12.9.1. Approval number of a type of vehicle with regard to its sound emission pursuant to UNECE Regulation No 138 ⁽¹⁾

or

12.9.2. Complete reference to the test results of AVAS sound emission levels, measured in accordance with Regulation (EU) No 540/2014 ⁽¹⁾”.

(2) Annex VIII is amended as follows:

(a) section I is replaced by the following:

“Section I

This Annex sets out measures concerning the AVAS for hybrid electric and pure electric vehicles.

I.1. Notwithstanding points I.2(a), I.2(b), I.3(a) and I.3(b), the provisions of section II shall apply to an AVAS installed:

(a) in any vehicle type-approved before 1 July 2019;

(b) in any new vehicle based on the type referred to in point (a) registered before 1 July 2021.

I.2. Notwithstanding points I.3(a) and (b), the provisions of section III shall apply to an AVAS installed:

(a) in any vehicle type-approved before 1 July 2019, where the manufacturer so chooses;

(b) in any new vehicle based on the type referred to in point (a);

(c) in any vehicle type-approved as from 1 July 2019 and before 1 September 2021;

(d) in any new vehicle based on the type referred to in point (c) registered before 1 September 2023.

I.3. The provisions of section IV shall apply to an AVAS installed:

- (a) in any vehicle type-approved before 1 September 2021, where the manufacturer so chooses;
- (b) in any new vehicle based on the type referred to in point (a);
- (c) in any vehicle type-approved on or after 1 September 2021;
- (d) in any new vehicle based on the type referred to in point (c);
- (e) in all new vehicles registered on or after 1 September 2023.”;

(b) the following section IV is added:

“Section IV

The provisions of section III shall apply, with the exception of point III.2.(b). In addition, the following shall apply:

Switch

Any mechanism to enable the driver to halt the operation of an AVAS (“pause function”) shall comply with the requirements of paragraph 6.2.6 of UNECE Regulation No 138, Supplement 1 to the original version of the Regulation, 01 series of amendments (OJ L 204, 5.8.2017, p.112).”.