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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 8.6.2022 amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account technical progress and regulatory developments concerning amendments to Vehicle Regulations adopted in the context of the United Nations Economic Commission for Europe

Delegations will find attached document C(2022) 3610 final.

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COMMISSION DELEGATED REGULATION (EU) .../...

of 8.6.2022

amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account technical progress and regulatory developments concerning amendments to Vehicle Regulations adopted in the context of the United Nations Economic Commission for Europe

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

This Regulation aims to take into account the latest technical and regulatory developments at the World Forum for the Harmonisation of Vehicle Regulations (WP.29) of the United Nations Economic Commission for Europe (UNECE). In this regard, the list of the UN Regulations referred to in Article 4(2) of Regulation (EU) 2019/2144 of the European Parliament and of the Council and contained in Annex I to that Regulation should be updated by including references to new UN Regulations and respectively to new series of amendments of existing UN Regulations.

In addition, Annex II to Regulation (EU) 2019/2144, containing the list of requirements referred to in Article 4(5) and Article 5(3) of that Regulation, should be complemented with references to the regulatory acts, adopted pursuant to that Regulation following its adoption and entry into force. In particular, reference is needed to the regulatory acts as regards the advanced emergency braking for pedestrian and cyclist, the pedestrian and cyclist collision warning, the blind spot information system, the emergency lane-keeping assistance, the reversing detection, the emergency stop signal, the event data recorder.

Annexes I and II to Regulation (EU) 2019/2144 are therefore amended in accordance with the Annexes to this Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In the preparation of this act, the Commission carried out appropriate consultation with the Member States experts on 18 November 2021 and on 4 May 2022, where the draft was broadly supported.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The legal basis of this delegated act is Article 4(3) and (6) of Regulation (EU) 2019/2144.

Commission Delegated Regulation (EU) .../...

of 8.6.2022

amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account technical progress and regulatory developments concerning amendments to Vehicle Regulations adopted in the context of the United Nations Economic Commission for Europe

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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) 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) 2015/166¹, and in particular Article 4(3) and (6) thereof,

Whereas:

- (1) Annex I to Regulation (EU) 2019/2144 lists, inter alia, UN Regulation No 14², UN Regulation No 17³, UN Regulation 29⁴, UN Regulation No 44⁵, UN Regulation No 45⁶, UN Regulation No 48⁷, UN Regulation No 80⁸, UN Regulation No 94⁹, UN

¹ OJ L 325, 16.12.2019, p. 1.

² Regulation No 14 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of vehicles with regard to safety-belt anchorages, ISOFIX anchorages systems, ISOFIX top tether anchorages and i-Size seating positions [2015/1406] (OJ L 218, 19.8.2015, p. 27).

³ Regulation No 17 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to the seats, their anchorages and any head restraints (OJ L 230, 31.8.2010, p. 81).

⁴ Regulation No 29 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle (OJ L 304, 20.11.2010, p. 21).

⁵ Regulation No 44 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of restraining devices for child occupants of power-driven vehicles ('Child Restraint Systems') (OJ L 233, 9.9.2011, p. 95).

⁶ UN Regulation No 45 – Uniform provisions concerning the approval of headlamp cleaners and of power-driven vehicles with regard to headlamp cleaners [2020/575] (OJ L 136, 29.4.2020, p. 1).

⁷ Regulation No 48 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to the installation of lighting and light-signalling devices (OJ L 323, 6.12.2011, p. 46).

Regulation No 95¹⁰, UN Regulation No 118¹¹, UN Regulation No 122¹², UN Regulation No 126¹³, UN Regulation No 127¹⁴, UN Regulation No 135¹⁵, UN Regulation No 137¹⁶, UN Regulation No 141¹⁷ and UN Regulation No 142¹⁸. All those regulations have been amended by the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe (‘UNECE WP.29’). It is therefore appropriate that the list in Annex I to Regulation (EU) 2019/2144 is updated to reflect those amendments.

- (2) The UNECE WP.29 also adopted several new regulations, which the Union acceded to and apply on a compulsory basis. In particular, those are UN Regulation No 145¹⁹, UN Regulation No 148²⁰, UN Regulation No 149²¹, UN Regulation No 150²², UN Regulation No 151²³, UN Regulation No 152²⁴, UN Regulation No 153²⁵, UN

⁸ Regulation No 80 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of seats of large passenger vehicles and of these vehicles with regard to the strength of the seats and their anchorages (OJ L 164, 30.6.2010, p. 18).

⁹ Regulation No 94 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a frontal collision (OJ L 254, 20.9.2012, p. 77).

¹⁰ Regulation No 95 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a lateral collision [2015/1093] (OJ L 183, 10.7.2015, p. 91).

¹¹ Regulation No 118 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform technical prescriptions concerning the burning behaviour of materials used in the interior construction of certain categories of motor vehicles (OJ L 177, 10.7.2010, p. 263).

¹² Regulation No 122 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform technical prescriptions concerning the approval of vehicles of categories M, N and O with regard to their heating systems (OJ L 164, 30.6.2010, p. 231).

¹³ UN Regulation No 126 – Uniform provisions concerning the approval of partitioning systems to protect passengers against displaced luggage, supplied as non-original vehicle equipment [2020/176] (OJ L 35, 7.2.2020, p. 37).

¹⁴ UN Regulation No 127 – Uniform provisions concerning the approval of motor vehicles with regard to their pedestrian safety performance [2020/638] (OJ L 154, 15.5.2020, p. 1).

¹⁵ UN Regulation No 135 – Uniform provisions concerning the approval of vehicles with regard to their Pole Side Impact performance (PSI) [2020/486] (OJ L 103, 3.4.2020, p. 12).

¹⁶ UN Regulation No 137 – Uniform provisions concerning the approval of passenger cars in the event of a frontal collision with focus on the restraint system [2020/576] (OJ L 136, 29.4.2020, p. 18).

¹⁷ Regulation No 141 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to their Tyre Pressure Monitoring Systems (TPMS) [2018/1593] (OJ L 269, 26.10.2018, p. 36).

¹⁸ UN Regulation No 142 – Uniform provisions concerning the approval of motor vehicles with regard to the installation of their tyres [2020/242] (OJ L 48, 21.2.2020, p. 60).

¹⁹ UN Regulation No 145 — Uniform provisions concerning the approval of vehicles with regard to ISOFIX anchorage systems ISOFIX top tether anchorages and i-Size seating positions [2019/2142](OJ L 324, 13.12.2019, p. 47).

²⁰ UN Regulation No 148 – Uniform provisions concerning the approval of light-signalling devices (lamps) for power-driven vehicles and their trailers [2021/1719] (OJ L 347, 30.9.2021, p. 123).

²¹ UN Regulation No 149 – Uniform provisions concerning the approval of road illumination devices (lamps) and systems for power-driven vehicles [2021/1720] (OJ L 347, 30.9.2021, p. 173).

²² UN Regulation No 150 – Uniform provisions concerning the approval of retro-reflective devices and markings for power-driven vehicles and their trailers [2021/1721] (OJ L 347, 30.9.2021, p. 297).

²³ UN Regulation No 151 – Uniform provisions concerning the approval of motor vehicles with regard to the Blind Spot Information System for the Detection of Bicycles [2020/1596] (OJ L 360, 30.10.2020, p. 48).

²⁴ UN Regulation No 152 – Uniform provisions concerning the approval of motor vehicles with regard to the Advanced Emergency Braking System (AEBS) for M1 and N1 vehicles [2020/1597] (OJ L 360, 30.10.2020, p. 66).

Regulation No 155²⁶, UN Regulation No 157²⁷, UN Regulation No 158²⁸, UN Regulation No 159²⁹, UN Regulation No 161³⁰, UN Regulation No 162³¹ and UN Regulation No 163³². It is therefore appropriate to include in Annex I to Regulation (EU) 2019/2144 references to those regulations.

- (3) UN Regulation No 0 on the International Whole Vehicle Type Approval³³ was adopted in order to reduce barriers to trade between the UNECE Contracting Parties and to provide an increased level of certainty for vehicle manufacturers seeking recognition of their type-approval in those Contracting Parties. The Union is a Contracting Party applying UN Regulation No 0. In order to consider a Universal International Whole Vehicle Type Approval equivalent to an EU type-approval, the versions of the UN Regulations listed in Annex I to Regulation (EU) 2019/2144 should be taken into account.
- (4) Annex II to Regulation (EU) 2019/2144 contains the list of requirements with which vehicles, systems, components and separate technical units should comply with pursuant to Articles 4(5) and 5(3) of that Regulation. That Annex does, however, not contain references to the regulatory acts laying down the detailed technical requirements as regards advanced emergency braking systems with pedestrians and cyclists detection, pedestrian and cyclist collision warning systems, blind spot information systems, emergency lane-keeping assistance systems, reversing detection, emergency stop signal and event data recorders. It is therefore necessary to add references to the respective regulatory acts in that Annex.
- (5) Compliance with UN Regulation No 90³⁴ is compulsory for replacement brake lining assemblies, drum-brake linings, discs and drums for power-driven vehicles and their trailers. New replacement brake lining assemblies, drum-brake linings, discs and drums for existing types of vehicles with vehicle type-approval granted with regard to

²⁵ UN Regulation No 153 – Uniform provisions concerning the approval of vehicles with regard to fuel system integrity and safety of electric power train in the event of a rear-end collision [2021/386] (OJ L 82, 9.3.2021, p. 1).

²⁶ UN Regulation No 155 – Uniform provisions concerning the approval of vehicles with regards to cybersecurity and cybersecurity management system [2021/387] (OJ L 82, 9.3.2021, p. 30).

²⁷ UN Regulation No 157 – Uniform provisions concerning the approval of vehicles with regards to Automated Lane Keeping Systems [2021/389] (OJ L 82, 9.3.2021, p. 75).

²⁸ UN Regulation No 158 – Uniform provisions concerning the approval of devices for reversing motion and motor vehicles with regard to the driver's awareness of vulnerable road users behind vehicles [2021/828] (OJ L 184, 25.5.2021, p. 20).

²⁹ UN Regulation No 159 – uniform provisions concerning the approval of motor vehicles with regard to the Moving Off Information System for the Detection of Pedestrians and Cyclists [2021/829] (OJ L 184, 25.5.2021, p. 62).

³⁰ UN Regulation No 161 – Uniform provisions concerning the protection of motor vehicles against unauthorized use and the approval of the device against unauthorized use (by mean of a locking system) [2021/2274] (OJ L 470, 30.12.2021, p. 1).

³¹ UN Regulation No 162 – Uniform technical prescriptions concerning approval of immobilizers and approval of a vehicle with regard to its immobilizer [2021/2275] (OJ L 470, 30.12.2021, p. 23).

³² UN Regulation No 163 – Uniform provisions concerning the approval of vehicle alarm system and approval of a vehicle with regard to its vehicle alarm system [2021/2276] (OJ L 470, 30.12.2021, p. 48).

³³ Regulation No 0 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the International Whole Vehicle Type Approval (IWVTA) [2018/780] (OJ L 135, 31.5.2018, p. 1).

³⁴ Regulation No 90 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of replacement brake lining assemblies and drum brake linings for power-driven vehicles and their trailers (OJ L 130, 28.5.2010, p. 19).

breaking in accordance with UN Regulation No 13³⁵ or UN Regulation No 13-H³⁶ before the date of application of Regulation (EU) 2019/2144, should be permitted to be made available on the market or entered into service in accordance with Annex I to that Regulation.

- (6) As of 1 September 2023, UN Regulation No 129³⁷ will replace UN Regulation No 44, thus, ceasing the possibility child restraint systems that are not built in motor vehicles to be type-approved under that Regulation. Additional time is necessary to allow for the production in stock and in the distribution channels to be sold out. Therefore, child restraint systems approved in accordance with UN Regulation No 44 before 1 September 2023, should be allowed to be made available on the market and entered into service until 1 September 2024.
- (7) The provisions of UN Regulation No 13-H related to brake assists systems and electronic stability control systems were transferred to UN Regulation No 139³⁸ and UN Regulation No 140³⁹, whereas the provisions concerning braking were shifted to the 01 series of amendments to UN Regulation No 13-H. Given that the requirements for brake assists systems and electronic stability control systems remained unchanged, type-approvals granted in accordance with the original version of UN Regulation 13-H, and their extensions, should be considered equivalent to a type-approval granted to the original versions of UN Regulation No 139 and UN Regulation No 140.
- (8) The requirements with regard to child restraint anchorages were transferred without changes from the 07 series of amendments to UN Regulation No 14 to UN Regulation No 145. Therefore, type-approvals granted in accordance with UN Regulation No 14 should be considered equivalent to a type-approval granted to the original version of UN Regulation No 145.
- (9) The requirements with regard to safety of electric power train at rear-end collision were transferred without changes from the 03 series of amendments to UN Regulation No 34 to UN Regulation No 153. Therefore, type-approvals granted in accordance with UN Regulation No 34 should be considered equivalent to a type-approval granted to the original version of UN Regulation No 153.
- (10) The requirements with regard to tyre pressure monitoring were transferred without changes from the 02 series of amendments to UN Regulation No 64⁴⁰ to UN Regulation No 141. Therefore, type-approvals granted in accordance with UN

³⁵ Regulation No 13 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking [2016/194] (OJ L 42, 18.2.2016, p. 1).

³⁶ Regulation No 13-H of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of passenger cars with regard to braking [2015/2364] (OJ L 335, 22.12.2015, p. 1).

³⁷ Regulation No 129 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of enhanced Child Restraint Systems used on board of motor vehicles (ECRS) (OJ L 97, 29.3.2014, p. 21).

³⁸ Regulation No 139 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of passenger cars with regard to Brake Assist Systems (BAS) [2018/1591] (OJ L 269, 26.10.2018, p. 1).

³⁹ Regulation No 140 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of passenger cars with regard to Electronic Stability Control (ESC) Systems [2018/1592] (OJ L 269, 26.10.2018, p. 17).

⁴⁰ Regulation No 64 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to their equipment which may include: a temporary-use spare unit, run-flat tyres and/or a run-flat system, and/or a tyre pressure monitoring system (OJ L 310, 26.11.2010, p. 18).

Regulation No 64 should be considered equivalent to a type-approval granted to the original version of UN Regulation No 141.

(11) Regulation (EU) 2019/2144 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2019/2144

Annexes I and II to Regulation (EU) 2019/2144 are amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8.6.2022

For the Commission
The President
Ursula VON DER LEYEN