



Brussels, 29 September 2023
(OR. en)

13407/23

ENT 196
MI 785
COMPET 916
IND 494
ENV 1044
TRANS 377
DELA CT 141

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 11895/23 + ADD 1 - C(2023) 4523 Final
Subject:	Commission Delegated Regulation (EU) .../... of 13.7.2023 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of certain motor vehicles with regard to their advanced driver distraction warning systems and amending that Regulation - Intention not to raise objections to the delegated act

1. On 13 July 2023, the Commission submitted the above draft Delegated Regulation to the Council, in accordance with Article 6(6) of Regulation (EU) 2019/2144¹.

¹ Regulation (EU) 2019/2144 of the European Parliament and of the Council 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 (OJ L 325, 16.12.2019, p. 1–40), current consolidated version – 05/09/2022.

2. Regulation (EU) 2019/2144 mandates the implementation of advanced driver distraction warning (ADDW) systems for motor vehicles of categories M and N from 2024 for new types and from 2026, for all new vehicles. The ADDW system helps to prevent crashes caused by driver distraction by warning the driver when he or she is distracted. The Delegated Regulation supplements Regulation (EU) 2019/2144 by laying down technical requirements and test procedures for the type approval of motor vehicles with regard to the ADDW. It also amends Annex II to Regulation (EU) 2019/2144 accordingly.
 3. On 14 July 2023, delegations were asked to indicate their possible objections to the draft Delegated Regulation by 30 August 2023. On 18 July 2023, the European Parliament asked for 2-month extension of the scrutiny period. In the Council, as a result of the extension, the period for comments by delegations was extended until 27 September 2023. No delegation raised grounds for opposition throughout the entire scrutiny period.
 4. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm its non-objection to the draft Delegated Regulation, as set out in document ST 11895/23 + ADD 1, as an item without discussion at one of its forthcoming meetings, and that the Commission and the European Parliament are to be informed thereof. This implies that unless the European Parliament objects to it, the delegated act shall be published and adopted after 14 November 2023, in accordance with Article 17(3) of Regulation (EU) 2021/690.
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