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COVER NOTE

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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 14.2.2024 amending Regulation (EU) 2015/758 of the European Parliament and of the Council as regards the standards relating to eCall

Delegations will find attached document C(2024) 823 final.

Encl.: C(2024) 823 final



EUROPEAN
COMMISSION

Brussels, 14.2.2024

C(2024) 823 final

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

of 14.2.2024

**amending Regulation (EU) 2015/758 of the European Parliament and of the Council as
regards the standards relating to eCall**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2015/758 of the European Parliament and of the Council¹ makes it mandatory to fit a 112-based eCall in-vehicle system in all new types of vehicles of categories M₁ and N₁ from 31 March 2018 onwards. The eCall system automatically dials the European emergency number 112 in the event of a serious road accident, thus reducing the response time and saving lives.

The eCall system currently works over 2G/3G circuit-switched cellular networks. However, mobile operators plan to phase out 2G/3G between 2025 and 2030. Therefore, there is an urgent need to adapt emergency call systems to the newest 4G/5G packet-switched communication networks.

The Commission is empowered to update the references to the standards on which the technical requirements for the approval of eCall systems are based (Article 5(9) of Regulation (EU) 2015/758). The European Committee for standardisation (CEN) recently adopted new eCall-related technical specifications based on packet-switched networks. These technical specifications are expected to be transformed into standards in 2025.

This Commission delegated regulation amends Article 5(8) of Regulation (EU) 2015/758 by introducing a reference to the new versions of eCall standards and the new technical specifications for the packet-switched networks. It also lays down transitional provisions to ensure that, as from a certain date, vehicle manufacturers will also equip newly produced vehicles under existing type-approvals with packet-switch eCall systems in order to guarantee that the eCall system in those vehicles will be operational after the 2G/3G networks are completely shut down. Finally, it provides sufficient lead-time for manufacturers and national authorities to adapt to the new rules.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

To help prepare this act, a supporting study was carried out in 2023. The study looked, in particular, at the eCall short-term evolution, notably the inclusion of packet-switched communications, and assessed whether the cost versus benefit of this development would be beneficial to citizens and stakeholders. Stakeholders were consulted through an online questionnaire, followed by interviews when extra information and key input was needed from specific groups/individuals. The questionnaire included specific questions about costs, and responses fed into the cost-benefit analysis. In total, 74 questionnaires were completed and 19 interviews conducted during this part of the study.

The Commission also consulted Member State experts and stakeholders during meetings of the Motor Vehicles Working Group held on 4 July and 5 October 2023, which confirmed their general support. The main concern raised was the short lead time for automotive industry to adapt to the new standards. However, the mandatory dates of 1 January 2026 for new types and 1 January 2027 for new vehicles are essential to avoid placing on the market of new vehicles fitted with old technology that will render the eCall system in the vehicles non-functional soon after their registration. These dates also take into account the time necessary for Member States to upgrade the public safety answering points (PSAPs) infrastructure to ensure the proper receipt and handling of eCalls over 4G/5G networks on their territory. In this regard, Delegated Regulation (EU) No 305/2013 supplementing Directive 2010/40/EU of

¹ OJ L 123, 19.5.2015, p. 77.

the European Parliament and of the Council with regard to the harmonised provision for an interoperable EU-wide eCall² was recently amended to provide for the adaptation of the existing PSAPs infrastructure to the newest packet-switched communication networks by 1 January 2026.

This draft Delegated Regulation was published on the Have Your Say portal for four-week public consultation running from 27 October until 24 November 2023. The feedback received was considered as appropriate by the Commission in the final text of the regulation.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The legal basis of this delegated act is Article 5(9) and Article 6(12) of Regulation (EU) 2015/758 of the European Parliament and of the Council.

²

OJ L 91, 3.4.2013, p. 1.

Commission Delegated Regulation (EU) .../... of 14.2.2024 amending Regulation (EU) 2015/758 of the European Parliament and of the Council as regards the standards relating to eCall

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 on type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC¹, and in particular Article 5(9) and Article 6(12) thereof,

Whereas:

- (1) Regulation (EU) 2015/758 requires all new types of vehicles of categories M₁ and N₁ to be equipped with a 112-based eCall in-vehicle system.
- (2) The Commission's Communication on a Sustainable and Smart Mobility Strategy² identifies the need to adapt the eCall legal framework to new telecommunication technologies.
- (3) Regulation (EU) 2015/758 contains a list of European standards, which the technical requirements for the approval of eCall systems and vehicles equipped with such systems are based on.
- (4) Since the entry into force of Regulation (EU) 2015/758, the European Committee for Standardisation (CEN) adopted new versions of standard EN 15722 'Intelligent transport systems — eSafety — eCall minimum set of data (MSD)', standard EN 16072 'Intelligent transport systems — eSafety — Pan-European eCall operating requirements' and standard EN 16454 'Intelligent transport systems — eSafety — Ecall end to end conformance testing'. That Regulation should therefore be amended to include references to the new versions of those standards.
- (5) European standards EN 16062 'Intelligent transport systems — eSafety — eCall high level application requirements (HLAP)' and EN 16454 'Intelligent transport systems — eSafety — Ecall end to end conformance testing' are based on eCall working over circuit-switched networks (2G/3G). Since mobile network operators plan a gradual phasing out of 2G/3G networks between 2025 and 2030 in all Member States, there is an urgent need to adapt emergency call in-vehicle systems to the newest packet-switched communication networks (4G/5G).
- (6) Two new eCall-related technical specifications based on packet-switched networks have been recently adopted by CEN in accordance with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council³.

¹ OJ L 123, 19.5.2015, p. 77.

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Sustainable and Smart Mobility Strategy – putting European transport on track for the future', COM(2020) 789 final of 9.12.2020.

³ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives

Regulation (EU) 2015/758 should therefore be amended to include reference to those standards.

- (7) To provide Member States, national authorities and economic operators with sufficient time to prepare for the implementation of eCall in-vehicle systems based on standards for packet-switched electronic communication networks, the date of application of those standards, as regards the approval of new types of eCall in-vehicle systems and new types of vehicles equipped with such systems, should be deferred.
- (8) In addition, it is necessary to ensure that eCall in-vehicle systems approved after the date of application of Regulation (EU) 2015/758 (i.e. 31 March 2018) and fitted into new vehicles will continue to be operational after the circuit-switched networks are completely shut down in all Member States. For this reason, from 1 January 2027, the certificates of conformity of such new vehicles should not be considered valid for the purposes of Article 48(1) of Regulation (EU) 2018/858⁴ and the vehicles should not be registered or entered into service unless they comply with the technical specifications for the packet-switched eCall as referred to in this Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2015/758

In Article 5(8), second subparagraph, points (a) to (d) are replaced by the following:

- ‘(a) EN 16072:2022 ‘Intelligent transport systems — eSafety — Pan-European eCall operating requirements’;
- (b) from ... [*OP: please insert the date of entry into force of this Regulation*] until 31 December 2025 EN 16062:2023 ‘Intelligent transport systems — eSafety — eCall High Level Application Requirements (HLAP)’; and from 1 January 2026 CEN/TS 17184:2022 ‘Intelligent transport systems — eSafety — eCall high level application protocols (HLAP) using IP multimedia subsystem (IMS) over packet-switched networks’;
- (c) from ... [*OP: please insert the date of entry into force of this Regulation*] until 31 December 2025 EN 16454:2023 ‘Intelligent transport systems — eSafety — eCall end to end conformance testing’; and from 1 January 2026 CEN/TS 17240:2018 ‘Intelligent transport systems — eSafety — eCall end to end conformance testing for IMS packet-switched based systems’;’.
- (d) EN 15722:2020 ‘Intelligent transport systems — eSafety — eCall minimum set of data (MSD)’;’.

94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

⁴ 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 (OJ L 151, 14.6.2018, p. 1).

Article 2

Transitional provisions

1. With effect from 1 January 2025, national authorities shall not refuse to grant new type approvals or extensions for existing approvals for vehicles, systems, components or separate technical units, where those comply with the technical specifications set out in CEN/TS 17184:2022 and CEN/TS 17240:2018, if a manufacturer so requests.
2. With effect from 1 January 2026, national authorities shall refuse to grant new type approvals or extensions for existing approvals for vehicles, systems, components or separate technical units, where those do not comply with Regulation (EU) 2015/758, as amended by this Regulation.
3. With effect from 1 January 2027, in the case of new vehicles approved after 31 March 2018 in accordance with Regulation (EU) 2015/758, which do not comply with the technical specifications set out in CEN/TS 17184:2022 and CEN/TS 17240:2018, national authorities shall consider the certificates of conformity to be no longer valid for the purposes of Article 48(1) of Regulation 2018/858.

Article 3

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, 14.2.2024

For the Commission
The President
Ursula VON DER LEYEN