



# EU Automotive Framework Legislation

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## Summary

This market research report covers regulatory requirements applicable to cars and car components to be exported to the European Union (EU) based on the new Motor Vehicle Framework Directive 2007/46/EC (MVFD). The recently adopted MVFD takes an important step towards further regulatory harmonization and broadens the scope of existing legislation, extending approval requirements to nearly all road vehicles. Its changes do not immediately enter into force; instead, a phased-in enforcement period exists, stretching from April 2009 to October 2014 depending on the category of vehicle in question. In the meantime, existing directive 70/156/EEC and amendments remain in force.

The approval process involves interaction with different bodies prior to bringing cars or car components on the EU market. Typically, a national approval authority conducts assessment for EU-wide type approval whereas designated technical services are in charge of testing and certification. The process affects whole vehicles as well as components such as rearview windows, steering wheels, axles, among others. The latter are covered in separate directives which are not elaborated in this report.

## Background

Up till now, most road vehicles and their components have had to obtain approval from an official authority before use inside the European Union. Several kinds of type approval exist.

- a) For mass-produced vehicles, the process is referred to as whole-vehicle type-approval. Vehicles seeking whole-vehicle type-approval must also have their components approved.
- b) Limited-production or limited-import vehicles need to obtain individual approval. For example, someone wishing to import a car bought in the United States into the EU would need to obtain approval for that single vehicle. The process for individual approval is very similar to that for type-approval with a few exceptions (e.g. no destructive testing).
- c) Most vehicle components must also have approval, which is governed by individual regulations. For example, an installed entertainment system must be approved to ensure that it functions safely with the rest of the vehicle.

A National Approval authority grants type approval based on the tests performed by the manufacturer. Once the MVFD enters into force, EU type approval will be recognized throughout the EU and national type approval will disappear. One approval authority typically exists per country, and a manufacturer may work with any. Typically the approval authority is the Ministry of Transportation or Mobility.

A body called a technical service performs or supervises the tests called for in the relevant regulations. A link to a list of approval authorities and technical services is provided at the end of this report.

Certificates of conformity accompany type-approved vehicles, and an affixed marking designates approved components. Products with legitimate markings are eligible for registration and use within any of the 27 countries of the European Union\*, so the product is market-ready. The manufacturer needs only to guarantee that production meets the approved specifications.

The European Union increasingly refers to standards and regulations developed by the United Nations Economic Council for Europe (UN/ECE). For example, interior fittings manufacturers may refer to either EU regulation 74/60/EEC or to UN/ECE regulation 21.

### **Scope and Exceptions**

Type or individual approval is mandatory for nearly all road vehicles under the MVFD, including passenger vehicles, vehicles for goods-transport, and trailers and semi-trailers, most of which already required it under past directives. Type-approval is optional for certain special-use vehicles “designed and constructed for use principally on construction sites or in quarries, port or airport facilities; for vehicles designed for use in the armed services, civil defense, fire services and police services charged with maintaining public order”; or for mobile machinery (article 2). Finally, individual approval is optional for certain non-mass-produced vehicles, road racing vehicles, and road-test. Directive, 2002/24/EC (as last amended by 2005/30/EC) covers three and four-wheeled cycles, and Directive 2003/37/EC (as last amended by 2005/67/EC) agricultural and forest tractors.

While many after-market car products, such as car wax or window tinting, are not addressed in EU automotive regulations, they may be subject to other EU legislation such as REACH whenever chemical mixtures are used, or have to meet national requirements of individual member countries.

### **Time Frame**

While most road vehicles have needed approval since the 1970s, the MVFD updates and standardizes the requirements. Vehicles concerned are divided into three broad categories with different enforcement dates, and each category is then split into subcategories according to vehicle weight and/or capacity. Phased-in enforcement of changes for passenger vehicles extends from April 29, 2009 for lighter vehicles to October 29, 2011 for heavier ones. Vehicles designed for transport of goods phase into enforcement between October 29, 2010 and October 29, 2014. Finally trailers and semi-trailers are phased in between October 29, 2012 and October 29, 2013.

### **Approval Process**

1. The manufacturer of a car or car component designs/manufactures in accordance with EU legislation. Annex IV of the MVFD provides a list of relevant legislation. The letters under “applicability” refer to vehicle category.

It is important that the manufacturer complies with the requirements as the requirements are technical specifications. Unlike other EU legislation, there are no separate lists of harmonized EU wide standards.

2. A body called a technical service performs or supervises the tests called for in the relevant regulations. Like approval authorities, EU member countries appoint technical services, though many technical services may exist per country. Some technical services perform tests themselves in their own facilities, whereas others supervise tests in the facilities of the manufacturer or of a third party. Still others ensure conformity of production. Significantly, provided that a technical service is supervising, tests may take place outside of the European Union, in the United States, for example. Some technical services (e.g. Britain's Vehicle Certification Agency, Germany's TÜV SÜD) have offices in the U.S. and can perform tests there.
3. After the manufacturer is confident that his product meets the performance requirements, it is time to apply for type-approval with any EU approval authority. Whether dealing with vehicle or component approval, the manufacturer must submit one and only one application with the information required by the regulations to one and only one approval authority.
4. Prototype tests by a technical service follow the application submission. The manufacturer provides the prototypes that the tests require and that are representative of production.
5. Before granting approval, the approval authority must confirm that the manufacturer has made sufficient arrangements to ensure the conformity of production to the approved type. Annexes X and XI of the MVFD list allowable practices, including an initial assessment of the manufacturer's ability to provide conformity, and onsite observations and tests of production.
6. Once approval is obtained, manufacturers go through several final steps before sale.
  - a) For vehicles only, the manufacturer prints certificates of conformity to accompany each vehicle of an approved type. These certificates are mandatory and guarantee that all EU countries will accept the vehicle, except in a few exceptional circumstances (articles 29 and 30 of the Directive 2007/46/EC). Certificates may be written in any of the 23 official EU languages, and must follow anti-counterfeiting techniques. Their contents include two sections; the first identifies the vehicle and its type-approval, and the second provides technical data for the vehicle as detailed in annex IX of the Directive.
  - b) Components do not have certificates of conformity, but instead marking affixed to the item. Regulations specify the exact form of marking, with some components requiring "e" marking and a country-code number. If the relevant regulations for a component or separate technical unit do not require marking, the manufacturer must attach a mark identifying himself composed

of the manufacturer's trade name or trade mark, the type number, and/or an identification number. For example, seatbelts must "be clearly and indelibly marked with the manufacturer's name...or mark" (Directive 77/541/EEC).

- c) To obtain approval, the manufacturer has already demonstrated sufficient arrangements to ensure the conformity of production with the approved type. In order to keep approval, production must meet type specifications, subject to continual verification by the approval authority.
7. Last but not least, a new feature of the MVFD requires manufacturers of vehicles or components to have a representative within one of the 27 countries of the European Union to represent him to the approval authority and to serve as his legal personality within the European Union. The essential element in establishing representation is to have a contact person inside the European Union to serve as a liaison, sign documents, and interact with officials on behalf of the manufacturer. Historically, the role of representative has taken one of two forms. A non-European manufacturer may establish an office within one of the 27 EU countries, which may vary in size to as little as a single contact person who subcontracts out additional tasks as needed. The second option is to contract with a European importer to represent the manufacturer to government officials and to the approval authority.

### Key Points to Remember

While regulations can be numerous, the European Union shows transparency through its publication of its regulations in paper and electronic format. Thus, manufacturers of vehicles and components have sufficient information to be able to succeed in the approval process to get onto or stay on the European market.

After determining the requirements and meeting them, manufacturers submit an approval application to the approval authority in one of the 27 EU countries. A successful application requires the approval of the specifications, successful prototype tests with a technical service, and arrangements on the part of the manufacturer to ensure conformity in production. After obtaining type-approval, the manufacturer must draft a certificate of conformity and attach appropriate marking to the components themselves. At this point, the vehicles or components are ready for the market.

### Weblinks

#### Overviews

- "Automotive Industry." *European Commission*. <[http://ec.europa.eu/enterprise/automotive/index\\_en.htm](http://ec.europa.eu/enterprise/automotive/index_en.htm)>.
- Overview of type-approval; VCA: <<http://www.vca.gov.uk/additional/files/vehicle-type-approval/vehicle-type-approval/vca004.pdf>>.
- "European Type Approval for Automotive Systems and Components." *VCA*. <<http://www.vca.gov.uk/additional/files/vehicle-type-approval/vehicle-type-approval/vca004.pdf>>.

#### Regulations

- "Automotive Industry Directives and Regulations." *European Commission*. <<http://ec.europa.eu/enterprise/automotive/directives/index.htm>>.

- Automotive regulations by vehicle area. *European Commission*.  
<[http://ec.europa.eu/enterprise/automotive/directives/vehicles/index\\_map.htm](http://ec.europa.eu/enterprise/automotive/directives/vehicles/index_map.htm)>.

Directive 2007/46/EC

- "Directive 2007/46/EC." *Official Journal of the European Union*. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:263:0001:0160:EN:PDF>>.
- "Type Approval Enforcement Timetable." *Department for Transport*.  
<<http://www.dft.gov.uk/pgr/roads/vehicles/sectionecwholevehicletype/statusofdirective/enforcementofthedirective>>.

Other Bodies

- "National Authorities" (approval authorities). *European Commission*.  
<[http://ec.europa.eu/enterprise/automotive/pagesbackground/administering\\_authorities.htm](http://ec.europa.eu/enterprise/automotive/pagesbackground/administering_authorities.htm)>.
- "Technical Services – Motor Vehicles." *European Commission*.  
<[http://ec.europa.eu/enterprise/automotive/pagesbackground/technical\\_services.htm](http://ec.europa.eu/enterprise/automotive/pagesbackground/technical_services.htm)>.

<b>AAM</b> - Alliance of Automobile Manufacturers	<a href="http://www.autoalliance.org">www.autoalliance.org</a>
<b>ACEA</b> - Association des Constructeurs Européens d' Automobiles	<a href="http://www.acea.be">www.acea.be</a>
<b>ACEM</b> - Association des Constructeurs Européens de Motocyles	<a href="http://www.acembike.org">www.acembike.org</a>
<b>AECC</b> - Association for Emissions Control by Catalyst	<a href="http://www.aecc.eu">www.aecc.eu</a>
<b>AFQUAD</b> - Association européenne des fabricants et importateurs de quadricycles	<a href="http://www.afquad.com/index_fr.htm">www.afquad.com/index_fr.htm</a>
<b>AIRC</b> - Association Internationale des Réparateurs en Carrosserie	<a href="http://www.airc-int.org">www.airc-int.org</a>
<b>ATC</b> - Additives Technical Committee	<a href="http://www.atc-europe.org">www.atc-europe.org</a>
<b>ATVEA</b> - All Terrain Vehicle Industry European Association	<a href="http://www.atvea.org">www.atvea.org</a>
<b>CECRA</b> - European Council for Motor Trades and Repairs	<a href="http://www.cecra.org">www.cecra.org</a>
<b>CLEPA</b> - European Association of Automotive Suppliers	<a href="http://www.clepa.com">www.clepa.com</a>
<b>ECF</b> - European Caravan Federation	<a href="http://www.e-c-f.org">www.e-c-f.org</a>
<b>EEVC</b> - European Enhanced Vehicle-safety Committee	<a href="http://www.eevc.org">www.eevc.org</a>
<b>EGEA</b> - European Garage Equipment Association	<a href="http://www.egea-association.org">www.egea-association.org</a>
<b>ERTRAC</b> - European Road Transport Research Advisory Committee	<a href="http://www.ertrac.org">www.ertrac.org</a>
<b>ETRMA</b> - European Tyre & Rubber Manufacturers' Association	<a href="http://www.etrma.org">www.etrma.org</a>
<b>EUCAR</b> - European Council for Automotive R&D	<a href="http://www.eucar.be">www.eucar.be</a>
<b>EURONCAP</b> - European New Car Assessment Programme	<a href="http://www.euroncap.com">www.euroncap.com</a>
<b>FIA</b> - Fédération Internationale de l'Automobile	<a href="http://www.fia.com">www.fia.com</a>
<b>FIGIEFA</b> - International Federation of	<a href="http://www.figiefa.org">www.figiefa.org</a>

Automotive Aftermarket Distributors	
<b>JAMA</b> - Japan Automobile Manufacturers Association	<a href="http://www.japanauto.com">www.japanauto.com</a>
<b>KAMA</b> - Korean Automobile Manufacturers Association	<a href="http://www.kama.or.kr">www.kama.or.kr</a>
<b>OICA</b> - Organisation internationale des constructeurs d'automobiles	<a href="http://www.oica.net">www.oica.net</a>
<b>RMI</b> - Retail Motor Industry Federation	<a href="http://www.rmif.co.uk">www.rmif.co.uk</a>
<b>SEMA</b> – Specialty Equipment Market Association	<a href="http://www.sema.org">www.sema.org</a>
<b>UN/ECE</b> - World Forum for Harmonization of Vehicle Regulations (WP.29)	<a href="http://www.unece.org/trans/main/welcwp29.htm">www.unece.org/trans/main/welcwp29.htm</a>

(\*) European Union member states are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**For More Information:**

The U.S. Commercial Service at the U.S. Mission to the European Union is located at Boulevard du Regent 27, Brussels BE-1000, Belgium, and can be contacted via e-mail at: [brussels.ec.office.box@mail.doc.gov](mailto:brussels.ec.office.box@mail.doc.gov); or by visiting the website: [www.buyusa.gov/europeanunion](http://www.buyusa.gov/europeanunion).

One can locate the nearest U.S. Export Assistance Center or Commercial Service offices throughout Europe by visiting [www.buyusa.gov](http://www.buyusa.gov) and [www.buyusa.gov/europe](http://www.buyusa.gov/europe).

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