






Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2013/0165(COD)</p>	Procedure completed
<p>Type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service</p> <p>Amending Directive 2007/46/EC 2003/0153(COD) See also 2013/0166(COD)</p> <p>Subject</p> <p>1.20.09 Protection of privacy and data protection 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 2.40.02 Public services, of general interest, universal service 3.30.03.04 Telecommunication networks 3.30.03.06 Communications by satellite 3.30.05 Electronic and mobile communications, personal communications 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<p>IMCO Internal Market and Consumer Protection</p>	<p>S&D SEHNALOVÁ Olga</p> <p>Shadow rapporteur</p> <p> COELHO Carlos</p> <p> VAN BOSSUYT Anneleen</p> <p> TØRNÆS Ulla</p> <p> DE JONG Dennis</p> <p> ALBRECHT Jan Philipp</p>	09/07/2013
	<p>Former committee responsible</p> <p>IMCO Internal Market and Consumer Protection (Associated committee)</p>	<p>S&D SEHNALOVÁ Olga</p>	09/07/2013
	<p>Former committee for opinion</p> <p>LIBE Civil Liberties, Justice and Home Affairs (Associated committee)</p>	<p>PPE VOSS Axel</p>	05/11/2013
	<p>ITRE Industry, Research and Energy</p>	<p>ALDE VĂLEAN Adina-Ioana</p>	11/09/2013
	<p>TRAN Transport and Tourism</p>	<p>ALDE DE BACKER Philippe</p>	03/09/2013
Council of the European Union	Council configuration	Meeting	Date

European Commission	Environment	3363	17/12/2014
	Competitiveness (Internal Market, Industry, Research and Space)	3317	26/05/2014
European Economic and Social Committee	Commission DG	Commissioner	
	Internal Market, Industry, Entrepreneurship and SMEs	BIEŃKOWSKA Elżbieta	

Key events			
13/06/2013	Legislative proposal published	COM(2013)0316	Summary
01/07/2013	Committee referral announced in Parliament, 1st reading/single reading		
16/01/2014	Referral to associated committees announced in Parliament		
11/02/2014	Vote in committee, 1st reading/single reading		
13/02/2014	Committee report tabled for plenary, 1st reading/single reading	A7-0106/2014	Summary
25/02/2014	Debate in Parliament		
26/02/2014	Results of vote in Parliament		
26/02/2014	Decision by Parliament, 1st reading/single reading	T7-0154/2014	Summary
26/05/2014	Debate in Council	3317	
25/09/2014	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
04/12/2014	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE608.145 PE608.142	
04/03/2015	Council position published	05130/3/2015	Summary
12/03/2015	Committee referral announced in Parliament, 2nd reading		
17/03/2015	Vote in committee, 2nd reading		
19/03/2015	Committee recommendation tabled for plenary, 2nd reading	A8-0053/2015	Summary
27/04/2015	Debate in Parliament		
28/04/2015	Decision by Parliament, 2nd reading	T8-0099/2015	Summary
29/04/2015	Final act signed		
29/04/2015	End of procedure in Parliament		
19/05/2015	Final act published in Official Journal		

Technical information	
Procedure reference	2013/0165(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 2007/46/EC 2003/0153(COD) See also 2013/0166(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 114
Modified legal basis	Rules of Procedure EP 150
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/8/02413

Documentation gateway

Legislative proposal		COM(2013)0316	13/06/2013	EC	Summary
Committee draft report		PE521.605	16/10/2013	EP	
Document attached to the procedure		N7-0064/2014 OJ C 038 08.02.2014, p. 0008	29/10/2013	EDPS	Summary
Amendments tabled in committee		PE523.081	15/11/2013	EP	
Committee opinion	TRAN	PE521.698	19/12/2013	EP	
Committee opinion	ITRE	PE522.901	09/01/2014	EP	
Committee opinion	LIBE	PE524.542	04/02/2014	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0106/2014	13/02/2014	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0154/2014	26/02/2014	EP	Summary
Commission response to text adopted in plenary		SP(2014)446	20/05/2014		
Council position		05130/3/2015	04/03/2015	CSL	Summary
Commission communication on Council's position		COM(2015)0126	10/03/2015	EC	Summary
Committee draft report		PE549.389	13/03/2015	EP	
Committee recommendation tabled for plenary, 2nd reading		A8-0053/2015	19/03/2015	EP	Summary
Text adopted by Parliament, 2nd reading		T8-0099/2015	28/04/2015	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2015/758](#)
[OJ L 123 19.05.2015, p. 0077](#) Summary

Final legislative act with provisions for delegated acts

Delegated acts

[2016/2890\(DEA\)](#)

Examination of delegated act

2013/0165(COD) - 13/06/2013 Legislative proposal

PURPOSE: to introduce in the EC motor vehicle type-approval system a requirement for fitting an eCall in-vehicle system.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: road safety is an issue of major concern across the entire European Union and for all of its citizens. Currently, road journeys exceed 100 million annually across the various Member States and they are increasing due to further consolidation of the European Union.

The purpose of the interoperable EU-wide eCall initiative is ultimately to introduce in all vehicles in the EU the minimum functionalities needed to ensure adequate handling of the emergency calls by the emergency response services. Action is needed at EU level in order to guarantee interoperability and continuity of the service throughout Europe.

IMPACT ASSESSMENT: the Commission analysed three options : Option 1 : no EU action; Option 2 : voluntary approach; Option 3 : regulatory measures. Option 3 is the chosen option.

The benefits identified through the impact assessment include:

- reduction of fatalities (with all vehicles eCall-equipped, between 1% and 10% depending on country population density, road and emergency response infrastructure);
- reduction of seriousness of the injuries (between 2% and 15%);
- reduction of congestion costs caused by traffic accidents;
- facilitation of rescue services and increased security of rescue team (e.g. firefighters) when extracting trapped occupants, as the Minimum Set of Data (MSD) in the eCall message will, among others, provide information on the fuel type;
- reduced SOS roadside infrastructure, as each road user would be able to trigger an emergency call from their vehicle.

LEGAL BASIS: Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposed Regulation forms part of a set of EU legal acts for ensuring the deployment of the 112-based eCall service by 1 October 2015. The other main legislative acts linked to this eCall initiative are: [Commission Recommendation 2011/750/EU of 8 September 2011](#) as well as the [Proposal for Decision of the European Parliament and of the Council](#) on the deployment of the interoperable EU-wide eCall.

The proposal:

- requires new types of passenger cars and light commercial vehicles to be constructed as to ensure that in the event of a severe accident an emergency call (eCall) to the 112 is triggered automatically. It must also be possible to trigger manually emergency calls (eCalls) to the 112;
- provides for rules concerning privacy and data protection.

BUDGETARY IMPLICATION: there are no budgetary implications for the EU budget.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

2013/0165(COD) - 29/10/2013 Document attached to the procedure

Opinion of the EDPS on the Proposal for a Regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall system and amending Directive 2007/46/EC.

The EDPS emphasises that the processing of personal data is one of the core obligations created by the Proposal and welcomes that many recommendations he made in relation to 112 eCall's data protection implications were taken into account.

112 eCall system: the EDPS makes the following recommendations:

- an explicit reference to applicable EU data protection law should be inserted in the Proposal in a substantive and dedicated provision;
- concrete data protection safeguards applying to 112 eCall should be developed in the Proposal rather than in delegated acts;
- designate the controller and the authority responsible for handling access requests;
- specify the list of data referred to as a minimum set of data and as a full set of data (possibly to be elaborated in a delegated or implementing act);
- include the possibility for data subjects to deactivate private eCall and added value services;

- specify retention periods for the data processed;
- specify the modalities of the exercise of data subjects rights;
- ensure that the information it refers to is part of the technical documentation handed over together with the vehicle and it should be specified in the Proposal that the availability of the information has to be pointed out to the car owner at the time of the purchase of the car, in a separate document.

Private eCall and added value services: the EDPSs recommendations are as follows:

- clarify in the Proposal that constant tracking is prohibited for added value services;
- specify, in a substantive provision of the proposal, the categories of data processed under the 112 eCall and private eCall and added value services, and define the concept of FSD in the proposal;
- only the data necessary to private eCall and added value services should be processed in compliance with the data minimisation principle;
- a specific provision should recall that the processing of sensitive data under private eCall and added value services is prohibited;
- the retention period of data processed under 112 eCall, private eCall and added value services should be determined and specified in a substantive provision of the Proposal;
- security of the data processed under 112 eCall, private eCall and added value services should be guaranteed by some specifications in the text.

2013/0165(COD) - 13/02/2014 Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Olga Sehnalová (S&D, CZ) on the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall in-vehicle system and amending Directive 2007/46/EC.

The committee recommended that the position of the European Parliament adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

112-based eCall system: Members stressed this in the title of the draft regulation. They noted that the mandatory introduction of the 112-based eCall in-vehicle system would make the service available to all citizens and thus contribute to the reduction of fatalities and severe injuries, of costs relating to healthcare, of congestion caused by accidents and of other costs.

Third party service supported eCall systems should coexist with the 112-based eCall in-vehicle system on the condition that the public 112-based eCall service is always available at least as the back-up option.

October 2015 for inception: Parliament has called for the mandatory deployment of the eCall in-vehicle system by 2015 and wishes to pursue that objective. However, acknowledging the fact that industry will need sufficient lead in time to develop and test eCall systems, and considering that the final date of the adoption of this Regulation is not yet known, the deadline of 1 October 2015 as proposed by the Commission could be reconsidered at a later stage.

Data protection: the report strengthened provisions on data protection, stating that any processing of personal data through the 112-based eCall in-vehicle system shall comply with the personal data protection rules.

Manufacturers shall ensure that the 112-based eCall in-vehicle system and another installed emergency call system and a system providing added-value services are designed in such a way that no exchange of personal data between them is possible.

Delegated acts: the Commission shall be empowered to adopt delegated acts, defining further the requirement of the absence of traceability and tracking and the privacy enhancing technologies with respect to eCall, in particular the security measures that providers of eCall services are to adopt in order to ensure lawful data processing and prevent unauthorised access, disclosure, alteration or loss of personal data processed.

Reporting and review: new provisions ensure that by 1 October 2018, the Commission shall prepare an evaluation report on the achievements of the 112-based eCall in-vehicle system, including its penetration rate. It shall investigate whether the scope of the Regulation should be extended to other categories of vehicles, such as powered two-wheelers, heavy goods vehicles, busses and coaches, and agricultural tractors. If appropriate, the Commission shall present a legislative proposal to that effect.

2013/0165(COD) - 26/02/2014 Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 485 votes to 151, with 32 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall in-vehicle system and amending Directive 2007/46/EC.

Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Reference to the 112 service: Parliament recalled that the deployment of an eCall service available in all vehicles and in all Member States has been one of the high Union priorities in the area of road safety since 2003.

It is still necessary to improve the operation of the 112 service throughout the Union, so that it provides assistance swiftly and effectively in emergencies. In this respect, Members called for the eCall system to be based on the 112 service and that this should be explicitly stated in the Regulation.

In order to ensure continuity of the public 112-based eCall service in all Member States throughout the lifetime of the vehicle and guarantee that the public 112-based eCall service is always automatically available, all vehicles should be equipped with the public 112-based eCall service, regardless of whether or not a vehicle buyer opts for a private eCall service.

Definition: Members defined the '112-based eCall in-vehicle system' means an emergency system, comprising in-vehicle equipment and the means to trigger, manage and enact the eCall transmission.

The system should be activated either automatically via in-vehicle sensors or manually, which emits signals by means of a public mobile wireless communications networks, to enable the transmission of a standardised minimum set of data and the establishment of a 112-based audio channel between the occupants of the vehicle and the appropriate public safety answering point.

The 112-based eCall is a public service of general interest and should therefore be accessible free of charge to all consumers.

Co-existence with other systems: the vehicle owner should have the right to use another emergency call system installed in the vehicle and providing a similar service, in addition to the 112-based eCall in-vehicle system. In that case, that other emergency call system shall be compliant with the standard EN 16102.

Manufacturers should ensure that there is only one system active at a time and that 112-based eCall in-vehicle system is triggered automatically in the event that the other emergency call system does not function.

Data and privacy protection: Parliament called for the Regulation to apply, without prejudice, to Directives 95/46/EC and 2002/58/EC. Any processing of data through the 112-based eCall in-vehicle system should therefore be carried out in accordance with these Directives.

Manufacturers should ensure that eCall users are provided with clear and comprehensive information about the existence of a free public eCall system, based on 112, and the processing of data carried out through the 112-based eCall in-vehicle system, in particular about: (i) the fact that there is no tracking of the vehicle beyond the collection of the minimum amount of data necessary for the 112-based eCall in-vehicle system to determine and transmit the location and the direction of travel of the vehicle when reporting an incident, as well as the fact that any tracking data are only stored on the device for as long as strictly necessary for that purpose.

Manufacturers shall ensure that the 112-based eCall in-vehicle system and another installed emergency call system and a system providing added-value services are designed in such a way that no exchange of personal data between them is possible.

Technical inspections: periodic technical inspections should therefore be carried out regularly in accordance with [Regulation of the European Parliament and of the Council](#) on periodic roadworthiness tests for motor vehicles and their trailers.

Delay for equipping vehicles: in a new recital, Parliament stressed that the equipping of vehicles of existing types to be manufactured after 1 October 2015 with the 112-based eCall in-vehicle system should be promoted in order to increase penetration. In respect of types of vehicles type-approved before 1 October 2015, an eCall system may be retrofitted on a voluntary basis.

Review: by 1 October 2018, the Commission should prepare an evaluation report on the achievements of the 112-based eCall in-vehicle system, including its penetration rate. The Commission should investigate whether the scope of the Regulation should be extended to other categories of vehicles, such as powered two-wheelers, heavy goods vehicles, busses and coaches, and agricultural tractors. If appropriate, the Commission should present a legislative proposal to that effect.

2013/0165(COD) - 04/03/2015 Council position

The Council's position at first reading amends the original Commission proposal by partially redrafting it on the basis of the agreement reached with the European Parliament.

With respect to the amendments proposed by the European Parliament, the Council notes that a large number of amendments have in spirit, partially or fully been included in its position.

The Council's position:

- clarified the reference to eCall throughout the text, including in the title, by adding that it specifically concerns the 112-based eCall;
- provided for an extension of the scope to systems, components and separate technical units;
- added a provision making it clear which categories of vehicles are exempted;
- added new definitions clarifying certain notions used in the text and also to be used in the future in delegated acts;
- stipulated that the eCall system should be permanently installed in the vehicle when this is presented for type-approval;
- added in the text the possibility of vehicle owners to use third party services (TPS) in addition to the 112-based eCall system, while avoiding to impose any obligations on TPS;
- provided for the compulsory compatibility of the eCall system with the Galileo and EGNOS navigation systems while giving the possibility to manufacturers to ensure compatibility with other navigation systems as well;
- provided that the 112-based eCall should be accessible for repair and maintenance to independent operators at a reasonable fee;
- provided a clear reference to the personal data protection rules applicable, by stipulating that : (i) eCall data can only be used for the purpose of handling emergency situations and that they shall automatically be deleted ; (ii) there can be no exchange of data between the 112-based eCall system and any third party system ; (iii) the owner's manual shall provide information to the owner on the processing of data by either system;
- added a provision that certain practical arrangements in the area of data protection shall be specified by implementing acts rather than delegated acts;
- stipulated that the empowerment of the Commission to adopt delegated acts shall be limited to a 5-year period, tacitly extended;

- requested the Commission to submit by 2021 an evaluation report on the achievements of eCall and its penetration rate, and to investigate the possible extension of this Regulation to other categories of vehicles.

Lastly, the Council fixed the date of application at 31 March 2018 in relation to what is provided for in Decision 585/2014/EC.

2013/0165(COD) - 10/03/2015 Commission communication on Council's position

The Council's position in first reading encompasses a vast majority of the amendments introduced by the European Parliament, in particular:

- most of the proposed additional recitals,
- the explicit reference to the 112-based eCall in-vehicle system,
- the requirement for the eCall system to be permanently installed within the vehicle and to provide a warning to the occupants of the vehicle in the event of a critical system failure.

The Council accepted the amendment of the European Parliament that calls on the Commission to:

- assess, following a study of the costs and benefits and broad consultation with stakeholders, the need of requirements for an interoperable, standardised, secure and open access platform and, if appropriate, to adopt a legislative initiative based on those requirements;
- explore the possibilities to extend the scope of the Regulation to other categories of vehicles, such as powered two-wheelers, heavy goods vehicles, busses and coaches, and agricultural tractors, and if appropriate, to present a proposal to that effect.

The Commission accepted new provisions introduced by the Council which seek in particular to:

- clarify the exemption from the scope of vehicles produced in small series, individually approved vehicles and vehicles which for technical reasons cannot be equipped with an eCall system;
- add specific provisions addressing the co-existence of third party eCall services (TPS eCall) with the 112-based eCall system;
- introduce provisions on the use of implementing acts and on the respective committee procedures for their adoption in light of the limited application of these provisions and the compromise reached in the context of privacy and data protection rules;
- postpone the application date to 31 March 2018.

Although the Commission regrets for practical reasons the decision of the Council restricting the delegation to the Commission to a fixed period of five years and the inclusion of the no opinion clause in the committee procedure for the adoption of implementing acts, the Commission supports, in a spirit of compromise, the position adopted by the Council.

2013/0165(COD) - 19/03/2015 Committee recommendation tabled for plenary, 2nd reading

Committee on the Internal Market and Consumer Protection adopted the report by Olga SEHNALOVÁ (S&D, CZ), on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC.

The parliamentary committee recommended agreeing to the Council position without any amendments.

The Council position sets out the type-approval requirements for the deployment of the eCall system. It requires that new types of passenger cars and light commercial vehicles are constructed so as to ensure the triggering automatic or manual emergency call to number 112 in the event of accident.

Given the nature of the information provided by this service, the regulation provides rules relating to the protection of privacy and data.

2013/0165(COD) - 28/04/2015 Text adopted by Parliament, 2nd reading

The European Parliament legislative adopted a resolution approving, unamended, the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC.

The aim of the proposed Regulation is to mandate the eCall in-vehicle system for new types of cars and vans in the framework of the motor vehicle type approval, requiring these vehicles to be constructed as to ensure that in the event of serious road accidents an emergency call to the common European emergency call number 112 is triggered automatically. The regulation provides rules relating to the protection of privacy and data.

2013/0165(COD) - 29/04/2015 Final act

PURPOSE: the achievement of the internal market through the introduction of common technical requirements for new type-approved vehicles equipped with the 112-based eCall in-vehicle system

LEGISLATIVE ACT: Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC.

CONTENT: the Regulation aims to make mandatory the fitting of 112-based eCall in-vehicle systems in all new types of cars and light commercial vehicles within the framework of the type-approval system.

To this end, the Regulation establishes the general requirements for the EC type-approval of vehicles in respect of the 112-based eCall in-vehicle systems, and of 112-based eCall in-vehicle systems, components and separate technical units.

Obligations of manufacturers: manufacturers shall ensure that all of their new types of vehicle described in the Regulation:

- are equipped with a permanently installed 112-based eCall in-vehicle system;
- are constructed in such a way as to ensure that, in the event of a severe accident, detected by activation of one or more sensors or processors within the vehicle, an eCall to the single European emergency number 112 is triggered automatically; an eCall to the single European emergency number 112 can also be triggered manually;
- in the event of a critical system failure which would result in an inability to execute a 112-based eCall, a warning will be given to the occupants of the vehicle.

The receivers in the 112-based eCall in-vehicle systems must be compatible with the positioning services provided by the Galileo and the EGNOS systems.

With effect from 31 March 2018, national authorities shall only grant EC type-approval to new types of vehicles and to new types of 112-based eCall in-vehicle systems, components and separate technical units designed and constructed for such vehicles which comply with this Regulation and the delegated and implementing acts adopted pursuant to the Regulation.

Independent operators: the 112-based eCall in-vehicle system shall be accessible to all independent operators for a reasonable fee not exceeding a nominal amount and without discrimination for repair and maintenance purposes in accordance with [Regulation \(EC\) No 715/2007](#).

Rules on privacy and data protection: the Regulation sets out requirements in the area of privacy and data protection regarding the non-use of personal data for any other purposes and the non-retention of data beyond what is strictly necessary for the operation of the eCall system.

Provisions concern the following, e.g.: (i) automatic and continuous removal of data, (ii) the non-traceability of the eCall system; (iii) no transmission of the data outside the vehicle before the eCall is triggered, (iv) embedding privacy enhancing technologies in order to provide eCall users with the necessary safeguards to prevent surveillance and misuse; (v) no exchange of data between the in-vehicle systems; (vi) clear and comprehensive information in the owner's manual about the processing of data.

Report and review: by 31 March 2021, the Commission shall prepare an evaluation report on the achievements of the 112-based eCall in-vehicle system, including its penetration rate. The evaluation shall investigate whether the scope of the Regulation should be extended to other categories of vehicles, such as heavy goods vehicles, buses and coaches, powered two-wheelers, and agricultural tractors, and present a legislative proposal to that effect.

Following a broad consultation with all relevant stakeholders and a study assessing the costs and benefits, the Commission shall assess the need of requirements for an interoperable, standardised, secure and open-access platform. If appropriate, and no later than 9 June 2017, it shall adopt a legislative initiative based on those requirements.

ENTRY INTO FORCE: 8.6.2015. Except for certain provisions that will apply from 8.6.2015, provisions apply from 31.3.2018.

DELEGATED ACTS: the Commission may adopt delegated acts in order to ensure the application of common technical requirements regarding the 112-based eCall in-vehicle system. The power to adopt such acts is conferred on the Commission for a period of five years (which may be tacitly prolonged) from 8 June 2015. The European Parliament or the Council may raise objections to a delegated act within two months of the date of notification (this may be extended by two months.) If Parliament or Council raise objections, the delegated act will not come into force.