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*Plenary sitting*

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**A8-0359/2018**

7.11.2018

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
complementing EU type-approval legislation with regard to the withdrawal of  
the United Kingdom from the Union  
(COM(2018)0397 – C8-0250/2018 – 2018/0220(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: Marlene Mizzi

(Simplified procedure – Rule 50(2) of the Rules of Procedure)

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	18
OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY .....	20
PROCEDURE – COMMITTEE RESPONSIBLE.....	24



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union

(COM(2018)0397 – C8-0250/2018 – 2018/0220(COD))

(Ordinary legislative procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0397),
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0250/2018),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 19 September 2018<sup>1</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0359/2018),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### Amendment 1

#### Proposal for a regulation

##### Recital 4

*Text proposed by the Commission*

(4) The withdrawal of the United Kingdom from the Union would, in the absence of any special provisions, have the effect that type-approvals previously granted by the type-approval authority of

*Amendment*

(4) The withdrawal of the United Kingdom from the Union would, in the absence of any special provisions, have the effect that ***EU or EC*** type-approvals previously granted by the type-approval

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<sup>1</sup> Not yet published in the Official Journal.

the United Kingdom could no longer ensure access to the Union market. Such approvals are also held by manufacturers established within the Member States other than the United Kingdom. While vehicles, systems, components and separate technical units type-approved by the United Kingdom may be placed on the Union market until Union law ceases to apply to and in the United Kingdom, it is necessary to establish special provisions for the purposes of facilitating the placing on the Union market of those products after that date.

authority of the United Kingdom, ***in accordance with regulatory acts of the Union***, could no longer ensure access to the Union market. Such approvals are also held by manufacturers established within the Member States other than the United Kingdom. While vehicles, systems, components and separate technical units type-approved by the United Kingdom, ***in accordance with regulatory acts of the Union*** may be placed on the Union market until Union law ceases to apply to and in the United Kingdom, it is necessary to establish special provisions for the purposes of facilitating the placing on the Union market of those products after that date.

#### *Justification*

*Whereas one agrees with the Council text, the rapporteur has added the amendments for purposes of clarity. Thereby clearly identifying that this regulation is drafted solely in the context of EU or EC type-approvals, UNECE type-approvals shall not fall under this regulation unless there is specific reference in any of the recitals or provisions to follow this one.*

## **Amendment 2**

### **Proposal for a regulation**

#### **Recital 6**

##### *Text proposed by the Commission*

(6) This Regulation should also ensure that manufacturers continue to have the greatest possible freedom to choose the new ***approval*** authority. In particular, that choice by the manufacturer should not be dependent on the consent of the type-approval authority of the United Kingdom or the existence of any arrangements between the type-approval authority of the United Kingdom and the new type-approval authority.

##### *Amendment*

(6) This Regulation should also ensure that manufacturers continue to have the greatest possible freedom to choose the new ***Union type-approval*** authority. In particular, that choice by the manufacturer should not be dependent on the consent of the type-approval authority of the United Kingdom or the existence of any arrangements between the type-approval authority of the United Kingdom and the new ***Union*** type-approval authority.

#### *Justification*

*The purpose of "Union type-approval ..." is clarity. Therefore it is made even more clear that*

*the type-approval authority that one refers to is a type-approval authority located within the EU-27.*

### **Amendment 3**

#### **Proposal for a regulation**

#### **Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) When manufacturers make use of the procedures set out in this Regulation, their United Kingdom type-approval could become invalid on the day Union type-approval for the same type is granted. Manufacturers having made use of provisions of this Regulation should not be placed at a disadvantage. To that end, the stock of vehicles, systems, components and separate technical units compliant with Union law and produced on the basis of a valid UK type-approval should be placed on the market, registered and entered into service until such time as the manufacturers have obtained a new Union type-approval and for as long as Union law continues to apply to and in the United Kingdom, provided that those products continue to fulfil the general requirement of the acts referred to in this Regulation. Since the moments of placing on the market, of registration, and of entry into service can differ, the determination of whether the time limits set out in this Regulation are respected should take place at the time when the first of those steps is undertaken.***

#### *Justification*

*The additional recital shall be read in conjunction with article 6a, which makes direct reference to Transitional provisions. The main aim of this recital is to clearly identify what will happen to the products already in stock, whether they are vehicles, systems, components, or separate technical units. Thus the manufacturers will not be disadvantaged, wherever the products in stock are in full compliance with the general requirements set in Union Law.*

## Amendment 4

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) ***For the same reasons***, it is also necessary that a Union type-approval authority takes on certain obligations with respect to vehicles, systems, components and separate technical units that were placed on the market in the Union on the basis of type-approvals granted by the United Kingdom that are either no longer valid pursuant to Article 17 of Directive 2007/46/EC, Article 32 of Regulation (EU) No 167/2013, Article 37 of Regulation (EU) No 168/2013 or Article 30 of Regulation (EU) 2016/1628 or for which no type-approval is sought under this Regulation. To ensure that there is a responsible type-approval authority, manufacturers should be required to request the authority approving types previously approved in the United Kingdom to assume obligations regarding recalls, repair and maintenance information and in-service conformity checks with respect to its vehicles, systems, components and separate technical unit based on other types and already placed on the Union market. To limit the extent of the obligations taken on by the Union type-approval authority, those obligations should only concern products based on UK type-approvals that were granted after 1 January 2008.

## Amendment 5

### Proposal for a regulation

#### Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

(16) It is also necessary that a Union type-approval authority takes on certain obligations with respect to vehicles, systems, components and separate technical units that were placed on the market in the Union on the basis of type-approvals granted by the United Kingdom that are either no longer valid pursuant to Article 17 of Directive 2007/46/EC, Article 32 of Regulation (EU) No 167/2013, Article 37 of Regulation (EU) No 168/2013 or Article 30 of Regulation (EU) 2016/1628 or for which no type-approval is sought under this Regulation. To ensure that there is a responsible type-approval authority, manufacturers should be required to request the authority approving types previously approved in the United Kingdom to assume obligations regarding recalls, repair and maintenance information and in-service conformity checks with respect to its vehicles, systems, components and separate technical unit based on other types and already placed on the Union market. To limit the extent of the obligations taken on by the Union type-approval authority, those obligations should only concern products based on UK type-approvals that were granted after 1 January 2008.

***(16a) Decisions of national authorities taken before the day Union law ceases to***



*apply to and in the United Kingdom in accordance with Article 27(3) of Directive 2007/46/EC, Article 39(3) of Regulation (EU) No 167/2013 or Article 44(3) of Regulation (EU) No 168/2013, permitting the making available on the market, registration, sale or entry into service of vehicles conforming to a type whose UK type-approval has become invalid before the day Union law ceases to apply to and in the United Kingdom, should remain applicable.*

#### *Justification*

*In accordance with the respective articles mentioned in this amendment, the manufacturers shall be bound to furnish type-approval authorities with the reasons for which they cannot comply with the technical requirements. Once these reasons have been provided it is up to the national authorities to determine whether the vehicles can still be made available on the market, registered, sold or entered into service. Thus this amendment will ensure that the decisions will remain valid even on vehicles that have been decided upon prior to the withdrawal of the United Kingdom from the Union.*

#### **Amendment 6**

##### **Proposal for a regulation Recital 16 b (new)**

*Text proposed by the Commission*

*Amendment*

*(16b) The exemptions and transitional provisions applicable to non-road mobile machinery as set out in Article 10(7) of Directive 97/68/EC, Articles 34(7), 34(8) or 58(5) to 58(11) of Regulation (EU) 2016/1628, in Articles 19(6), 20(8), 28(6) and 53(12) of Regulation No 167/2013 and Articles 11(4) and 14 of Commission Delegated Regulation (EU) 2015/96, or Article 13(3) to 13(6) of Commission Delegated Regulation (EU) 2018/985, allowing the placing on the market of such machinery without the requirement of a valid type-approval, should continue to apply.*

## Amendment 7

### Proposal for a regulation

#### Article 2 – paragraph 1

##### *Text proposed by the Commission*

1. This Regulation shall apply to vehicles, systems, components and separate technical units which fall within the scope of Directive 2007/46/EC, Regulation (EU) No 167/2013, Regulation (EU) No 168/2013 or Regulation (EU) 2016/1628 and their types which have been approved by the UK type-approval authority on the basis of those acts or any act listed in Annex IV to Directive 2007/46/EC or any act repealed by those acts.

##### *Amendment*

1. This Regulation shall apply to vehicles, systems, components and separate technical units which fall within the scope of Directive 2007/46/EC, Regulation (EU) No 167/2013, Regulation (EU) No 168/2013 or Regulation (EU) 2016/1628 and their types which have been approved by the UK type-approval authority on the basis of those acts or any **regulatory act of the Union** listed in Annex IV to Directive 2007/46/EC or any **regulatory act** repealed by those **regulatory acts of the Union**.

##### *Justification*

*The main purpose of the additional wording is namely one of clarity.*

## Amendment 8

### Proposal for a regulation

#### Article 4 – paragraph 1

##### *Text proposed by the Commission*

1. By way of derogation from Article 6(6) of Directive 2007/46/EC, Article 21(2) of Regulation (EU) No 167/2013, Article 26(2) of Regulation (EU) No 168/2013 and Article 20(1) of Regulation (EU) 2016/1628, a manufacturer holding a UK type-approval that has not become invalid pursuant to Article 17 of Directive 2007/46/EC, Article 32 of Regulation (EU) No 167/2013, Article 37 of Regulation (EU) No 168/2013 or Article 30 of Regulation (EU) 2016/1628 may, before the day when Union law ceases to apply in and to the United Kingdom, **apply with** a Union type-approval authority for a Union approval of the same type.

##### *Amendment*

1. By way of derogation from Article 6(6) **and 7(1)** of Directive 2007/46/EC, Article 21(2) of Regulation (EU) No 167/2013, Article 26(2) of Regulation (EU) No 168/2013 and Article 20(1) of Regulation (EU) 2016/1628, a manufacturer holding a UK type-approval that has not become invalid pursuant to Article 17 of Directive 2007/46/EC, Article 32 of Regulation (EU) No 167/2013, Article 37 of Regulation (EU) No 168/2013 or Article 30 of Regulation (EU) 2016/1628 may, before the day when Union law ceases to apply in and to the United Kingdom, **submit an application to** a Union type-approval authority for a

Union **type**-approval of the same type.

### *Justification*

*Article 7(1) of Directive 2007/46/EC refers to the application of type-approval in the context of systems, components, vehicles and engines. Thus, in adding this article we will ensure that one will cater for all categories that may require an Union type-approval.*

## **Amendment 9**

### **Proposal for a regulation**

#### **Article 4 – paragraph 3**

##### *Text proposed by the Commission*

3. By submitting the application pursuant to paragraph 1, the manufacturer shall be liable to pay adequate fees for any costs resulting from the exercise of the powers and the fulfilment of the obligations of the Union type-approval authority in relation to the Union type-approval.

##### *Amendment*

3. By submitting the application pursuant to paragraph 1, the manufacturer shall be liable to pay adequate fees, ***as determined by the Union type-approval authority***, for any costs resulting from the exercise of the powers and the fulfilment of the obligations of the Union type-approval authority in relation to the Union type-approval.

## **Amendment 10**

### **Proposal for a regulation**

#### **Article 4 – paragraph 3 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***3a. When submitting the application pursuant to paragraph 1 of this Article, the manufacturer shall, on the request of the Union type-approval authority, submit any documentation and information that the authority may deem necessary in order to decide whether to grant a Union type-approval in accordance with Article 5.***

***The documentation and information referred to in the first subparagraph may include the original UK type-approval including all amendments, information folder and test reports. In the case of vehicles, such a request may also include***

***any EU, EC or UNECE approval and its attachments, as part of the whole vehicle type-approval.***

*Justification*

*As for other products on the market the Union sets standards and quality guidelines which correspond to safety and climate responsibility. It is for this reason that this additional article calls on manufacturers to comply with the request of the Union type-approval authority. Maintaining Union standards must be something that should be safeguarded, as such we have added this amendment to ensure that the Union type-approval is provided with all possible information prior to taking on a UK type-approval, therefore the Union type-approval authority may be in possession of all facts before deciding upon whether or not they should grant or take on a UK type-approved.*

**Amendment 11**

**Proposal for a regulation  
Article 5 – paragraph 2**

*Text proposed by the Commission*

2. Insofar as no new requirements are applicable and without prejudice to paragraph 3, the Union type-approval may be granted on the basis of the same test reports which had previously been used for the granting of the UK type-approval in accordance with the applicable provisions, regardless of whether the technical service that issued the test report has been designated and notified by the Member State ***of*** the Union type-approval in accordance with Directive 2007/46/EC, Regulation (EU) No 167/2013, Regulation (EU) No 168/2013 or Regulation (EU) 2016/1628, even after Union law ceases to apply to and in the United Kingdom.

*Amendment*

2. Insofar as no new requirements are applicable and without prejudice to paragraph 3 ***of this Article***, the Union type-approval may be granted on the basis of the same test reports which had previously been used for the granting of the UK type-approval in accordance with the applicable provisions, regardless of whether the technical service that issued the test report has been designated and notified by the Member State ***granting*** the Union type-approval in accordance with Directive 2007/46/EC, Regulation (EU) No 167/2013, Regulation (EU) No 168/2013 or Regulation (EU) 2016/1628, even after Union law ceases to apply to and in the United Kingdom.

*Justification*

*Added for purposes of clarification to identify that the Union type-approval being referred to is the same one that will issue the type-approval certificate.*

## Amendment 12

### Proposal for a regulation

#### Article 5 – paragraph 4

##### *Text proposed by the Commission*

4. The type approved in accordance with paragraph 1 shall receive an EU type-approval certificate with a number consisting of the distinguishing number of the Member State whose type-approval authority granted the Union type-approval and of the number of the applicable act referred to in Article 2(1). It shall also include the number of the latest amending act containing requirements for type-approval in accordance with which the Union type-approval is granted. For vehicles, the type-approval certificate and the certificate of conformity shall, under 'Remarks:', contain the mention "Previously type-approved as" and refer to the number of the type-approval certificate received following the UK type-approval. For systems, components or separate technical units, the type-approval certificate shall contain the mention "Previously type-approved and marked as" and refer to the marking received following the UK type-approval.

## Amendment 13

### Proposal for a regulation

#### Article 5 – paragraph 5

##### *Text proposed by the Commission*

5. The Union type-approval shall take effect on the day of its granting or on a later date determined therein. The UK type-approval *becomes* invalid at the latest *as of* the day the Union type-approval takes effect.

##### *Amendment*

4. The type approved in accordance with paragraph 1 shall receive an EU type-approval certificate with a number consisting of the distinguishing number of the Member State whose type-approval authority granted the Union type-approval and of the number of the applicable act referred to in Article 2(1). It shall also include the number of the latest amending act containing requirements for type-approval in accordance with which the Union type-approval is granted. For vehicles, the type-approval certificate and the certificate of conformity shall, under 'Remarks:', contain the mention "Previously type-approved as" and refer to the number *and the date* of the type-approval certificate received following the UK type-approval. For systems, components or separate technical units, the type-approval certificate shall contain the mention "Previously type-approved and marked as" and refer to the marking received following the UK type-approval.

##### *Amendment*

5. The Union type-approval shall take effect on the day of its granting or on a later date determined therein. The UK type-approval *shall become* invalid at the latest *on* the day *on which the United Kingdom withdraws from the Union or, if the Union and the United Kingdom agree on a transitional period in the context of the withdrawal agreement, following the*

*last day of the transitional period. Prior to this, it shall become invalid on the day on which the Union type-approval takes effect.*

## **Amendment 14**

### **Proposal for a regulation**

#### **Article 5 – paragraph 6 – subparagraph 2**

##### *Text proposed by the Commission*

The Union type-approval authority shall also, as from the date of effect of the Union type-approval, exercise all the powers and fulfil all the obligations of the UK type-approval authority with respect to ***all vehicles, systems, components or separate technical units produced on the basis of the UK type-approval and already placed on the market, registered or in service in the Union. This shall not cover any liability for any acts or omissions attributable to the UK type-approval authority.***

##### *Amendment*

The Union type-approval authority shall also, as from the date of effect of the Union type-approval, exercise all the powers and fulfil all the obligations of the UK type-approval authority with respect to ***the following:***

***(a) vehicles, systems, components, or separate technical units produced on the basis of the UK type-approval already placed on the market registered or in service in the Union;***

***(b) vehicles, systems, components, or separate technical units produced on the basis of the UK type-approval to be placed on the market, registered or entered in service in the Union in accordance with subparagraph 2a.***

##### *Justification*

*The proposed article change highlights when the Union type-approval will take effect and what vehicles, systems, components and separate technical units will fall under union type-approval, and for which the Union type-approval authority will have to exercise its powers and assume the obligations that otherwise belonged to the UK type-approval authority prior to the withdrawal of the UK from the Union. For this purpose the Union type-approval authority shall be responsible to those vehicles, systems, components or separate technical units that have been produced on the basis of the UK type-approval which have been or are yet to be placed on the market, registered or entered in service in the Union in accordance*

with what is produced in the subsequent paragraph.

## **Amendment 15**

### **Proposal for a regulation**

#### **Article 5 – paragraph 6 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***Vehicles, systems, components or separate technical units produced on the basis of a UK type-approval which has become invalid as a result of granting a Union type-approval may be placed on the market, registered or entered into service in the Union until the date on which Union law ceases to apply to and in the United Kingdom or, where the Union type-approval becomes invalid before that date pursuant to Article 17 of Directive 2007/46/EC, Article 32 of Regulation (EU) No 167/2013, Article 37 of Regulation (EU) No 168/2013 or Article 30 of Regulation (EU) 2016/1628, until the date on which the Union type-approval becomes invalid. For vehicles, manufacturers shall indicate the Union type-approval number in a supplement to the certificate of conformity before such vehicles are placed on the market, registered or entered into service in the Union.***

#### *Justification*

*In adding this text we will ensure that there will be a market surveillance authority covering those vehicles, systems, components or separate technical units that may be in interim shift since the UK type-approval has become invalid as a result of granting a Union type-approval, or due to the reasons listed in the articles mentioned within this provision. Additionally, vehicle manufacturers shall also supply a supplementary certificate of conformity so that the new type-approval authority would be able to take on the responsibility for those vehicles.*

## **Amendment 16**

### **Proposal for a regulation**

#### **Article 5 – paragraph 6 – subparagraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***The Union type-approval authority shall not be liable for any acts or omissions of the UK type-approval authority.***

*Justification*

*This has been moved from article 5 paragraph 6 of the Commission proposal to highlight that the Union type-approval authority will not be held responsible for any omission or acts that may have been carried out by the UK type-approval authority.*

## **Amendment 17**

### **Proposal for a regulation Article 6 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. After accepting the request referred to in paragraph 1 and issuing the Union type-approval in accordance with Article 5, the Union type-approval authority shall exercise all the powers and fulfil all the obligations of the UK type-approval authority with respect to all vehicles, systems, components or separate technical units produced on the basis of the UK type-approvals referred to in paragraph 1 regarding recalls, repair and maintenance information and in-service conformity checks. ***This shall not cover any liability for any acts or omissions attributable to the UK type-approval authority.***

3. After accepting the request referred to in paragraph 1 and issuing the Union type-approval in accordance with Article 5, the Union type-approval authority shall exercise all the powers and fulfil all the obligations of the UK type-approval authority with respect to all vehicles, systems, components or separate technical units produced on the basis of the UK type-approvals referred to in paragraph 1 regarding recalls, repair and maintenance information and in-service conformity checks.

## **Amendment 18**

### **Proposal for a regulation Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 6a***

#### ***Transitional provisions***

***This Regulation shall not preclude the***



*placing on the market, making available on the market, registration or entry into service of engines or vehicles and non-road mobile machinery in which such engines are installed, conforming to a type whose UK type-approval became invalid before the day on which Union law ceases to apply to and in the United Kingdom, in accordance with Article 10(7) of Directive 97/68/EC, Articles 34(7), 34(8) or 58(5) to 58(11) of Regulation (EU) 2016/1628, Articles 19(6), 20(8), 28(6) and 53(12) of Regulation No 167/2013 and Articles 11(4) and 14 of Commission Delegated Regulation (EU) 2015/96, or Article 13(3) to 13(6) of Commission Delegated Regulation (EU) 2018/985.*

#### *Justification*

*It ensures that engines or vehicles and non-road machinery in which engines are installed may still be placed and made available on the market, registered and entered into service as long as they conform to the provision of Union law mentioned; since their UK type-approval would have become invalid before the day Union law ceased to apply, and not as a result of.*

## **EXPLANATORY STATEMENT**

### **Background**

As of the 29th March 2017, the United Kingdom submitted a notification formulated with its intention to withdraw from the European Union in accordance with article 50 of the Treaty of the European Union. It is for this reason that the withdrawal date of the United Kingdom from the Union is set for the 30 March 2019, which date can only be changed if a ratified withdrawal agreement otherwise specifies. EU legislation will then cease to apply to and in the United Kingdom, with the inclusion of the Legislative framework governing type-approval legislation. Such will also mean that all manufacturers that have obtained a UK type-approval in the past will now require a new Union type-approval, issued by a recognised Union type-approval authority.

In this context and with regard to the current legislation, the Commission felt the need to address the legal uncertainty for manufacturers with UK type-approvals. Thus, the proposal aims to:

- Allow the concerned manufacturers to apply to any EU-27 type approval authority of their choice to ensure that the Union recognises the type-approvals that were previously issued by a UK type-approval authority.
- Allow recognition of tests previously carried out by a UK type-approval authority, whilst also providing Union type-approval authorities with the possibility to request new testing.
- Maintain the safety and quality standards of the Union. With particular attention to the safety and environmental performance of vehicles, systems, components or separate technical units.

The Commission has also recognised that manufacturers may only obtain one Union type-approval in line with what was previously established.

### **Parliamentary work**

This Regulation is intent to complement the current framework on type-approval legislation and the final negotiated Brexit agreement. As such, the rapporteur and co-rapporteurs consider that this regulation must enter into force without undue delay, therefore giving the industry the necessary time to prepare for the withdrawal of the United Kingdom.

The rapporteur and the co-rapporteurs have gone to consider that the regulation:

- Must call for liability of both the manufacturers and type-approval authorities, by providing type-approval authorities with the possibility of requesting new tests should they are not be particularly satisfied with those carried out by the UK type-approval authority prior to the withdrawal of the United Kingdom from the Union.
- Does not alter the current framework on Union type-approval legislation, thus it will maintain the same standards of the Union. Furthermore, parliament has also noted that the transition period set in the Brexit guidelines will also apply to this regulation, unless a ratified withdrawal agreement specifies otherwise.
- Will ensure that there will be minimum impact on trade and market access. Whereas

there is an understanding that the withdrawal of the United Kingdom may mean restricted access to the Single Market, it should not mean that trade should come at a halt. In lieu of this, the regulation seeks to provide a compromise that may lessen the impact that this withdrawal may have on manufacturers and the industry.

This proposal of the European Parliament provides the industry with more preparedness and certainty, which may otherwise be missing without this regulation. It is in this spirit of cooperation that the rapporteur and co-rapporteurs have tried to address the main concerns of the industry and of the Union along with other that may stand to lose or benefit from this regulation. In essence, the aim of the proposal of the European Parliament is to ensure regulatory compliance, business continuity and liability.

4.9.2018

**OPINION  
OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD  
SAFETY**

for the Committee on the Internal Market and Consumer Protection

on the proposal for a regulation of the European Parliament and of the Council  
complementing EU type-approval legislation with regard to the withdrawal of the United  
Kingdom from the Union  
(COM(2018)0397 – C8-0250/2018 – 2018/0220(COD))

Rapporteur for opinion: Adina-Ioana Vălean

**AMENDMENT**

The Committee on the Environment, Public Health and Food Safety calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take into account the following amendment:

**Amendment 1**

**Proposal for a regulation  
Article 5 – paragraph 5**

*Text proposed by the Commission*

5. The Union type-approval shall take effect on the day of its granting or on a later date determined therein. The UK type-approval becomes invalid ***at the latest as of*** the day the Union type-approval takes effect.

*Amendment*

5. The Union type-approval shall take effect on the day of its granting or on a later date determined therein. The UK type-approval becomes invalid ***on*** the day the Union type-approval takes effect ***or at the latest on the day Union law ceases to apply to and in the United Kingdom.***



## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union						
<b>References</b>	COM(2018)0397 – C8-0250/2018 – 2018/0220(COD)						
<b>Committee responsible</b> Date announced in plenary	IMCO 2.7.2018						
<b>Opinion by</b> Date announced in plenary	ENVI 2.7.2018						
<b>Rapporteur</b> Date appointed	Adina-Ioana Vălean 21.6.2018						
<b>Date adopted</b>	30.8.2018						
<b>Result of final vote</b>	<table> <tr> <td>+:                   </td><td>42</td></tr> <tr> <td>–:                   </td><td>6</td></tr> <tr> <td>0:                   </td><td>0</td></tr> </table>	+:	42	–:	6	0:	0
+:	42						
–:	6						
0:	0						
<b>Members present for the final vote</b>	Margrete Auken, Pilar Ayuso, Ivo Belet, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Birgit Collin-Langen, Miriam Dalli, Angélique Delahaye, Mark Demesmaecker, Stefan Eck, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Arne Gericke, Jens Gieseke, Françoise Grossetête, Benedek Jávor, Karin Kadenbach, Urszula Krupa, Giovanni La Via, Susanne Melior, Miroslav Mikolášik, Rory Palmer, Massimo Paolucci, Gilles Pargneaux, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, John Procter, Michèle Rivasi, Annie Schreijer-Pierik, Renate Sommer, Claudiu Ciprian Tănăsescu, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli						
<b>Substitutes present for the final vote</b>	Guillaume Balas, Cristian-Silviu Buşoi, Elena Gentile, Anja Hazekamp, Norbert Lins, Younous Omarjee, Christel Schaldemose, Bart Staes, Keith Taylor, Carlos Zorrinho						
<b>Substitutes under Rule 200(2) present for the final vote</b>	Olle Ludvigsson						

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

42	+
EFDD	Piernicola Pedicini
GUE/NGL:	Stefan Eck, Anja Hazekamp, Younous Omarjee
PPE:	Pilar Ayuso, Ivo Belet, Cristian-Silviu Buşoi, Birgit Collin-Langen, Angélique Delahaye, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Jens Gieseke, Françoise Grossetête, Giovanni La Via, Norbert Lins, Miroslav Mikolášik, Annie Schreijer-Pierik, Renate Sommer, Adina-Ioana Vălean
S&D:	Guillaume Balas, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Miriam Dalli, Elena Gentile, Karin Kadenbach, Olle Ludvigsson, Susanne Melior, Rory Palmer, Massimo Paolucci, Gilles Pargneaux, Pavel Poc, Christel Schaldemose, Claudiu Ciprian Tănăsescu, Damiano Zoffoli, Carlos Zorrinho
VERTS/ALE:	Margrete Auken, Benedek Jávor, Michèle Rivasi, Bart Staes, Keith Taylor

6	-
ECR	Mark Demesmaeker, Arne Gericke, Urszula Krupa, Bolesław G. Piecha, John Procter, Jadwiga Wiśniewska

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union	
<b>References</b>	COM(2018)0397 – C8-0250/2018 – 2018/0220(COD)	
<b>Date submitted to Parliament</b>	4.6.2018	
<b>Committee responsible</b> Date announced in plenary	IMCO 2.7.2018	
<b>Committees asked for opinions</b> Date announced in plenary	ENVI 2.7.2018	TRAN 2.7.2018
<b>Not delivering opinions</b> Date of decision	TRAN 20.6.2018	
<b>Rapporteurs</b> Date appointed	Marlene Mizzi 19.6.2018	
<b>Simplified procedure - date of decision</b>	19.6.2018	
<b>Discussed in committee</b>	10.10.2018	
<b>Date adopted</b>	30.10.2018	
<b>Date tabled</b>	7.11.2018	