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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users

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1. INTRODUCTION

Regulation (EU) 2019/2144 of the European Parliament and of the Council[1] lays down the type-approval requirements for vehicles as regards their general safety and the protection of vehicle occupants and vulnerable road users. It aims to significantly reduce deaths and serious injuries on EU roads by introducing state-of-the-art safety technologies as standard vehicle equipment, and to enhance the competitiveness of EU car manufacturers on the global market by providing the first ever EU legal framework for automated and fully automated vehicles.

For the purpose of achieving its objectives, Regulation (EU) 2019/2144 of the European Parliament and of the Council confers on the Commission the power to adopt delegated acts in a number of matters listed in Article 12(2) and subject to the conditions laid down in this Article, in accordance with Article 290 TFEU.

2. LEGAL BASIS

Article 4(3) and (6) and Article 6(6) of Regulation (EU) 2019/2144 of the European Parliament and of the Council empower the Commission to adopt delegated acts under the conditions laid down in Article 12.

Article 12(2) of Regulation (EU) 2019/2144 confers the power on the Commission to adopt delegated acts concerning the matters listed therein for a period of five years from 5 January 2020. Furthermore, it puts the Commission under the obligation to prepare a report in respect of the delegation of power at the latest nine months before the end of the five-year period.

The delegated powers shall be tacitly extended for a period of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The power to adopt delegated acts may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the

[1] OJ L325, 16.12.2019, p. 1.

Official Journal of the European Union or at a later date specified therein and shall not affect the validity of any delegated acts already in force (Article 12(3) of Regulation (EU) 2019/2144).

Regulation (EU) 2019/2144 empowers the Commission to adopt delegated acts concerning the following matters:

a) to amend Annex I to the Regulation in order to take account of technical progress and regulatory developments by introducing and updating references to the UN Regulations, and relevant series of amendments, that apply on compulsory basis (Article 4(3) of Regulation (EU) 2019/2144);
b) to amend Annex II to the Regulation in order to take account of technical progress and regulatory developments, in particular in relation to the matters listed in points (a) to (f) of paragraph 5 of Article 4 as well as those referred to in points (a) to (g) of Article 6(1), Article 7(2), (3), (4) and (5), Article 9(2), (3) and (5) and Article 11(1), and with a view to ensuring a high level of general safety of vehicles, systems, components and separate technical units and a high level of protection of vehicle occupants and vulnerable road users, by introducing and updating references to UN Regulations, as well as to delegated acts and implementing acts adopted pursuant to the Regulation (Article 4(6) of Regulation (EU) 2019/2144);
c) to lay down detailed rules concerning the specific test procedures and technical requirements for:
    - the type-approval of vehicles with regard to the following advanced vehicle systems: intelligent speed assistance, alcohol interlock installation facilitation, driver drowsiness and attention warning, advanced driver distraction warning, emergency stop signal, reversing detection and event data recorder;
    - the type-approval of the intelligent speed assistance, the reversing detection and the event data recorder as separate technical units (Article 6(6) of Regulation (EU) 2019/2144).

Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making (Article 12(4) of Regulation 2019/2144).

As soon as the Commission adopts a delegated act, it shall notify it simultaneously to the European Parliament and to the Council (Article 12(5) of Regulation (EU) 2019/2144).

Under Article 12(6) of Regulation (EU) 2019/2144, a delegated act adopted pursuant to Article 4(3) and (6) and Article 6(6) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

3. EXERCISE OF THE DELEGATION

3.1. Delegated acts adopted

In the reference period, the Commission exercised the delegated powers by adopting the following seven acts covering the matters listed in section 2 above:

1) **Commission Delegated Regulation (EU) 2021/1958** of 23 June 2021 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of motor vehicles with regard to their intelligent speed assistance systems and for the type-approval of those systems as separate technical units and amending Annex II of that Regulation[2].
2) **Commission Delegated Regulation (EU) 2021/1243** of 19 April 2021 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the alcohol interlock installation facilitation in motor vehicles and amending Annex II of that Regulation[3].
3) **Commission Delegated Regulation (EU) 2021/1341** of 23 April 2021 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of motor vehicles with regard to their driver drowsiness and attention warning systems and amending Annex II to that Regulation [4].
4) **Commission Delegated Regulation (EU) 2022/545** of 26 January 2022 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of motor vehicles with regard to their event data recorder and for the type-approval of those systems as separate technical units and amending Annex II to that Regulation [5].
5) **Commission Delegated Regulation (EU) 2022/1398** of 8 June 2022 amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account technical progress and regulatory developments concerning amendments to Vehicle Regulations adopted in the context of the United Nations Economic Commission for Europe [6].
6) **Commission Delegated Regulation (EU) 2023/2590** of 13 July 2023 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical

[2] OJ L 409, 17.11.2021, ELI: http://data.europa.eu/eli/reg_del/2021/1958/oj
[3] OJ L 272, 30.7.2021, ELI: http://data.europa.eu/eli/reg_del/2021/1243/oj
[4] OJ L 292, 16.8.2021, ELI: http://data.europa.eu/eli/reg_del/2021/1341/oj
[5] OJ L 107,6.4.2022, ELI: http://data.europa.eu/eli/reg_del/2022/545/oj
[6] OJ L 213, 16.8.2022, ELI: http://data.europa.eu/eli/reg_del/2022/1398/oj

requirements for the type-approval of certain motor vehicles with regard to their advanced driver distraction warning systems and amending that Regulation [7].

7) **Commission Delegated Regulation (EU) 2024/2220** of 26 July 2024 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of heavy-duty motor vehicles with regard to their event data recorder and for the type-approval of those systems as separate technical units and amending Annex II to that Regulation [8].

The technical requirements and detailed rules concerning the specific test procedures for the type-approval of vehicles with regard to the emergency stop signal and the reversing detection are laid down in UN Regulations No 48 and No 158, which were referred to in Annexes I and II to Regulation (EU) 2019/2144 as amended by Commission Delegated Regulation (EU) 2022/1398 (listed above).

Information about all delegated acts is available to the public in the Interinstitutional Register of Delegated Acts[9].

3.2. Consultation prior to adoption

The Commission consulted experts nominated by the Member States and relevant stakeholders (at the Motor Vehicle Working Group), via regular dedicated expert meetings and written consultations, in the preparation of the delegated acts. The documents relevant to these consultations were transmitted simultaneously to the European Parliament and to the Council. The final versions of the delegated acts were endorsed by the Member States Expert Group on Motor Vehicles.

3.3. No objections to the delegated acts

According to Article 12(6) of Regulation (EU) 2019/2144, the European Parliament or the Council may object to a delegated act under Article 4(3) and (6) and Article 6(6) within a period of two months from the date of notification of the act, extendable by another two months at the initiative of the European Parliament or of the Council.

Neither the European Parliament nor the Council objected to the delegated acts mentioned under section 3.1. above and the acts were therefore published and entered into force at the end of the objection period.

[7] OJ L, 2023/2590, 22.11.2023, ELI: http://data.europa.eu/eli/reg_del/2023/2590/oj
[8] OJ L, 2024/2220, 2.10.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2220/oj
[9] https://webgate.ec.europa.eu/regdel/#/home

4. CONCLUSION

The Commission considers that it has exercised the delegated powers conferred upon it within the limits and in respect of the conditions laid down in Article 12 of Regulation (EU) 2019/2144.

The Commission sees the need to extend the empowerments because further delegated acts are required in the future, amongst others to update the references to the UN Regulations in Annex I and to the regulatory acts listed in Annex II to Regulation (EU) 2019/2144 as well as to revise, if needed, the technical requirements set out in the delegated acts listed in section 3.1. above. A draft delegated act, updating Annexes I and II of Regulation (EU) 2019/2144 to take into account regulatory developments as regards amendments to existing UN Regulations and the new UN Regulations adopted by the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe, is currently under preparation with planned adoption in the first quarter of 2025.

With this report, the Commission complies with the reporting requirement under Article 12(2) of Regulation (EU) 2019/2144. The Commission invites the European Parliament and the Council to take note of this Report.