

Brussels, **XXX**
[...](2024) **XXX** draft

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

of **XXX**

[...]

amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account regulatory developments concerning amendments to UN Regulations Nos 25, 79, 100, 117, 127 and 152, and the new UN Regulations Nos 167, 169 and 171 adopted by the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

This Regulation aims to take into account the latest technical and regulatory developments at the World Forum for the Harmonisation of Vehicle Regulations (WP.29) of the United Nations Economic Commission for Europe (UNECE). In this regard, the list of the UN Regulations referred to in Article 4(2) of Regulation (EU) 2019/2144 of the European Parliament and of the Council and contained in Annex I to that Regulation should be updated by including references to new UN Regulations and relevant new series of amendments of existing UN Regulations, that apply on compulsory basis for the purpose of granting an EU type-approval.

In addition, Annex II to Regulation (EU) 2019/2144, containing the list of requirements referred to in Article 4(5) and Article 5(3) of that Regulation, should be complemented with references to the regulatory acts, adopted pursuant to that Regulation following its adoption and entry into force. In particular, reference is needed to the regulatory acts as regards the Advanced Driver Distraction Warning System, the Direct Vision for trucks and buses and the Driver Control Assistance Systems.

Annexes I and II to Regulation (EU) 2019/2144 are therefore amended in accordance with the Annexes to this Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In the preparation of this act, the Commission carried out appropriate consultation with the Member States experts on 2 July and 4 December 2024, where the draft was broadly supported.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The legal basis of this delegated act is Article 4(3) and (6) of Regulation (EU) 2019/2144.

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amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account regulatory developments concerning amendments to UN Regulations Nos 25, 79, 100, 117, 127 and 152, and the new UN Regulations Nos 167, 169 and 171 adopted by the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard 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, amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 78/2009, (EC) No 79/2009 and (EC) No 661/2009 of the European Parliament and of the Council and Commission Regulations (EC) No 631/2009, (EU) No 406/2010, (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 458/2011, (EU) No 65/2012, (EU) No 130/2012, (EU) No 347/2012, (EU) No 351/2012, (EU) No 1230/2012 and (EU) No 2015/166¹, and in particular Article 4(3) and (6) thereof,

Whereas:

- (1) Annex I to Regulation (EU) 2019/2144 lists, inter alia, UN Regulation No 79², UN Regulation No 100³, UN Regulation No 117⁴, UN Regulation No 127⁵ and UN

¹ OJ L 325, 16.12.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/2144/oj>.

² Regulation No 79 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of vehicles with regard to their steering equipment [2024/....] (OJ L, 2024/...., ELI: ...) [OJ reference to be inserted by the Publications Office].

³ Regulation No 100 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of vehicles with regard to specific requirements for the electric power train [2024/1955] (OJ L, 2024/1955, 26.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1955/oj>).

⁴ UN Regulation No 117 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of tyres with regard to rolling sound emissions and/or to adhesion on wet surfaces and/or to rolling resistance [2024/...] (OJ L, 2024/...., ELI: ...) [OJ reference to be inserted by the Publications Office].

⁵ Regulation No 127 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of motor vehicles with regard to their pedestrian safety performance [2024/....] (OJ L, 2024/...., ELI: ...).

Regulation No 152⁶. All those regulations have been amended by the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe ('UNECE WP.29'). It is therefore appropriate that the list in Annex I to Regulation (EU) 2019/2144 is updated to reflect those amendments.

- (2) The 02 series of amendments to UN Regulation No 152 contain provisions for the advanced emergency braking system to avoid or mitigate the severity of an impact with a pedestrian and a bicycle respectively. Annex I to Regulation (EU) 2019/2144 refers to the original version to that UN Regulation that contains requirements for advanced emergency braking system to avoid or mitigate collision with a passenger car only. Therefore, in order to cover in addition to the car-to-car the car-to-pedestrian and car-to-bicycle collisions, it is appropriate to refer in Annex I to Regulation (EU) 2019/2144 to the 02 series of amendments to UN Regulation No 152.
- (3) The 03 series of amendments to UN Regulation No 127 contain provisions for the enlarged head impact zone to improve the pedestrian safety performance of motor vehicles in case of a collision. As Annex I to Regulation (EU) 2019/2144 refers to 02 series of amendments of that UN Regulation, it is necessary to update Annex I to Regulation (EU) 2019/2144 to refer to the 03 series of amendments of UN Regulation No 127.
- (4) The UNECE WP.29 also adopted: (1) UN Regulation No 167 – Uniform Provisions Concerning the Approval of Motor Vehicles with regard to their Direct Vision [2024/1065]⁷, (2) UN Regulation No 169 – Uniform Provisions Concerning the Approval of Event Data Recorders (EDR) for Heavy-Duty Vehicles [2024/1218]⁸ and (3) UN Regulation No 171 – Uniform provisions concerning the approval of vehicles with regards to Driver Control Assistance Systems [2024/.... *OJ reference to be inserted by the Publications Office*]⁹. It is therefore appropriate to introduce in Annex I to Regulation (EU) 2019/2144 references to those regulations.
- (5) The 04 series of amendments to UN Regulation No 117 contain provisions for the approval of tyres with regard to their wet grip in worn state. It is appropriate to provide additional time to continue to allow fitting on a vehicle of new tyres approved as complying with the 02 and 03 series of amendments respectively to UN Regulation No 117 until 6 January 2029.
- (6) At the 192th session of UNECE WP.29 in March 2024, the Union and its Member States voted in favour of the new UN Regulation on uniform provisions concerning the approval of vehicles with regards to driver control assistance systems. In order for motor vehicles fitted with those systems to comply with the provisions set out in that

⁶ Regulation No 152 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of motor vehicles with regard to the Advanced Emergency Braking System (AEBS) for M1 and N1 vehicles [2024/2497] (OJ L, 2024/2497, 27.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2497/oj>).

⁷ UN Regulation No 167 – Uniform Provisions Concerning the Approval of Motor Vehicles with regard to their Direct Vision [2024/1065] (OJ L, 2024/1065, 17.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1065/oj>).

⁸ UN Regulation No 169 – Uniform Provisions Concerning the Approval of Event Data Recorders (EDR) for Heavy-Duty Vehicles [2024/1218] (OJ L, 2024/1218, 23.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1218/oj>).

⁹ UN Regulation No 171 – Uniform provisions concerning the approval of vehicles with regards to Driver Control Assistance Systems [2024/2689] (OJ L, 2024/2689, 4.11.2024, ELI: <http://data.europa.eu/eli/reg/2024/2689/oj>).

UN Regulation, it is necessary to include the reference to UN Regulation No 171 in Annex II to Regulation (EU) 2019/2144 that should apply on “*if fitted*” basis.

(7) Regulation (EU) 2019/2144 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2019/2144

Annexes I and II to Regulation (EU) 2019/2144 are amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula von der Leyen