NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** European Union  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** European Commission  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  European Commission  EU-TBT Enquiry Point  Fax: +(32) 2 299 80 43  E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)  Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****], 2.10.1 [****], 5.6.2 [X], 5.7.1 [****], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Quiet Road Transport Vehicles |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Delegated Regulation amending Regulation (EU) No 540/2014 of the European Parliament and of the Council on the sound level of motor vehicles and of replacement silencing systems (4 pages + Annex 3 pages, in English) |
| **6.** | **Description of content:** This draft delegated regulation aims to introduce the pause switch prohibition of the Acoustic Vehicle Alerting System (AVAS) in Quiet Road Transport Vehicles (QRTV), such as hybrid electric or electric vehicles, equipped with AVAS, taking into account the corresponding requirements of UN Regulation No 138.01 on the approval of QRTV.  Consequently, the draft delegated regulation amends Annex VIII to Regulation (EU) No 540/2014 on the sound emissions of motor vehicles, which allows for mandatory or optional AVAS pause switch and at the same time introduces the necessary administrative requirements in Annex I to the same Regulation. The AVAS requirements, updated through this amendment, are improved and aligned to internationally recognised regulation. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Regulation (EU) No 540/2014 lays down type-approval requirements with regard to sound emissions applying to vehicles of categories M (passenger vehicles) and N (commercial vehicles). In this Regulation minimum sound emission requirements are also laid down for QRTV and their equipment with AVAS, for the warning of vulnerable road users.  This draft delegated regulation introduces the prohibition of the AVAS pause switch that will let QRTV be type-approved, placed on the market or put into service, in line with the current state of technology for the warning of vulnerable users, as laid down in UN R138.01.  The legal basis for this amendment is in Regulation (EU) No 540/2014, in particular Article 9 thereof. |
| **8.** | **Relevant documents:**   * Regulation (EU) No 540/2014 of the European Parliament and of the Council of 16 April 2014 on the sound level of motor vehicles and of replacement silencing systems, and amending Directive 2007/46/EC and repealing Directive 70/157/EEC (<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0540&from=EN> ). * Uniform provisions concerning the approval of Quiet Road Transport Vehicles with regard to their reduced audibility (QRTV)(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2017.009.01.0033.01.ENG> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2017.204.01.0112.01.ENG>). * Commission Delegated Regulation (EU) 2017/1576 of 26 June 2017 amending Regulation (EU) No 540/2014 of the European Parliament and of the Council as regards the Acoustic Vehicle Alerting System requirements for vehicle EU-type approval (<https://eur-lex.europa.eu/eli/reg_del/2017/1576/oj> ) |
| **9.** | **Proposed date of adoption:** 28 February 2019  **Proposed date of entry into force:** May 2019 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [ ]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)  The text is available on the EU-TBT Website:  <http://ec.europa.eu/growth/tools-databases/tbt/en/>  <https://members.wto.org/crnattachments/2018/TBT/EEC/18_6409_00_e.pdf>  <https://members.wto.org/crnattachments/2018/TBT/EEC/18_6409_01_e.pdf> |