



Notification Number: 2009/170/E

DRAFT ROYAL DECREE GOVERNING THE PROCESSING OF VEHICLE IMPROVEMENTS.

Date received : 27/03/2009

End of Standstill : 29/06/2009

Message

Message 002

Communication from the Commission - SG(2009) D/50733

Directive 98/34/EC

Translation of the message 001

Notification: 2009/0170/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200900733.EN)

1. Structured Information Line

MSG 002 IND 2009 0170 E EN 29-06-2009 27-03-2009 E NOTIF 29-06-2009

2. Member State

E

3. Department Responsible

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4. Notification Number

2009/0170/E – T40T

5. Title

DRAFT ROYAL DECREE GOVERNING THE PROCESSING OF VEHICLE IMPROVEMENTS.

6. Products Concerned

THE AFFECTED PRODUCTS ARE FULLY REGISTERED VEHICLES AND TRAILERS FROM CATEGORY O1, TO WHICH IMPROVEMENTS ARE TO BE MADE.

7. Notification Under Another Act

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8. Main Content

PROPOSED KEY WORDS: VEHICLE IMPROVEMENTS.
THE PURPOSE OF THIS ROYAL DECREE IS TO ADJUST THE PROCEDURE FOR IMPLEMENTING IMPROVEMENTS MADE TO VEHICLES AFTER THEIR FINAL REGISTRATION IN SPAIN TO THE REGULATION PURSUANT TO DIRECTIVE 2007/46/EC ESTABLISHING A FRAMEWORK FOR THE APPROVAL OF MOTOR VEHICLES AND THEIR TRAILERS, AND OF SYSTEMS, COMPONENTS AND SEPARATE TECHNICAL UNITS INTENDED FOR SUCH VEHICLES, ENSURING ALL ACTIVE AND PASSIVE SAFETY CONDITIONS ARE MET AND ARE FULLY COMPLIANT WITH REGARD TO PROTECTION OF THE ENVIRONMENT.

9. Brief Statement of Grounds

IN ROYAL DECREE 736/1988, OF 8 JULY, WHICH PRESENTLY GOVERNS THE PROCEDURE FOR MAKING IMPROVEMENTS, CERTAIN CONCEPTS AND REQUIREMENTS CONTRADICT THOSE LAID DOWN IN DIRECTIVE 2007/46/EC. IN PARTICULAR, THE AFOREMENTIONED ROYAL DECREE PROVIDES FOR IMPROVEMENTS PRIOR TO THE REGISTRATION OF VEHICLES WHILE THIS IS NOT PERMITTED UNDER THE DIRECTIVE, WHICH SETS FORTH AN ALTERNATIVE PROCEDURE (THE INDIVIDUAL APPROVAL OF VEHICLES) FOR SUCH CASES.

10. Reference Documents - Basic Texts

ROYAL DECREE 736/1988, OF 8 JULY, GOVERNING THE PROCESSING OF SIGNIFICANT IMPROVEMENTS TO MOTOR VEHICLES AND AMENDING ARTICLE 252 OF THE HIGHWAY CODE (B.O.E. No. 170 OF 16 JULY 1988, PAGES 22004 TO 22007, BOTH INCLUSIVE)



DIRECTIVE 2007/46/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, OF 5 SEPTEMBER 2007, ESTABLISHING A FRAMEWORK FOR THE APPROVAL OF MOTOR VEHICLES AND THEIR TRAILERS, AND OF SYSTEMS, COMPONENTS AND SEPARATE TECHNICAL UNITS INTENDED FOR SUCH VEHICLES (D.O.C.E. L263, OF 9 OCTOBER 2007, PAGES L263/1 TO L263/160, BOTH INCLUSIVE).

11. Invocation of the Emergency Procedure

YES

12. Grounds for the Emergency

AS OF 29 APRIL 2009, DIRECTIVE 2007/46/EC SHALL TAKE EFFECT AND CERTAIN PROVISIONS SHALL ENTER INTO CONFLICT WITH ROYAL DECREE 736/1988, OF 8 JULY.

13. Confidentiality

NO

14. Fiscal measures

NO

15. Impact assessment

NOT CARRIED OUT.

16. TBT and SPS aspects

A) NO

B) NO

III) THE DRAFT WILL HAVE NO SIGNIFICANT EFFECT ON INTERNATIONAL TRADE.

A) NO

B) NO

I) THE DRAFT IS NOT A SANITARY OR PHYTOSANITARY MEASURE IN THE SENSE OF ANNEX A OF THE SPS AGREEMENT.

III) THE DRAFT WILL HAVE NO SIGNIFICANT EFFECT ON INTERNATIONAL TRADE.

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Single Market for goods
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