



End-of-series vehicles

Date:

Bern, 31 August 2016

To:

Web publication

N511-1465

Prepared by: Stefan Wenger

Practice in Switzerland

This document describes the practice relating to the granting of exceptional licences in Switzerland for end-of-series vehicles in accordance with Article 27 of Directive 2007/46/EC.

In accordance with Article 27, paragraph 1 of the above Directive, EU member states may (but are not obliged to) licence vehicles for a limited period of time which correspond to a type of vehicle for which EC type approval is no longer valid, and thus permit their sale or use (12 months for complete and 18 months for completed vehicles). Within the EU, such vehicles that have been granted a licence may continue to be licensed for a maximum period of 12 or 18 months after expiry of the deadline. However, the vehicle concerned must be located within the EU and an EC type approval must have existed for it at the time of its manufacture, i.e. the exemption is only applicable for vehicles that were already manufactured and for which the EC type approval was no longer valid after their production.

In Switzerland, the practice with respect to initial vehicle registration is different in that it is the date of customs clearance (import date) that is applicable. This means that vehicles that were imported and for which customs duty was paid before the expiry of the applicable deadlines may be licensed without any restrictions in terms of quantity or duration of use, even if new regulations (e.g. modification of provisions governing emission levels) have already entered into effect. In other words, the practice is more liberal in Switzerland than in the EU in that, if such vehicles are imported in good time, no time-related or quantity restrictions apply.

Application of this regulation in Switzerland

On 18 October 2010, the revised version of Chapter 12 of the agreement on the reciprocal recognition of conformity assessments (Mutual Recognition Agreement, MRA) entered into force for Switzerland (Internet link). This is one of the seven treaties that form the "Bilateral Agreements I" package concluded between Switzerland and the EU.

In conjunction with Article 1, paragraph 2 of the MRA, the revision of Chapter 12 ("Decision No. 1/2010") obliges Switzerland to recognise Directive 2007/46/EC and to apply the regulations specified therein and accept corresponding approvals.

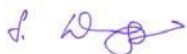
Federal Roads Office Stefan
Wenger
Postal address: 3003 Bern
Location: Weltpoststrasse 5, 3015 Bern
Phone +41 58 463 42 35, / Fax +41 58 463 43 21
Stefan.Wenger@astra.admin.ch
www.astra.admin.ch

In accordance with Article 27 of Directive 2007/46/EC, up to the maximum permissible number of vehicles as specified in Annex XII, Part B, member states may, for a limited period of time, licence vehicles that correspond to a type for which the EU type approval is no longer valid, and permit their sale or use. The wording of the cited Article allows EU member states a certain degree of freedom, but it does not obligate Switzerland to grant an exceptional licence for end-of-series vehicles that are located in the sovereign territory of a European country and which have never been licensed in an EU member state.

It is a prerequisite for the granting of an exceptional licence for end-of-series vehicles that the vehicles concerned still comply with an EU type approval after their date of manufacture. This therefore applies to vehicles that have already been manufactured, but excludes those that are only completed after the EU type approval is no longer valid. Switzerland's experience with the currently applicable control function (customs declaration) has been very positive. In view of this it does not apply the exception rule for licensing end-of-series vehicles, and instead focuses on the following six points:

1. Completed vehicles that are imported into Switzerland and cleared through customs *in good time*:
[No action is required – these vehicles may be licensed without restriction in terms of quantity and duration of use.](#)
2. Completed vehicles that are located in Swiss sovereign territory but have not yet be cleared through customs (i.e. are in a bonded warehouse):
[If these vehicles are cleared through customs *in good time*, no further action is required.](#)
3. Completed vehicles that have been granted an exceptional licence in the EU for end-of-series models and are subsequently imported into Switzerland and cleared through customs:
[If proof of compliance with the cited requirements can be provided in the form of the corresponding vehicle and customs papers, these vehicles can be licensed in Switzerland. In this case, the date of initial registration in the EU member state has to be adopted.](#)
4. Completed vehicles that have been imported into Switzerland and cleared through customs *too late*, but for which a Certificate of Conformity exists that was still valid three months after the date of issue:
[These vehicles can no longer be licensed in Switzerland.](#)
5. Partially completed vehicles that have been imported into Switzerland and cleared through customs *in good time*, and were exported again for alteration or completion:
[The applicant must ensure that the customs papers state that the first stage of the vehicle in question was imported in good time. If the vehicle was completed abroad and is to be imported into Switzerland again, it must comply with the regulations at the time of its initial import, i.e. the approval for the first stage remains valid, even if the completed vehicle is imported at a time when the validity of the approval for the first stage has expired. However, any approvals for further stages of completion \(e.g. installation of lights, ESP, auxiliary motor\) must still be valid at the time the vehicle is imported into Switzerland.](#)
6. Vehicles that have not yet been imported into Switzerland, or non-completed vehicles that have not yet been cleared through customs and which are currently located abroad for completion (stage 2), and for which a Certificate of Conformity existed for the first stage at the time of the request, but at the time of import of the completed vehicle was no longer valid:
[These vehicles cannot be licensed in Switzerland.](#)

Stefan Wenger



Road Traffic Division

Head of Vehicle Homologation