

Message 001

Communication from the Commission - TRIS/(2025) 1803

Directive (EU) 2015/1535

Notification: 2025/0363/NL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20251803.EN

1. MSG 001 IND 2025 0363 NL EN 09-07-2025 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën, Douane Groningen, CDIU.

3B. Ministerie van Infrastructuur en Waterstaat, Hoofddirectie Bestuurlijke en Juridische Zaken, afdeling Spoor en Weg

4. 2025/0363/NL - T00T - TRANSPORT

5. Amendment to the Vehicles Regulation with requirements for lighting and maximum number of seats for passengers of special mopeds

6. Products: special mopeds: electric vehicles with maximum continuous rated power of 4 kW and maximum construction speed of 25 km/h for which no European type-approval is required.

7.

8. This order amends the Vehicles Regulation. The Vehicle Regulation contains, inter alia, the requirements that a special moped must meet in order to be eligible for national type-approval and the requirements that a special moped must meet when used on the road. This change may contain two technical requirements for special mopeds:

Article I(A)(1) and (2) in combination with (C) contain an amendment to the approval requirement for an alternative position of the lighting on the rear of a special moped.

Special mopeds are motor vehicles with a maximum design speed not exceeding 25 km/h, equipped with an electric motor with a maximum continuous rated power not exceeding 4 kW, other than a disabled vehicle, which does not require type-approval in accordance with rules established within the framework of the European Union. It is prohibited in the Netherlands to make special mopeds available on the market or place them on the market without national approval. Requirements for two- or three-wheel vehicles and quadricycles set out in European and international regulations have been declared applicable *mutatis mutandis* for purposes of national type-approval for special mopeds. European and international regulations on the placement of the lighting on the rear of the vehicle do not apply to certain special mopeds, such as electric scooters. Electric scooters have a low back, so that the lighting cannot be placed at the set height relative to the road surface. Therefore, an exception is included in this order so that these special mopeds may derogate from these provisions. In exceptional cases, manufacturers may install the lighting at a different height or width on the rear of the vehicle if the structure of the vehicle does not reasonably allow the vehicle to meet the standard requirements. The special moped must then still comply with the alternative requirement for geometric visibility of the lighting, so that the vehicle remains clearly visible to other road users.

Article I, Part B: permanent requirement up to eight seats for passengers in a special moped for the transport of passengers.

In addition to the approval requirements for national type-approval to make a vehicle available on the market or place it on the market, there are also so-called 'permanent requirements'. These are requirements with which vehicles driven or standing on public roads must continuously comply.

This regulation includes the permanent requirement that all special mopeds for passenger transport may have a maximum of eight seats for passengers. The same requirement also applies to obtaining a national type-approval for placing on the market or making available on the market. The introduction of the permanent requirement means that all special mopeds for passenger transport that are already in use and that are driven or stand on public roads may also have a maximum of eight seats.

The same requirements apply to all special mopeds, regardless of where the vehicle is produced. Reciprocal recognition is therefore not necessary. These requirements also contain no elements that favour vehicles produced in the Netherlands.

9. Article I, Part A, points 1 and 2 in combination with Part C: approval requirement for alternative lighting position on the rear of a special moped

Public interest: This approval requirement for an alternative location of the lighting rear of a special moped promotes road safety.

Suitability: This approval requirement means that the lighting must be visible from a certain location in height, length and width for other road users behind the special moped. The requirement is therefore suitable for

ensuring road safety.

Necessity: The requirement is necessary to ensure that lighting on the back of all special mopeds is clearly visible to other road users. There is no less stringent method for ensuring road safety than requiring special mopeds to comply with this type-approval requirement for national type-approval before they are made available on the market or placed on the market.

Proportionality: The approval requirement is proportionate to the objective of ensuring road safety. The approval requirement indicates the position from which the lighting must be at least visible in height, width and length so that other traffic participants can see the special moped clearly. This requirement is minimally necessary to ensure the visibility of the vehicle in traffic and therefore traffic safety.

Non-discrimination: The registration requirement applies to all special mopeds used in the Netherlands, regardless of where the vehicle is produced. The requirement does not contain any elements favouring special mopeds produced in the Netherlands. The requirement is therefore non-discriminatory.

Article I, Part B: permanent requirement up to eight seats for passengers in a special moped for the transport of passengers

Public interest: This permanent requirement promotes road safety.

Suitability: The requirement of a maximum of eight seats for passengers in a special moped for the transport of passengers prevents the vehicle from being overloaded due to the presence of too many passengers.

Overloaded means that the vehicle is loaded more heavily than the maximum weight for which the vehicle is designed and constructed. Due to the overload, the vehicle becomes less manoeuvrable and stable, starts less quickly and is subject to wear and tear. All this is undesirable in view of road safety. The requirement is therefore suitable for ensuring road safety.

Necessity: The requirement is necessary because there is no less stringent method for eliminating the risk of overloading and thereby ensuring road safety than setting a mandatory maximum number of passengers for all special mopeds driven or standing on public roads.

Proportionality: The requirement is proportionate to the objective of ensuring road safety. Owners of existing vehicles with ten seats can easily meet the permanent requirement by removing two belts from the vehicle. The introduction of the permanent requirement was also announced in 2019 and is in line with the previously introduced approval requirements of up to eight passengers in a special moped for passenger transport for a national type-approval in 2024. The sector has been able to prepare for this permanent requirement for several years.

Non-discrimination: The registration requirement applies to all special mopeds used in the Netherlands, regardless of where the vehicle is produced. The requirement does not contain any elements favouring special mopeds produced in the Netherlands. The requirement is therefore non-discriminatory.

10. Numbers or titles of the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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