

DECISION

Date 21.6.2022

Dnro TRAFICOM/277679/05.03.126/2022

Reference Application 7th June 2022

DEKRA Certification B.V.

Gertjan Muda
Meander 1051
6825 MJ Arnhem
The Netherlands

Applicant

DEKRA Certification B.V.
Gertjan Muda
Meander 1051
6825 MJ Arnhem
The Netherlands

Office

Arnhem

Subject

Application for renewal category A technical service designation

Decision

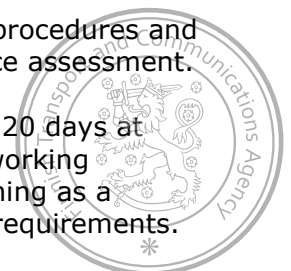
The Finnish Transport and Communications Agency has decided to designate the applicant for category A technical service, defined in the UNECE document ECE/TRANS/WP.29/2016/2, European Parliament and of the Council Regulation (EU) 2018/858 and Directive 2002/24/EC of the European Parliament and of the Council and Finnish Vehicles act 82/2021 into the scope of competence determined in the annex 1 with a national code TL-0010. The designated technical service shall use the national code in all given documents.

The decision is valid until 1st May 2026 presuming there will be no changes in the accreditation or in status of the technical service.

Terms of validity

The obligations of a designated technical service include:

1. Maintaining a register on evaluations, inspections, measurements, tests and calculations performed.
2. Ensuring that their operations in the approved competence area comply with the requirements of the required standards SFS-EN ISO/IEC 17025.
3. Ensuring that their operations continuously fulfil the stated requirements and conditions for designation.
4. Working in accordance with the operating system, procedures and explanations specified at the time of the competence assessment.
5. Informing the authorities, without delay and within 20 days at most, of any changes in the organization or other working conditions which may have a bearing on its functioning as a designated technical service or fulfilling the stated requirements.



6. Submits an annual report to Traficom every year.
7. Being permitted, under the conditions specified in the standard or standards referred to in the decision to outsource the performance of evaluations, inspections, measurements, tests and calculations, to a competent subcontractor with the manufacturer's consent or a manufacturer's own laboratory and testing equipment if such subcontracting has been taken into account when evaluating the technical service. A designated technical service is responsible for any evaluations, measurements, tests, calculations and evaluations performed by an institute used as a subcontractor and for ensuring that the subcontractor complies with the standards required by the activity. If the type approval authority makes the decision on the subcontractor used, the type approval authority will be responsible for the subcontractor's activities.
8. Allowing the authorities or another party acting officially on their behalf to conduct inspections in accordance with the Vehicle Act and other related regulations. Inspections must be carried out at the applicant's expense.
9. Guaranteeing confidentiality without, however, preventing access by the authorities or another party acting officially on their behalf to data concerning the demonstration of impartiality, competence of personnel, systems, equipment and tools as well as evaluations, inspections, measurements, tests and calculations.
10. Should any significant deficiencies or negligence have been observed in the operations of the technical service, or should monitoring or reassessment procedures demonstrate any non-compliance with requirements, corrective action must be taken within one month of being presented with a demand for such action.
11. Giving an account of its participation in national and international cooperation.
12. The technical service shall notify the authorities immediately of the termination of its activities.
13. Ensuring that it does not quote a national technical service code in any inspection, measurement, test, calculation and evaluation report for which the approval authority has not specifically designated the institute.
14. Notifying the designated approval authority immediately if it notices that the manufacturer has not complied with any requirements confirmed in Regulations ECE/TRANS/WP.29/2016/2, European Parliament and of the Council Regulation (EU) 2018/858 or in Directive 2002/24/EC.

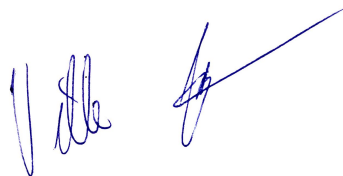


Applied legal norms

UNECE document ECE/TRANS/WP.29/2016/2
European Parliament and of the Council Regulation (EU) 2018/858
Directive 2002/24/EC of the European Parliament and of the Council
Finnish Vehicles act 82/2021

Appealing

Appeal concerning this decision can be made by the enclosed appeal directions.



Senior Inspector Ville Lyytinen

Appendices

Assessment report 2022-AR-03-0010-TL
Appeal directions

Fee

Traficom charges technical services in accordance with Decree of the Ministry of Transport and Communications.



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Viite/ Application 7.6.2022
Referens

Applicant

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Phone Number

+31 88968 3502

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+31 88968 3100

Contact person

Wilfried van Laarhoven

E-mail

Wilfried.vanLaarhoven@dekra.com

Subject

The assessment of technical services competence referred in European Parliament and of the Council Regulation (EU) 2018/858 and in Directive 2002/24/EC of the European Parliament and of the Council, UNECE document ECE/TRANS/WP.29/2016/2 and in Finnish Vehicles act (15.1.2021/82)

Number of the report

2022-AR-03-0010-TL

**Member of the evaluation group,
Senior Inspector**

Harri Tenhunen

Instead of confirmation by signature, the present document is considered confirmed due the inclusion of the decision-maker's name. The decision has been presented to the decision-maker by email. This exceptional confirmation method is in temporary use due to the measures currently in force to limit the spread of the coronavirus, as a result of which the official responsible for processing the matter in question is working remotely and thus unable to sign the document.

Fee

Traficom charges technical services in accordance with Decree of the Ministry of Transport and Communications



1 BASIS OF THE EVALUATION REPORT

- 1.1 Reason for evaluation** : Category A technical service's application for renewal their designation with updated scope of competence.
- 1.2 Applied scope of competence** : According to Annex 1
- 1.3 Evaluated objects** : The application with attachments
- 1.4 Criteria** : European Parliament and of the Council Regulation (EU) 2018/858
UNECE document ECE/TRANS/WP.29/2016/2
Directive 2002/24/EC of the European Parliament and of the Council
Finnish Vehicles act 81/2021, section 74 §
- 1.5 Report of on-site evaluation** : Accreditation certificate L 022 and scope of accreditation
- 1.5.1 Evaluation date** : -
- 1.5.2 Auditor** : The Dutch Accreditation Council RvA

2 STATEMENT

- 2.1 Recommended scope of competence** : The assessment team recommends that the applicant should be designated for a technical service on the competence scope mentioned in Annex 1.
- 2.2 Recommended period** : The assessment team recommends that the applicant should be designated for category A technical service until **1st May 2026** presuming there will not be any changes in accreditation or in the status of the technical service.
- 2.3 Other discoveries** : -
- 2.4 Conclusion** : Based on the represented clarifications, the assessment team states that the applicant fulfils the requirements mentioned in point 1.4, and therefore sees no reason not to designate the applicant for category A technical service on the scope of competence determined in Annex 1 for the period determined in point 2.2.



PÄTEVYYSALUE / KOMPETENSOMRÅDE / SCOPE OF COMPETENCE			Luokka / Kategori / Category
Nro	(EU) 2018/858	Selite / Definition	
21	76/757/ETY	Heijastimet	A
22	76/758/ETY	Ääri-, etu-, taka-, jarru-, sivu-, ja huomiovalaisimet	A
23	76/759/ETY	Suuntavalaisimet	A
24	76/760/ETY	Takarekisterikilven valaisimet	A
25	76/761/ETY	Ajovalaisimet (myös polttimet)	A
26	76/762/ETY	Etusumuvalaisimet	A
28	77/538/ETY	Takasumuvalaisimet	A
29	77/539/ETY	Peruutusvalaisimet	A
30	77/540/ETY	Pysäköintivalaisimet	A
Nro	2002/24/EY	Selite / Definition	
33	97/24/EY, Luku 2	Valaisin- ja merkivalolaitteet	A
36	97/24/EY, Luku 8	Sähkömagneettinen yhteensopivuus	A
UNECE-sääntö /			
FN/ECE föreskrift /			
UN/ECE regulation			
1		Headlamps R2 and/or HS1	A
3		Retro-reflecting devices	A
4		Illumination of rear registration plates	A
5		Sealed Beam headlamps	A
6		Direction indicators	A
7		Position, stop and end-outline lamps	A
8		Headlamps (H1, H2, H3, HB3, HB4, H7, H8, H9, HIR1 and/or HIR21)	A
10		Electromagnetic compatibility	A
19		Front fog lamps	A
20		Headlamps (H4)	A
23		Reversing lamps	A
31		Headlamps (halogen sealed beam (HSB))	A
37		Filament lamps	A
38		Rear fog lamps	A
50		Position, stop, direction indicators lamps for mopeds and motorcycles	A
56		Headlamps (mopeds)	A
57		Headlamps (motorcycles)	A
65		Special warning lamps	A
69		Rear marking plates for slow-moving vehicles	A
70		Rear marking plates for heavy and long vehicles	A
72		Headlamps (HS1 lamps) (motorcycles)	A
76		Headlamps for mopeds	A
77		Parking lamps	A
82		Headlamps (HS2) (moped)	A
87		Daytime running lamps	A
88		Retroreflective tyres for two-wheeled vehicles	A
91		Side-marker lamps	A
98		Headlamps with gas-discharge light sources	A
99		Gas-discharge light sources	A
104		Retro-reflective markings	A
112		Headlamps emitting an asymmetrical passing-beam	A
113		Headlamps emitting a symmetrical passing-beam	A
119		Cornering lamps	A

Annex 1

123		Adaptive front-lighting systems (AFS)	A
148		Light Signalling Devices (LSD)	A
149		Road Illumination Devices (RID)	A
150		Retro-Reflective Devices (RRD), Advance Warning Triangles excluded	A



How to appeal against a decision

Appellate authority

If you are unhappy with the decision you received you may appeal to the Administrative Court of Helsinki. You may submit it by mail, electronic means or messenger.

Time limit

The appeal shall be lodged in good time in order to arrive at the Administrative Court's registry before the end of office hours on the last day of the appeal period. It is always the responsibility of the appellant to lodge the appeal in due time.

The appeal shall be lodged within 30 days of notice of the decision, the day of notice excluded. If the final day is a public holiday, Saturday, Sunday, Independence Day, 1 May, Christmas Eve or Midsummer's Eve, the time limit is extended to the next working day.

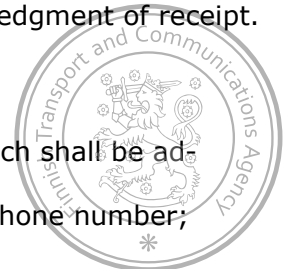
The day of notice is calculated as follows:

- If the decision has been mailed as an ordinary letter, the service of the decision is considered effected within seven days from the posting date, unless otherwise proven.
- If the decision has been sent by mail in return for an acknowledgement of receipt, the date of notice is shown in the receipt. The acknowledgement of receipt shall be enclosed with the appeal documents.
- If the decision has been sent as a standard electronic message, the service is considered effected, unless otherwise proven, on the third day after the message has been sent.
- If the decision has been sent as a verifiable electronic message, the service is considered effected once it has been retrieved from the server designated by the Finnish Transport and Communications Agency.
- If the decision has been sent by email under section 12 of the Act on Electronic Communication Services (917/2014), the service is considered effected once you have sent a confirmation email to the Finnish Transport and Communications Agency that the message has been read. If, according to law, the document does not have to be served verifiably, service is considered effected on the third day after the message has been sent, unless otherwise proven.
- If the decision has been sent as a general notification, service is considered effected on the seventh day after the publication of the notification in the Official Gazette.
- If the decision has been sent using substitute service, service is considered effected on the third day after the day indicated in the acknowledgment of receipt.

Form and content of the appeal

The appeal shall be lodged in writing. The appeal document, which shall be addressed to the appellate authority, shall indicate:

- your name and domicile, and your contact address and telephone number;
- the decision challenged;



- the parts of the decision that are challenged and the amendments demanded to it;
- the grounds on which the challenge is based.

You may write the appeal yourself or ask your legal representative to do so on your behalf. You or your legal representative shall sign the document. If your legal representative exercises your right of action, his/her name and domicile shall also be indicated on the appeal document.

Pursuant to section 9 in the Act on Electronic Services and Communication in the Public Sector (13/2003), the written form required in the lodging of a matter is met by an electronic document delivered to the authorities. An appeal submitted by electronic means need not be supplemented by a signature, if the appeal contains details on the sender and the authenticity and integrity of the document is not in doubt. Provisions on electronic signatures are given in EU Regulation (EU) No 910/2014 on electronic identification and trust services.

Appendices required

The following shall be appended to the appeal document:

- the decision challenged, in the original or as a copy;
- a certificate on the date of notice of the decision or other evidence on the date when the appeal period began to run;
- the documents on which you rely in support of your demand;
- your legal representative's power of attorney, unless he/she is a lawyer, a public legal aid attorney or a licensed attorney.

Contact details of the Administrative Court of Helsinki

Visiting/postal

address: Radanrakentajantie 5, 00520 Helsinki

Telephone: +358 29 564 2000 (switchboard), +358 29 564 2069 (registry)

Fax: +358 29 564 2079

Email: Helsinki.hao@oikeus.fi

Fees charged by the Administrative Court are laid down in the Act on Court Fees (1455/2015). The Administrative Court will provide more detailed information on the fees charged.

APPEAL AGAINST THE FEE LEVIED FOR THE DECISION

If you find that an error has occurred when levying the fee for the decision, you may submit a claim for a revised decision to the Agency within six months of the levying of the fee. In making the claim the instructions above should be followed, as applicable.

