

**WEEE2 guidance document:
Means of transport (“MT”)**

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Means of transport for persons or goods (“MT”)

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1 Objective

The European Commission previously published two FAQ documents¹² to interpret the prerequisites of the exclusions. Unfortunately, those interpretations did not remove the possible misunderstandings in this area. Therefore, this document provides guidance and clarification for the interpretation of the exclusion of means of transport for persons or goods (“MT”) for the Directive 2012/19/EU (WEEE2).

2 MT subject to WEEE2

Subject to WEEE2 the following EEE is excluded

*“Means of transport for persons or goods, excluding electric two-wheel vehicles which are not type-approved”.*³

- This means that as point of departure **all MT are OUT of scope of WEEE2**, i.e. they are excluded.
- **However**, there are **few MT that are IN the scope of WEEE2**, i.e. they are NOT excluded. The MT that are **included** are electric two-wheel vehicles which are not type-approved.

The exclusion of MT consists of **two ALTERNATIVES** with the mentioned prerequisites. In detail:

- (i) **type-approved (electric vehicle);**
- (ii) **not type-approved means of transport with number of wheels different from two;**

All prerequisites of one of the alternatives must be met for the exclusion to apply.

¹ <http://ec.europa.eu/environment/waste/weee/pdf/faq.pdf> concerning Directive 2012/19/EU

² http://ec.europa.eu/environment/waste/rohs_eee/pdf/faq.pdf concerning Directive 2011/65/EU

³ Article 2 (4) (d) WEEE2

3 Interpretation of the MT prerequisites

The following interpretation of the prerequisites follows the Commission’s FAQs subject to WEEE2. EWRN provides further interpretation where the Commission’s interpretation does not lead to a clear conclusion. In detail:

Ad (i). Electrical vehicles – irrespective of the number of wheels – that **require type-approval** subject to REGULATION (EU) No 168/2013⁴ are considered as means of transport for person or goods and are excluded therefore.

Ad (ii). There is to differentiate when electrical vehicles **require no type-approval** subject to REGULATION (EU) No 168/2013:

- (a) In case electrical vehicles have **two wheels**, they are in scope of the WEEE2.

Example: two-wheeled electrical scooters or fun-boards.

- (b) With a **number of wheels different from two**, electrical vehicles are excluded if they are means of transport.

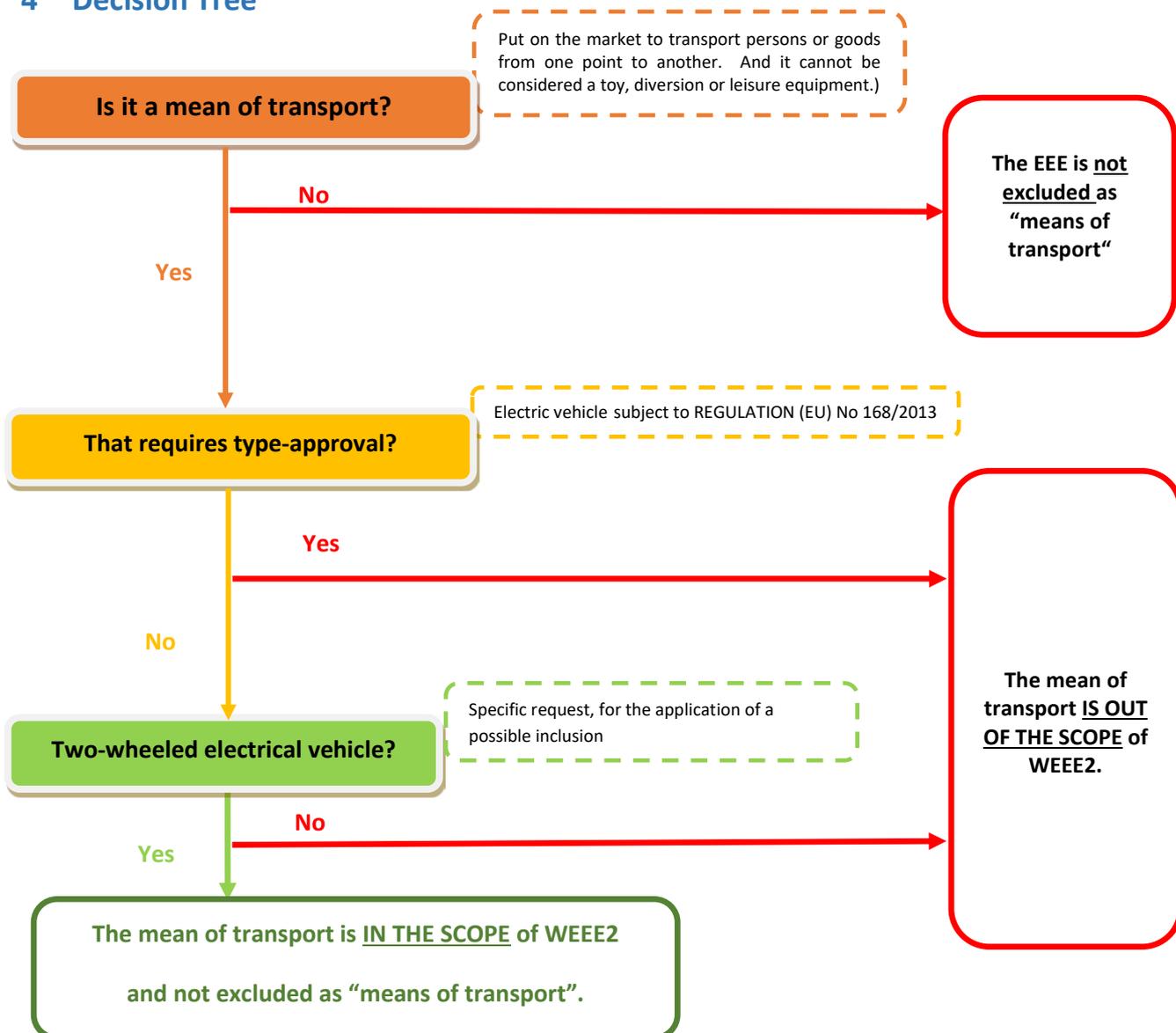
The electrical vehicle can be considered as a means of transport if the intended and advertised purpose and usage is to transport persons or goods from one point to another. Otherwise, it cannot be considered as means of transport if it is a toy, a diversion or leisure equipment.

Examples (out of scope): one-, three- or multi-wheeled scooters for elderly people, electrical wheel chairs, electric one-wheelers.

Example (in scope): electrical kid’s car

⁴ [REGULATION \(EU\) No 168/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles](#)

4 Decision Tree



5 European WEEE Registers Network (EWRN)

EWRN is an independent network of national registers at the heart of the national implementation of Directive 2002/96/EC (“WEEE1”) and the new Directive 2012/19/EU (“WEEE2”) in the respective EU Member States.

Those responsible for managing the national registers are working together at EWRN as experts regarding electrical and electronic equipment (“EEE”) and its proper treatment.

EWRNs primary objectives includes promoting a harmonised approach to registration, reporting and scoping issues across the Member States. This includes harmonised interpretation of the new exclusions under WEEE2.