

Guidance Note on Radar Detectors

Introduction

This Guidance Note concerns radio receivers whose function is to detect the presence of radar devices used for motor vehicle speed limit enforcement purposes. The question arises as to whether such devices are within the scope of the R&TTE Directive and, if so, which equipment class is applicable.

It has already been established that radar equipment itself is within the scope of the Directive (see <http://ec.europa.eu/enterprise/sectors/rtte/documents/interpretation/#h2-29>). The analysis of the meaning of “communication” in that reference makes it clear that a receiver of radar signals which is not collocated with the radar transmitter is “radio equipment” within the meaning of the R&TTE Directive.

The “Indicative and non-exhaustive list of equipment or sorts of equipment” established through [Commission Decision 2000/299/EC of 6 April 2000](#) places “Receive-only radio equipment” in Class 1.¹

On the face of it, radar detectors are therefore covered by the R&TTE Directive and fall in equipment Class 1 (no Alert mark).

However, such devices may be prohibited for “Public Order” reasons. Some Member States ban the sale, possession and putting into service of such equipment using regulations other than the R&TTED.

Note also that even where such exclusions do not apply, the Automotive EMC Directive (95/54/EC) may apply in addition to the R&TTE Directive for radar detectors intended to be fitted to vehicles.

Guidance

Notified bodies should advise clients that radar detectors are restricted in some Member States by national legislation related to road traffic. Such a restriction may prevent the possession, placing on the market and/or the use of such devices. The attached table, kindly provided by the R&TTE Administrative Co-operation Group, gives a general indication of the position.

Radar detectors are within the scope of the R&TTE Directive and fall within Class 1. They have to comply with the applicable essential requirements.

Radar detectors fitted to vehicles are also subject to the Automotive EMC Directive (95/54/EC).

Disclaimer

This guidance document does not replace the text of the R&TTE Directive and is for guidance only. In legal disputes the text of the Directive, or its implementation in National legislation, takes precedence.

¹ “R&TTE Guide - Version of 20 April 2009” Section 4.2 p25
http://ec.europa.eu/enterprise/sectors/rtte/files/guide2009-04-20_en.pdf

SUMMARY OF NATIONAL POSITIONS REGARDING RADAR SPEED DETECTORS

COUNTRY	SALE	USE
Austria	Permitted under RTTED	Use allowed only under licence
Belgium	Sale or possession prohibited under national road transport law	Use prohibited under national road transport law
Cyprus	Sale or possession prohibited under national road transport law	Use prohibited under national road transport law
Czech Rep.	Permitted under RTTED	Use is currently legal
Denmark	Permitted under RTTED	Use prohibited under national law
Estonia	Permitted under RTTED	Use prohibited under traffic law
France	Sale or possession prohibited under highway code	Use prohibited under highway code
Finland	Sale or possession prohibited under national law	Use prohibited under national law
Germany	Permitted under RTTED	Use prohibited under national law
Greece	Sale or possession prohibited under national law	Use prohibited under national law
Hungary	Permitted under RTTED	Use is legal
Iceland	Permitted under RTTED	Use is permitted
Ireland	Sale prohibited under national road traffic law	Use prohibited under national road traffic law
Italy	Sale or possession prohibited under national road transport law	Use prohibited under national road transport law
Latvia	Permitted under RTTED	Use prohibited under national road traffic regulations
Lithuania	Permitted under RTTED	Use prohibited under national road traffic regulations
Luxembourg	Permitted under RTTED	Use prohibited under national law
Malta	Permitted under RTTED	No restrictions in use
Netherlands	Permitted under RTTED	Use prohibited under national law
Norway	Permitted under RTTED	Use in a vehicle prohibited under national road transport law
Poland	Permitted under RTTED	Use in a vehicle prohibited under national road transport law
Portugal	Permitted under RTTED	Possession and use in vehicles prohibited under national law
Slovakia	Permitted under RTTED	Use prohibited under national road transport law
Slovenia	Permitted under RTTED	Use is permitted
Spain	Permitted under RTTED	Use prohibited under traffic law
Sweden	Sale is prohibited under national law	Possession and use in vehicles prohibited by national law
Switzerland	Sale or possession prohibited under national road transport law	Use prohibited under national road transport law
Turkey	Sale or possession prohibited under national law	Use prohibited under national law
United Kingdom	Permitted under RTTED	Use is currently legal, but new legislation is under consideration

(October 2009)