Dear Mr [Name],

Thank you for your email to the Cabinet of Commissioner Breton of 16 February 2023 in which you expressed concerns as regards the inclusion of ‘portable navigation systems’ in the scope of the ‘Common Charger’ Directive (EU) 2022/2380. I have been asked to reply to you directly in my capacity of Head of the unit in charge of the Radio Equipment Directive¹, which is the legal basis for the ‘Common Charger’ initiative.

In your email and the attached position paper, you advocate for the elaboration of a guidance that would help Member States to distinguish between GPS devices that would fall within the scope of the ‘Common Charger Directive’ (e.g. GPS for hikers) and those that wouldn’t (‘in-vehicles devices’). Indeed, you consider that the latter category should not be considered as ‘portable navigation systems’.

We have carefully looked at your arguments, as well as previous correspondence on the matter. Our assessment can be summarised as follows.

With regards to the scope of the ‘Common Charger’ Directive, the co-legislators have clearly expressed their will to extend it compared to the original Commission proposal. In this respect, it should be noted that the only exception from the scope provided by the ‘Common Charger’ Directive concerns digital cameras for the audio-visual and security sectors. The co-legislators did not foresee any specific exception for ‘portable navigation systems’.

We also consider that the intention of the co-legislators was to cover categories or classes of radio equipment, with a removable or embedded rechargeable battery capable of being recharged by means of wired charging, that can be carried before, during, or after operation. In-vehicle GPS do fall under such definition.

The argument that in-vehicle GPS do not use alternative current from electrical outlets to charge does not appear relevant either. Indeed, none of the other categories or classes

---

directly use alternative current to charge. Radio equipment in the scope of the Common Charger Directive is charged via direct current which is supplied via an external power supply. Furthermore, USB-C is being generalised as the default charging port in all recent cars, the car being the “external power supply”.

As regards the arguments against the portability of in-vehicle GPS, the latter do incorporate a battery, which is rechargeable via wired charging. The incorporation of a battery in the device makes it a rechargeable device, regardless of the capacity of the battery. Setting a threshold for the capacity of the battery would not only be a very subjective exercise, but it would also be against the will of the co-legislators that did not introduce such a threshold. In addition, it is common for users to also turn-on their device in other places than the vehicle to check routes, perform updates, etc.

On the issue [redacted], Garmin has not provided to the Commission any information about the advantages of [redacted].

Finally, [redacted], the information communicated to the Commission did not present sufficient details [redacted].

Yours sincerely,

[Redacted]

Head of Unit

C.c.: CAB BRETON CONTACT <CAB-BRETON-CONTACT@ec.europa.eu>