

# TYPE-APPROVAL AUTHORITIES MEETING

## INTERNAL MEETING MINUTES

**27-28 September 2007**  
**Tallinn - Estonia**

**Attendees:**

**Austria:**

**Belgium:**

**Bulgaria:**

**Czech Republic:**

**Estonia:**

**European Commission:**

**Finland:**

**France:**

**Germany:**

**Iceland:**

**Ireland:**

**Latvia:**

**Lithuania:**

**Luxembourg:**

**Netherlands:**

**Norway:**

**Poland:**

**Romania:**

**Slovenia:**

**Spain:**

**Sweden:**

**Switzerland:**

**United Kingdom:**

## **Agenda**

### **1. Opening of the meeting**

### **2. Adoption of the Agenda**

### **3. Adoption of the minutes from VIENNA, 28 and 29 September 2006**

### **4. Adoption of the minutes from ZOETERMEER, 22 and 23 March 2007**

### **5. ETAES meeting report**

### **6. Recast of Framework Directive 70/156/EEC**

- 6.1 New Framework Directive 2007/xxx/EC, Bulgaria
- 6.2 Extension vs. Revision in new Framework Directive compared to 70/156/EEC, Spain 1
- 6.3 Multi-stage approvals, Germany 4
- 6.4 Multi-stage systems approvals, UK 3
- 6.5 Individual approval and national type-approval of small-series, Finland 2
- 6.6 Directive 2007/.../EC Recast Framework Directive, Belgium 1
- 6.7 Directive 2007/.../EC Recast Framework Directive, Belgium 2
- 6.8 Directive 2007/.../EC Recast Framework Directive, Belgium 3
- 6.9 New Framework Directive 2007/xxx/EC, Germany 2
- 6.10 M1 small series limit number, UK 1
- 6.11 M1 small series technical requirements, UK 2
- 6.12 National type-approval of small series, Individual Approval, Ireland

### **7. Items relating to Framework Directive 70/156/EEC**

- 7.1 70/156/EEC, Information document, Netherlands 1
- 7.2 70/156/EEC, Nature and provisions for special purpose vehicles, Norway
- 7.3 2001/116/EC, COC validity and EOS, Finland 3
- 7.4 70/156/EEC, Vehicle type, variant & version, Poland 1
- 7.5 70/156/EEC, Make and commercial name, Poland 2
- 7.6 70/157/EEC, Sound levels, Germany 3
- 7.7 71/320/EEC, Braking system, UK 5
- 7.8 72/245/EEC, EMC for Transport Refrigeration Unit as ESA, Netherlands 2
- 7.9 2004/104/EC, EMC requirements for taximeters, Finland 1
- 7.10 74/483/EEC and ECE R26-03, Definition of bumper, Netherlands 5
- 7.11 ECE-R7 and ECE-R38, Variable lighting vs. steady lighting, Netherlands 3
- 7.12 76/756 and ECE-R48, Lighting installation, Poland 3
- 7.13 76/756/EEC and ECE -R48-03, Approval of mirror-mounted courtesy lamps, UK 4
- 7.14 76/756/EEC and ECE-R48, Installation of lighting and light-signalling devices, Germany 1

- 7.15 ECE-R48, Side marker lamps-length of vehicle, Austria
- 7.16 2001/85/EC, Number of seats for disabled passengers/passengers with reduced mobility, Poland 4
- 7.17 2005/64/EC, Availability of calculation data, UK 6
- 7.18 2006/40/EC, 2007/37/EC, 706/2007/EC, Regulations relating to emissions from air-conditioning systems in motor vehicles, France 3
- 7.19 2006/40/EC, emissions from air-conditioning systems in motor vehicles (article 5), Bulgaria
- 7.20 2006/40/EC, emissions from air-conditioning systems in motor vehicles (article 6), Bulgaria
- 7.21 Flex Fuel Ethanol Vehicles, France 2
- 7.22 Type-approval of hydrogen powered motor vehicles, European Commission 1
- 7.23 70/156/EEC in connection with 96/96/EC, Germany 5

## **8. Items relating to Framework Directive 92/61/EEC and 2002/24/EC**

- 8.1 2002/24/EC, LPG system on two or three-wheel motor vehicles, France 1
- 8.2 2002/24/EC, WVTA for 2 and 3 wheel vehicles using LPG as fuel, Netherlands 4
- 8.3 2002/24/EC and emissions level according to 97/24/EC Chapter 5 modified until 2003/77/EC, Spain 3
- 8.4 2002/24/EC, Manufacturers responsibilities under article 9, UK 7
- 8.5 97/24/EC Chapter 3 & 2006/27/EC, Spain 2
- 8.6 97/24/EC Chapter 10, Trailer coupling device, Spain 6
- 8.7 97/24/EC Chapter 11 modified by 2006/27/EC on seatbelts for quadricycles, Spain 4
- 8.8 Notes from TAAM sub-group meeting to discuss quadricycles, Germany 6

## **9. Items relating to Framework Directive 74/150/EEC and 2003/37/EC**

- 9.1 2003/37/EC, Annex IV, Bulgaria
- 9.2 2003/37/EC and 2006/42, Bulgaria
- 9.3 2003/37/EC article 2 (q), European Commission 2
- 9.4 Consolidation of Framework Directive 2003/37/EC, European Commission 3
- 9.5 89/173/EEC, Approval of agricultural couplings, Spain 5

## **10. Miscellaneous**

## **11. Location for next TAAM – 2008 Q1**

## **MINUTES OF THE MEETING**

### **1. Opening of the meeting.**

Director of the Estonian Motor Vehicle Registration Centre, welcomed the delegates to Estonia.

### **2. Adoption of the Agenda.**

The agenda was adopted with one amendment to p.10. Miscellaneous as follows:

Item 10.1 Additional question from Netherlands regarding individual approval and national small series type-approval as a scope of TAAM

### **3. Adoption of the minutes from Vienna, 28 and 29 of September 2006.**

The minutes of the meeting from Vienna were adopted with one amendment to a version for European Commission Website:

Item 6.18. Deletion of the text: „MB Sprinter, Renault Master etc „

### **4. Adoption of the minutes from Zoetermeer, 22 and 23 of March 2007**

The minutes from Zoetermeer were adopted with the following amendments:

Item 6.21 In the decision: the text shall be read „not exceeding 2,5 tons” instead of „less than 2,5 tons”

Item.7.2.Comment is deleted

Commission noted also that since the last meeting it has been decided that Directive 2000/25/EC will be amended to specifically identify Stage 3 and Stage 4 approvals as follows:

Stage 3A – letter „C”

Stage 3B – letter „D”

Stage 4 – letter „E”

### **5. ETAES meeting report**

The chair of the ETAES group (Germany) reported that ETAES system is working well and only some members are not fully active.

Some key points:

- 1) There will be upgraded switch to ETAES II in April 2008
- 2) Costs will be shared equally by all members regardless their activity
- 3) Discussions has been with DETA group and in WP.29 on 16 November 2007 will be held antoher ETAES/DETA joint meeting
- 4) Next ETAES meeting will be held on 9 April 2009 in Leipzig

## 6. Recast of Framework Directive 70/156/EEC.

### 6.1. New Framework Directive 2007/xxx/EC, Bulgaria 1.

#### Issue:

Art.2, item 3, stipulates that:

“Type-approval or individual approval under this Directive is optional for the following vehicles:

(c) mobile machinery,

*to the extent that these vehicles fulfil the requirements of this Directive. Such optional approvals shall be without prejudice to the application of Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery*

(Art.3 (16) “Mobile machinery” means any self-propelled **vehicle** which is designed and constructed specifically to perform work which, because of its construction characteristics, is not suitable for carrying passengers or for transporting goods.)

#### Question:

Bearing in mind establishment of common understanding of the framework provisions, we would like to ask other MS’s opinion on the interpretation of text concerning mobile machinery and their optional approval to the extent that “these vehicles fulfil the requirements” under framework Directive on motor vehicles? Is it possible to interpret this text as a mixed procedure for approval/certification – between Vehicle Directive and Machinery Directive and if that is the case – how can we define more precisely the distinction between two procedures.

#### Possibilities of solution:

<b>A</b>	<b>If mobile machinery satisfies the definition and requirements for “vehicle” it may be approved only under the new framework Directive on motor vehicles</b>	
<b>B</b>	<b>Other decision (please specify)</b>	

Approval authority „e“			
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Solution		accepted	refused
	<b>A</b>		
	<b>B</b>		
	:		

**Decision:** It was confirmed by the meeting that approvals can be granted under the provisions of the New Framework Directive (2007/46/EC) in addition to Directive 2006/42/EC. Both certificates are required.

## **6.2. Extension vs. Revision in new Framework Directive compared to 70/156, Spain 1.**

Legislation:

70/156 EC, Art. 5, paragraph 4:

4. In the case of vehicle type-approval, if particulars appearing in the information package have changed, the approval authority of the Member State in question shall issue revised page(s) of the information package as necessary, marking each revised page to show clearly the nature of the change and the date of re-issue; a consolidated, updated version of the information package accompanied by a detailed description of the change shall also be deemed to meet this requirement.

On any occasion when revised pages or a consolidated, updated version are issued, the index to the information package (which is attached to the approval certificate) shall also be amended to show the latest dates of revised pages or the date of the consolidated, updated version.

If, in addition, either **further inspections** are required or any information on the approval certificate (excluding its attachments ) has changed or the requirements of any of the separate Directives applicable to the date from which first entry into service is prohibited have changed since the date currently on the vehicle approval, the amendment shall be designated as 'extension' and the approval authority of the Member State in question shall issue a revised approval certificate (denoted by an extension number) which shall show clearly the reason for extension and the date of re-issue.

If the approval authority of the Member State in question finds that an amendment to an information package warrants fresh inspections, it shall inform the manufacturer thereof and issue the documents mentioned in the first, second and third subparagraphs only after the conduct of successful fresh inspections. Any revised document shall be sent to all other approval authorities within one month.

New Framework directive, Chapter V, article 14:

1. If particulars recorded in the information package have changed, the amendment shall be designated a "revision".

In such cases, the approval authority shall issue the revised page of the information package as necessary, marking each revised pages to show clearly the nature of the change and the date of re-issue. A consolidated, updated version of the information package, accompanied by a detailed description of the changes, shall be deemed to meet this requirement.

2. The revision shall be designated an "extension" if, in addition to the provisions of paragraph 1:

(a) **further inspections or fresh tests** are required;

(b) any information on the EC type-approval certificate, with the exception of its attachments, has changed;

(c) new requirements under any of the regulatory acts applicable to the approved vehicle type enter into force.

In such cases, the approval authority shall issue a revised EC type-approval certificate denoted by an extension number, incremented in accordance with the number of successive extensions already granted. The approval certificate shall show clearly the reason for the extension and the date of re-issue.

**Question:**

In new framework directive one of the reasons for issuing an extension instead of a revision is "further inspections or fresh tests required". We would like to know the understanding of other MS regarding the meaning of "fresh tests" when talking about vehicles type approval and if there is any difference in the intention of the new wording compared to the old one.

<u>Possibilities of solution</u>		<u>Comments</u>
<b>A</b>	No difference in the intention. The same policy should be kept when deciding ext or rev.	
<b>B</b>	Yes, there are differences.	In this case, which are the differences?

**Type approval authority "e"**

Selection of solution		accepted	refused
	<b>A</b>		
	<b>B</b>		

**Decision:**      **The need for clarification of the words „fresh tests” in New Framework Directive as a subject to extension in WFTA was risen.  
The meeting was not able to find a common approach to the question and the question was deferred to the next meeting.**

### **6.3.Multi-stage approvals, Germany 4.**

#### Issue

1)

In several former TAAM the question about who is able to get a system approval, means who is manufacturer according to the corresponding directive was always answered with : only the vehicle manufacturer. So in the case of a multistage-approval a system approval can be granted to the manufacturer e.g. of the second, third... stage only if he takes the responsibility for the vehicle in the approved stage. The new framework directive is now clarifying the necessity to issue together with each stage an CoC.

There were cases in the past where due to the mixing of system approvals of several manufacturers the manufacturer of the last stage, who completes the vehicle, used approvals of other system manufacturers for his own last stage and filled out the CoC.

There is a clear obligation to be a ‘real’ vehicle manufacturer to get a system approval, which is in the end an approval for the vehicle regarding a specific system.

2)

During the lifetime of a basic vehicle and its approval there are sometimes changes which end up in an extension of the approval. These changes often don’t have to do anything with the work on the e.g. second and later stages of a multistage vehicle, it just don’t influence the other stages at all. In the further stages after the basic approval, the change in the number of the basic approval has to be noted . That means after an extension for the basic vehicle, the manufacturers of all further stages have to extend their approvals, too. This might be a very formal way, but in our opinion the only workable.

#### Prescription

EC Directive 2007/xxx/EC

Possibilities of solution

Comments



1	A	Only a vehicle manufacturer can get a system approval and issue a CoC	
1	B	Also just a system manufacturer can get a system approval without having the responsibility of the vehicle (for one stage) regarding type approval.	
1	A	An extension of the basic approval will last in an extension of all further stage approvals, although the technical change will not influence – technically spoken – the further stages.	
2	B	If there is no technical influence for the further stage after a change in the approval of the basic vehicle, an extension of the second-, third-...stage approval is obsolete.	

**Type approving authority "e" 1**

Selection of solution		accepted	refused
	<b>1A</b>	x	
	<b>2B</b>		x
	<b>2A</b>	x	
	<b>2B</b>		x

**Decision:** Solution 1A and 2A

### 6.4. Multi-stage system approvals, UK 3.

**ISSUE**

Annex XVII of the recast Framework Directive describes the provisions for multi-stage whole vehicle approvals. These provisions seem to assume that the system approvals will neatly fall within the responsibility of one single manufacturer during one of the discreet vehicle approval stages. However, there are some subjects for which responsibility could be seen as split between the first and second stage manufacturer, for example:

- Lighting Installation: In the case of a typical truck approval, the chassis (1<sup>st</sup> stage) manufacturer would probably be responsible for the cab mounted lamps (headlamps, front indicators, front position lamps etc) but the bodybuilder (2<sup>nd</sup> stage) could be responsible for the rear lamps and body outline marker lamps
- Identification of Controls: In the case of a multi-stage bus or coach approval, the chassis (1<sup>st</sup> stage) manufacturer could be responsible for the steering column controls and instrument cluster but the bodybuilder (2<sup>nd</sup> stage) could then be responsible for switches and controls in the remaining part of the driver's compartment

In the case of an incomplete vehicle system (e.g. lighting installation) the obvious approach might seem to be for the second stage manufacturer to take responsibility for the entire system approval. However this may not always be so practical because it would mean that the second stage manufacture must also take Conformity of Production Responsibility for the first stage.

The purpose of this paper is therefore to investigate opportunities for granting a multi-stage whole vehicle approval on the basis of some 'partial' systems approvals (covering certain

parts of the legislation) which can then be considered together with matching 'partial' systems approvals from a later stage manufacturer.

## **TAAM DISCUSSION**

### Possibilities of solution

### Comments

	<p><b>A</b> It is not possible for a Type Approval Authority to issue a 'partial' system approval</p>	<p>In the case that a vehicle system cannot be fully completed until a later stage in a multi-stage vehicle approval, it is the responsibility of the manufacture completing that later stage vehicle system to obtain the full vehicle systems approval for the subject concerned</p>
	<p><b>B</b> It would be acceptable for a Type Approval Authority to issue a 'partial' system approvals</p>	<p>Full details of the items covered within the 'partial' approval must be identified in the remarks section of the certificate.</p> <p>These 'partial' approvals would only be valid in the case of an EWVTA multi-stage approval.</p>

**Decision:** It was noted by the delegates of the meeting that at this point there are no provisions for "partial system" approvals and the Solution A is appropriate at this point.

## **6.5. Individual approval and national type-approval of small series, Finland 2.**

New Framework directive 2007/xxx/EC Chapter X articles 23 and 24

Article 24

Individual approvals

1. Member States may exempt a particular vehicle, whether unique or not, from compliance with one or more of the provisions of this Directive or with one or more of the regulatory acts listed in Annex IV or Annex XI, provided that they impose alternative requirements.

The provisions referred to in subparagraph 1 shall only be waived where a Member State has reasonable grounds for so doing.

"Alternative requirements" means administrative provisions and technical requirements which aim to ensure a level of road safety and environmental protection, which is equivalent to the greatest extent practicable to the level provided for by the provisions of Annex IV or Annex XI, as appropriate.

**QUESTION / PROBLEM /CONCERN:**

1. Have You considered some directives to which You are not going to impose alternative requirements according to article 24 in the framework directive (individual approvals) / article 23 national type approval of small series?

a) Individual approvals:

<b>A</b>	Yes	
<b>B</b>	No	

If yes, which?

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b) National type approval of small series:

<b>A</b>	Yes	
<b>B</b>	No	

If yes, which?

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2. Have You considered to accept some American FMVSS / EPA requirements in individual approvals, if yes in what extent (emission, brakes, noise etc.)?

<b>A</b>	Yes	
<b>B</b>	No	

If yes, which?

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3. Have You considered to accept other member states' individual approvals / national small series approvals unconditionally ?

<b>A</b>	Yes	
<b>B</b>	No, we always compare requirements against our own national requirements	

**Decision:** Member States were asked to send their comments to this question directly to Finnish delegation who will prepare and circulate the report of their findings later.

## 6.6. Directive 2007/.../EC recast Framework Directive, Belgium 1.

### Issue:

Article 28, 4 allows Member States to permit the sales of non-approved components or STUs for vehicles for which there were no requirements at the time of approval. This seems to imply that Member States may require compliance with "new" Separate Directives for components and STUs for vehicles that were never approved according to that Directive. One Member State could be more strict than another.

### Legislation:

Article 28

Sale and entry into service of components and separate technical units

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1. Member States shall permit the sale or entry into service of components or separate technical units if and only if they comply with the requirements of the relevant regulatory acts and are properly marked in accordance with Article 19.
2. Paragraph 1 shall not apply in the case of components or separate technical units which are specifically constructed or designed for new vehicles not covered by this Directive.
3. By way of derogation from paragraph 1, Member States may permit the sale and entry into service of components or separate technical units that have been exempted from one or more provisions of a regulatory act in application of Article 20 or are intended for mounting on vehicles covered by approvals granted under Articles 22, 23 or 24 that concern the component or separate technical unit in question.
4. By way of derogation from paragraph 1, and unless otherwise provided for in a regulatory act, Member States may permit the sale and entry into service of components or separate technical units that are intended for mounting on vehicles which, at the time of their entry into service, were not required, by this Directive or by Directive 70/156/EEC to be EC type-approved.

### Question 1:

In case one Member State decides to allow sales by way of derogation, can another Member State refuse **the same** components or separate technical units ?

#### Possibilities of solution

#### Comments

	<b>A</b>	Yes	
	<b>B</b>	No	

#### Type approving authority "e"

Selection of solution		accepted	refused
	<b>A</b>		
	<b>B</b>		

**Decision:**      **Solution A**

## 6.7. Directive 2007/.../EC recast Framework Directive, Belgium 2.

### Issue:

A national provision for a part or equipment can be maintained as long as it is not included in the list of Annex XIII. No new national provisions are allowed from the date of entry into force of the recast framework directive. This means that equipment for which there are no national prescriptions have to be allowed for sales and fitment on vehicles, unless there is a national provision or unless the part will be included in the list of Annex XIII.

### Legislation:

#### *Article 31*

*Sale and entry into service of parts or equipment which are capable of posing a significant risk to the correct functioning of essential systems*

12. As long as a decision as to whether or not a part or piece of equipment is to be included in the list referred to in paragraph 1 has not been taken, Member States may maintain national provisions dealing with parts or equipment which are capable of posing a significant risk to the correct functioning of systems that are essential for the safety of the vehicle or its environmental performance.  
Once such a decision in this regard has been taken, the national provisions dealing with the parts or equipment in question shall cease to be valid.
13. As from ... , Member States shall not adopt new provisions dealing with parts and equipment which can affect the correct functioning of systems that are essential for the safety of the vehicle or its environmental performance.

### Question 2:

**Does Article 31, 12 and 13 mean that there cannot be prescriptions for parts not listed in Annex XIII (and for which there is no national requirement at the time of entry into force of the Recast of the WVTa) ?**

#### Possibilities of solution

#### Comments

<b>A</b>	Yes	
<b>B</b>	No	

**Type approving authority "e"**  

Selection of solution		accepted	refused
	<b>A</b>		
	<b>B</b>		

**Decision:** **Solution A but the question is slightly modified for clarification; Does Article 31, 12 and 13 mean that there cannot be any new prescriptions for parts not listed in Annex XIII (and for which there is no national requirement at the time of entry into force of the Recast of the WVTa) ?**

## 6.8. Directive 2007/.../EC recast Framework Directive, Belgium 3.

### Issue:

So far, an ECE Regulation was accepted for WVTA as soon as signed by the EU: there was no need for publication in the EC Official Journal or in the list of Annex IV of the Framework Directive. The recast framework directive mentions that the list of Annex IV shall be updated where the Community adopts a new or amended ECE Regulation. One possible interpretation is that inclusion in Annex IV is a condition to accept a new or amended ECE Regulation.

### Legislation:

#### Article 35

#### *Equivalence of UNECE Regulations with directives or regulations*

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1. The UNECE Regulations listed in Part II of Annex IV are recognised as being equivalent to the corresponding separate directives or regulations in as much as they share the same scope and subject matter.  
The approval authorities of the Member States shall accept approvals granted in accordance with those UNECE Regulations and, where applicable, the pertaining approval marks, in lieu of the corresponding approvals and approval marks granted in accordance with the equivalent separate directive or regulation.
2. Where the Community has decided to apply, for the purposes of paragraph 1, a new UNECE Regulation or a UNECE Regulation as amended, Part II of Annex IV shall be amended as appropriate. These measures, designed to amend non-essential elements of this Directive shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 40(2).

### Question 3:

**Currently an ECE Regulation can be used as soon as adopted by the EU even if not yet listed in Annex IV. Will this be changed ? Will it be necessary to wait for an update or amendment of the Part II , Annex IV before accepting the ECE Regulation for WVTA?**

#### Possibilities of solution

#### Comments

<b>A</b>	As soon as the EU has signed an ECE Regulation it can be used for the purpose of WVTA even if not listed in Part II Annex IV.	
<b>B</b>	Amendment of the Part II Annex IV is required before applying it.	

#### **Type approving authority "e" 6**

Selection of solution		accepted	refused
	<b>A</b>	X	
	<b>B</b>		X

**Decision:**      **Solution A.**

## 6.9. New Framework Directive 2007/xxx/EC, Germany 2.

### Issue

On the last TAAM in Zoetermeer NL the question arises, if the possibility is given, to grant an WVTA according to the new 2007/xxx/EC directive earlier than the in the annex XIX mentioned at least 18 months transitional period.

Article 44 and 45 are regulating the Transitional Provisions and possible applicability for other categories than M1.

The question is, if for categories like

- N1 very similar to M1; all single directives and provisions already given
- O1 and O2 (light trailer and e.g. Caravans); all single directives and prov. given
- O3 +O4; all single directives and provisions are given

there is already the possibility to grant approvals referring to the sentence in Art. 44 (1):

*1. Pending the necessary amendments to this Directive in order to include vehicles not yet covered or to complete the administrative and technical provisions regarding type-approval of vehicles other than M1 produced in small series, and to lay down harmonised administrative and technical provisions regarding the individual approval procedure, and pending expiry of the transitional periods provided for in Article 45, Member States shall continue to grant national approvals for those vehicles, provided that such approvals are based on the harmonised technical requirements laid down in this Directive. the necessary amendments of this directive.....'*

In our opinion especially for the a.m. categories there are no more necessary amendments needed.

Article 44 does not prohibit in its wording the approval of the new EC-small series:

- M1 EC-small series annex IV appendix 1 together with annex XII are clear

Germany likes to get a clear view of the other delegations about the application date of new WVTA according to the new framework directive in the light of the a.m. explanations.

What about the other categories??

### Prescription

EC Directive 2007/xxx/EC

### Possibilities of solution

### Comments

<b>1</b>	<b>A</b>	For several categories there is the optional possibility to grant WVTA (N1 and O )	
	<b>B</b>	For M1 small series there is the optional possibility to grant WVTA	
	<b>C</b>	There is <u>no</u> optional possibility to grant WVTA according to the new 2007/xxx/EC framework-directive.	

**Type approving authority "e"** 1

Selection of solution	<input type="checkbox"/>	accepted	<input type="checkbox"/>	refused
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	A	x	
	B	x	
	C		x

**Decision:** Solution C.

**There is no possibility to grant WVTA according to the New Framework Directive 2007/46/EC before the stated dates in Annex XIX - reference Article 45.**

## 6.10. M<sub>1</sub> small series limit number, UK 1.

### ISSUE

The recast Framework Directive introduces an opportunity for European Small Series approval for M1 vehicles. There is a quantitative limit set for these vehicles but it is not clear whether this limit is based on registration/sales volumes or production volumes.

### BACKGROUND

Article 22 makes provision for approval of small series vehicles within the quantitative limits shown in Annex XII.

Annex XII states that the number of units of one type of M1 vehicle to be **registered, sold or put into service** per year in the Community in application of Article 22 shall not exceed 1000.

However, Article 18 states that, for M1 vehicles, the certificate of conformity for vehicles type-approved in accordance with Article 22 shall identify **the year of production followed by a sequential number, between 1 and 1000, denoting the position of that vehicle within the production allocated for that production year.**

### TAAM DISCUSSION

There therefore appears to be an inconsistency between Annex XII and Article 18.

Whilst Annex XII refers to annual vehicle sales/registrations, Article 18 requires the sequence number shown on the CoC to relate to the production volume for a particular year.

For a registration volumes to be properly controlled it would be necessary for close liaison between the Vehicle Registration Bodies for all the different Member States.

It would seem much easier, from a practical viewpoint, to control small series limits by reference to production volumes using the sequence number shown on the CoC.

However, allowing for delays in distribution, vehicle produced at the end of one year might typically not be actually registered until the following year. Provided the production limits are met, is it acceptable for registrations in a particular year to exceed 1000 units?

For example:

#### Small Series Vehicle Type A

Total production for 2006: 950  
Total registrations in 2006: 750



Total production for 2007: 1000  
 Total registrations for 2007: 1050  
 Comprising:  
 - 2006 production models: 200  
 - 2007 production models: 850

It could be argued that, provided the annual production limits are not exceeded, it does not really matter if the registrations in a particular year exceed 1000 vehicles because, provided total production is limited to 1000 units per year, the average annual registrations for the production life of the vehicle will also not exceed 1000 units per year.

The question is therefore, should the small series limit value be based on yearly production figures or yearly registrations?

Possibilities of solution		Comments
<b>A</b>	The 1000 per year limit is based on registration volumes	<p>In this case there is no current mechanism to enable to registrations across all member states to be monitored.</p> <p>It will therefore not be easy to identify when the total registrations for a vehicle type actually reach the limit value.</p>
<b>B</b>	The 1000 per year limit is based on production volumes but <u>the vehicle must be registered in the same year that it was produced.</u>	The vehicles from 1 to 1000 are identified by the sequential number on the certificate of conformity for each year of production
<b>C</b>	The 1000 per year limit is based on production volumes and <u>it is not necessary for the Vehicle to be registered in the same year that it was produced.</u>	<p>The vehicles from 1 to 1000 are identified by the sequential number on the certificate of conformity for each year of production</p> <p>Vehicles built in one year within the prescribed 1000 production limits are also eligible for sale/registration in a subsequent year even if that results in total annual registrations exceeding 1000 during that year</p>

### **SUPPLEMENTARY QUESTION 1**

Is it correct to assume that, in the context of this TAAM paper, all reference to annual volume means volumes during a Calendar Year (January to December)?

## LEGISLATION

Article

22

*EC type-approval of small series*

1. *At the request of the manufacturer and within the quantitative limits set out in Section 1 of Part A of Annex XII, Member States shall grant, in accordance with the procedure referred to in Article 6(4), an EC type-approval in respect of a type of vehicle which satisfies at least the requirements listed in the Appendix to Part I of Annex IV.*

### ANNEX XII

#### SMALL SERIES AND END-OF-SERIES LIMITS

##### A. SMALL SERIES LIMITS

1. *The number of units of one type of vehicle to be registered, sold or put into service per year in the Community in application of Article 22 shall not exceed the figures shown below for the vehicle category in question:*

Category	Units
M <sub>1</sub>	1 000
M <sub>2</sub> , M <sub>3</sub>	0
N <sub>1</sub>	0
N <sub>2</sub> , N <sub>3</sub>	0
O <sub>1</sub> , O <sub>2</sub>	0
O <sub>3</sub> , O <sub>4</sub>	0

Article

18

*Certificate of conformity*

1. *The manufacturer, in his capacity as the holder of an EC type-approval of a vehicle, shall deliver a certificate of conformity to accompany each vehicle, whether complete, incomplete or completed, that is manufactured in conformity with the approved vehicle type.*  
*In the case of an incomplete or completed vehicle, the manufacturer shall complete only those items on side 2 of the certificate of conformity which have been added or changed at the current stage of approval and, if applicable, shall attach to the certificate all certificates of conformity delivered at the previous stage.*
6. *The certificate of conformity, as set out in Part I of Annex IX for vehicles type-approved in accordance with Article 22 shall display in the title thereof the phrase "For complete/completed<sup>1</sup> vehicles type-approved in small series", and in close proximity thereto the year of production followed by a sequential number, between 1 and the limit indicated in the table set out in Annex XII, denoting, in respect of each year of production, the position of that vehicle within the production allocated for that year.*

**Decision :** UK had received an answer from the Commission (see below) in agreement with the Solution C. Member States supported the Solution C also.

Commission will clarify the legislation accordingly

**From:** <jean-paul.delneufcourt@ec.europa.eu>

**To:** <tony.stenning@vca.gov.uk>, <derek.jones@vca.gov.uk>  
**Date:** 21/09/2007 10:36:20  
**Subject:** Small series limits

Hello dear Colleagues,

At the request of Wolfgang Schneider, I am looking at your paper(s) on small series that will be discussed during the next TAAM session in Tallinn. Regarding the counting method, I think that you made a good point. The concept of the EC small series is based on the fact that a small vehicle manufacturer (let's take Morgan) is able to plan the production of a model for a certain period of time e.g. 100 units the first year, 500 the second and 1000 the third etc. However, he would never have the possibility to keep control on the registration figures all over Europe. That is the ethos I was following when proposing new Article 22.

The reason of using the wording in Annex XII was relating to import of vehicles from outside the Community (US for example) for which production could amount to 2 000 vehicles / a day for home-markets. For such cases, we must be very strict and be sure that the manufacturer is really involved in the small series type-approval process and is not a so-said manufacturer (the person responsible for type-approval = in Europe... (see definition)) i.e. an importer based somewhere in Europe and who has no sales contract with the (real) manufacturer. Basically, we should adopt the same approach for vehicle production in the EU and import from third countries.

Therefore I would suggest that we amend Annex XII to read :

1. The number of units of one type of vehicle to be produced or imported per annum in the Community in application [...].

I think that a general agreement is necessary on this change. Do you have an opportunity to check that with your governmental experts and make sure that TAAM will support unanimously solution "C" ?

Best regards,

JP

**CC:** <Wolfgang.Schneider@ec.europa.eu>

## **6.11. M<sub>1</sub> small series technical requirements, UK 2.**

### **BACKGROUND**

The recast Framework Directive introduces an opportunity for European Small Series approval for M1 vehicles and the technical requirements are identified in the Appendix to Annex IV Part 1. For some subjects (typically the component approvals) a full European approval is required but for other subjects some derogation is permitted according to the following classifications:

- X: Full compliance with regulatory act is required; EC type-approval certificate has to be issued; conformity of production shall be ensured.
- A: No exemptions permitted except those specified in the regulatory act. Type-approval certificate and type-approval mark are not required. Test reports have to be established by a notified technical service.
- B: The technical prescriptions of the regulatory act have to be fulfilled. The tests provided for in the regulatory act have to be performed in their entirety; subject to the agreement of the approval authority, they may be performed by the

- manufacturer himself; he may be allowed to issue the technical report; a type-approval certificate does not have to be issued and type-approval is not required.
- C: The manufacturer has to demonstrate to the satisfaction of the approval authority that the essential requirements of the regulatory act are fulfilled.
- N/A This regulatory act is not applicable (no requirements).

## **ISSUE**

For subjects marked with classifications X, A and B the manufacturer must meet the full technical requirements of the respective and the difference between them is related to the amount of documentation and the amount of witnessed testing required.

However for Subjects marked with 'C' there is scope for different interpretations between Type Approval Authorities. It is clear that manufacturer's test data can be accepted but is not clear which technical requirements need to be met.

The purpose of this paper is therefore to seek a common understanding of the words 'essential requirements' for each of the subjects concerned. Subjects marked with classification 'C' are:

- Steering Effort
- Door Latches & Hinges
- Radio Suppression
- Interior Fittings
- Protective Steering
- Seat Strength
- Exterior Projections
- Defrost Demist
- Wash/Wipe
- Heating Systems
- Engine Power
- Masses & Dimensions

## **TAAM DISCUSSION**

### Possibilities of solution

### Comments

<b>A</b>	Reduced technical requirements can be agreed with Type Approval Authority on a subject by subject basis	Scope for significant differences of approach between Approval Authorities
<b>B</b>	Establish a Working Group at EC level to agree a set of subject-by-subject guidelines to ensure consistency of approach between different Member States.	

**Decision:** The meeting supported Solution B.  
 It was agreed to establish a Working Group at EC level and TAA experts should also be invited to attend at it. UK reminded about VCA proposals (see ANNEX) which were already circulated in 2003 and can be used as a

**basis for discussion but to remind that this document will need updating to recognise changes of the directives since 2003 and the change of the text will be as follows: „essential requirements” instead of „general requirements”**

## **6.12 National type approval of small series Ireland 1.**

### **National type-approval of small series, Article 23, paragraph 1:**

“In the case of vehicles produced within the quantitative limits specified in Section 2 of Part A of Annex XII, Member States may waive one or more of the provisions of one or more of the regulatory acts listed in Annex IV or Annex XI, provided that they lay down relevant alternative requirements.”

### **Individual approvals, Article 24, paragraph 1:**

“Member States may exempt a particular vehicle, whether unique or not, from compliance with one or more of the provisions of this Directive or with one or more of the regulatory acts listed in Annex IV or Annex XI, provided that they impose alternative requirements.”

#### *Alternative requirements:*

“Alternative requirements means administrative provisions and technical requirements which aim to ensure a level of road safety and environmental protection, which is equivalent to the greatest extent practicable to the level provided for by the provisions of Annex IV or Annex XI, as appropriate.”

*Both of these approval mechanisms allow for the sale, registration or putting into service of small series and individually approved vehicles in other Member States. A Member State, when presented with such a vehicle, needs to be sure that the technical provisions under which this vehicle was approved, are equivalent with its own technical provisions.*

*Ireland will be implementing a National small series approval scheme and therefore we want to ensure that our National scheme will be acceptable to the other Member States. So, our question is how do we do this?*

#### *For instance:*

- *Should we sit down and compare our National approval scheme with the National schemes of every Member State?*
- *Is this something that can be done through TAAM?*
- *Do other Member States also think this is necessary?*
- *Are Mutual Recognition Agreements required with each Member State?*

*We are in the early days with the Re-cast Framework Directive and it looks like it will create sweeping changes affecting all interested parties in type approval, so I do not expect delegates to have definitive answers to our question, but it would be good to begin a discussion on this and to get delegates initial thoughts and ideas.*

**Decision:** The question is similar to 6.5 and it was agreed that Member States will send the requested information to the Irish delegation who will prepare and circulate report of the findings later.

## 7. Items related to framework Directive 70/156/EEC.

### 7.1. 70/156/EEC, Information document, Netherlands 1.

<b>Directive or Regulation number:</b>
70/156/EEC as amended by 2001/116/EEC.
<b>Subject:</b>
Information document.

<b>Reference to Annex, etc in the Directive or Regulation:</b>
Annex I, item 9.10.3.2.1. Number of seating positions.

<b>Text:</b>
9.10.3. Seats
9.10.3.1. Number: .....
9.10.3.2. Position and arrangement: .....
9.10.3.2.1. Number of seating positions: .....
9.10.3.2.2. Seat(s) designated for use only when the vehicle is stationary:.....

<b>Question:</b>
It is not clear what the difference is between item 9.10.3.1 and item 9.10.3.2.1. What has to be filled in in item 9.10.3.2.1?

<b>Solutions:</b>		
<b>A</b>	The number of seats intended for use during driving has to be filled in in item 9.10.3.2.1	The text of 9.10.3.2.1 has to be amended in order to clarify what is mentioned.
<b>B</b>	As 9.10.3.2 is intended to be a sub heading the number of seats in each row of seats has to be given in item 9.10.3.2.1	The dotted line in item 9.10.3.2 has to be deleted
<b>C</b>	9.10.3.1 should give the number of seating constructions, where a bench is calculated as one seat and 9.10.3.2.1 should give the total number of seats that can be occupied by one person.	

<b>Decision:</b>
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Type approval Authority e/E	4	
<i>Solution</i>	<i>Accepted</i>	<i>Refused</i>
<b>A</b>		<b>X</b>
<b>B</b>		<b>X</b>
<b>C</b>	<b>X</b>	

<b>Remarks:</b>
Clarification of Annex I and III of the Framework Directive is needed.

**Decision:** The meeting agreed that the situation could be described as follows: The number of seats shown in 9.10.3.1 represents the sum of 9.10.3.2.1 plus 9.10.3.2.2. The proposal for amending the words in 9.10.3.2.1 was sent to CATP-MV.

## 7.2. 70/156/EEC, Nature and provision for special purpose vehicles, Norway.

**Subject:** Annex XI – Nature and provisions for special purpose vehicles

### Question:

For special purpose vehicles, i.e motor-caravans, ambulances and hearses, annex XI of 70/156/EEC gives some exemptions from fulfilling the requirements according to the final vehicle category (M1). It is acceptable that the requirements for the base vehicle of the corresponding category N are satisfied.

These exemptions seems reasonable as far as rebuilding, modification and/or retesting of already installed or approved components or systems in the base vehicle of category N might be both expensive and complicated (e.g. brakes, emission-systems, impact-safety etc.)

However, we find it reasonable that systems or components equipped/installed in the last stage should fulfil the requirements for the corresponding category (M). At least if the installation is not influenced of earlier stages.

Example is the seats in the front and rear of a motor-caravan:

These vehicles are often based upon N-vehicles. The front seats are normally tested and approved according to dir. 74/408/EEC – 2005/39/EC for the base vehicle (N), and this is acceptable also for the motor-caravan (M). The rear seats, however, are most often installed of the manufacturer in the last stage, and are normally not influenced of the construction of the base vehicle. For this reason it is difficult to see why the rear seats not should fulfil the M level of the dir.

The question is clearly visible if we draw the attention to article 3a of the seat directive 74/408/EEC – 2005/39/EC; No. 1 of the article says “*The installation of side-facing seats shall be prohibited in vehicles of categories M1, N1, M2, and M2....*”) Thus this prohibition against side-facing seats is not covering N2 vehicles. Motor-caravans are often based upon N2 chassis. What about side-facing seats then?

Type approval authority “e”	16
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	Possibilities of solution	Accepted	Refused
	The exemptions in dir. 70/156 annex XI for special		

<b>A</b>	purpose vehicles are meant for components and systems installed in the stages before the last stage.	X	
<b>B</b>	The exemptions in dir. 70/156 annex XI for special purpose vehicles are meant for components and systems installed in the stages before the last stage and also such systems/components installed in the last stage if influenced of earlier stages.	X	
<b>C</b>	The exemptions in dir. 70/156 annex XI for special purpose vehicles are meant for components and systems, even if installed in the last stage and not influenced of earlier stages.		X

**Decision:** Meeting supported Solution C.

### 7.3. 2001/116/EC, COC validity and EOS, Finland 3.

Directive 2001/116/EC, and directives 2005/39/EC, 2005/40/EC and 2005/41/EC

#### QUESTION / PROBLEM /CONCERN:

1. Do you consider vehicle's CoC invalid after there has been changes in one or more separate directive that do not require technical changes to that vehicle in concern and, the systems approval has not yet been updated to the latest level ?

2. Does your country enforce the EOS procedure concerning directives 2005/39/EC, 2005/40/EC and 2005/41/EC on vehicles unaffected by the technical changes in the directives (i.e. M1 class vehicles with no sideways or backward seating positions) ?

1.

<b>A</b>	Yes	
<b>B</b>	No	

2.

<b>A</b>	Yes	
<b>B</b>	No	

#### COUNTRY PROPOSAL / SUGGESTION:

Approval authority <b>e17 Finland</b>
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1.

<b>A</b>	Yes	
<b>B</b>	No	

2.

<b>A</b>	Yes	
<b>B</b>	No	

**Decision:** Meeting supported answers 1A and 2A.



## 7.4. 70/156/EEC, vehicle type, variant&version, Poland 1.

### Background:

According to the framework directive 70/156/EEC:

*"(...) full identification of the vehicle just from the designations of type, variant and version must be consistent with a single accurate definition of all the technical characteristics required for the vehicle to be put into service".*

*"Each variant and each version must be identified by a numerical code or number consisting of a combination of letters and numbers, which must also be indicated in the COC of the vehicle concerned. "*

*"(...) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123??). "*


### Practical example:

type: **GDJ???**  
variant: **1BS\*\*\*KY**  
version: **2**

### Questions:

- 1) Should the type-approval be granted (M<sub>1</sub>) and accordingly, COC (as far as the registration is concerned) accepted even if the variant/version code contains illegal characters (neither letters nor numbers)?
- 2) a) What does the expression *"(...) all the technical characteristics required for the vehicle to be put into service"* mean?  
b) Consequently, should the approval be refused, if e.g. vehicle's registration national classification cannot be determined directly from the T/V/V (type/variant/version) identification package.
- 3) Should the TAA ensure the T/V/V combination explicitness and/or require the whole table of combination to be presented?

### **COMMENTS**

TAA code: „e”   
              „E”

**Decision:** Inconsistencies should be solved case-by-case between the Registration Body, the Approval Authority issuing the approval and the Vehicle Manufacturer.

However there was a common view that characters other than symbol „?” should not be allowed.

## 7.5. 70/156/EEC, Make and commercial name, Poland 2

## **Background:**

According to the framework directive 70/156/EEC:

Manufacturer/authorised representative of manufacturer set those terms himself and furthermore proceeds with the vehicle type-approval process. In practice though, please note belowmentioned examples (only theoretical, but reflects the practice) of trade names of manufacturer, as found in the CoCs and EC WVTA certificates.



## **Practical example:**

Weissbruck  
Weisbrueck  
Weißbrück  
Weißbrueck  
Weissbruck GmbH  
Weissbruck Ltd  
Weisbrueck UK Limited

## **Questions:**

- 1) Should all the abovementioned names be allowed or only one upon manufacturer's declaration? What is the practice in other Member States?
- 2) Is the use of foreign diacritic characters allowed? What is the common practice?

	<b><u>Possibilities of solution</u></b>	<b><u>Comments</u></b>
<b>Q1</b>	All names <b>ARE</b> allowed	
	Only one declared name <b>IS</b> allowed	
<b>Q2</b>	Use of foreign characters <b>IS</b> allowed	
	Use of foreign characters <b>IS NOT</b> allowed	

TAA code: „e”   
„E” 

**Decision:** The meeting considered that it would be acceptable if the manufacturers use trade name characters of the company's language of origin but the name should be supplemented by an English version of the name in brackets.

## **7.6. 70/157/EEC, sound levels, Germany 3**

### **Issue**

The directive 2007/34/EG is introducing the new measurement procedure (model B) following the amendments made in supplement 5 R 51 02 series of amendments. The commission presented a compressed document to harmonise the results of the new test for monitoring purpose.

The question rises what is the experience or what are the demands of the other delegations how the test results shall look like?

## Prescription

EC Directive 70/157/EC last amended by 2007/34/EC and R 51

### Possibilities of solution

### Comments

<b>1</b>	<b>A</b>	The proposed form from the commission available on the website shall be used/ is used	
	<b>B</b>	Manufactures are free to design the result sheet	
	<b>C</b>	The results are presented as an extract of the annex 9 of R 51 measurement model B	

### **Type approving authority "e" 1**

Selection of solution		accepted	refused
	<b>A</b>		
	<b>B</b>		
	<b>C</b>		

**Decision:** The meeting supported the form recommended by the Commission. Manufacturer is free to choose the form as the form has not been determined in the Directive.

## **7.7. Directive 71/320/EEC, Bracing system, UK 5.**

### **ISSUE**

Annex X of the Brakes Directive 71/320/EEC, as amended, allows brief periods of wheel locking during the prescribed braking tests.

The expression 'brief periods' is open to some interpretation. VCA's current guidelines interpret a 'brief period' as being a period of wheel lock of up to 0.5 seconds.

However, in view of improving electronic brake control technology, the guidance notes are under review and VCA would therefore appreciate a round-the-table survey of the opinions of the other TAAM members.

There are also some concerns about the effect that tyre tread and tyre wear patterns can have on the tendency for a wheel to lock during ABS tests and, again, VCA would be most grateful to hear the views/experiences of the other TAAM members.

### LEGISLATION

## 5.3. ADDITIONAL CHECKS

The following additional checks shall be carried out with the engine disconnected, with the vehicle laden and unladen:

- 5.3.1. The wheels directly controlled by an anti-lock braking system shall not lock when the full force (8) is suddenly applied on the control device, on the road surfaces specified in point 5.2.2 of this Annex, at an initial speed of 40 km/h and at a high initial speed as indicated in the table below (9):

<u>Condition</u>	<u>Vehicle category</u>	<u>Maximum test speed</u>
High-adhesion surface	All except N <sub>2</sub> , N <sub>3</sub> laden	0,8 v <sub>max</sub> □ 120 km/h
	N <sub>2</sub> , N <sub>3</sub> laden	0,8 v <sub>max</sub> □ 80 km/h
Low-adhesion surface	M <sub>1</sub> , N <sub>1</sub>	0,8 v <sub>max</sub> □ 120 km/h
	M <sub>2</sub> , M <sub>3</sub> N <sub>2</sub> except semi-trailer tractors	0,8 v <sub>max</sub> □ 80 km/h
	N <sub>3</sub> and semi-trailer tractors	
	N <sub>2</sub>	0,8 v <sub>max</sub> □ 70 km/h

- 5.3.2. When an axle passes from a high-adhesion surface ( $k_H$ ) to a low-adhesion ( $k_L$ ) where  $k_H \geq 0,5$  and  $k_H/k_L \geq 2$  (10), with the full force (8) applied on the control device, the directly controlled wheels shall not lock. The running speed and the instant of applying the brakes shall be so calculated that, with the anti-lock braking system fully cycling on the high-adhesion surface, the passage from one surface to the other is made at high and at low speed, under the conditions laid down in point 5.3.1 above (9).
- 5.3.3. When a vehicle passes from a low-adhesion surface ( $k_L$ ) to a high-adhesion ( $k_H$ ) where  $k_H \geq 0,5$  and  $k_H/k_L \geq 2$ , with the full force (8) applied on the control device, the deceleration of the vehicle shall rise to the appropriate high value within a reasonable time and the vehicle shall not deviate from its initial course. The running speed and the instant of applying the brakes shall be so calculated that, with the anti-lock braking system fully cycling on the low-adhesion surface, the passage from one surface to the other occurs at approximately 50 km/h.
- 5.3.4. In the case of vehicles equipped with anti-lock braking systems of categories 1 and 2, when the right and left wheels of the vehicle are situated on surfaces with differing coefficients of adhesion ( $k_H$  and  $k_L$ ) where  $k_H \geq 0,5$  and  $k_H/k_L \geq 2$ , the directly controlled wheels shall not lock when the full force (8) is suddenly applied on the control device at a speed of 50 km/h.
- 5.3.5. Furthermore, laden vehicles equipped with anti-lock braking systems of category 1 shall, under the conditions of point 5.3.4 above, satisfy the prescribed braking rate in Appendix 3 to this Annex.
- 5.3.6. However, in the tests provided for in points 5.3.1, 5.3.2, 5.3.3, 5.3.4 and 5.3.5 above, **brief periods of wheel-locking are allowed**. Furthermore, wheel-locking is permitted when the vehicle speed is less than 15 km/h; likewise, locking of indirectly controlled wheels is permitted at any speed, but stability and steerability shall not be affected.
- 5.3.7. During the tests provided for in points 5.3.4 and 5.3.5 above, steering correction is permitted if the angular rotation of the steering control is within 120° during the initial 2 seconds and not more than 240° in all. Furthermore, at the beginning of these tests the longitudinal median plane of the vehicle shall pass over the

boundary between the high- and low-adhesion surfaces and during these tests no part of the (outer) tyres shall cross this boundary.

**Decision:** 0,5 sec. would be appropriate and realistic.

## 7.8. Directive 72/245/EEC, EMC for Transport Refrigeration Unit as ESA, Netherlands 2.

### Directive or Regulation number:

72/245/EEC as last amended by 2006/28/EC.

### Subject:

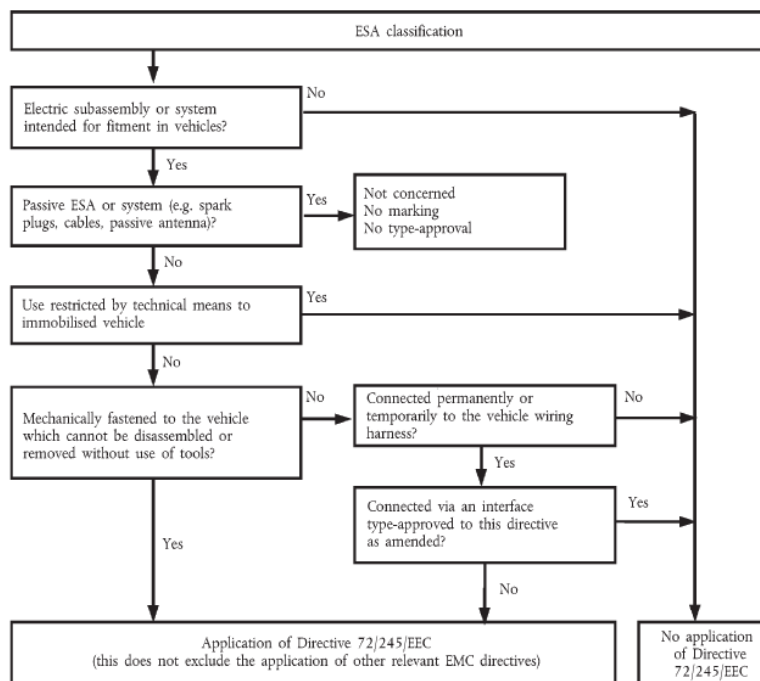
EMC for Transport Refrigeration Unit as ESA.

### Reference to Annex, etc in the Directive or Regulation:

72/245/EEC – 2006/28/EC Annex I, item 3.

### Text:

3.2.1. Applicability of this Directive to ESA:



### Question:

According to the diagram in 3.2.1. a Transport Refrigeration Unit needs to comply with the requirements of Directive 72/245/EEC - 2006/28/EC. We would like to know the opinion of the other TAAM members considering these refrigeration units and EMC approval. Do you agree that they have to be approved and do you know of any units to have such an approval?

### Solutions:

A

<b>Decision:</b>		
Type approval Authority e/E		
<i>Solution</i>	<i>Accepted</i>	<i>Refused</i>
<b>A</b>		

<b>Remarks:</b>

**Decision:** Approval is needed for the kind of Refrigeration Unit.  
If the unit has been installed before the registration it has to be approved in accordance with a flow chart.  
It is also possible to approve it as a part of complete vehicle system approval.

## 7.9. Directive 2004/104/EC, EMC requirements for taximeters, Finland 1.

Directive 2004/104/EC on electromagnetic compatibility (EMC) and Directive 2004/22/EC on measuring instruments

### QUESTION / PROBLEM / CONCERN:

1. Do you consider that taximeter fitted into the M1-vehicle has to fulfill both the requirements of Directive 2004/22/EC and the requirements of Directive 2004/104/EC?
2. If your answer to the question 1 is Yes, does your national legislation provide that the taximeter is type-approved according to the Directive 2004/104/EC or is some other demonstration to the requirements sufficient ?

1.

<b>A</b>	Yes	
<b>B</b>	No	

2.

<b>A</b>	Yes, 2004/104/EC type-approval required	
<b>B</b>	No, some other demonstration is sufficient	

### COUNTRY PROPOSAL / SUGGESTION:

Approval authority <b>e17 Finland</b>
--

1.

<b>A</b>	Yes	<b>X</b>
<b>B</b>	No	

2.

<b>A</b>	Yes, 2004/104/EC type-approval required	<b>X</b>
<b>B</b>	No, some other demonstration is sufficient	

**Decision:** Answers 1A and 2A.

## 7.10. 74/483/EEC and ECE R 26-03, definition of bumper, Netherlands 5.

<b>Directive or Regulation number:</b>
74/483/EEC and ECE R26-03 - External projections.
<b>Subject:</b>
Definition of bumper.

<b>Reference to Annex, etc in the Directive or Regulation:</b>
Paragraph 6.5. to 6.5.2.

<b>Text:</b>
<p>ECE R26, item 6.5.2.</p> <p>If the line of the bumper which corresponds to the outline contour of the car vertical projection is on a rigid surface, that surface shall have a minimum radius of curvature of 5 mm at all its points lying from the contour line to 20 mm inward, and a minimum radius of curvature of 2.5 mm in all other cases. This provision applies to that part of the zone lying from the contour line to 20 mm inward which is situated between and in front (or rear in case of the rear bumper) of tangential points with the contour line of two vertical planes each forming with the longitudinal plane of symmetry of the vehicle an angle of 15° (see fig. 1).</p>
<p>The diagram shows a curved line representing the bumper contour. A shaded area is defined between this contour line and a parallel line 20 mm inward. A dashed line extends from the center of curvature of the contour line to the center of the vehicle (C.L. of vehicle). Two vertical planes are shown as dashed lines, each forming a 15-degree angle with the C.L. of the vehicle. A note indicates that the shaded area is the 'Bumper Zone' and that the radius requirement is 5 mm.</p>

<b>Question:</b>
In Paragraph 2 in both Directive and Regulation no definition is given for "bumper". Most cars nowadays are not equipped with a separate bumper. The structure performing this function is often covered by a plastic exterior part and not easily distinguished from the rest of the vehicle. What do we consider to be the "bumper"?

<b>Solutions:</b>	
<b>A</b>	All parts (i.e. plastic) lying from the contour line 20 mm inward will be considered as "rigid surface" and shall have a radius of at least 5 mm.
<b>B</b>	If the hard structure performing the function of "bumper" is covered by a plastic part, than this surface is not considered to be a "rigid surface". The requirements of paragraph 5.4. shall than be applied - minimum radius of 2.5 mm.

<b>Decision:</b>
------------------

Type approval Authority e/E		
<i>Solution</i>	<i>Accepted</i>	<i>Refused</i>
<b>A</b>		
<b>B</b>		
<b>C</b>		

<b>Remarks:</b>

**Decision:** The meeting reached no common approach and solution to this question.  
The problem is the definition of “bumper”.

### 7.11. ECE R 7 and R 38, Variable lighting vs. steady lighting, Netherlands 3.

<b>Directive or Regulation number:</b>
ECE R7 and R38.
<b>Subject:</b>
Variable lighting vs. steady lighting.

<b>Reference to Annex, etc in the Directive or Regulation:</b>
Supplement 12 to ECE R7-02 and R38-00.

<b>Text:</b>
ECE R7-02, item 4.2.2.3. On devices meeting the requirements of this Regulation in respect of the stop-lamps, the letter "S" followed by the figure: "1" when the device produces steady luminous intensity; "2" when the device produces variable luminous intensity; "3" when the device meets the specific requirements for category S3 stop-lamps and produces steady luminous intensity "4" when the device meets the specific requirements for category S4 stop-lamps and produces variable luminous intensity.

<b>Question:</b>
All existing approvals mention “S” (or one of the other letters) without the numbers “S1” for normal steady luminous intensity (stop)lights. We do not require existing approvals to be modified (extended) with the new markings. We would like to know the opinion of the other TAAM members concerning the extension/modification of existing type-approvals.

<b>Solutions:</b>		
<b>A</b>		
<b>B</b>		
<b>C</b>		

<b>Decision:</b>		
Type approval Authority e/E		
<i>Solution</i>	<i>Accepted</i>	<i>Refused</i>
<b>A</b>		
<b>B</b>		
<b>C</b>		



Remarks:
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**Decision:** Existing approvals need no modification (extensions) with new markings.

### 7.12. 76/756/ and R48, Lighting installation, Poland 3.

#### Background:

According to the directive 76/756/EEC (last amended by 97/28/EC), in the requirements section, it refers to the UN ECE Reg. 48.01.

As the 2<sup>nd</sup> series of amendments to the Reg. 48 is currently in force, the directive doesn't follow the progress of the US ECE Regulation.

#### Question:

Should the EC WVTA approval be issued unconditionally?

<u>Possibilities of solution</u>		<u>Comments</u>
A	Yes	
B	No	

TAA code: „e”   
              „E”

**Decision:** Whilst technical requirements in Directive 97/28/EC are referring to R48-01, the approvals for WVTA can be issued according to 97/28/EC until the dates mentioned in 2007/35/EC based on technical requirements of the R48-01. Pragmatically technical standards from later versions could be accepted.

### 7.13. 76/756/EEC and R48-03, Approval of mirror-mounted courtesy lamps, UK 4.

#### ISSUE

Some cars are currently available with courtesy lamps mounted on the exterior mirrors. These lamps are used to provide illumination when the vehicle is parked to help the driver see the ground surface when entering or leaving the car.

These lamps typically emit a white light beam and in some cases it is possible to see the apparent (illuminating/light-emitting) surface of the lamp from the rear of the vehicle when the mirrors are in the folded (parked) condition.

Paragraph 5.10 states that no white light which could give rise to confusion, other than from the reversing lamp, shall be emitted in a rearward direction. This means that there must be

no direct visibility of the apparent surface of a white lamp when viewed from the rear of the vehicle (see paragraph 5.11 and Annex 4)

Paragraph 2.7 defines a lamp and then lists the individual lamp applications for which there are specific legislative requirements.

The question is, are these mirror-mounted courtesy lamps within the scope of the legislation?

### **TAAM DISCUSSION**

#### Possibilities of solution

#### Comments

<b>A</b>	Even though Courtesy lamps are not included within the detailed lamp specifications listed in Section 2.7, they are still considered to be within the scope of the general lamp definition in Paragraph 2.7	The provisions of ECE R48 are therefore applicable.
<b>B</b>	Courtesy lamps are not included within the detailed lamp specifications listed in Section 2.7 and hence are allowed to be fitted without meeting any specific legislative requirements.	Mirror-mounted courtesy lamps are outside the scope of ECE R48

### **SUPPLEMENTARY QUESTION 1**

Only valid in the case that the Meeting agrees with Solution 'A' above.

#### Possibilities of solution

#### Comments

<b>C</b>	Visibility from the rear of the apparent surface of a white courtesy lamp is NOT permitted even when the mirror is folded.	The folded condition is considered to be a normal parked condition of use (Ref Paragraphs 2.23 and 2.24) and hence Section 5, and particularly paragraph 5.10, applies
<b>D</b>	Visibility of the white lamp apparent surface is allowed when the mirror is folded because this is not a normal condition of use	In the folded mirror condition the lamps are outside the scope of the legislation

### **SUPPLEMENTARY QUESTION 2**

Only valid in the case that the Meeting agrees with Solution 'B' above.

Whilst the Directive 2007/35/EC refers to ECE R48 for the technical requirements, the Directive also includes **an additional provision that the installation of any other lighting**

or light-signalling device than those defined in paragraph 2.7 of UN/ECE Regulation No 48 is prohibited (see 2007/35/EC Annex II Section 3).

Possibilities of solution

Comments

E	Courtesy lamps are not included within the detailed lamp specifications listed in Section 2.7 and hence, whilst allowed by ECE R48.03, they are not allowed by Directive 2007/35/EC	The Directive prohibits the installation of any other lighting or light-signalling device than those defined in paragraph 2.7 of UN/ECE Regulation No 48
F	Courtesy lamps are outside the scope of both ECE R48 and Directive 2007/35/EC	.
G	The wording of Directive 2007/35/EC needs to be clarified.	

LEGISLATION

**ECE R48.03**

**2. DEFINITIONS**

2.7. *"Lamp" means a device designed to illuminate the road or to emit a light signal to other road users. Rear registration plate lamps and retro-reflectors are likewise to be regarded as lamps. For the purpose of this Regulation, light-emitting rear registration plates and the service-door-lighting system according to the provisions of Regulation No. 107 on vehicles of categories M<sub>2</sub> and M<sub>3</sub> are not considered as lamps;*

2.23. *"Normal position of use of a movable component" means the **position(s) of a movable component specified by the vehicle manufacturer for the normal condition of use and the park condition of the vehicle;***

2.24. *"Normal condition of use of a vehicle" means:*

2.24.1. *for a motor vehicle, when the vehicle is ready to move with its propulsion engine running and **its movable components in the normal position(s) as defined in paragraph 2.23.;***

2.24.2. *and for a trailer, when the trailer is connected to a drawing motor vehicle in the conditions as prescribed in paragraph 2.24.1. and its movable components are in the normal position(s) as defined in paragraph 2.23.*

2.25. *"Park condition of a vehicle" means:*

2.25.1. *for a motor vehicle, when the vehicle is at standstill and its propulsion engine is not running and its movable components are in the normal position(s) as defined in paragraph 2.23.;*

**5. GENERAL SPECIFICATIONS**

5.1. *The lighting and light-signalling devices shall be so fitted that under normal conditions of use as defined in paragraphs 2.24., 2.24.1. and 2.24.2. and*

notwithstanding any vibrations to which they may be subjected, they retain the characteristics prescribed by this Regulation and enable the vehicle to comply with the requirements of this Regulation. In particular, it shall not be possible for the lamps to be inadvertently maladjusted.

- 5.10. No red light which could give rise to confusion shall be emitted from a lamp as defined in paragraph 2.7. in a forward direction and **no white light which could give rise to confusion, other than from the reversing lamp, shall be emitted from a lamp as defined in paragraph 2.7. in a rearward direction.** No account shall be taken of lighting devices fitted for the interior lighting of the vehicle. In case of doubt, this requirement shall be verified as follows:
- 5.10.1. For the visibility of red light towards the front of a vehicle, with the exception of a red rearmost side-marker lamp, there must be no direct visibility of the apparent surface of a red lamp if viewed by an observer moving within Zone 1 as specified in Annex 4.
- 5.10.2. For the visibility of white light towards the rear, there must be no direct visibility of the apparent surface of a white lamp if viewed by an observer moving within Zone 2 in a transverse plane situated 25 m behind the vehicle (see Annex 4);

## 76/756/EEC as amended by 2007/35/EC

### **Annex II.**

1. The technical requirements are those set out in paragraphs 2, 5 and 6 of UN/ECE Regulation No 48 (\*) and Annexes 3 to 9 thereto.
2. For the purposes of the application of the provisions referred to in point 1, the following shall apply:
  - (a) "Unladen vehicle" means a vehicle the mass of which is described in point 2.6 of Appendix 1 of Annex I to this Directive, without driver;
  - (b) "Communication form" shall be understood as the type-approval-certificate set out in Appendix 2 of Annex I to this Directive;
  - (c) "Contracting Parties to the respective regulations" shall be understood as Member States;
  - (d) the reference to Regulation No 3 shall be construed as reference to Directive 76/757/EEC;
  - (e) footnote (2) in paragraph 2.7.25 shall not apply;
  - (f) footnote (8) in paragraph 6.19 shall not apply;
  - (g) footnote (1) in Annex 5 shall be understood as follows: "For definitions of the categories, see Annex II A to Directive 70/156/EEC".
3. Without prejudice to the requirements of Article 8(2)(a) and (c) and (3) of Directive 70/156/EEC, of this Annex and to any requirements in any of the separate directives, **the installation of any other lighting or light-signalling device than those defined in paragraph 2.7 of UN/ECE Regulation No 48 is prohibited.**

**Decision:** The decision is still pending because it needs further discussions within GRE working group.

## **7.14. 76/756 and ECE-R48, Installation of lighting and light signalling devices, Germany 1.**

## Issue

Trailers of the category O1 and O2 for special purposes (e.g. for the Transport of boats or other sports equipment, working machines like compressors or cement mixing machines or special lightweight planes, see pictures of examples) often are equipped with lighting and light-signalling devices mounted on a special frame that can be fixed and unfixed to the vehicle very easily. The lighting and light-signalling devices could be dismantled to load/unload the trailer (use it as a working machine on a construction site, use it as a sporting device). For the normal road use, the lighting and light-signalling devices have to be fixed according to the users manual.

The German national road law (StVZO) says, that lighting and light-signalling devices have to be ready-for-use at any time. Today these special trailers are approved including granted exemptions from the StVZO.

Manufacturers of these kind of vehicles are actually asking for type-approval according to 76/756/EEC and ECE-Regulation 48. Therefore the KBA would like to ask for the experiences and opinions of the other authorities.

What are the experiences with dismantlable frames for lighting and light-signalling devices for trailers of the type-approval authorities ?

Are the mentioned vehicles within the scope of 76/756/EEC and ECE Regulation 48 and is it acceptable to grant type approvals for these vehicles, if they fulfil the requirements only in normal/ park condition of the lighting and light-signalling devices?

Are there special requirements for the fixing of the frame for the lighting and light-signalling devices? (such as bolted and secured, split pinned)

## Prescription

EC Directive 76/756/EEC and ECE-Regulation 48

### Possibilities of solution

### Comments

<b>1</b>	<b>A</b>	The mentioned vehicles are within the scope of 76/756/EEC and ECE-Regulation 48 and is it acceptable to grant type approval for these vehicles if they fulfil the requirements only in normal/ park condition of the lighting and light-signalling devices. There are no special requirements for the fixing of the frame for the lighting and light-signalling devices.	
	<b>B</b>	The mentioned vehicles are within the scope of 76/756/EEC and ECE-Regulation 48 and is it acceptable to grant type approval for these vehicles if they fulfil the requirements only in normal/ park condition of the lighting and light-signalling devices. There are special requirements for the fixing of the frame for the lighting and light-signalling devices.	
	<b>C</b>	The mentioned vehicles are not within the scope of 76/756/EEC and ECE-Regulation 48	

**Type approving authority "e"** **1**

Selection of solution		accepted	refused
	<b>A</b>	x	
	<b>B</b>		x

	C		X
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Examples of vehicles:





**Decision :** There was a general agreement for Solution A but Approval Authority should always check that mounting arrangements are clearly written.

**7.15. ECE R48, Side marker lamps–length of vehicle, Austria.**

ECE-R48 reads:

...

“6.17. Side retro-reflector, non-triangular

6.17.1. Presence

Mandatory: On all motor vehicles the length of which exceeds 6 m.”

...

“6.18. Side-marker lamps

6.18.1. Presence

Mandatory: On all vehicles the length of which exceeds 6 m, [...]”

There are no special provisions in ECE-R48 for the measurement of the length of a vehicle. Only ISO 612 may be applicable.

The definition in point 6.1.1. of this standard reads:

“The distance between two vertical planes perpendicular to the longitudinal median plane (of the vehicle) (see clause 5) and touching the front and rear of the vehicle respectively.

NOTE – all parts of the vehicle, including any parts projecting from front or rear (towing hooks, bumpers, etc.) are contained between these two planes.”

In Directive 97/27/EC the mechanical couplings are excluded from the measurement of the vehicle length (Annex I, point 2.4.2).

A vehicle of class M or N has a length of 5950 mm. After mounting a coupling device the vehicle has a length of 6100 mm.

For type approval according to ECE-R48: are side retro reflectors and side marker lamps mandatory for this vehicle with mounted coupling device?

#### Possibilities of solution

#### Comments

<b>A</b>	Side retro reflectors and side marker lamps are not mandatory, the length of the vehicle may be measured according to 97/27/EC	
<b>B</b>	Side retro reflectors and side marker lamps are mandatory, the length of the vehicle has to be measured according to ISO 612 without any exemption	

<b>Type approving authority "e"</b>	12
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Selection of solution	accepted	refused
A		
B		

**Decision:** Solution A

## **7.16. Directive 2001/85/EC, number of seats for disabled passengers/passengers with reduced mobility, Poland 4.**

### **Background:**

Article 3

1. Vehicles of Class I shall be accessible for people with reduced mobility including wheelchair users according to the technical provisions laid down in Annex VII.



2. Member States shall be free to choose the most appropriate solution to achieve improved accessibility in vehicles other than those of Class I. However, if vehicles other than those of Class I are equipped with devices for people with reduced mobility and/or wheelchair users, they shall comply with the relevant requirements of Annex VII.

Annex I

7.7.8.5. Space for seated passengers (see Annex III, figure 13)

7.7.8.5.1. ...

7.7.8.5.2. However, at least two in Class I and Class II and one in Class A forward or rearward facing seats specifically intended and marked for passengers with reduced mobility other than wheelchair users shall be provided in that part of the bus which is most suitable for boarding. These seats shall be designed for passengers with reduced mobility so as to provide enough space, shall have suitably designed and placed handholds to facilitate entry and exit of the seat, and provide communication in accordance with paragraph 7.7.10 from the seated position.

Annex VII

3.2. Priority seats and space for passengers with reduced mobility

3.2.1. A minimum number of forward or rearward facing seats designated as priority seats for disabled passengers shall be situated in a position near to a service door(s) suitable for boarding and alighting. The minimum number of priority seats shall be four in Class I, two in Class II and Class III and one in Class A and B. A seat that folds out of the way when not in use shall not be designated as a priority seat. Paragraph 7.7.8.5.2 of Annex I shall not apply to vehicles that comply with this requirement.

**Question:**

What is the required minimum number of seats for passengers in question in Class I bus.

<b><u>Possibilities of solution</u></b>		<b><u>Comments</u></b>
<b>A</b>	First option is accepted	
<b>B</b>	Second option is accepted	
<b>C</b>	Third option is accepted	
<b>D</b>	Fourth option is accepted	
<b>E</b>	Fifth option is accepted	

TAA code: „e”  „E”

<b><u>Selection of solution</u></b>		<b>accepted</b>	<b>refused</b>
Four priority seats for disabled passengers, according to Annex VII.	<b>A</b>		
Four priority seats for disabled passengers, according to Annex VII. At least two of them intended and marked for passengers with reduced mobility (other than wheelchair users) according to 7.7.8.5.2.	<b>B</b>		
Two seats intended and marked for passengers with reduced mobility (other than wheelchair users) according to 7.7.8.5.2.	<b>C</b>		
Four priority seats for disabled passengers, according to Annex VII and two seats intended and marked for passengers with reduced mobility (other than wheelchair users) according to 7.7.8.5.2.	<b>D</b>		
Other?	<b>E</b>		

## Decision: Solution A

### 7.17. Directive 2005/64/EC, Availability of calculation data, UK 6.

#### ISSUE

Annex I of Directive 2005/64/EC prescribes requirements for the minimum % recyclability, reusability and recoverability that can be achieved for the components used in the construction of a vehicle.

According to Annex I Section 3, the manufacturer shall demonstrate compliance by means of calculations for a reference vehicle in accordance with Annex B to the standard ISO 22628: 2002:

***For the application of points 1 and 2, the manufacturer shall demonstrate to the satisfaction of the approval authority that the reference vehicles meet the requirements. The calculation method prescribed in Annex B to the standard ISO 22628: 2002 shall apply.***

*However, the manufacturer must be in a position to demonstrate that any version within the vehicle type complies with the requirements of this Directive.*

**The ‘reference vehicle’ means the version within a type of vehicle, which is identified by the approval authority, in consultation with the manufacturer, as being the most problematic in terms of reusability, recyclability and recoverability.**

It is assumed that, in most cases, manufacturers will make the ISO 22628: 2002 calculation using information from a database that will be created to identify the material specification by mass for each separate component used to construct a vehicle.

**Whilst it is clear that the ISO 22628: 2002 calculation is only needed for the reference vehicle, how should it be shown that a manufacturer is in a position to demonstrate that any version within the vehicle type complies with the requirements of this Directive?**

#### TAAM DISCUSSION

##### Possibilities of solution

##### Comments

	<u>Possibilities of solution</u>	<u>Comments</u>
A	The manufacturer must ensure that the database is populated with data to cover all variants and versions of the vehicle type to be covered by the approval.	The actual calculation is only submitted for the reference vehicle but data must still be available for all variants and versions.

<b>B</b>	The manufacturer only needs to populate the database with the specific information needed to perform the calculations for the reference vehicle as a theoretical 'worst case'.	
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**Decision:** Solution A.

### **7.18. Directives 2006/40/EC, 2007/37/EC, 706/2007/EC, Regulations relating to emissions from air-conditioning systems in motor vehicles, France 3.**

- **Regulation numbers :**

- Directive 2006/40/EC relating to emissions from air-conditioning systems in motor vehicles
- Directive 2007/37/EC amending Annexes I and III to Council Directive 70/156/EEC
- Commission regulation N° 706/2007 laying down administrative provisions for the EC type-approval of vehicles, and a harmonised test for measuring leakages from certain air conditioning systems

- **Text of Directive 2006/40/EC**

#### **Article 3 / Definitions**

For the purposes of this Directive the following definitions shall apply :

- 'vehicle type' means a type as defined in section B of Annex II of Directive 70/156/EEC;

#### **Article 5 / Type-approval**

1. With effect from six months from the date of adoption of a harmonised leakage detection test, Member States may not, on grounds relating to emissions from air conditioning systems:

- (a) refuse, in respect of a new type of vehicle, to grant EC type approval, or national type approval; or
- (b) prohibit registration, sale or entry into service of new vehicles,

if the vehicle fitted with an air-conditioning system designed to contain fluorinated greenhouse gases with a global warming potential higher than 150 complies with the requirements of this Directive.

2. With effect from 12 months from the date of adoption of a harmonised leakage detection test or 1 January 2007, whichever is later, Member States shall no longer grant EC type-approval or national type-approval for a type of vehicle fitted with an air-conditioning system designed to contain fluorinated greenhouse gases with a global warming potential higher than 150, unless the rate of leakage from that system does not exceed 40 grams of fluorinated greenhouse gases per year for a single evaporator system, or 60 grams of fluorinated greenhouse gases per year for a dual evaporator system.

3. With effect from 24 months from the date of adoption of a harmonised leakage detection test or 1 January 2008, whichever is later, in respect of new vehicles fitted with air-conditioning systems designed to contain fluorinated greenhouse gases with a global warming potential higher than 150, unless the rate of leakage from that system does not exceed 40 grams of fluorinated greenhouse gases per year for a single evaporator system or 60 grams of fluorinated greenhouse gases per year for a dual evaporator system, Member States shall:

- (a) consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC; and
- (b) refuse registration and prohibit sale and entry into service.

4. With effect from 1 January 2011 Member States shall no longer grant EC type-approval or national type-approval for a type of vehicle fitted with an air conditioning system designed to contain fluorinated greenhouse gases with a global warming potential higher than 150.

5. With effect from 1 January 2017, in respect of new vehicles which are fitted with an air-conditioning system designed to contain fluorinated greenhouse gases with a global warming potential higher than 150, Member States shall:

- (a) consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC; and
- (b) refuse registration and prohibit sale and entry into service.

- ***Text of Directive 2007/37/EC***

## **Article 2**

1. Member States shall adopt and publish, by 4 January 2008 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 5 January 2008.

- ***Text of Commission regulation N° 706/2007***

## **Article 2 / Definitions**

For the purposes of this Regulation the following definitions shall apply:

1. 'vehicle type with regard to emissions from air-conditioning systems' means a group of vehicles which do not differ as regards the refrigerant used or other main characteristics of the air-conditioning system or as regards the evaporator system, whether single or dual;

## **Article 8 / Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union.

This Regulation shall apply from 5 January 2008.

This Regulation shall be binding in its entirety and directly applicable in all Member States.
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- **Issue**

The harmonised leakage detection test was adopted the 21 June 2007.

What do you mean about the signification of the dates indicated in the directive 2006/40/EC (article 5, paragraphs 1,2 and 3) in regards of the regulation application?

**Possibilities of solution**

**Comments**

A	<p>§1 : With effect from 21 December 2007, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 21 June 2008, new WVTA base for a vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 2 must not be granted.</p> <p>§3 : With effect from 21 June 2009, all new vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 3 must not be registered.</p>	
B	<p>§1 : With effect from 5 January 2008, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 5 January 2008, new WVTA base for a vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 2 must not be granted.</p> <p>§3 : With effect from 5 January 2009, all new vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 3 must not be registered.</p>	
C	<p>§1 : With effect from 21 December 2007, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 21 June 2008, all extension or new WVTA for a vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 2 must not be granted.</p> <p>§3 : With effect from 21 June 2009, all new vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 3 must not be registered.</p>	
D	<p>§1 : With effect from 5 January 2008, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 5 January 2008, all extension or new WVTA for a vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 2 must not be granted.</p> <p>§3 : With effect from 5 January 2009, all new vehicle fitted with an air-conditioning system designed as defined in the article 5, paragraph 3 must not be registered.</p>	
E	<p>§1 : With effect from 21 December 2007, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 21 June 2008, Member</p>	

	<p>States shall refuse to grant EC type-approval for a new type of vehicle on grounds relating to the device for air-conditioning system (as defined in regulation N° 706/2007), if the requirements of this Directive 2006/40/EC are not fulfilled.</p> <p>§3 : With effect from 21 June 2009, Member States :</p> <p>— shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive,</p> <p>— shall prohibit the sale, registration or entry into service of vehicles,</p> <p>on grounds relating to the device for air-conditioning system (as defined in regulation N° 706/2007) if the vehicles do not comply with the requirements of the directive 2006/40/EC.</p>	
F	<p>§1 : With effect from 5 January 2008, Member States may not refuse a vehicle which complies with the requirements of this Directive.</p> <p>§2 : With effect from 5 January 2008, Member States shall refuse to grant EC type-approval for a new type of vehicle on grounds relating to the device for air-conditioning system (as defined in regulation N° 706/2007) if the requirements of this directive 2006/40/EC are not fulfilled.</p> <p>§3 : With effect from 5 January 2009, Member States :</p> <p>— shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive,</p> <p>— shall prohibit the sale, registration or entry into service of vehicles,</p> <p>on grounds relating to the device for air-conditioning system (as defined in regulation N° 706/2007) if the vehicles do not comply with the requirements of the directive 2006/40/EC.</p>	

<b>Type approving authority « e »</b>	2
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Selection of solutions		Accepted	Refused
	A	X	
	B		X
	C		X
	D		X
	E		X
	F		X

**Decision:** The meeting agreed with Solution A but with the date „21 December 2007” replaced by the date „5 January 2008”

## 7.19. Directive 2006/40/EC, emissions fom air-conditioning systems

### **in motor vehicles (article 5), Bulgaria 3.**

Issue:

*“Article 5 of Directive 2006/40/EC provides that:*

6. Without prejudice to relevant Community law, in particular Community rules on State aid and Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services, Member States may promote the installation of air-conditioning systems which are efficient, innovative and further reduce the climate impact.

**Question:**

We would like to ask other Member States to express their opinion about applicable mechanisms aiming at promoting installation of environmental-friendly air-conditioning systems as well as about possible methods of defining/measuring of “air-conditioning systems which are efficient, innovative and further reduce the climate impact”?

**Possibilities of solution:**

Approval authority „e“	
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<b>Solution</b>

**Decision:** This question was considered to be outside the scope of TAAM and no clear responses/suggestions were given.

### **7.20. Directive 2006/40/EC, emissions from air-conditioning in motor vehicles (article 6), Bulgaria 4.**

Issue:

*Article 6 (Retrofitting and refilling), item 3 stipulates that:*

“6. Service providers offering service and repair for air-conditioning systems shall not fill such equipment with fluorinated greenhouse gases if an abnormal amount of the refrigerant has leaked from the system, until the necessary repair has been completed.”

**Question:**

We would like to ask other MS to give their comments on the possibility to define the term “abnormal amount” of the refrigerant as per Article 6 of Directive 2006/40/EC as well as

about possible methods for measuring/controlling the rate of “abnormal amount of leakage” in the course of performing necessary repair of air-conditioning system.

**Possibilities of solution:**

<b>Approval authority „e“</b>	
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<b>Solution</b>

**Decision:** For judging the „abnormal amount of leakage” it is necessary to compare the performance of the product with manufacturer`s service guidelines

## 7.21. Flex Fuel Ethanol Vehicles, France 2

***Definition***

« Flex Fuel vehicle » means a vehicle with one fuel storage system that can run on different mixtures of two or more fuels.

A Flex fuel ethanol vehicle means a flex fuel vehicle that can run on petrol or a mixture of petrol and ethanol up to an 85% ethanol blend (E85).

***Issue***

Different Flex Fuel Ethanol vehicles models are currently available in Europe. The Community policy encourages the increased use of biofuels maximising environmental performance. Therefore, European regulations are examining and will soon be proposed to integrate Flex fuel ethanol vehicles in order to the type-approval of motor vehicles.

For this moment, these vehicles are granted as petrol vehicles. However, Flex Fuel Ethanol vehicles which are currently available could benefit advantages in some Member States because their national regulation and taxation systems consider Flex Fuel Ethanol as a fuel type to encourage the use of this technology in their territory.

For this purpose, it is necessary that Flex Fuel Ethanol vehicles are expressly identified in the information package, that is to say identified at least in the version of the vehicle type.

France would like to know if it is possible to reach a gentleman`s agreement in order to attribute specific TVV for Flex fuel Ethanol Vehicle.

**Possibilities of solution**

**Comments**

A	Agreement for specific TVV	
B	No agreement for specific TVV	



<b>Type approving authority « e »</b>	2
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Selection of solutions		Accepted	Refused
	A	X	
	B		X

**Decision:** The meeting agreed with Solution A and the issue is covered in Euro 5/Euro 6 Emission legislation

## 7.22. Type-Approval of hydrogen powered motor vehicles, European Commission 1.

### Background

The Commission intends to propose a Regulation on the type-approval of hydrogen powered motor vehicles in October 2007. The proposal will specify technical requirements to be applied for the type-approval of hydrogen components included in the hydrogen system in order to ensure that hydrogen related components are working in a proper and safe way.

It will be proposed that the Regulation becomes applicable 24 months after the entry into force of the co-decision Regulation for new types of vehicles and after 36 months for all new vehicles. In practice, this means that in a best-case scenario, the Regulation will become applicable for new types in the course of 2010 and for all new vehicles in 2011.

The regulatory package will be based on the requirements developed for the draft UN-ECE proposals relating to the approval of specific components for liquid and compressed hydrogen systems and the installation of these (TRANS/WP.29/GRPE/2003/14 + Add.1 and TRANS/WP.29/GRPE/2004/3 + Add.1.). Some Member States have already used these draft requirements to grant individual approval for hydrogen powered vehicles.

National and regional authorities as well as the European Commission are considerably investing in demonstration projects of hydrogen vehicles. Some of these projects, e.g. CUTE, have already been finished with great success, others like HyChain, HyFLEET:CUTE, ZERO REGIO are currently in progress. For example, the HyChain project will deploy several fleets of innovative fuel cell vehicles in four regions of Europe (in France, Spain, Germany and Italy). This project receives a European Community financing of €17 million contributing to the final budget of €38 million. The programme is due to finish early 2011.

### Problem

**Due to the absence of harmonised EC type approval procedures for hydrogen vehicles, these demonstration projects are facing major difficulties in obtaining the required approvals for the vehicles to be used, at least in some European countries.**

### Proposed Solution

There are two possibilities to be considered:

- Type-approval authorities of the Member States involved in the demonstration programmes could grant individual type-approvals on the basis of the requirements of the draft UN-ECE proposals. As explained above, those will form the basis of Community type-approval requirements, once the Regulation and its implementing measures are adopted.
- Article 8(2) c exemptions seem to be a more favourable solution for the interim period until the application of the EU Regulation, since they ensure the recognition of approvals in all Member States. Granting Article 8(2) c exemptions for small series could also be considered. However, the provisions

of the draft UN-ECE requirements should be fulfilled in both cases to ensure the safety of hydrogen vehicles.

**Decision:** There was a general support to 8.2.(c) procedure however there were concerns that unsuccessful application could preclude future national approvals.  
It was suggested that initial survey can be addressed to CATP members to see whether there would be a positive support for the 8.2.(c) procedure

### 7.23. Directive 70/156/EC in connection with 96/96/EC, Germany 5.

#### Issue

Several directives refer to the obligation to design and build a vehicle in such a way, that after first registration (after 4 years for M1 e.g., after 1 year for N3...) the provisions and checks prescribed in the directive 96/96/EC could be executed easily.

There are for example brake systems where the technical inspector is not able to tell during the annual inspection if the system is still in a technical good and safe condition. A check of the brake pads or discs or the checks of the pressure (air pressure braking systems in trucks) is not possible without extensive disassembling of parts.

Because the provisions of the single directives are clearly mention this aspect, a given approval may be influenced.

How should an TS or TAA react and communicate if such an issue is noticed. There are actions written in Article 7 of 70/156/EEC.

#### Prescription

EC Directive 96/96/EC and other directives having design criteria relating 96/96/EC

#### Possibilities of solution

#### Comments

<b>A</b>	The TS or Inspection Service shall contact its TAA and inform the TAA who approved the concerned vehicle/system and ask for a statement and in a second stage ask for elimination of the deficit.	
<b>B</b>	There is no obligation to take any action for the approval issuing TAA and the concerned Manufacturer who build the system/ vehicle.	

#### **Type approving authority "e" 1**

Selection of solution		accepted	refused
	<b>A</b>	x	
	<b>B</b>		x

**Decision:** Solution A

## **8. Items relating to framework directive 92/61/EEC and 2002/24/EC.**

### **8.1. Directive 2002/24/EC, LPG system on two or three-wheel motor Vehicles, France 1.**

#### **DIRECTIVE 2002/24/EC**

*CHAPTER I Article 2 : Scope and definitions*

For the purposes of this Directive:

9. .twin-propulsion vehicles. means vehicles with two different systems of propulsion, for example an electric system and a thermic system;

*ANNEX II PART 1 : INFORMATION DOCUMENT*

3.2.2. Fuel: diesel/petrol/mixture/LPG/other (1)

(1) Delete where inappropriate.

*ANNEX IV : Certificates of conformity*

25. Fuel: (6)

(6) Indicate fuel type by the following codes: P: petrol, D: diesel, M: mixture, LPG: liquid petroleum gas, O: other

#### **DIRECTIVE 97/24/EC chapter 5 amended 2006/120/EC**

*ANNEX IV*

SPECIFICATIONS FOR THE REFERENCE FUEL (PETROL)

The reference fuel used is the one described in ANNEX IX, Section 1, of Directive 70/220/EEC.

SPECIFICATIONS FOR THE REFERENCE FUEL (DIESEL)

The reference fuel used is the one described in ANNEX IX, Section 2, of Directive 70/220/EEC.

#### **REGULATION 67R02**

**1. SCOPE**

This Regulation applies to:

1.1. Part I. Approval of specific equipment of vehicles of category M and N 1/ using liquefied petroleum gases in their propulsion system;

1.2. Part II. Approval of vehicles of category M and N 1/ fitted with specific equipment for the use of liquefied petroleum gases in their propulsion system with regard to the installation of such equipment.

1/ As defined in Annex 7 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), (document TRANS/WP.29/78/Rev.1/Amend.2 as last amended by Amend.4).

#### **QUESTION / PROBLEM /CONCERN :**

Could it be possible to grant a WVTA for a two or three-wheel motor vehicles with LPG system ?

<b>A</b>	Yes, without specific prescriptions because specific prescriptions doesn't exist for L category.	
<b>B</b>	Yes, with M/N specific prescriptions that could be apply to L category.	
<b>C</b>	No It is not explicitly forbidden by directive 2002/24/EC but the lack of prescriptions (pollution, fuel tank, LPG components) for such a system for L category indicates that it is not possible.	

**Type approving authority "e"**

2

Selection of solution		accepted	refused
	A		X
	B		X
	C	X	

**Decision:** The meeting considered that currently it is not possible to issue an approval for an LPG fuelled motorcycle without first submitting an 8.2.(c) application because there are no provisions for LPG reference fuel nor for tank installation for motorcycles. One Member State has already issued an approval and now it is up to other Member States to decide whether they accept the approval on their own territory or not.

## 8.2. Directive 2002/24, WTA for 2 and 3 wheel vehicles using LPG as fuel, Netherlands 4.

<b>Directive or Regulation number:</b>
2002/24/EC.
<b>Subject:</b>
WVTA for 2 and 3 wheel vehicles using LPG as fuel.

<b>Reference to Annex, etc in the Directive or Regulation:</b>
Annex I (list of requirements for the purpose of vehicle type-approval), nr 28 anti-air pollution measures, Directive 97/24/EC Chapter 5.

<b>Text:</b>
In Annex IV of Directive 97/24/EC, Chapter 5, the specifications are given for the fuel(s) to be used during emission tests. In said Annex only specifications are given for <i>petrol</i> and <i>diesel</i> . No specifications are given for LPG or any other fuel.

<b>Question:</b>
Is it possible to issue a WVTA type-approval for 2 and 3 wheel vehicles which use LPG for propulsion?

<b>Solutions:</b>		
A	Yes, LPG is known as a reference fuel in Directive 70/220/EEC (4 wheel Directive) and by using this reference fuel you can perform the necessary emission tests.	
B	No, Directive 97/24/EC does not specify LPG as a reference fuel.  Also there are no requirements for the installation of the LPG equipment/components on 2 and 3 wheel vehicles. Installation on these vehicles can pose a safety hazard.	
C	It is only possible after an 8.2.c. procedure.	

<b>Decision:</b>		
Type approval Authority e/E		
<i>Solution</i>	<i>Accepted</i>	<i>Refused</i>
A		
B		
C		

<b>Remarks:</b>
-----------------

**Decision:** It is in line with a conclusion of item 8.1 and the meeting supported the solution C

### 8.3. Directive 2002/24/EC and emissions level according to 97/24/EC chapter 5 modified until 2003/77/EC, Spain 3.

#### Issue

Directive 2002/24/EC European Type-Approval of 2 or 3-wheeled vehicles

Prescription

#### GENERAL

Directives 2002/51/EC and 2003/77/EC modified Directive 97/24 chapter 5 introducing the new test method and the new limits of the next steps on emission of pollutants (row A and row B, commonly named EURO 2 and EURO 3 respectively) for motorcycles (L3e category).

Row B (EURO 3) of this Directive entered into force for all new L3e category vehicletypes on date 1<sup>st</sup> January 2006.

An L3e category vehicle was type-approved on 30<sup>th</sup> March 2006 with row A values (EURO 2) with a Separate Directive with an approval number issued on 30<sup>th</sup> December 2005.

Is it possible to use non-updated Separate Directives at the moment of granting a new vehicle type-approval?

Possibilities of solution Comments

A Yes

B No

**Type approval authority "e" 9**

Selection of solution accepted refused

A X

B X

Attachments:

Documents of the approved motorcycle:

Page 2: ANNEX VII of Directive 2002/24/EC

Page 3: PART 2 of ANNEX II of Information document of Directive 2002/24/EC

**Decision:** The issue has been under discussion for 2 years already and no consensus has been achieved so far. There was no consensus achieved during the meeting in Tallinn and the Member States are still acting in two different ways: some Member States support Solution A and some Member States - Solution B.

### 8.4. Directive 2002/24/EC, Manufacturers responsibilities under article 9 UK 7.

Article 9 implies that it is the manufacturer who has to be responsible for the manufacture of each vehicle in compliance with the approved type. Compliance with the type is required at registration.

## **ISSUE**

Manufacturers often disassemble components such as mirrors, handlebars and wheels to enable package for shipping/export in crates. The crates are then supplied to authorised distributors in the various EC member states who reassemble the vehicles according to the manufacturers' instructions.

Whilst for "established" makes these will be distributed through authorised distributors, there is an increasing trend for independent importers to obtain low cost motorcycles and quadricycles from emerging markets. These importers often operate without factory support and in some instances do not even assemble the vehicles. unopened crates containing disassembled vehicles are stored in warehouses, orders are received via the internet and unopened crates are dispatched directly to customers' homes.

The level of disassembly also varies. In some cases manufacturers' remove mirrors and handlebars, in others, wheels, brakes and even suspension systems are removed.

The question is, can a manufacturer properly demonstrate it has the requisite responsibility in relation to the re-assembly if the vehicle is supplied to an independent importer or directly to a consumer and whether the CoC should be considered invalid if an amount (TBD) of reassembly is required?

## **TAAM DISCUSSION**

### Possibilities of solution

### Comments

<b>A</b>	The level of disassembly for export should not involve safety critical items.	Safety critical items could include wheels and brakes.
<b>B</b>	The level of disassembly for export should not involve safety critical items unless the vehicle is supplied to an approved distributor for reassembly.	The actions required by the distributor could be included in the manufacturer's quality system.
<b>C</b>	The level of disassembly for export should not involve safety critical items unless the vehicle is supplied to a "mechanically competent" distributor for reassembly.	
<b>D</b>	Vehicles can be disassembled for shipping and subsequently supplied to any third party for reassembly.	

## LEGISLATION

**2002/24/EC consolidated to 2006/120/EC**

## Article 9

1. The manufacturer shall be responsible for the manufacture of each vehicle or the production of each system, separate technical unit or component in compliance with the approved type.

**Decision:** At the meeting there were supports to different solutions but it was acknowledged that there are practical benefits in allowing dealers to complete final assembly of imported motorcycles.  
There was also some support for re-worded Solution D as follows:  
“Vehicles can be disassembled for shipping and subsequently supplied to a dealer for reassembly”.  
Procedures of reassembly should be documented in manufacturer`s COP procedure.

## 8.5. Directive 97/24/EC Chapter 3 & 2006/27/EC, Spain 2

### Issue

‘REQUIREMENTS APPLYING TO EXTERNAL PROJECTIONS FROM THREE-WHEEL MOTOR VEHICLES’  
Bike-quads and buggies

### Prescription

#### GENERAL

The requirements set out in Directive 74/483/EEC (\*) relating to the external projections of (category M1) motor vehicles shall apply to three-wheel motor vehicles intended for the carriage of passengers.

However, bearing in mind the variety of forms of construction of these vehicles, the type approval authority or technical service may, at its discretion and in discussion with the vehicle manufacturer, apply the requirements of this Annex, or of Annex I to all or part of the vehicle, based on an assessment **of the worst case condition**.

This shall also apply to the requirements given below with regard to the requirements for three-wheel vehicles, light quadricycles and quadricycles.

### Possibilities of solution

### Comments

<b>A</b>	In quads, kart, or buggies unbodied the worst case is apply 74/483 EEC always	
<b>B</b>	For quads and buggies may apply the requirements of Annex I 97/24 Chapter 3	

Type approval authority "e" **9**

Selection of solution		accepted	refused
	<b>A</b>	X	
	<b>B</b>		X

## Comment

If we apply Annex I of 97/24 chapter 3 we only took into account the outer periphery (the parts of the vehicle touched by the testing device):

If we apply 74/483 we test all the external projections: hood ,bumpers....etc.



Annex I 97/24 Chapter 3

4.0 Test methods

4.2. **Test procedure**

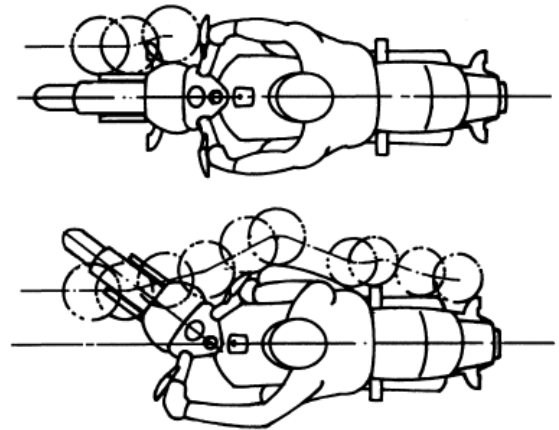
The test device shall be moved from the front towards the rear of the test vehicle and (if it is able to strike the testing device) the steering control shall be rotated into its fully locked position. The

test device must remain in contact with the vehicle (see Figure B in the Appendix).

Figure B



Test device ( 97/24 Chapter 3 )



Test device 74/483/EEC ( M1 category)

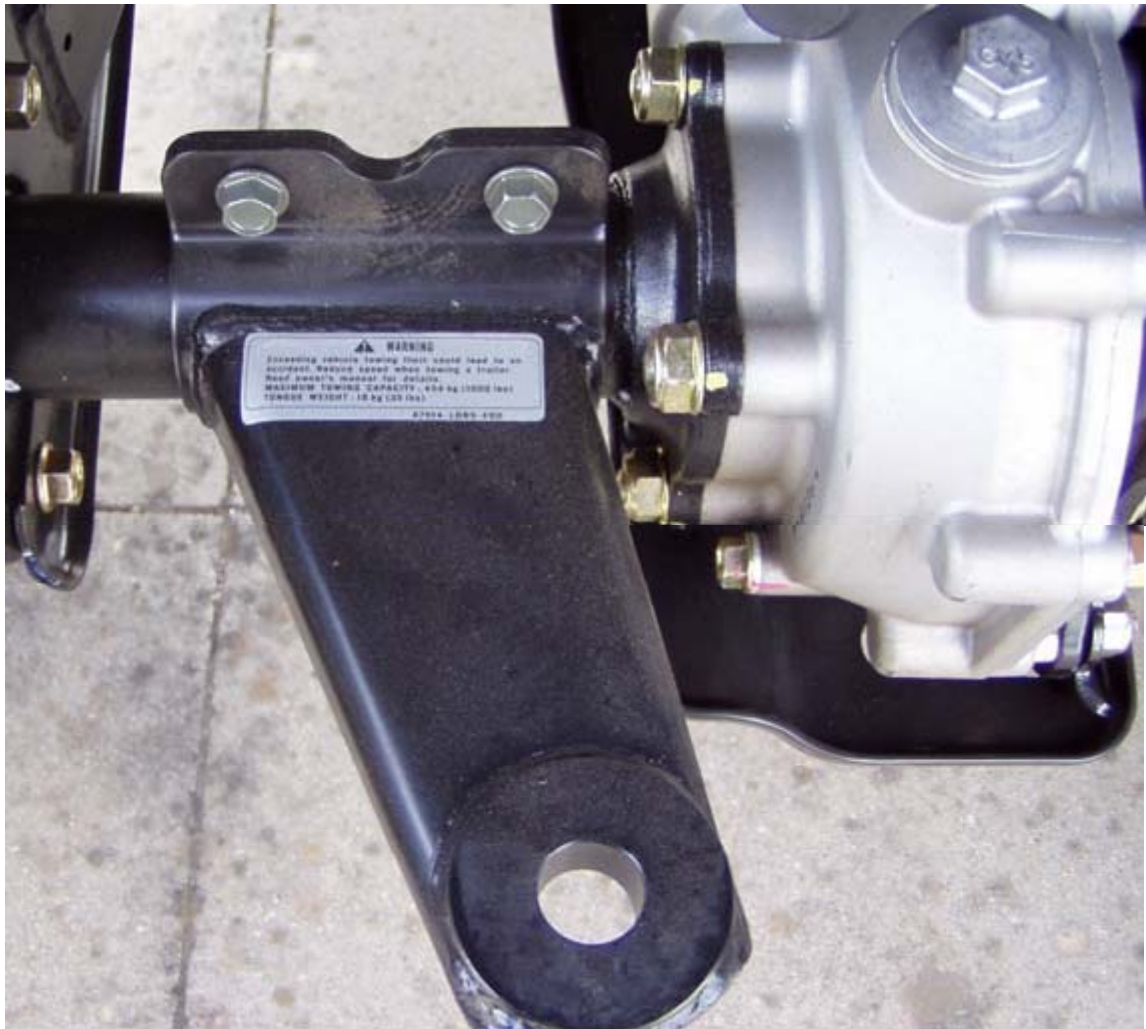
**Decision :** Most delegates who expressed their opinion supported mixed approach: Solution A - for car related components and Solution B - for motorcycle specific components ( e.g wheels, pedals, front forks etc)





## 8.6 Directive 97/24/EC Chapter 10, trailer coupling device, Spain 6.

**Directive:** 2002/24 Ec & 97/24 EC chapter 10  
Issue  
Trailer coupling device



Prescription

In some ATV approved like L7e we can see

a coupling device without ball (See photo)  
There is a warning label where you can read: "Maximum towing capacity xxx kg"  
This device is not mentioned in the WVTA

### Possibilities of solution

Comments

**A** Yes is considered a coupling device and is necessary fulfil the requirements and it must be indicated in WVTA

**B** No only is considered a coupling device if is a complete device including the ball

### Type approval authority "e" 9

Selection of solution accepted refused

**A** X

**B** X

**Decision:** The meeting supported Solution A

## 8.7 Directive 97/24/EC Chapter 11 modified by 2006/27/EC on seatbelts for quadricycles

### Legislation

Directive 97/24/EC Chapter 11 modified by 2006/27/EC

### Background

A bodied quadricycle with a row of two forward-facing seats and without any structural part behind H point nor 450 mm above it.

According to point 2 of 97/24/11/EC modified by 2006/27/EC, lap belts would be allowed for this vehicle:

2.1.1.1. Anchorage points suitable for three-point belts are required for all seats that meet both of the following conditions:

- when the seat has a back or when a support helps to determine the back rest angle of the dummy and may be considered as a seatback, and
- when there is a lateral or transversal structural element behind the H point at a height of more than 450 mm measured from the vertical plane of the H point.

2.1.1.2. For all other seats, anchorages suitable for lap belts are acceptable.

But according to point 3, three point seatbelts are mandatory for front seats.

### 3. MINIMUM NUMBER OF BELT ANCHORAGES

3.1. Two lower and one upper anchorage must be provided for the front seats. However, two lower anchorages are considered sufficient for the front centre seats, if fitted, where there are other front seats and the windscreen is located outside the reference zone defined in Annex II to Directive 74/60/EEC. The windscreen is considered as forming part of the reference zone for the anchorages should the windscreen enter into static contact with the device for testing in accordance with the method described in Annex II to Directive 74/60/EEC on the interior fittings of motor vehicles.

3.2. for the outboard seats two lower anchorages and one upper anchorage must be provided.

### Question

How many anchorage points are needed?

Possibilities of solution

**A** 2-point seat belts

**B** 3-point seat belts

**Type approval authority "e" 9**

Selection of solution accepted refused

**A**

**B**

**Decision:** There was a general view that both Solutions are applicable.  
It depends on construction and in some cases paragraph 3.2 takes priority over paragraph 2.1.1.2.

## **8.8. Dublin issue.**

### ***NOTES FROM TAAM SUB-GROUP MEETING TO DISCUSS QUADRICYCLES***

Held on 6 April 2006 in Dublin after the main TAAM

Attendees:

Belgium  
European Commission  
Finland  
France  
Germany  
Hungary  
Ireland  
Latvia  
Luxembourg  
Netherlands  
Norway  
Poland  
Spain  
Sweden  
United Kingdom

A meeting was held after the main TAAM in Dublin on 6 April 2006 in order to develop some proposals for consideration by the Motor Cycle Working Group with a view to improving the safety of quadricycles approved for road use.

The scope of the meeting was also extended to cover three-wheel vehicles and 'pocket' bikes.

<b>BACKGROUND</b>
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The TAAM has previously discussed questions about quadricycles covered by the motorcycle framework directive. On each occasion the meeting has expressed concern about the safety of some of these vehicles on public roads – in particular quad bikes and 'go-karts'.

Whilst, it has been noted that individual Member States might be able to apply 2002/24/EC Article 4 section 6 (see also 70/156/EEC Article 4 Section 2) to prevent registration on a national basis, it is also generally accepted that if the quadricycles meet all the relevant legislative requirements it is difficult to refuse them an approval.

There has therefore been a consensus opinion at previous meetings that the legislation should be changed to restrict these types of vehicles.

The Commission is currently discussing the legislation covering quadricycles and has invited the TAAM to submit some proposals to support the discussion (see the minutes of the March 2005 TAAM held in Spain)

The TAAM sub-group acknowledged that its roll was not to propose actual legislation but simply to make some practical proposals/suggestions for motorcycle design criteria that could be used to support ongoing discussions in the Motor Cycle Working Group.

## **LEGISLATION**

### **2002/24/EC**

#### ***CHAPTER I - Scope and definitions***

##### **Article 1**

*1. This Directive applies to all two or three-wheel motor vehicles, whether twin wheeled or otherwise, intended to travel on the road, and to the components or separate technical units of such vehicles.*

*This Directive does not apply to the following vehicles:*

- (a) vehicles with a maximum design speed not exceeding 6 km/h;*
- (b) vehicles intended for pedestrian control;*
- (c) vehicles intended for use by the physically handicapped;*
- (d) vehicles intended for use in competition, on roads or in off-road conditions;*
- (e) vehicles already in use before the application date of Directive 92/61/EEC;*
- (f) tractors and machines, used for agricultural or similar purposes;*
- (g) vehicles designed primarily for off-road leisure use having wheels arranged symmetrically with one wheel at the front of the vehicle and two at the rear;*
- (h) cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0,25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling, nor to the components or technical units thereof unless they are intended to be fitted to vehicles covered by this Directive.*

*It does not apply to the approval of single vehicles except that Member States granting such approvals shall accept any type-approval of components and separate technical units granted under this Directive instead of under the relevant national requirements.*

*2. The vehicles referred to in paragraph 1 shall be subdivided into:*

- (a) mopeds, i.e. two-wheel vehicles (category L1e) or three-wheel vehicles (category L2e) with a maximum design speed of not more than 45 km/h and characterised by:*
  - (i) in the case of the two-wheel type, an engine whose:*
    - cylinder capacity does not exceed 50 cm<sup>3</sup> in the case of the internal combustion type, or*
    - maximum continuous rated power is no more than 4 kW in the case of an electric motor;*
  - (ii) in the case of the three-wheel type, an engine whose:*
    - cylinder capacity does not exceed 50 cm<sup>3</sup> if of the spark (positive) ignition type, or*
    - maximum net power output does not exceed 4 kW in the case of other internal combustion engines, or*
    - maximum continuous rated power does not exceed 4 kW in the case of an electric motor;*
- (b) motorcycles, i.e. two-wheel vehicles without a sidecar (category L3e) or with a sidecar (category L4e), fitted with an engine having a cylinder capacity of more than 50 cm<sup>3</sup> if of the internal combustion type and/or having a maximum design speed of more than 45 km/h,*

*(c) motor tricycles, i.e. vehicles with three symmetrically arranged wheels (category L5e) fitted with an engine having a cylinder capacity of more than 50 cm<sup>3</sup> if of the internal combustion type and/or a maximum design speed of more than 45 km/h.*

*3. This Directive shall also apply to quadricycles, i.e. motor vehicles with four wheels having the following characteristics:*

*(a) light quadricycles whose unladen mass is not more than 350 kg (category L6e), not including the mass of the batteries in case of electric vehicles, whose maximum design speed is not more than 45 km/h, and*

*(i) whose engine cylinder capacity does not exceed 50 cm<sup>3</sup> for spark (positive) ignition engines, or*

*(ii) whose maximum net power output does not exceed 4 kW in the case of other internal combustion engines, or*

*(iii) whose maximum continuous rated power does not exceed 4 kW in the case of an electric motor.*

*These vehicles shall fulfil the technical requirements applicable to three-wheel mopeds of category L2e unless specified differently in any of the separate directives;*

*(b) quadricycles, other than those referred to in (a), whose unladen mass is not more than 400 kg (category L7e) (550 kg for vehicles intended for carrying goods), not including the mass of batteries in the case of electric vehicles, and whose maximum net engine power does not exceed 15 kW.*

*These vehicles shall be considered to be motor tricycles and shall fulfil the technical requirements applicable to motor tricycles of category L5e unless specified differently in any of the separate Directives.*

## **PROPOSALS FROM MEETING**

TAAM Sub-Group Proposals regarding Quadricycles Tricycles and Pocket Bikes

## **PART I: 4 AND 3 WHEEL VEHICLES**

The view of the meeting was that Quadricycles and Tricycles should be considered in two distinct categories, namely:

- Those with saddles
- Those with seats

### **A: Vehicles with Saddles**

#### **Quadbikes**



Design proposals to improve safety of vehicles to be approved for road use:

- Minimum track width [suggestion: 1000mm]
- Minimum Track/Wheelbase ratio [suggestion: wheelbase to be at least 1.2 times the track of the front and rear axles]
- Differential on all driving axles
- Only one seat (i.e. driver only – passengers not allowed)
- Must meet Anti-tampering requirements (to maintain restrictions on engine power/road-speed)
- Must be fitted with 'e' marked (or 'E' marked) tyres suitable for the vehicle use on public roads
- Must meet high speed stability test (e.g. 'Elk' test)
- Must meet wheel-guard requirements

### **Trikes (3 wheel bikes)**



The meeting proposed that the following requirements should also be applied to motor tricycles (and three-wheel mopeds) with saddles:

- Minimum track width for two-wheel axle [suggestion: 1000mm]
- Minimum Track/Wheelbase ratio [suggestion: wheelbase to be at least 1.2 times the track of the two wheel axles]
- Differential on driving axles (if 2 wheels used for drive)
- Must meet Anti-tampering requirements (to maintain restrictions on engine power/road-speed)
- Must be fitted with 'e' marked (or 'E' marked) tyres suitable for the vehicle use on public roads
- Must meet high speed stability test (e.g. 'Elk' test)
- Must meet wheel-guard requirements

### **B: Vehicles with Seats**

Design proposals to improve safety of vehicles to be approved for road use:

#### **4 Wheel 'Microcars'**



- Minimum 'R' point height for all seating positions [suggestion: 450mm]
- Passenger compartment to be fully enclosed with fully closed bodywork (with or without doors) up to a minimum height above R point [suggestion: 200mm above R point]

- Must meet seat belt and seat belt anchorage requirements
- Must be fitted with windscreen (with specific dimension requirements)
- Must meet wheel-guard requirements
- Must meet requirements for protection of fuel tank

### 3 Wheel cars



The meeting proposed that the following requirements should also be applied to 3 wheel cars (motor tricycles) with seats:

- Minimum 'R' point height for all seating positions [suggestion: 450mm]
- Passenger compartment to be fully enclosed with fully closed bodywork up to a minimum height above R point [suggestion: 200mm above R point]
- Must meet seat belt and seat belt anchorage requirements
- Must be fitted with windscreen (with specific dimension requirements)
- Must meet wheel-guard requirements
- Must meet requirements for protection of fuel tank

### PART II: POCKET BIKES

Pocket Bikes fall under the provisions for two wheel bikes.



Design proposals to improve safety of 2 wheel vehicles to be approved for road use:

- Must have saddle
- Minimum Wheelbase [suggestion: 1000mm]

- Minimum Saddle height [suggestion: 550mm]
- Minimum Handlebar height [suggestion: 550mm]
- Minimum Handlebar width [suggestion: 500-550mm]
- Minimum dimension between centre of saddle and pivot point of handlebar [suggestion: 500-600mm]
- Minimum Road Wheel diameter [suggestion: 10 inches]

**Questions:**

1. Will the TAAM-Group still follow the proposed provisions in the 'subgroup-paper Quadricycles' when an applicant ask for an approval and
2. When do the MCWG of the Commission will start the process of amendment of 2002/24/EC and 97/24/EC as proposed in the subgroup paper

**Decision:** **Regarding the first question there was a general view that as long as there had been no amendments and updates in legislation it is not legally appropriate to implement new requirements. Commission explained that they intend to discuss the question within Motorcycle Working Group taking into account the subgroup document.**

## **9. Items relating to framework directive 74/150/EC and 2003/37/EEC.**

### **9.1. Directive 2003/37EC, Annex IV, Bulgaria 2.**

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Issue:

*Annex IV (Procedures to ensure conformity of production) prescribes that:*

#### **2. CONFORMITY OF PRODUCTION**

2.1. Every vehicle, system, component or separate technical unit type-approved pursuant to this Directive or a separate directive must be so manufactured as to conform to the type approved by meeting the requirements of this Directive or of a separate directive appearing in the exhaustive list set out in Annex II, Chapter B.

2.2. When granting EC type-approval, the EC type-approval authority in a Member State shall verify the existence of adequate arrangements and documented control plans, to be agreed with the manufacturer for each EC type-approval, **for the carrying-out at specified intervals of the tests or associated checks that are needed to verify continued conformity to the approved type**, including, where applicable, tests required by the separate directives.

.....

2.4. The authority which granted EC type-approval **may at any time verify the conformity control methods** applied in each production facility. The normal frequency of these verifications shall be in line with the arrangements (if any) accepted under paragraph 1.2 or 1.3 of this Annex and ensure that the relevant checks are reviewed over a period appropriate to the confidence required by the competent authority.

2.4.1. At every inspection, the test records and production records shall be made available to the visiting inspector.

.....

2.4.5. Where unsatisfactory results are found during an inspection, the **EC type-approval authority shall ensure that all necessary steps** are taken to restore conformity of production as rapidly as possible.”

**Question:**



We would like to ask other MS to share their experience concerning ensuring conformity of production checks and in particular **continued conformity to the approved type in the case of applicant for EC type-approval from third country** (non-EU, non-EEA), including the case when TAA can not use branch of a notified technical service to act on its behalf in this third country or no branch of a notified technical service is established in this country.

**Possibilities of solution:**

Approval authority „e“	
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<b>Solution</b>

**Decision:** The meeting confirmed that COP responsibility for Approval Authority applies regardless to the geographical location of the manufacturer`s assembly plants.

## **9.2. Directive 2003/37 and 2006/42, Bulgaria .**

**Issue:**

Article 2 of Directive 2006/42/EC on machinery stipulates that:

“2. The following are excluded from the scope of this Directive:

(e) the following means of transport:

- agricultural and forestry tractors **for the risks covered by Directive 2003/37/EC**, with the exclusion of machinery mounted on these vehicles,

EC document **ENTR-81-3** (*Draft non-binding document - Comparison between the Machinery Directive and the Tractor Type-approval Directives*) defines some categories of risks which are not covered by Directive 2003/37/EC or “separate” tractor Directives (such as falling objects, hazardous substances and etc.).

**Question:**

We would like to ask MS to give their comments on the necessity to use Machinery Directive for these risk categories in the process of granting EC tractor type - approval (for categories T1, T2 and T3).

**Possibilities of solution:**

We consider that **only Directive 2003/37/EC** and “separate” tractor Directives are necessary for granting EC type-approval for wheeled tractors belonging to category T1, T2 and T3.

	<b>A</b>	<b>Support the above given solution</b>	
	<b>B</b>	<b>Other decision (please specify)</b>	

Approval authority „e“	
------------------------	--

Solution		accepted	refused
	<b>A</b>		
	<b>B</b>		
	:		

**Decision:** It was noted that Machinery Directive applies in addition to the legislation for tractors

### 9.3. Directive 2003/37/EC article 2 (q), European Commission 2.

#### Background

Framework Directive 2003/37/EC defines in Article 2 (q) the term ‘**entry into service**’ as

*“the first use for its intended purpose within the Community of any vehicle which requires no installation or adjustment by the manufacturer or a third party designated by him prior to its first use; the date it is registered or placed for the first time on the market shall be considered the date of entry into service.”*

#### Problem

Some older tractors, being approved for their exhaust emissions under Stage 1, have been used off-road only for some years without registration. Later the tractor is sold to someone who wants to use the tractor on the road and therefore needs the tractor to be registered. Some authorities then use the actual date of registration and therefore require Stage II (or IIIA), which the vehicle cannot meet.

Which date has to be applied for the ‘first registration’ of agricultural tractors stage 1 according to 2000/25/CE ?

#### Proposed Solution

The Commission would like to ask Member States’ authorities to express their views on the applicable emission requirements for an in-use vehicle which needs to be registered. What is considered to be the date of ‘**entry into service**’ ?

Can participants agree with the following interpretation:

- When the **registration** of a given tractor is **compulsory**, the date of the first registration is considered to be the date of the initial entry into service of the unused vehicle.
- When the **registration** of a given tractor is **only compulsory for road circulation** or **not compulsory** at all, the entry into service takes place when the end consumer (farmer or contractor) buys the tractor.

**Decision:** The meeting agreed with the proposals of the Commission. It was suggested that a definition in Article 2 of Non-Road Mobile Machinery Directive 97/68/EC „placing on the market” can be used as a alternative for tractors not required to be registered for traffic.

## 9.4. Consolidation of Framework Directive 2003/37/EC, European Commission 3.

### Background

In relation with the consolidated version of Directive 2003/37/EC a question was raised on the content of its Annex I as amended by Annex III of Directive 2005/13/EC.

After the amendment through 2005/13/EC, the Annex I, Model A, section 3 ‘Engine’ is replaced by a new text containing paragraphs 3.1 – 3.4. only. Paragraphs 3.5. - 3.11. of the previous version are not mentioned anymore.

### Problem

Some experts are of the opinion that the deleted paragraphs 3.5. - 3.11. contain essential information for tractor homologation and should be kept. The Commission services have been asked if it was indeed the intention to delete the paragraphs 3.5. - 3.11 or if the wording of the amending directive is erroneous and paragraphs 3.1. - 3.4. should have been replaced by new versions while the remaining paragraphs should have been maintained unchanged.

Is this understanding correct?

### Annex:

Old text of Directive 2003/37/EC - Annex I – paragraphs 3.5 – 3.11

- 3.5. Fuel tank(s):
  - 3.5.1. Number, capacity, materials: .....
  - 3.5.2. Drawing, photograph or description clearly indicating the position of the tank(s): .....
  - 3.5.3. Reserve fuel tank(s):
    - 3.5.3.1. Number, capacity, materials: .....
    - 3.5.3.2. Drawing, photograph or description clearly indicating the position of the tank(s): .....
- 3.6. Nominal engine power: ..... kW, at ..... min<sup>-1</sup> at standard setting (in accordance with Directive 97/68/EC)
  - 3.6.1. Optional: Power at the power take-off (PTO), if any, at the rated speed(s) (in accordance with OECD Code 1 or 2 or ISO 789-1:1990)

Rated speed PTO (min <sup>-1</sup> )	Corresponding engine speed (min <sup>-1</sup> )	Power (kW)
1-540	.....	.....
2-1 000	.....	.....

- 3.7. Maximum torque: ..... Nm, at ..... min<sup>-1</sup> (according to Directive 97/68/EC)
- 3.8. Other traction engines or motors (spark ignition, etc.), or combinations thereof (characteristics of components):
- 3.9. Air filter:
  - 3.9.1. Make(s):
  - 3.9.2. Type(s):
  - 3.9.3. Average depression at maximum power: ..... kPa
- 3.10. Exhaust system:
  - 3.10.1. Description and diagrams:
  - 3.10.2. Make(s):
  - 3.10.3. Type(s):
- 3.11. Electrical system:
  - 3.11.1. Rated voltage, positive/negative earth (1): ..... V
  - 3.11.2. Generator:
    - 3.11.2.1. Type:
    - 3.11.2.2. Rated power: ..... VA

**Decision:** The meeting agreed that these paragraphs are necessary and should be reinserted.

## **9.5 Directive 890/173/EEC, Approval of agricultural couplings, Spain 5.**

**Question: Spain 5**

**Directive: Approval of agricultural couplings according to 89/173/EEC, Annex IV**

**Legislation: Directive 89/173/EEC,**

*COUNCIL DIRECTIVE of 21 December 1988 on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors (89/173/EEC)*

**RELEVANT SECTION :** Directive 89/173, Annex IV,  
Mechanical couplings between tractor and towed vehicle and vertical load on the coupling point.

1 Definitions

1.1. Mechanical coupling between tractor and towed vehicle' means the components installed on the tractor and on the towed vehicle in order to provide the mechanical coupling between those vehicles.

Only mechanical coupling components for tractors are covered in this Directive.

***Among the various types of mechanical coupling components for tractors a basic distinction is made between:***

- clevis type (see Figures 1 and 2 of Appendix 1),
- towing hook (see Figure 3 of Appendix 1),
- tractor drawbar (see Figure 4 of Appendix 1).

**CONCERN:** The sentence “among the various types of...” indicates that the three basic examples defined in 1.1. are only examples of coupling devices BUT NOT necessarily THE ONLY POSSIBLE MODELS to be submitted for approval.

Towing devices SIMILAR TO but not identical to the examples shown in the Appendix 1, (Figures 1 to 4) can give the same performance, mechanical resistance and degrees of freedom for the movement of trailer as the given examples.

In the concerned model (see Annex), we can consider that the **basic dimensions** defined in Appendix 1, Figure 4 for interchangeability with trailers are met even if the drawing is not identical.

The mentioned models of mechanical couplings fulfil 100% of prescriptions regarding mechanical resistance, degrees of freedom between tractor and trailer.

**PRECEDENTS:** European approvals have been granted to agricultural coupling with totally different philosophy (eg. Towing ball of Ø 80 mm not valid for towing eye)

QUESTION:

Is it possible to grant a European approval according to EEC/89/173 Annex IV to agricultural coupling devices different to those shown as examples in the figures 1 to 4 of Appendix 1 of annex IV? Annexes: Drawings in the directive and Drawings of the concerned models.

Possibilities of solution

Comments

**A** Yes, it is possible, figures are only examples

**B** No, only to devices corresponding to the shape of given examples

ANNEX 1

1.- Figures 1 to 4 of appendix 1 of Annex IV, Directive 89/173

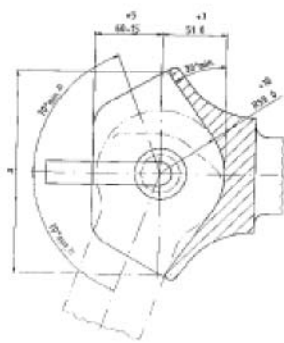
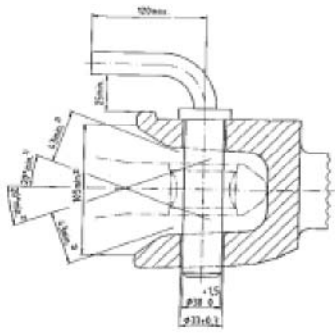


Figura 1a  
Non-automatic trailer coupling with cylindrical loading pin

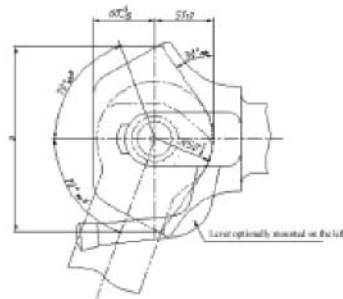
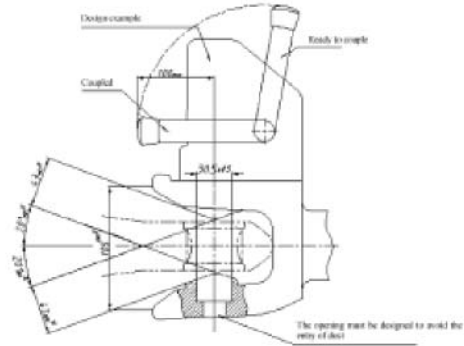


Figura 1b  
Automatic trailer coupling with cylindrical loading pin

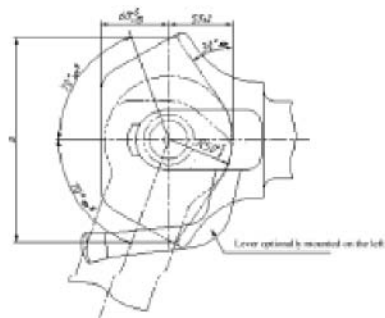
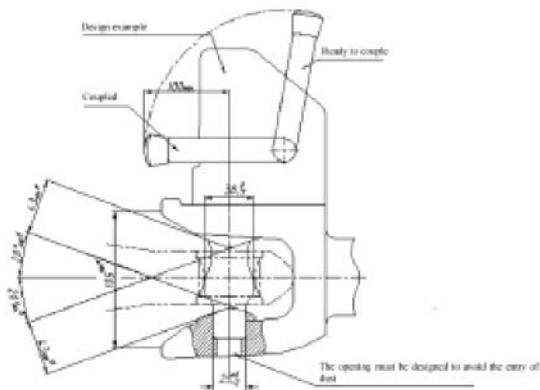
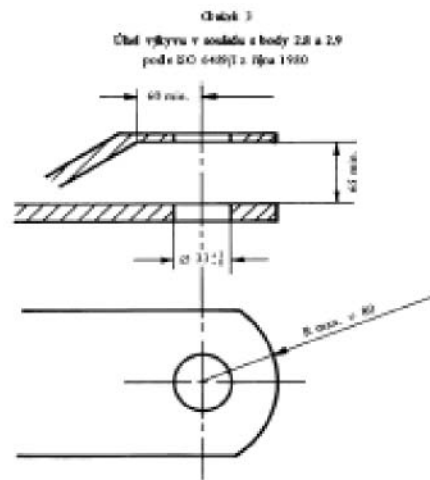


Figura 1c  
Automatic trailer coupling with conical loading pin



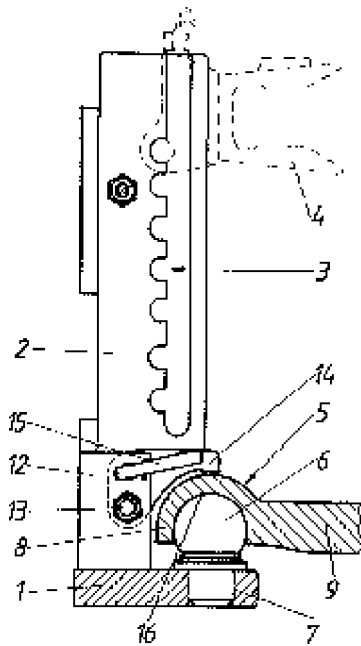
Článek 3  
Tělní část traktoru  
podle ISO 6489/1 z října 1980

ANNEX 2:

Example of approved device with TOWING BALL Ø 80

mm European Approvals in several countries

Valid for trailers with drawbar equipped with coupling HEAD (not pin)



Extract from a European approval certificate with the mention:

1. Trade Mark
2. Clevis type / towing hook / drawbar (1)  
Coupling Ball 80

(deletes all three examples and add a new one not foreseen in the model of certificate)

ANNEX 3,  
MODEL OF COUPLING DEVICE SUBMITTED FOR APPROVAL: -

Valid for trailer drawbar with EYE (Diameters to be chosen)

- Mechanical resistance as per directive (Appendix 3, static Test)
- Horizontal and vertical degree of freedom more than required in the directive. -

Dimension of the flat metal parts containing the pivot as per the directive.



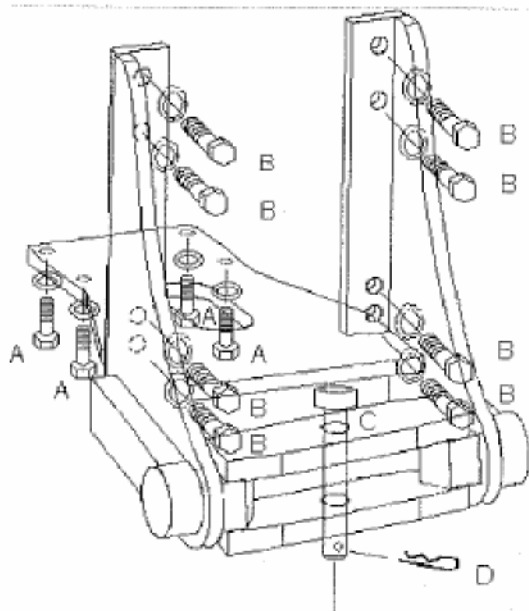


# CELMA

CONTRASEÑA DE HOMOLOGACIÓN  
e9\*89/173\*2000/1\*1014\*00

T=29000Kg  
S=2943daN

Tipo  
FSVAR800\_F



**Elementos de unión del enganche al tractor:**

- Tornillos A (unión pletina longitudinal)
- Tornillos B (unión pletina frontal)

**Decision:** There was no clear TAAM consensus reached and the Commission agreed to advise

## **10. Miscellaneous.**

### **10.1. Individual approval and national small-series type-approval as a content of TAAM**

**Issue:** New Framework Directive 2007/46/EC also incorporates requirements for Individual Approval and National Small-Series Approval and should we now discuss these items in TAAM.

**Decision:** It was decided during the meeting that these topics should be covered but it was suggested that the items should be added to the end of the Agenda for discussions.

### **10.2 Contact for In-Use compliance, Germany**

**Issue:** Germany requested contact details for the persons responsible for In-Use Compliance in each Member State regarding emission type-approval according to Directive 70/220/EC and its amendments.

**Decision:** The meeting agreed to send the details to TAAM German delegation.

## **11. Location for the next TAAM – 2008 Q1.**

**Next TAAM's will be scheduled as follows:**

**10-11.04.2008- Leipzig, Germany**

**2008 Q3/Q4 – UK**

**2009 Q1/Q2 – Switzerland**

**2009 Q3/Q4 - Slovenia**