



# VCA INFORMATION NOTICE ON EUROPEAN AND NATIONAL TYPE APPROVAL LEGISLATION

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This notice is published by VCA only to provide a guide to possible future Type Approval developments. Though every care is taken in its preparation VCA cannot be held responsible for any errors or omissions. Interpretation of the law must remain the prerogative of the courts.

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## EC NEWS

### Switch from EC Directives to UNECE Regulations

Implemented under EC Regulation 661/2009 (by Directive 407/2011)

From 1 November 2014, the following changes will be applied to EC Legislation and VCA will offer End of Series against these changes under Regulation 407/2011. See the section on End of Series for further details

<b>The following Directives to be repealed</b>	
(Item numbers from Annex IV, 2007/46/EC (EU 678/2011))	
Item 3	70/221/EEC Fuel tanks/rear protection devices
Item 4	70/222/EEC Rear registration plate space
Item 5	70/311/EEC Steering effort
Item 6	70/387/EEC Door latches and hinges
Item 7	70/388/EEC Audible warning
Item 8	2003/97/EEC Indirect vision devices
Item 9	71/320/EEC Braking
Item 10	72/245/EEC Radio interference
Item 12	74/60/EEC Interior fittings
Item 13	74/61/EEC Anti-theft
Item 14	74/297/EEC Protective steering – Approvals remain valid (and can be extended) past the repeal date, except for vehicles with electric propulsion
Item 15	74/408/EEC Seat strength
Item 16	74/483/EEC Exterior projections - Approvals remain valid (and can be extended) past the repeal date, except for radio receiving or transmitting aerials considered as separate technical units
Item 17	75/443/EEC Speedometer and reverse gear
Item 18	76/114/EEC Statutory plates
Item 19	76/115/EEC Seat belt anchorages
Item 20	76/756/EEC Lighting installation
Item 21	76/757/EEC Retro reflectors
Item 22	76/758/EEC Side, rear, stop lamps
Item 23	76/759/EEC Direction indicators
Item 24	76/760/EEC Rear registration plate lamps
Item 25	76/761/EEC Headlamps including bulbs
Item 26	76/762/EEC Fog lamps (front)
Item 27	77/389/EEC Towing hooks
Item 28	77/538/EEC Fog lamps (rear)
Item 29	77/539/EEC Reversing lamps
Item 30	77/540/EEC Parking lamps
Item 31	77/541/EEC Seat belts
Item 32	77/649/EEC Forward vision
Item 33	78/316/EEC Identification of controls
Item 34	78/317/EEC Defrost/demist
Item 35	78/318/EEC Wash/wipe
Item 36	2001/56/EC Heating systems
Item 37	78/549/EEC Wheel guards
Item 38	78/932/EEC Head restraints
Item 42	89/297/EEC Lateral protection (side under run)
Item 43	91/226/EEC Spray suppression
Item 44	92/21/EEC Masses & dimensions (cars)
Item 45	92/22/EEC Glass
Item 47	92/24/EEC Speed limiters
Item 48	97/27/EC Masses & dimensions (other)
Item 49	92/114/EEC External projections of cabs
Item 50	94/20/EC Couplings
Item 51	95/28/EC Burning behaviour of materials
Item 52	2001/85/EC Buses and coaches
Item 53	96/79/EC Frontal impacts
Item 54	96/27/EC Lateral impacts
Item 56	98/91/EC ADR vehicles
Item 57	2000/40/EC Front under run protection

UNECE Regulations introduced for new vehicles		Article in 661/2009	Specifically Applies to
Item 3A	R34 Prevention of fire risks (liquid fuel tanks)	5	ALL M, N and O
Item 3B	R58 Rear underrun protection devices (RUPDs) and their installation; rear underrun protection (RUP)	5	ALL M, N and O
Item 5A.	R79 Steering equipment	5	ALL M, N and O
Item 6B	R11 Door latches and door retention components	5	M1 and N1 only
Item 7A	R28 Audible warning devices	5	ALL except O
Item 8A	R46 Rear visibility	5	ALL except O
Item 9A	R13 Braking	5 and 12	All except M1
Item 9B	R13H Braking	5 and 12	M1 and N1 only
Item 10A	R10 Radio suppression	5	ALL M, N and O
Item 12A	R21 Interior fittings	5	M1 Only
Item 13A	R18 Anti-theft	5	M2, M3, N2 and N3 only
Item 13B	R116 Anti-theft	5	M1 and N1 only
Item 14A	R12 Steering protection	5	M1 and N1 only
Item 15A	R17 Seats, anchorages	5	ALL except O
Item 15B	R80 Seats & anchorages	5	M2 and M3 only
Item 16A	R26 Exterior projections	5	M1 Only
Item 17B	R39 Speedometers	5	ALL except O
Item 19A	R14 Seat belt anchorages	5	ALL except O
Item 20A	R48 Lighting installation	5	ALL M, N and O
Item 21A	R3 Retro-reflecting devices	5	ALL M, N and O
Item 22A	R7 Side, rear, stop lamps	5	ALL M, N and O
Item 22B	R87 Daytime running lamps	5	ALL except O
Item 22C	R91 Side-marker lamps	5	ALL M, N and O
Item 23A	R6 Direction indicators	5	ALL M, N and O
Item 24A	R4 Illumination of rear registration plates	5	ALL M, N and O
Item 25A	R31 Power driven vehicle's sealed beam headlamps	5	ALL except O
Item 25B	R37 Filament lamps for use in approved lamp units	5	ALL M, N and O
Item 25C	R98 Headlamps equipped with gas discharge light sources	5	ALL except O
Item 25D	R99 Gas discharge light sources for use in approved gas discharge lamp units	5	ALL except O
Item 25E	R112 Headlamps emitting asymmetrical beams	5	ALL except O
Item 25F	R123 Adaptive front lighting systems	5	ALL except O
Item 26A	R19 Power driven vehicle front fog lamps	5	ALL except O
Item 28A	R38 Rear fog lamps	5	ALL M, N and O
Item 29A	R23 Reversing lights	5	ALL M, N and O
Item 30A	R77 Parking lamps	5	ALL except O
Item 31A	R16 Belts and restraints	5	ALL except O
Item 32A	R125 Field of vision	5	M1 Only
Item 33A	R121 ID of controls	5	ALL except O
Item 36A	R122 Heating systems	5	ALL M, N and O
Item 38A	R25 Head restraints	5	ALL except O
Item 42A	R73 Side guard lateral protection	6	N2, N3, O3 and O4
Item 45A	R43 Safety glazing	5	ALL M, N and O
Item 46B	R30.02 supplement 16, Class C1 tyres	9	M1, N1, O1 and O2
Item 46C	R54 supplement 17, Class C2 & C3 tyres	9	All except M1, O1 and O2
Item 46D	R117.02 Rolling sound, resistance and wet grip adhesion	9	ALL M, N and O
Item 46E	R64 Tyre pressure monitoring system	9	M1 and N1 only
Item 47A	R89 Speed limiters	5	M2, M3, N2 and N3 only
Item 49A	R61 Exterior projections	5	N Only
Item 50A	R55 Mechanical couplings	5	ALL M, N and O
Item 50B	R102 Close-coupling devices	5	N2, N3, O3 and O4
Item 51A	R118 Flammability	5	M3 only
Item 52A	R107 Bus construction	7	M2 and M3 only
Item 52B	R66 Large PSV construction	7	M2 and M3 only
Item 53A	R94 Frontal impacts	5	M1 only
Item 54A	R95 Lateral impacts	5	M1 and N1 only
Item 56A	R105 Vehicles for dangerous goods	5	All except M
Item 57A	R93 Front under run	6	N2 and N3
Item 67	R67 LPG equipment	5	All except O

Item 68	R97 Vehicle alarm systems	5	M1 and N1 only
Item 69	R100.01 Electrical safety, full electric vehicles/hybrids	5	All except O
Item 70	R110 CNG equipment	5	All except O
<awaiting>	R29 Strength of cabs	6	Category N

EU Regulations introduced for NEW vehicles (numbers relate to GSR Article)		Article in 661/2009	Specifically Applicable to
Item 4A	1003/2010 Rear registration plate space	5	M, N and O
Items 6A and 17A	130/2012 Vehicle access and manoeuvrability	5	All except O
Item 18A	19/2011 Vehicle Identification Number	5	M, N and O
Item 27A	1005/2010 Towing devices	5	All except O
Item 34A	672/2010 Defrost/demist	5	M1 only
Item 35A	1008/2010 Wash/wipe	5	M1 only
Item 36A	1009/2010 Wheel guards	5	M1 only
Item 43A	109/2011 Spray suppression	6	All except M
Item 44A	1230/2012 Masses and dimensions	5	M1 only
Item 46A	458/2011 General installation of tyres	9	M, N and O
Item 48A	1230/2012 Masses and dimensions	5	All except M1
Item 64	65/2012 Gear shift indicators	11	M1 only

## Key Published EU Directives and Regulations

### Regulation (EU) 133/2014

This amends, for the purposes of adapting to technical progress as regards emission limits, Directive 2007/46/EC of the European Parliament and of the Council, Regulation (EC) No 595/2009 of the European Parliament and of the Council and Commission Regulation (EU) No 582/2011

Whereas Regulation (EC) No 595/2009 establishes emission limits and common technical requirements for the type-approval of motor vehicles and replacement parts with regard to their emissions, laying down rules for in-service conformity, on-board diagnostic (OBD) systems and measurement of fuel consumption.

This regulation introduces a particulate number limit for positive ignition engines to raise the level of environmental performance;

The legislation on type-approval of motor vehicles and engines with respect to emissions from heavy-duty vehicles (Euro VI) needs to be adapted to technical progress. Therefore, the requirements for type-approval and in-service conformity of engines and vehicles using dual-fuel technologies need to be provided for. Additional matters relating to the type-approval of engines using gaseous fuels should also be addressed.

Commission Regulation (EU) No 582/2011 requires that the on-board diagnostic (OBD) threshold limit (OTL) for carbon monoxide emissions be specified.

In the case of heavy-duty vehicles with a technically permissible maximum laden mass not exceeding 7,5 tons, it is appropriate to allow that OBD systems fitted into those vehicles be partially developed in accordance with the OBD rules applicable to light-duty vehicles, without undermining their level of environmental performance.

Regulation (EU) No 582/2011 refers repeatedly to the regulations of the United Nations Economic Commission for Europe (UNECE), and in particular to UNECE Regulation No 49, regarding the technical requirements to be followed at type-approval and in-service conformity by Member States, manufacturers and technical services. Since a 06 series of amendments of UNECE Regulation No 49 has been adopted by the World Forum for Harmonization of Vehicle Regulations (WP.29), it is necessary to update the references of Euro VI to UNECE Regulation No 49.

Some additional requirements need to be laid down in order to ensure the equivalence between an EC type-approval and the type-approval provided for by UNECE Regulation No 49.

The oil temperature of the engine must be expressed in Kelvin. It is therefore necessary to amend Annex VIII to Directive 2007/46/EC.

### **Commission Regulation (EU) No 136/2014**

Aligns the reference fuels in Regulation (EC) No 692/2008 and Regulation (EU) No 582/2011 in order to harmonize procedures for light and heavy-duty vehicles and therefore reduce costs related to type- approval.

Regulation (EC) No 692/2008 and Regulation (EU) No 582/2011 specify the reference fuels which should be used by vehicle manufacturers to perform emission tests in accordance with Regulation (EC) No 715/2007 and Regulation (EC) No 595/2009. The characteristics of reference fuels reflect the characteristics of fuels most commonly used in the market at the time Regulation (EC) No 692/2008 was adopted. However, due to the increasing usage of biofuels in the market in recent years, specifications of reference fuels should be adapted to correspond to the fuels available currently and in the foreseeable future on the Union market.

### **Commission Regulation (EU) No 214/2014**

Adapts list of regulatory acts for special purpose vehicles to take into account changes introduced by Regulation (EC) 661/2009 and introduces stricter requirements for ambulances and wheelchair accessible vehicles

### **Commission Delegated Regulation (EU) 44/2014**

This Regulation establishes the detailed technical requirements and test procedures regarding vehicle construction and general requirements for the approval of L-category vehicles and the systems, components and separate technical units intended for such vehicles in accordance with Regulation (EU) No 168/2013 and sets out a list of UNECE regulations and amendments thereto.

It also establishes performance standards for technical services and the procedure for their assessment.

### **Commission Regulation (EU) No 165/2014**

This Regulation repeals & replaces Council Regulation (EEC) No 3821/85 on recording equipment in road transport, simplifying and restructuring those provisions; and amends Regulation (EC) No 561/2006. It sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport, in order to verify compliance with Regulation (EC) No 561/2006, Directive 2002/15/EC of the European Parliament and of the Council and Council Directive 92/6/EEC. It states that tachographs shall, as regards their construction, installation, use and testing, comply with its requirements. This Regulation also sets out the conditions and requirements under which the information and data, other than personal data, recorded, processed or stored by tachographs may be used for purposes other than the verification of compliance with Regulation (EC) No 561/2006, Directive 2002/15/EC of the European Parliament and of the Council and Council Directive 92/6/EEC

### **Directive 2013/53/EU Recreational Craft**

This repeals the previous Directive on Recreational Craft 94/25/EC and replaces it with a clearer standard covering the latest environmental & technological considerations. It also specifies what kind of canoes and kayaks are excluded from the scope and clarifies that only personal watercraft intended for sports and leisure are covered by this new Directive.

### **Directive 2013/60/EU Air Pollution, Framework & Lighting**

Amends 97/24 Ch5, 2002/24 & 2009/67. As the EU is a Contracting Party of the UN ECE this Directive allows, in accordance with the provisions of Article 11 of Directive 2002/24/EC, the equivalence shall be recognised of the requirements of Chapter 1 (tyres), Chapter 2 (lighting and light-signalling devices), Chapter 4 (rear-view mirrors), Annex III to Chapter 9 (permissible sound level and exhaust system requirements for motorcycles) and Chapter 11 (safety belts) annexed to this Directive and those of UNECE Regulations Nos 30, 54, 64 and 75 in respect of tyres, 3, 19, 20, 37, 38, 50, 53, 56, 57, 72, 74 and 82 in respect of lighting and light-signalling devices, 81 in respect of rear-view mirrors, 16 in respect of safety belts and 41 in respect of noise emissions from motorcycles.

## **Draft Proposals**

As these are changing frequently for a full up to date list please subscribe to VISTA and Legstat.

## **UNECE NEWS**

### **Published & Draft UNECE Regulations**

As these are changing frequently for a full up to date list please subscribe to VISTA and Legstat.

## UK NATIONAL LEGISLATION

### Transposition of EU Directives

The UK Government wish to announce that the following Directives have been transposed into UK Legislation by way of ambulatory references within existing Statutory Instruments:

**2013/15/EU** – Following the Act of Accession of Croatia – Croatia is part of the EC and included in all EU directives appertaining to transportation.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013L0015&qid=1402670956973&from=EN>

(This will take you to the Europa website – opens in a new window)

**2013/60/EU** – Covering Motorcycles and appropriate changes to associated Directives.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:329:0015:0038:EN:PDF> (This will take you to the Europa website – opens in a new window)

UK's transposition of amendments made by **Directive 2012/46/EU to Directive 97/68/EC** relating to exhaust emissions standards for engines for non-road mobile machinery. This will be achieved by a Statutory Instrument (SI) which has been signed, and allocated the number **SI 2014 No 1309**. The SI's title is "**The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) (Amendment) Regulations 2014**".

## END OF SERIES (Derogation) PROVISIONS

These are available for all upcoming new Standards as outlined in the following table.

EC DIRECTIVES WITH AN APPLICATION DATE TO ALL NEW REGISTRATIONS  
UP TO 31<sup>st</sup> December 2020

EU DIRECTIVE / EU REGULATION	SUBJECT (DESCRIPTION)	VEHICLE CATEGORY AFFECTED	APPLICATION DATE IN THE DIRECTIVE (For registration or entry-into-service)
DIRECTIVE 2010/52/EC	TRACTORS MULTI-SUBJECT	Tractors of categories T1, T2 & T3	2/9/2012
REGULATION (EC) 692/2008	LIGHT DUTY EMISSIONS  Euro 5b emissions with Euro 5 OBD	M, N1 Class I, II & III, N2, M1 specific social needs Euro 5a emissions with Euro 5 OBD vehicles, Euro 6a emissions with Euro 6- OBD vehicles	1/1/2013
REGULATION (EU) 595/2009	HEAVY DUTY EMISSIONS	M and N Vehicles with reference mass of 2610 kg or over - compliance with Euro VI limits and EC Reg 595/2009/EC	31/12/2013
REGULATION (EC) 692/2008	LIGHT DUTY EMISSIONS	M and N1 Class 1, II & III, N2, M1 specific social needs (excluding M1G) Euro 5b emissions with Euro 5 OBD vehicles and Euro 6b emissions with Euro 6- OBD	1/1/2014
REGULATION (EU) 523/2012	TPMS	M1 vehicles to be fitted with TPMS	1/11/2014
REGULATION (EC) 661/2009	ELECTRONIC STABILITY CONTROL Mandatory fitment	M1 and N1 M3 Class 3, M3 <16 tonnes with pneumatic transmission N2 excluding hydraulic, pneumatic and hydraulic energy transmission, N3 O category	1/11/2014
REGULATION (EU) 407/2011	Mandatory compliance with UNECE Regulations	All	1/11/2014
REGULATION (EU) 407/2011	Mandatory compliance with UNECE Reg 13 Supp 3 to 11 series or UNECE Reg 13H Supp 9	N1	1/11/2014
REGULATION (EU) 1230/2012	Masses & Dimensions	Vehicles approved according to Article 7 of 97/27/EC	1/11/2014

EU DIRECTIVE / EU REGULATION	SUBJECT (DESCRIPTION)	VEHICLE CATEGORY AFFECTED	APPLICATION DATE IN THE DIRECTIVE (For registration or entry-into-service)
REGULATION (EU) 661/2009	VEHICLE SAFETY & TYRES	M2 and M3 to comply with Article 7 of 661/2009/EC N and O vehicles to comply with Article 6 of 661/2009/EC All categories of vehicles fitted with tyres that comply with Article 8, 9(1) and 9(4) of 661/2009/EC and meet Annex II Part A (wet grip requirements) and Part B Table 1 (rolling resistance req.) excluding C3 tyres M1 manuals with ref mass not exceeding 2610 and other vehicles which have manual gear and approval under Article 2(2) of EC Reg 715/2007 to be equipped with gear shift indicators All categories of vehicle to comply with Article 5 of 661/2009	1/11/2014
REGULATION (EC) 661/2009	ELECTRONIC STABILITY CONTROL Mandatory fitment	M2 M3 Class II and B and Class III Hydraulic transmission N2 Hydraulic transmission	11/7/2015
REGULATION (EU) 78/2009	PEDESTRIAN PROTECTION: Annex 1 Section 4 of 78/2009	N1 new category vehicles	24/08/2015
REGULATION (EC) 715/2007	LIGHT EMISSIONS	Cats M & N1 Class 1, M1 specific social needs (excluding M1G) Vehicles that don't comply with Euro 6b emissions with Euro 6 ODB	1/9/2015
REGULATION (EU) 347/2012	ADVANCED EMERGENCY BRAKING SYSTEMS APPROVAL LEVEL 1	M2, M3, N2, N3 with exceptions	1/11/2015
REGULATION (EC) 661/2009	ELECTRONIC STABILITY CONTROL Mandatory fitment	M3 Class II and III pneumatic control and hydraulic energy transmission N2 pneumatic control and hydraulic energy transmission	11/7/2016
REGULATION (EC) 715/2007	LIGHT EMISSIONS	Category N1 Class II & III, N2 Vehicles that don't comply with Euro 6b emissions with Euro 6 ODB	1/9/2016
REGULATION (EU) 1229/2012	EC SMALL SERIES TYPE APPROVAL	EC Small Series issued before 1/11/2012 lose validity	31/10/2016
REGULATION (EC) 661/2009	TYRES	M, N and O vehicles fitted with tyres that comply with Annex II Part C Table 1 (tyre rolling noise requirements) and Annex II Part B Table I (tyre rolling resistance requirements) including C3 class tyres	1/11/2016
<del>2006/40/EC</del>	<del>AIR CONDITIONING SYSTEMS: Prohibition on using systems with gas with a global warming potential (GWP) greater than 150</del>	<del>M1 &amp; N1 (Class 1), or STU</del>	<del>1/1/2017</del>

Given the recent sensitivity, and scrutiny by the Commission, over the implementation of 2006/40 the DfT policy for 2006/40 is currently under review. Until such time as the policy is defined and communicated to VCA can't provide advice one way or the other as to whether there will be an end of series derogation available for 2006/40.



EU DIRECTIVE / EU REGULATION	SUBJECT (DESCRIPTION)	VEHICLE CATEGORY AFFECTED	APPLICATION DATE IN THE DIRECTIVE (For registration or entry-into-service)
REGULATION (EC) 78/2009	PEDESTRIAN PROTECTION: Annex 1 Section 3 of 78/2009	M1 max mass <2500kg N1 max mass <2500Kg	24/2/2018
REGULATION (EC) 661/2009	TYRES	M, N and O vehicles fitted with C1 and C2 tyres that comply with Annex II Part B Table 2 rolling resistance limits	1/11/2018
REGULATION (EU) 347/2012	ADVANCED EMERGENCY BRAKING SYSTEMS APPROVAL LEVEL 2	M2, M3, N2, N3 with exceptions	1/11/2018
REGULATION (EC) 78/2009	PEDESTRIAN PROTECTION: Annex 1 Section 3 of 78/2009	M1 max mass >2500kg N1 max mass >2500kg	24/8/2019
REGULATION (EC) 661/2009	TYRES	M, N and O vehicles fitted with C3 tyres that comply with Annex II Part B Table 2 rolling resistance limits	1/11/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / EMISSIONS Test Type I Revised WMTC based Test Cycle	L1e-L7e	31/12/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / EMISSIONS Euro 5: Annex VI of 168/2013 Table A2	L1e-L7e	31/12/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / EMISSIONS Shed Test or fuel permeation test, pending study results referred to in Article 23(4) and (5)	L1e-L7e	31/12/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / EMISSIONS Euro 5 durability mileage, Annexes VII (A) & (B)	L1e-L7e	31/12/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / EMISSIONS OBD Stage 1 Functional Requirements	L3e-L7e	31/12/2020
REGULATION (EU) 168/2013	MOTORCYCLE FRAMEWORK / NOISE UNECE Regulation 9, 41, 63, 92	L1e-L7e	31/12/2020

### VCA will be providing End of Series (Derogations) for the following:

Legislation	Description	Derogation Expires
407/2011	Repeals various EC Directives and moves to 661/2009 General Safety Regulations and use of UNECE Regulations	(S) October 2015 (M) February 2016
523/2012	Tyre Pressure Monitoring Systems (TPMS)	(S) October 2015 (M) February 2016
595/2009	Heavy Duty Emissions	(S) December 2014 (M) June 2015
661/2009	Electronic Stability Control (M1, M3 {class3, <16T pneumatic transmission}, N1, N2 {Excl. Hydraulic Transmission}, N3 & O	(S) October 2015/ (M) February 2016
692/2008 <sup>①</sup>	Light Duty Engine (① letters F,G,H,I,Q,R,S )	(S) December 2014 (M) June 2015
692/2008 <sup>②</sup>	Light Duty Engine (② letters A,B,D,E,N,O,P )	(M) June 2014

1230/2012	Masses and Dimensions	(S) October 2015 (M) February 2016
2000/25	Tractors	(S) December 2015 (M) June 2016
2010/52	Tractors categories T1, T2 & T3	(S) August 2014 (M) February 2015
2010/62	Tractors	(S) September 2014 (M) February 2015
Key	(S)= Single Stage Vehicle (M)= Multi-Stage Vehicle ①&②= see your Engine Approval(s) and look for the letter (usually in the middle of the Engine Approval Number (e.g. e2*715/2007*566/2011F*1032*03))	

## NEW End of Series (Derogation) Application Form being designed

To improve quality of information provided and efficiency of processing we have re-designed the End of Series (Derogation) application form, this should shortly be available. This should make things easier for customers, reduce the numbers of follow-up questions that we need to ask and help us speed up the processing itself.

If you would like a copy of the new form please email: [enquiries@vca.gov.uk](mailto:enquiries@vca.gov.uk)

We will in due course be adding a NEW self-service page to the LEGISLATION section of our website.

## NRMM AND TRACTOR FLEXIBILITY SCHEMES

The VCA Flexibility Application form was recently changed to make it easier for customers to complete and for our staff to process. The new form has already resulted in far less pre-application questions being asked. The new form looks like this (although it should be noted that there are further improvements "in the pipeline" so future versions may vary slightly from this image):

REQUEST TO USE FLEXIBILITY PROVISIONS			
<b>Use this form to:</b> Request that a quantity of engines be placed on the EU market under the flexibility scheme. You can <b>complete and return electronically</b> , this form and the supporting documentation that is required.			
Place an 'X' in appropriate category below			
<input type="checkbox"/> Non-Road Mobile Machinery – Annex XIII of the Directive 97/68/EC			
<input type="checkbox"/> Tractor - Annex IV of the Directive 2000/25/EC			
1. Name and address of the equipment manufacturer			
2. Name, position and contact details of the person making the request			
3. Name and address of the approval authority to which the request is made	Vehicle Certification Agency, 1 Eastgate Office Centre, Eastgate Road, BRISTOL BS5 6XX		
4. Type of application? (put an 'X' beside option you want)	<input type="checkbox"/> Percentage based (6a/7a)	<input type="checkbox"/> Fixed Quantity (6b/7b)	
<b>Please READ as you NEED to make DECISIONS</b> Complete relevant Stage below <b>ONLY ONE per FORM</b> . Select EITHER: PERCENTAGE or FIXED QUALITY option below. You ONLY need to provide the previous years' sales information for the PERCENTAGE option (NOT required for the FIXED option).			
<b>5. Stage II CONSTANT SPEED Engines ONLY (At stage IIIA, but flexing STAGE II Engine(s))</b>			
5a. PERCENTAGE option Quantity MUST not exceed % → Number of Engines Required →	20% CONSTANT SPEED Engines		
<b>OR</b>			
5b. Fixed Quantity Option (put an 'X' beside the power band that you are applying for) Reference: 97/68/EC Annex XIII (1.1.2)	Power Band	No of Engines	X
	19 - 37 Kw	200	
	37 - 75 Kw	150	
	75 - 130 Kw	100	
	130 - 560 Kw	50	
<b>6. Stage IIIA Variable Speed (Intermittent) Engines ONLY (At stage IIIB, but flexing Stage IIIA Engine(s))</b>			
6a. PERCENTAGE option Quantity MUST not exceed % → Number of Engines Required →	37.5% NRMM 40% for Tractors		
<b>OR</b>			
6b. Fixed Quantity Option (put an 'X' beside the power band that you are applying for) Reference: 97/68/EC Annex XIII (1.1.2)-NRMM 2000/25 Annex IV (1.1.2)-Tractors	Power Band	No of Engines	X
	37 - 56 Kw	200	
	56 - 75 Kw	175	
	75 - 130 Kw	250	
<b>7. Stage IIIB Variable Speed (Intermittent) Engines ONLY (At stage IV, but flexing Stage IIIB Engine(s))</b>			
7a. PERCENTAGE option Quantity MUST not exceed % → Number of Engines Required →	20% NRMM 20% For Tractors		
<b>OR</b>			
7b. Fixed Quantity Option (put an 'X' beside the power band that you are applying for) Reference: 97/68/EC Annex XIII (1.1.2)-NRMM 2000/25 Annex IV (1.1.2)-Tractors	Power Band	No of Engines	X
	19 - 37 Kw	200	
	37 - 75 Kw	150	
	75 - 130 Kw	100	
	130 - 560 Kw	50	
8. Type of EQUIPMENT the Engine is to be used in			
8a. ENGINE Manufacturer Name and Address			
8b. Engine Type / Code (as classified by the ENGINE manufacturer)			
8c. ENGINE Approval Number			
8d. TRACTOR Approval Number			
<b>9. Declaration (see 10)</b> I, the undersigned, declare that as the Original Equipment Manufacturer (OEM) of a type of Non-Road Mobile Machine / Tractor, that there is NOT another application (e.g. from a sub-division or plant) duplicating this request.			
Name	Date		
Signature	Note: digital signatures accepted		
<b>PLEASE also SEND the following:</b> Sample copies of the Machine and Engine Labels; Type Approval documentation (Advise if not available) and any brochure for the products concerned, if this is the initial application.			
<b>10. What is an Original Equipment Manufacturers (OEM)?</b>			
An OEM is defined as the organisation that Manufactures the resultant Tractor or Non Road Mobile Machine(s) that the engines will be fitted to. The OEM takes full responsibility for ensuring Conformity of Production and conformance to Type Approval if this is required. A distributor of engines, machinery parts, sub-assemblies or tractors is NOT an OEM.			
<b>10. Offences and Penalties</b> Under UK Statutory Instrument 1999/1053 – the following offences and penalties apply			
<b>LAW: SI 1999 No 1053 Regulation 17</b>			
<b>Offences:</b> Any person who in supplying information or producing documents for the purposes of these regulations: (f)(i). Makes a statement which he/she knows to be false in a material particular or recklessly makes a statement which is false in a material particular, or (f)(ii). produces, provides, sends or otherwise makes use of a document which he/she knows to be false in a material particular or recklessly produces, provides, sends or otherwise makes a document which is false in a material particular, shall be guilty of an offence. (g&h). Paraphrased as: Fails to comply with the requirements of the appropriate EC Directive under which this application is made, including placement of an engine on the market and maintenance of accurate records relating to the flexibility applied for.			
<b>LAW: SI 1999 No 1053 Regulation 18</b>			
<b>Penalty:</b> (1). A person guilty of an offence under regulation 17(a) shall be liable on summary conviction to a fine not exceeding the statutory maximum or on conviction on indictment to a fine. (2). A person guilty of an offence under regulation 17(b) to (f) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.			
<b>11. What VCA Requires in ADDITION to this document</b>			
When submitting your application please can you supply the following supporting documentation:			
<ul style="list-style-type: none"> <li>A completed application for each power band, highlighting the type approval number on the application form;</li> <li>Please can you provide the engine type approval documentation (supplied by the engine manufacturer – NOT required if the number starts "e11" as these are issued by VCA);</li> <li>Can you please provide Sample machine labels which match the type approval documents (see example below);</li> <li>Provide engine labels for each power band which matches the type approval documents (supplied by the engine manufacturer). The engine label MUST carry the phrase "Engine Placed on The Market Under The Flexibility Scheme";</li> <li>Also can you supply a brochure of the vehicle you wish to install the engine in.</li> <li>The sample machine label submitted should also include the following:-</li> </ul>			
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin-left: auto; margin-right: auto;"> Machine ___ of ___  with Engine Serial Number ___  and Engine Type Approval Number ___ </div>			

We have also produced some Guidance Notes which include "Frequently asked Questions".

Both of these items will shortly be put on our website (on its own page off of the Legislation section) to provide customers with a self-service approach, rather than relying on emailed requests.

## LegStat to VISTA Link problems - Resolved

We apologise to LegStat users who may have experienced problems when clicking links to VISTA documents, the VISTA system was moved to a new hosting location and we needed to change the links over to the new location. There would have been a short period during which links did not work. This has subsequently been fixed.

If, however, users do notice any problems please contact us on: [vista@vca.gov.uk](mailto:vista@vca.gov.uk)

## VISTA Changes to Libraries

With the recent changes to EC Legislation the three libraries ("Car Truck and Bus", "Motorcycles" and "Tractors") are become much more aligned and the amount of cross usage of regulations and directives is increasing, so in the interests of efficiency and improving user experience, we are planning to host all three libraries together.

Subscribers will still be able to subscribe to their preferred options.

The change will make the switch between documents much easier, as currently the system often closes one library to access the documents within another. The change will mean that the user remains within a single library, so closures are NOT necessary.