

**Type Approval Authority Meeting
TAAM
Online**

**17th November 2021
10:00 – 17:00**

Meeting Minutes

1. **Approval of the draft agenda;**

Agenda is accepted by the participants.

2. **Introduction of participants**

The participants introduce them self.

3. **Future of TAAM – exchange of views**

The KBA (chair) shows a short presentation to start the discussion about the future of TAAM
The following questions should be discussed:

- Is the TAAM still needed?
- Which topics should / could be addressed? EU/UNECE→ administrativ / technical / legal
- participants? TAA / TS → EU / UNECE

The KBA opinion is that the TAAM is necessary besides the EU Forum, because the TAA need also an informal platform for discussions. KBA is also open for a discussion to open the meeting for participants from outside the EU.

IE: Reports very briefly from the first TAAMs and supports also to continue with TAAM. The proposal is to host once a year a TAAM and to allow also to join some UN ECE CPs.

SE: Support to continue with TAAM. The EU Forum has a lot of market surveillance topics and so it's better to discuss type approval topics in detail in the TAAM.

NL: Supports the previous speakers. The EU Forum is rather slow with decisions and also with the meetings. The TAAM should be held more often and also some CPs could be invited. Proposal is to host a online TAAM before the EU Forum meeting.

IT: Supports the previous speakers.

FR: Supports online TAAM before an EU Forum meeting. In TAAM, not only questions should be clarified, but also certain procedural issues and processes, such as cyber security. The EU Forum is more likely for legality issues.

LV / BG: Supported one real TAAM per year.

NL: Is willing to draft a guideline for the future TAAM. This paper could be discussed at the next TAAM.

Conclusion: All participants support the TAAM. An online TAAM should be held before the EU Forum meeting and a physical TAAM should be held annually.

4. **TAAM Questions**

1) LAT - Regulation (EU) 2021/535 - Transitional provisions regarding to the VIN check digit

Latvia

Regulations (EU) 2021/535 and (EU) 2019/2144

Transitional provisions regarding to the VIN check digit



Issue

Regulation (EU) 2021/535 prescribes transitional provisions regarding to the VIN check digit requirements. Article 12, Paragraph 2 states that the registration, placing on the market and entry into service of vehicles which do not cover the requirements regarding to the VIN check digit shall be refused from 7 July 2026. Namely, all existing EU whole vehicle type approvals have to be extended until 6 July 2026 in order to include the VIN check digit, and following new vehicles complying to respective WVTAs can be registered.

However, Regulation (EU) 2019/2144, Article 15, Paragraph 1 states that type-approvals of vehicles, systems, components and separate technical units granted by 5 July 2022 shall not be invalidated, unless the relevant requirements applying to such vehicles, systems, components or separate technical units have been modified, or new requirements have been added by this Regulation and the delegated acts adopted pursuant to it, as further specified in the implementing acts adopted pursuant to this Regulation.

According to the above mentioned, it is not clear whether type-approvals of vehicles granted by 5 July 2022, which do not comply to the VIN check digit requirements, are valid from 6 July 2022 or not, because the transitional provisions are contradictory.

Legislation:

Regulation (EU) 2021/535

Article 12, Transitional provisions:

2. With effect from 7 July 2026, national authorities shall refuse, on grounds relating to the check digit of the vehicle identification number, the registration, placing on the market and entry into service of vehicles, which do not comply with the technical specifications set out in Annex II, Part 2, Section C with regard to the respective requirements listed in Annex II to Regulation (EU) 2019/2144.

and

5. In accordance with Article 15(1) of Regulation (EU) 2019/2144, national authorities shall permit the sale and entry into service of vehicles, systems, components and separate technical units type-approved before 6 July 2022, and continue to grant extension of approvals to those vehicles, systems, components and separate technical units under the terms of Regulation (EC) No 78/2009, Regulation (EC) No 79/2009 or Regulation (EC) No 661/2009 and their implementing measures, as regards the subject matter covered in Annexes II to XIV to this Regulation.

Regulation (EU) 2019/2144

Article 15, Transitional provisions:

1. This Regulation shall not invalidate any EU type-approvals granted to vehicles, systems, components or separate technical units which were granted in accordance with Regulation (EC) No 78/2009, Regulation (EC) No 79/2009 or Regulation (EC) No 661/2009 and their implementing measures, by 5 July 2022, unless the relevant requirements applying to such vehicles, systems, components or separate technical units have been modified, or new

requirements have been added, by this Regulation and the delegated acts adopted pursuant to it, as further specified in the implementing acts adopted pursuant to this Regulation.

Question: Whether type-approvals of vehicles granted by 5 July 2022, which do not cover the requirements regarding to the VIN check digit, are valid from 6 July 2022?

Possibilities of solution

Comments

| | | |
|----------|------------------------|--|
| A | Yes, until 6 July 2026 | According to the requirements of Regulation (EU) 2021/535, Article 12, Paragraph 2 |
| B | No | According to the requirements of Regulation (EU) 2019/2144, Article 15, Paragraph 1 and Regulation (EU) 2021/535, laying down rules for the application of Regulation (EU) 2019/2144 |

| | |
|-------------------------------------|-----------|
| Type approving authority "e" | 32 |
|-------------------------------------|-----------|

| Selection of solution | | accepted | refused |
|-----------------------|----------|----------|---------|
| | A | X | |
| | B | | X |

Other opinion / comment:

Conclusion: Answer A is accepted.

2) IT - UN Regulation No 134 - Approval of Hydrogen Vehicles of category N3

TAAM

GERMANY

16-17 November 2021

| |
|--------------|
| Date: |
| 29-10-2021 |

| |
|--|
| Member State / Organisation: |
| ITALY |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| e3/E3 |
| Directive or Regulation number / any other document of reference: |
| UN Regulation No.134 and UN Regulation No.95 |
| Subject: |
| Approval of Hydrogen Vehicles of category N3 |

| |
|---|
| Reference to Annex, etc. in the Directive or Regulation: |
| Point 7.2 of UN Regulation No.134 Point 1 of UN Regulation No.95 |
| Relevant text (please copy from Directive or Regulation): |
| UN R134 7.2. Post-crash fuel system integrity The vehicle fuel system shall comply with the following requirements after the vehicle crash tests in accordance with the following Regulations by also applying the test procedures prescribed in Annex 5 of this Regulation. (a) Frontal impact test in accordance with either Regulation No. 12, or Regulation No. 94; and (b) Lateral impact test in accordance with Regulation No. 95. <u>In case that one or both of the vehicle crash tests specified above are not applicable to the vehicle,</u> the vehicle fuel system shall, instead, be subject to the relevant alternative accelerations specified below and the hydrogen storage system shall be installed in a position satisfying the requirements in paragraph 7.2.4. |
| UN R95 1. Scope This Regulation applies to vehicles of category M1 with a maximum permissible mass not exceeding 3,500 kg, vehicles of category M1 with a maximum permissible mass exceeding 3,500 kg where the "R" point of the lowest seat is not more than 700 mm from ground level when the vehicle is in the condition corresponding to the reference mass defined in paragraph 2.10. of this Regulation, and to vehicles of category N1. |

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| Question: |
| Notwithstanding vehicle of category N3 is out of the scope of UN R95, in case an approval of N3 category is requested according to UN Regulation No.134, is it possible to apply the test procedure according to UN R.95? |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

| Suggested solutions (if any): | |
|-------------------------------|-----|
| A: | YES |
| B: | NO |
| C: | |

| Remarks: |
|---|
| The words in para.7.2 of Regulation 134 " <i>In case that one or both of the vehicle crash tests specified above are not applicable to the vehicle</i> " mean that there is an "obstacle" – e.g. absence of tools/laboratory – which makes no possible to carry out test according UN R.95. |

NL: The alternative requirements should be taken.

SE: Supports NL and refers to point 7.2 from UN Regulation No. 134.

IT: UN Regulation No. 95 is included.

Conclusion: The tests should be performed according to UN Regulation No. 134 and the alternative requirements should be taken.

3) IE - Regulation (EU) 2021/535 - date of entry into force/application



TAAM Question

e24/E24 Ireland

| |
|---|
| (EU) Regulation / UNECE Regulation number: |
| (EU) Regulation 2019/2144 and its implementing regulation (EU) 2021/535 |
| Subject: |
| Earliest date type-approval to (EU) Regulation 2019/2144 and its implementing regulation (EU) 2021/535 can be issued |
| Reference to Annex, Appendix, paragraph etc., in relevant EU Regulation(s), UNECE Regulation(s): |
| <u>(EU) 2019/2144:</u> Article 19 Entry into force and date of application: "This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. <i>(This regulation was published on 16.12.2019 and entered into force on 05.01.2020)</i> It shall apply from 6 July 2022". <u>(EU) 2021/535:</u> Article 14 Entry into force: "This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. <i>(This regulation was published on 06.04.2021 and entered into force on 26.04.2021)</i> It shall apply from 6 July 2022". |

| |
|---|
| Background |
| NSAI has been asked by manufacturers if type-approval to (EU) 2019/2144 and its implementing regulation (EU) 2021/535 can be granted prior to the application date of 6 July 2022. Usually there would be three fundamental dates (more if there are different stages of compliance) as follows: <ul style="list-style-type: none">• Date when manufacturers can apply for approval (not a mandatory date)• Date when new types shall be approved.• Date when all types shall be approved. |



TAAM Question

e24/E24 Ireland

| |
|---|
| Question: |
| When is the earliest date from which manufacturers can apply for and have type-approval granted, to (EU) 2019/2144 and its implementing regulation (EU) 2021/535? |

| | |
|-----------------------------|--|
| Suggested solutions: | |
| A: | 6 July 2022 |
| B: | 26.04.2021 (date implementing regulation (EU) 2021/535 entered into force) |
| C: | Other date ?? |

| | | |
|------------------------------|---|---------|
| Authority | | |
| Type Approval Authority e/E: | e24/E24 | |
| Solution | Accepted | Refused |
| A: | X | |
| B: | X Now that the implementing regulation is in force type-approval can be granted. | |
| C: | | X |

| | | |
|------------------------------|----------|---------|
| Authority | | |
| Type Approval Authority e/E: | | |
| Solution | Accepted | Refused |
| A: | | |
| B: | | |
| C: | | |

| |
|-----------------|
| Remarks: |
| |

September 2020

Page 2 of 2

- NL: Test reports can be created, but the type approval can not be granted until the regulation regarding the numbering system is published and is in force. Supports c.
- IT: Support B
- SE: The numbering system is missing.
- SK: Support A
- DE: Support B. All technical requirements are known.

Conclusion: No consensus.

4) DE - Regulation (EU) 2018/858 - OBD for fuel cell

Germany: Regulation (EU) 2018/858
Section article 61 OBD



29.10.2021

1. Reference:

Regulation (EU) 2018/858 Artikel 61
UN-Regulation No. 49 9.4.2. and Annex 9B point 4.

2. Issue:

Fuel cell trucks are not subject to emitting gaseous pollutants. However, the general OBD requirements were shifted from the emission regulations to the framework Regulation (EU) 2018/858. Taking this into account, the KBA is of the opinion that according to Article 61 of Regulation (EU) 2018/858 in conjunction with UN-Regulation No. 49 Annex 9B point 4. OBD is intended for all vehicles and is not exclusively for monitoring gaseous pollutants.

Questions:

What is the understanding of the authorities with regard to the OBD for fuel cell and fully electric trucks?

Possibilities of solution

OBD is mandatory for all vehicles, in the case of fuel cells and fully electric trucks, should meet the general requirements that can be fulfilled according to UN-Regulation No. 49 point 9.4.2. on the conformity of in-service vehicles and engines.

| | |
|----------|--|
| A | OBD and non-discriminatory access is mandatory for fuel cell and/or all-electric vehicles. |
| B | OBD is not required |

Type approving authority "e" 1

| Selection of solution | | accepted | refused |
|-----------------------|----------|----------|---------|
| | A | x | |
| | B | | x |

Conclusion: OBD is not required for fuel cell and/or all-electric vehicles but non-discriminatory access is required through the OBD port for RMI.

5) DE - Regulation (EU) 2017/1151 – ISC No 1

Germany: Commission Regulation (EU) 2017/1151
ANNEX II, Part B, Section 5 ISC testing



01.11.2021

1. Reference:

Commission Regulation (EU) 2017/1151

5. ISC testing

The manufacturer shall perform ISC testing for tailpipe emissions comprising at least the Type 1 test for all ISC families. The manufacturer may also perform RDE, Type 4 and Type 6 tests for all or part of the ISC families. The manufacturer shall report to the granting type approval authority all results of the ISC testing using the Electronic Platform for in-service conformity described in point 5.9.

The granting type approval authority shall check an appropriate number of ISC families each year, as set out in point 5.4. The granting type approval authority shall include all results of the ISC testing in the Electronic Platform for in-service conformity described in point 5.9.

Accredited laboratories or technical services may perform checks on any number of ISC families each year. The accredited laboratories or technical services shall report to the granting type approval authority all results of the ISC testing using the Electronic Platform for in-service conformity described in point 5.9.

2. Issue:

Test period for granting type approval authority

Question:

What is the latest begin of the test for an ISC-Family?

Possibilities of solution

E.g. in Testing/Reporting Year 2021 all planned ISC-Families should have been started latest on 31th December 2021 and not started ISC-Families (due to whatever reason) and corresponding statistical procedures will be closed as "undecided" after 12 months.

| | |
|----------|-----------------------------|
| A | 31th December 2021 |
| B | Other Date (please specify) |

Type approving authority "e" 1

| Selection of solution | | accepted | refused |
|-----------------------|--|----------|---------|
| A | | x | |
| B | | | x |

Conclusion: DE retrieve the question and will come back with a more precise question.

6) DE - Regulation (EU) 2017/1151 – ISC No 2

Germany: Commission Regulation (EU) 2017/1151
Article 9 (In service conformity), section 4.



01.11.2021

1. Reference:

Commission Regulation (EU) 2017/1151

Art. 9, 4. Limit of sold vehicles in previous year (5000 pieces)

In-service conformity checks shall not be mandatory if the annual sales of the in-service conformity family are less than 5 000 vehicles in the Union for the previous year. For such families, the manufacturer shall provide the approval authority with a report of any emissions related warranty, repair claim and OBD fault as set out in point 4.1 of Annex II. Such in-service conformity families may still be selected to be tested in accordance with Annex II.

2. Issue:

The Kraftfahrt-Bundesamt (Federal Motor Transport Authority) has made the following stipulations within the framework of the performance of In-Service Conformity (ISC) tests in accordance with Regulation (EU) 2017/1151 ANNEX II, Part B:

- The obligation to carry out ISC tests for the manufacturer does not exist if the EU-wide registration figures of the previous year fall below 5000 vehicles. The obligation to carry out ISC tests by the type-approval authority remains unaffected.
- If the threshold is exceeded again, the obligation to carry out tests reappears.
- The interval between the start of two inspections carried out by the manufacturer for an ISC family shall not exceed 24 months, provided that the obligation to test exists.
- The type-approval authority shall and third parties may carry out verifications up to five years after the issue of the last declaration of conformity.

Question:

Could be the above-mentioned statement be followed?

Possibilities of solution

| | |
|----------|--|
| A | Follow the statement |
| B | NOT follow the statement, please specify the interpretation of the CR (EU) 2017/1151 |

Type approving authority "e" 1

| Selection of solution | | accepted | refused |
|-----------------------|----------|----------|---------|
| | A | | |
| | B | | |

ES: As per our understanding, this means:

- There is no obligation, neither for the manufacturer, nor for the type-approval authority, to carry out ISC test if the annual sales of the ISC family are less than 5 000 vehicles in the Union for the previous year (“In-service conformity checks shall not be mandatory....”).

- Irrespective from that, the type-approval authority can conduct ISC tests for those families, if it is considered necessary in view of the available information (“Such in-service conformity families may still be selected....”)

The above interpretation is the one followed by the Spanish Type-Approval Authority for the planning of the annual ISC campaigns.

As a conclusion, ES do not agree with the general opinion expressed at the meeting.

BE: Do not agree with the following statement “ The obligation to carry out ISC tests by the type-approval authority remains unaffected”. Article 9 (4) is general provision. It is applicable to both manufacturers and authorities.

So, SPW does not perform ISC tests if annual sales of the ISC family are less than 5.000 vehicles.

Conclusion: Most of the participants is in favor with answer A. But with the exemption that in some cases it is not possible to get the vehicles and to perform the tests.

7) DE - UN Regulation No 13 - Type IIA testing mass for endurance brake for non ADR N3 category vehicles

UN Regulation No 13, Annex 4, position 1.8



Type IIA testing mass for endurance brake for non ADR N3 category vehicles

01.10.2021

Reference

"1.8. Type-IIA test (endurance braking performance)

.....

1.8.1.2. Vehicles of category N3 which are authorised to tow a trailer of category O4. If the maximum mass exceeds 26 tonnes, the test mass is limited to 26 tonnes or, in the case where the unladen mass exceeds 26 tonnes, this mass is to be taken into account by calculation.

.....

1.8.2. Test conditions and performance requirements

1.8.2.1. The performance of the endurance braking system shall be tested at the maximum mass of the vehicle or of the vehicle combination.

1.8.2.2. Laden vehicles shall be tested in such a manner that the energy input is equivalent to that recorded in the same period of time with a laden vehicle driven at an average speed ..."

"ANNEX 5

ADDITIONAL PROVISIONS APPLICABLE TO CERTAIN VEHICLES AS SPECIFIED IN THE ADR

.....

2.3.1.5. The performance of the endurance braking system shall be such that it fulfils the requirements of paragraph 1.8 of Annex 4 to this Regulation (Type-IIA test), with a laden vehicle mass comprising the laden mass of the motor vehicle and its authorised maximum towed mass but not exceeding a total of 44 tonnes."

Question:

Does the requirement under 1.8.2.1. to test with the vehicle combination apply for both N3/ADR vehicles and N3/non-ADR likewise? It appears that this is interpreted differently by approval authorities.

KBA's interpretation is that this is required only for those N3-category vehicles intended for ADR-use, i.e. those being subject to annex 5 to R13. The latter requires explicitly to test the laden combination up to 44t.

If the combination were to be tested for all N3 falling under the IIA-test then:

- 2.3.1.5. of annex 5 would be redundant
- the limitation of the maximum mass to 26t (see 1.8.1.2.) would not make much sense
- a non-ADR combination of e.g. 60t would meet more stringent condition than an ADR-combination(<https://unece.org/DAM/trans/doc/2014/dgwp15/ECE-TRANS-WP15-224e.pdf>)

ADR requirements were adopted in the R13 with Supplement 3 to the 09 Amendment. Prior to that annex 5 was occupied by the requirements to the type IIA-test which were mainly congruent with those of 71/320/EEC. Then IIA-requirements moved to annex 4 while the new ones to ADR were situated in the annex 5.

It may be suspected that 1.8.2.1. of annex 4 was editorially to produce a link to annex 5, at least KBA finds it not conceivable that a massive increase in required endurance brake performance would be made "en passant" alongside to the three conclusions above.

It appears appropriate that this issue is to be resolved in the course of regular UNECE procedures. However, it may be deemed beneficial to raise this in a forum of competent approval authorities as TAAM is to develop a view on the issue beforehand.

| | |
|------------------------------|---|
| Type approving authority "e" | 1 |
|------------------------------|---|

| Selection of solution | | accepted | refused |
|---|---|----------|---------|
| For non-ADR vehicles of category N3 authorized to tow a trailer of category O4 the testing mass for the type-IIA-test equals the maximum technically permissible mass of the towing N3-vehicle alone. | A | X | |
| For non-ADR vehicles of category N3 authorized to tow a trailer of category O4 the testing mass for the type-IIA-test equals the maximum technically permissible mass of the combination. | B | | X |

NL: Type 2 test is a single Test. The mentioned vehicle in point 6.4. is described in point 1.8. . The important references are point 1.6. and 1.6.4.

Conclusion: A is accepted.

8) DE - UN Regulation No 121 - indicator

Germany: UN Regulation No 121



29.10.2021

1. Reference:

UN Regulation No 121, Table 1

| | | | | | |
|-----|---|---|-----------|-----|--------|
| 30. | Engine on-board diagnostics or engine malfunction |  | Tell-tale | Yes | Yellow |
|-----|---|---|-----------|-----|--------|

2. Issue:

The UN Regulation No. 121 defines the "engine failure" in 30. But it is not clear if it applies to fuel cell and fully electric vehicles.

Questions:

Can the indicator "engine malfunction" also be applied to fuel cells and fully electric trucks according to ECE-R 121?

Possibilities of solution

The indicator "engine malfunction" according to ECE-R 121 point 12.3 (30.) should also apply to fuel cell and fully electric vehicles. In the opinion of the KBA, this "engine malfunction" indicator is generally applicable, since the engine malfunction is not specified in more detail. Whereby alternative indicators for these vehicles would also be conceivable.

| | |
|----------|---|
| A | The "engine fault" indicator or an alternative indicator is applicable for fuel cells and/or all-electric vehicles. |
| B | The indicator "Engine malfunction" is not applicable for fuel cells and/or all-electric vehicles. |

Type approving authority "e" 1

| Selection of solution | | accepted | refused |
|-----------------------|----------|----------|---------|
| | A | x | |
| | B | | x |

NL: either Symbol F.01 or M.09 from ISO 2575:2010 may also apply.

Conclusion: Answer A is accepted and also the remark from NL.

9) DK - Directive 96/53/EC - maximum length

TAAM 17th November 2021

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| Date: |
| 15-11-2021 |
| Member State / Organisation: |
| Denmark |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| TAA e18 |
| Directive or Regulation number / any other document of reference: |
| Regulation (EU) 1230/2012 Directive 96/53/EC |
| Subject: |
| Maximum length of N ₂ /N ₃ and combinations of N ₂ /N ₃ in combination with O ₃ /O ₄ |

| |
|---|
| Reference to Annex, etc. in the Directive or Regulation: |
| Regulation (EU) 1230/2012, annex I, part C, point 1.1.1. and part D, 1.1.1 Directive 96/53/EC, annex I, point 1.1 and point 1.6. Directive 96/53/EC article 4 |
| Relevant text (please copy from Directive or Regulation): |
| Regulation (EU) 1230/2012, annex I, part C point 1.1.1. Vehicles of category N2 and N3 1.1.1. Length: 12,00 m Regulation (EU) 1230/2012, annex I, part D point 1.1.1 Vehicles of category O 1.1.1. Length (a) Trailer: 12,00 m including drawbar; (b) Semi-trailer: 12,00 m plus the front overhang Directive 96/53/EC, annex I, part C, 1.1. maximum length: — motor vehicle other than a bus 12,00 m — trailer 12,00 m — articulated vehicle 16,50 m — road train 18,75 m 1.6 Maximum distance between the axis of the fifth-wheel king pin and the rear of a semitrailer 12,00 m Directive 96/53/EC article 4 1. Member States shall not authorise the normal circulation within their territories: (a) of vehicles or vehicle combinations for the national transport of goods which are not in conformity with the characteristics set out in points <u>1.1</u> , 1.2, 1.4, 1.5, 1.6, 1.7, 1.8, 4.2 and 4.4 of Annex I; 3. Vehicles or vehicle combinations which exceed the maximum dimensions may only be allowed to circulate on the basis of special permits issued without discrimination by the competent authorities, or on the basis of similar non-discriminatory arrangements agreed on a case-by-case basis with those authorities, where these vehicles or vehicle combinations carry or are intended to carry indivisible loads. 4. Member States may allow vehicles or vehicle combinations |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

used for transport which carry out certain national transport operations that do not significantly affect international competition in the transport sector to circulate in their territory with dimensions deviating from those laid down in points 1.1, 1.2, 1.4 to 1.8, 4.2 and 4.4 of Annex I.

Transport operations shall be considered not significantly to affect international competition in the transport sector if one of the conditions under (a) and (b) is fulfilled:

(a) the transport operations are carried out in a Member State's territory by specialized vehicles or specialized vehicle combinations in circumstances in which they are not normally carried out by vehicles from other Member States, e.g. operations linked to logging and the forestry industry;

(b) the Member State which permits transport operations to be carried out in its territory by vehicles or vehicle combinations with dimensions deviating from those laid down in Annex I also permits motor vehicles, trailers and semi-trailers which comply with the dimensions laid down in Annex I to be used in such combinations as to achieve at least the loading length authorized in that Member State, so that every operator may benefit from equal conditions of competition (modular concept).

In Denmark we have some trucks category N₃ with cranes mounted directly behind the cab. These vehicles are often used in the construction industry for loading and unloading bricks, roof tiles windows and other materials for building houses.

The vehicles are also used for stabilizing rafters until the rafters fix on the house. Please see attached photos below.

For stabilizing during loading/unloading, a landing leg is mounted at the front of the vehicle.

Hauliers want us as TAA not to take this landing leg into account by measuring the length of the vehicle.

A landing leg is not mentioned in the table 1 to appendix 1 to annex 1 as a device or equipment which can be exempted when measuring the vehicle length.

We do believe that exemption from including the landing leg in the length of the vehicle of vehicle combination will be against Directive 96/53/EC article 4

Question:

Denmark is asking: can equipment like landing legs, bull bars be exempted from being taken into account when measuring the length of a vehicle and especially of a vehicle combination?

Suggested solutions (if any):

A: Yes

B: No

Remarks:



Conclusion: B is accepted, but with the exemption for bull bars

10) DE - Regulation (EU) 2018/858 - AES documents

Germany: Regulation (EU) 715/2007 amend. Regulation (EU) 2017/1151
ANNEX II, Part B, Section 5 ISC testing; Regulation (EU) 2018/858



1. Reference:

Regulation (EU) 2017/1151; Regulation 2018/858

2. Issue:

The JRC conducts ISC tests on behalf of market surveillance activities of the European Commission. In the process of these ISC tests the JRC asks for the AES documents. The AES documents provided by the manufacturer are subject of being confidential. Therefore, the disclosure of these documents is very restricted. However, according to article 9 (4) the TAA is obliged to provide documents which are necessary to conduct the test. The documents have to include but are not limited to data in the information document and the Annexes according to article 28 (1). The AES documents are not mentioned directly.

Questions:

How do you process inquiries for AES documents?

Possibilities of solution

| | |
|----------|--|
| A | The documents are provided entirely. |
| B | The documents are provided partly, regarding the particular inquiry. |
| C | The documents are not provided. |

Type approving authority "e"

| Selection of solution | | accepted | refused |
|-----------------------|----------|----------|---------|
| | A | | |
| | B | | |

LU / NL / DE: A

IE: NSAI had not yet been requested by the JRC to provide AES documents. IE can support solution A, due to the confidentiality attached to them, IE would first inform the manufacturer of any such request.

SE: Currently C, but they will.

IT: B

Conclusion: The majority would deliver the AES.

5. Open Forum questions

1) 02_2021-04-16_ES_002_TAA_00 - Q&A - Recalls on remote mode UN Regulation No 156 (MD)

Please send the completed template to grow-enforcement-info-forum@ec.europa.eu



EUROPEAN COMMISSION

Forum for the Exchange of Information on Enforcement of the EU legislation on the approval and market surveillance of motor vehicles

Questions & Answers template

FORUM
for the Exchange of Information on Enforcement

| |
|--------------|
| Date: |
| 16.04.2021 |

| |
|--|
| Member State / Organisation: |
| Spain / Ministry for Industry, Trade and Tourism |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| e9 |
| Directive or Regulation number / any other document of reference: |
| Regulation (EU) 2018/858 UN Regulation No 156 |
| Subject: |
| Recalls on remote mode |

| |
|--|
| Reference to Annex, etc. in the Directive or Regulation: |
| Articles 14 and 52 of Regulation (EU) 2018/858 UN Regulation No 156 |
| Relevant text (please copy from Directive or Regulation): |
| Articles 14 and 52 of Regulation (EU) 2018/858 lay down provisions for corrective actions in order to bring non-compliant vehicles, systems, component, separate technical units, parts or equipments into conformity. Those corrective actions can include a withdrawal from the market or a recall campaign, if appropriate. |
| UN Regulation No 156 establishes provisions for software update and software update management systems. |
| A manufacturer has reached this TAA in order to explore the possibility of carrying out a recall campaign on "remote mode", in the sense of executing a software update via remote control, instead the usual execution at a repair shop. |

| |
|--|
| Question: |
| 1) As such a remote mode for recall campaigns is not explicitly referred to in current regulation, can remedial measures including over the air software update be accepted? |
| 2) In the case it would not be acceptable, does the Commission foresees a modification of current regulation to include this kind of recall campaigns? |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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| Suggested solutions (if any): | |
|-------------------------------|--|
| A: | |
| B: | |
| C: | |

| Answer of the Commission: |
|---|
| <p>The following draft Commission reply has been prepared for discussion in the next Forum meeting. As a result of the discussions during the meetings, a consolidated version of the replies will be entered in Forum's CIRCABC Questions and answers - completed versions.</p> <p>Where a vehicle, system, component, separate technical unit, part or equipment that has been placed on the market or that has entered into service is not in conformity with the applicable Regulation the manufacturer shall immediately take the corrective measures necessary to bring that vehicle, system, component, separate technical unit, part or equipment into conformity.</p> <p>The framework Regulation (EU) 2018/858 does not exclude a recall, in the case a software update is necessary, by means of an over-the-air (remotely) update".</p> |

| Remarks: |
|----------|
| |

Conclusion: Support

2) 05_2021-04-27_FI_001_TAA_01 (PB) Directive 2007/46/EC (or Regulation (EU) 2018/858), Regulation (EU) N:o 1230/2012 - Number of seats and seating arrangements in special purpose vehicle of category M1

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Questions & Answers template

FORUM
for the Exchange of Information on Enforcement

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| Date: |
| 27.04.2021 |
| Member State / Organisation: |
| Finland / Finnish Transport and Communications Agency Traficom |
| Type Approval Authority e¹ / Market Surveillance Authority: |
| e17 |
| Directive or Regulation number / any other document of reference: |
| Directive 2007/46/EC (or Regulation (EU) 2018/858), Regulation (EU) N:o 1230/2012 |
| Subject: |
| Number of seats and seating arrangements in special purpose vehicle of category M ₁ |

| |
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| Reference to Annex, etc. in the Directive or Regulation: |
| Annex II, Directive 2007/46/EC Annex XI, Directive 2007/46/EC (Article 4, Regulation (EU) 2018/858) (Annex I, Regulation (EU) 2018/858) (Annex II, Regulation (EU) 2018/858) Article 1, Regulation (EU) N:o 1230/2012 Annex I, Regulation (EU) N:o 1230/2012 |
| Relevant text (please copy from Directive or Regulation): |
| Annex II, Directive 2007/46/EC Part A 1. Vehicle categories 1.1.1. Category M1 Vehicles of category M, comprising not more than eight seating positions in addition to the driver's seating position. Vehicles belonging to category M1 shall have no space for standing passengers. (Article 4, Regulation (EU) 2018/858) 1., (a), (i) Category M1: motor vehicles with not more than eight seating positions in addition to the driver's seating position and without space for standing passengers, regardless of whether the number of seating positions is restricted to the driver's seating position; Annex II, Directive 2007/46/EC (Annex I, Regulation (EU) 2018/858) Introductory part 2. General provisions 2.1. Number of seating positions 2.1.1. The requirements regarding the number of seating positions apply to seats that are designed for use when the vehicle is travelling on the road. 2.1.2. They do not apply to seats that are designed for use when the vehicle is stationary and which are clearly identified to users either by means of a pictogram or a sign with an appropriate text. |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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2.1.5. When seat anchors for a removable seat are present in a vehicle, the removable seat shall be counted in the determination of the number of the seating positions.
2.1.6. An area intended for an occupied wheelchair shall be regarded as one seating position.

Annex XI, Directive 2007/46/EC

Appendix 3: "Wheel-chair Accessible Vehicles"

(Annex II, Regulation (EU) 2018/858

Part III

Appendix 3: Wheelchair accessible vehicles)

Item 44A: Subject: "Masses and dimensions"; Regulatory act: Regulation (EU) No 1230/2012; M1:

X + W₆

X: "The requirements of the relevant act are applicable"

W₆: " For the purposes of calculations, the mass of the wheel-chair including the user shall be assumed to be 160 kg. The mass shall be concentrated at the P point of the surrogate wheelchair in its travelling position declared by the manufacturer.

Any limitation in the passenger capacity resulting from the use of wheelchair(s) shall be recorded in the owner's handbook, on side 2 of the EU type-approval certificate and in the the certificate of conformity (remark section)."

Article 1, Regulation (EU) N:o 1230/2012

1. This Regulation lays down the requirements for the EC type-approval of motor vehicles and their trailers with regard to their masses and dimensions as well as of certain separate technical units intended for those vehicles.

Annex I, Regulation (EU) N:o 1230/2012

Part A

2. Mass distribution

2.6.2. Distribution of the mass of passengers

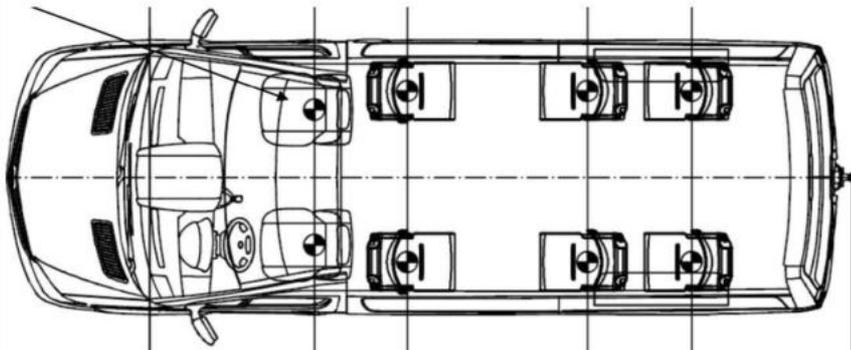
2.6.2.1. The mass representing each passenger shall be 75 kg.

2.6.2.2. The mass for each passenger shall be located at the seating reference point (i.e. the 'R point' of the seat)

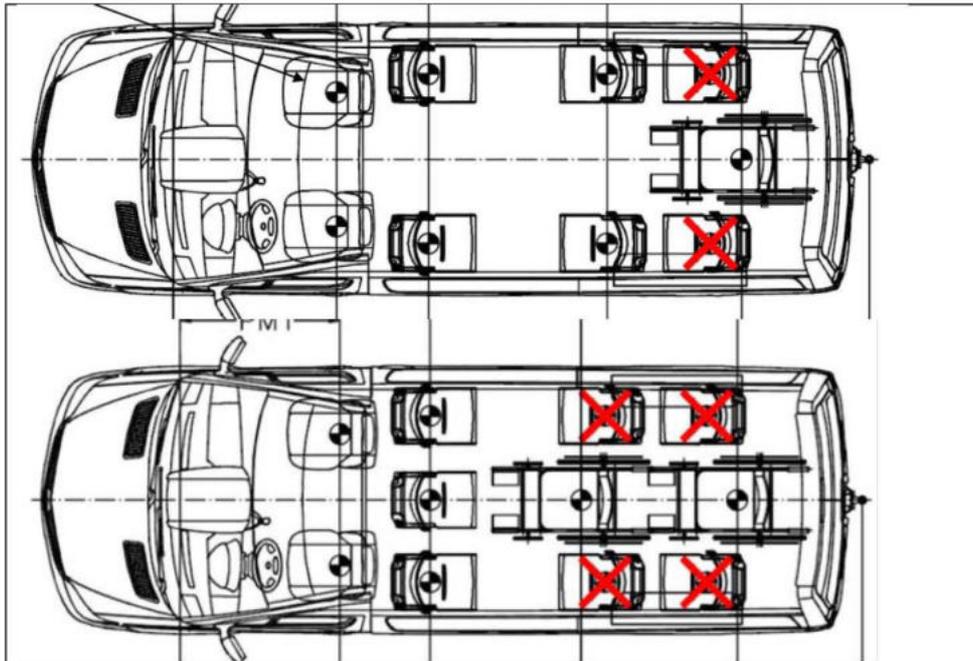
2.6.2.3. In the case of special purpose vehicle, the requirement of point 2.6.2.2 shall apply mutatis mutandis (for example, mass of an injured person lying on the stretcher in the case of an ambulance).

Question:

We received a question from our registration officials of a type-approved vehicle of category M1 with 8 normal passenger seats and areas intended for 2 wheelchairs. (pictures below, red crosses indicate seats which are not to be used when wheelchairs are inside)



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Inside the type approval, a reference is made to exemption W₈ and to the limitation of passenger capacity resulting from the use of wheelchairs, and the seating arrangement and number of seats thus conforming to the classification requirements of category M₁.

We see that the vehicle cannot be approved to category M₁ because the area occupied by a wheelchair should be regarded as a one seating position, and even temporary removal of actual seats don't prevent them to be counted as seats. The vehicle in question with its seating arrangements, in our opinion, belongs to category M₂

The exemption W₈, as we see it, only makes it possible to limit the passenger capacity so that maximum allowable masses of the vehicle will not be exceeded when transporting wheelchairs.

Can a vehicle with 8 passenger seats and area intended for 2 wheelchairs be type-approved as category M₁ vehicle?

Suggested solutions (if any):

| | |
|----|--|
| A: | No, even temporary removal of normal seats or mentioning limitations to passenger capacity according to exemption W ₈ cannot overrule the definitions given in the framework directive (or regulation) (Preferred solution for e17) |
| B: | Yes, if limitations to passenger capacity are given according to exemption W ₈ (Unacceptable solution for e17) |
| C: | Yes, if among other restrictions and requirements (for example the use of regular seat is prevented by technical means when transporting wheelchairs or the area intended for an occupied wheelchair requires removing regular seats) limitations to passenger capacity are given according to exemption W ₈ (Possible solution for e17) |

Answer of the Commission:

The following draft Commission reply has been prepared for discussion in the next Forum meeting. As a result of the discussions during the meetings, a consolidated version of the replies will be entered in Forum's CIRCABC Questions and answers - completed versions.

Answer A is the correct one. However, we are open to discuss answer C because it is a pragmatic solution.

Remarks:

NL: Presents a solution for footnote W8. Which will also presented at the next MSEG MV.

Conclusion: Support and also for the proposal from NL.

3) 09_2021-06-02_ES_001_TAA_00 (AV) Regulation (EU) 1322/2014 and Regulation (EU) 167/2013 - Seat Index Point determination for tractors with straddle seats

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| Date: |
| 02.06.2021 |

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|---|
| Member State / Organisation: |
| Spain / Ministry for Industry, Trade and Tourism |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| TAA e9 |
| Directive or Regulation number / any other document of reference: |
| Commission Delegated Regulation (EU) No 1322/2014 of 19 September 2014 supplementing and amending Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle construction and general requirements for the approval of agricultural and forestry vehicles |
| Subject: |
| Vehicles with straddle seat - Determination of SIP with regard to applicability of annex IX (or X) and obligation to install ROPS |

| |
|---|
| Reference to Annex, etc. in the Directive or Regulation: |
| Annex IX and Annex X of R (EU) 1322/2014 – Seat Index Point (SIP) |
| Relevant text (please copy from Directive or Regulation): |
| Need for clarification regarding the applicability of the annex to a tractor with straddle seat and handlebars where is not possible to determine the seat index point. Annexes IX and X: <i>1.5. Determination of seat index point; seat location and adjustment for test</i> <i>1.5.1. Seat index point (SIP)(2)</i> <i>The seat index point shall be determined in accordance with ISO 5353:1995</i> |

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| Question: |
| If a tractor has a straddle seat and handlebars where is not possible to determine the seat index point. Do annex IX or X apply to such tractor? |

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|---|
| Suggested solutions (if any): |
| A: No. This annex does not apply to tractors with straddle seat and handlebars as it is not possible to determine the seat index point. The vehicle may be type approved without a ROPS. |
| B: Yes. This annex applies to tractors with straddle seat and handlebars even if it is not possible to determine the seat index point as long as they comply with points 2.1.1 to 2.1.4 of 2.1, Field of application. The vehicle cannot be type approved unless is equipped with a ROPS. |
| C: |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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| |
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| Answer of the Commission: |
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|----------------------|
| Remarks: |
| Spanish opinion -> B |

Conclusion: No common understanding. There should be a separation between the mass and seat index point.

4) 10_2021-06-02_ES_002_TAA_00 (AV) Regulation (EU) 1322/2014 and Regulation (EU) 167/2013 - Determination of mass for T-cat

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| Date: |
| 02.06.2021 |
| Member State / Organisation: |
| Spain / Ministry for Industry, Trade and Tourism |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| TAA e9 |
| Directive or Regulation number / any other document of reference: |
| Commission Delegated Regulation (EU) No 1322/2014 of 19 September 2014 supplementing and amending Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle construction and general requirements for the approval of agricultural and forestry vehicles |
| Subject: |
| Determination of mass with regard to applicability of annex IX (or X) and obligation to install ROPS |
| Reference to Annex, etc. in the Directive or Regulation: |
| Annex IX and Annex X of R (EU) 1322/2014, points 2.1.3 |
| Relevant text (please copy from Directive or Regulation): |
| Need for clarification regarding the need to comply with roll-over protective structure requirements for a tractor with a mass of less than 400 kg |
| <u>Annex IX – Field of application:</u> |
| <i>2.1.3. mass greater than 400 kg but less than 3 500 kg, corresponding to the unladen mass of the tractor, including the roll-over protective structure and tyres or tracks of the largest size recommended by the manufacturer. The maximum permissible mass shall not exceed 5 250 kg and the Mass Ratio (Maximum Permissible Mass/Reference Mass) must not be greater than 1,75;</i> |
| <u>Annex X – Field of application:</u> |
| <i>2.1.3. mass greater than 400 kg unladen but including the roll-over protective structure and tyres of the largest size recommended by the manufacturer. For tractors with a reversible driver's position (reversible seat and steering wheel), the unladen mass shall be less than 3 500 kg and the maximum permissible mass shall not exceed 5 250 kg. For all tractors, the Mass Ratio (Maximum Permissible Mass / Reference Mass) must not be greater than 1,75.</i> |
| Question 1 - : |
| Is the driver mass (75 kg) to be included in 2.1.3 verification (400<mass<= 3500)? |
| Suggested solutions (if any): |

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| | |
|----|---|
| A: | No. The mass of the driver shall not be included, as in the definition for "unballasted mass" used in annexes VI-VIII |
| B: | Yes. |
| C: | |

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| Question 2 : |
| For a tractor without ROPS according to the scope (2.1.3), is it necessary to add any mass for a hypothetical ROPS during the determination of the mass for the verification of the applicability of the annex, as specified in 2.1.3, and therefore the obligation to install ROPS? |

| | |
|--------------------------------------|---|
| Suggested solutions (if any): | |
| A: | No. If the mass w/o ROPS is < 400 kg, the type is out of the scope of the annex and the type can be approved w/o ROPS. |
| B: | Yes. The tractor must install ROPS, unless: $[(\text{mass w/o ROPS}) + X] < 400 \text{ kg}$, where X is the typical mass of a ROPS for similar tractors. |
| C: | |

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|----------------------------------|
| Answer of the Commission: |
| |

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|-----------------------------------|
| Remarks: |
| Spanish opinion: Q1 -> A; Q2 -> A |

Conclusion: Common understanding is reached for Q1 → A1. Q2 should be discussed in the forum.

5) 11_2021-07-22_NL_001_TAA_01 - Q&A - EC draft reply - Rebuilt Phase D engines (BT)

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Questions & Answers template

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| | |
|---|---|
| Date: | 22-07-2021 |
| Member State / Organisation: | The Netherlands / RDW |
| Type Approval Authority e¹/Market Surveillance Authority: | e4 |
| Directive or Regulation number / any other document of reference: | Regulation (EC) No 595/2009 amended by Regulation (EU) 2019/1939 |
| Subject: | Requirements for rebuilding Phase D produced engines into Phase E engines |

| Reference to Annex, etc. in the Directive or Regulation: | | | | | | | | | | | |
|---|--|---------------------------------------|---------------------------------------|--------------|----------------|-----------------------------|----------------------------------|--------------------------|--------------------------------|-----------------------------------|---------------------------------|
| 582/2011 amended by 2019/1939 Annex I, Appendix 9 table 1 | | | | | | | | | | | |
| ▼M10 | | | | | | | | | | | |
| Table 1 | | | | | | | | | | | |
| Character | NO, OIL (*) | PM OIL (*) | CO OIL (*) | IUPR (*) | Exempt quality | Additional OBD monitors (*) | Power threshold requirements (*) | Cold start and PM number | Implementation date: new types | Implementation date: all vehicles | Last date of registration |
| A (*) (*) B (*) | Row 'phase-in period' of Table 1 or Table 2 | Performance Monitoring (*) | (N/A) | Phase-in (*) | Phase-in (*) | (N/A) | 20 % | (N/A) | 31.12.2012 | 31.12.2013 | 31.8.2015 (*) 30.12.2016 (*) |
| B (*) | Row 'phase-in period' of Tables 1 and 2 | (N/A) | Row 'phase-in period' of Table 2 | (N/A) | Phase-in (*) | (N/A) | 20 % | (N/A) | 1.9.2014 | 1.9.2015 | 30.12.2016 |
| C | Row 'general requirements' of Table 1 or Table 2 | Row 'general requirements' of Table 1 | Row 'general requirements' of Table 2 | General (*) | General (*) | Yes | 20 % | (N/A) | 31.12.2015 | 31.12.2016 | 31.8.2019 |
| D | Row 'general requirements' of Table 1 or Table 2 | Row 'general requirements' of Table 1 | Row 'general requirements' of Table 2 | General (*) | General (*) | Yes | 10 % | (N/A) | 1.9.2018 | 1.9.2019 | 31.12.2021 |
| E | Row 'general requirements' of Table 1 or Table 2 | Row 'general requirements' of Table 1 | Row 'general requirements' of Table 2 | General (*) | General (*) | Yes | 10 % | Yes | 1.1.2021 (*) | 1.1.2022 (*) | |

Key:

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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| |
|---|
| Relevant text (please copy from Directive or Regulation): |
| <p>A manufacturer sold Euro VI Phase D type approved engines for installation in busses. The construction of the bus has been delayed, which means that it will be registered after January 1, 2022. From 1-1-2022, Euro VI Phase E is mandatory for all new registrations of buses and trucks. According to EU regulation 582/2011 amended by 2019/1939 Annex I, Appendix 9 table 1 Phase D busses cannot be registered anymore.</p> <p>The manufacturer may use the applicable derogation regulation.</p> <p>In this example the derogation deadline is also passed for whatever reason. In such a case, is an manufacturer allowed to upgrade (by rebuilding) its Euro VI Phase D engine to a Type approved Phase E engine and replace the engine type plate with a new one accordingly? The engine is still unused and the bus is not registered. The applicable condition must be that these already produced engines cannot be distinguished from a regular produced Phase E engine. What means that the engines have identical hardware and software as stated in the Phase E type approval documentation.</p> |

| |
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| Question: |
| It is possible to rebuilt an already produced Phase D engine to a Phase E type approved engine. |

| |
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| Suggested solutions (if any): |
| A: Yes, just changing hardware / software and engine type plate according Phase E type approval is sufficient |
| B: No |
| C: Yes with taken into account the applicable requirements of COP / ISC |

| |
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| Answer of the Commission: |
| <p>The Commission is not in the position to comment on this particular case since the decision would need to be based on many aspects, which are unknown. It is the approval authority that is best suited to assess and take a decision on a case-by-case basis whether or not it is appropriate to allow such vehicles to be retrofitted to the final approved specifications and whether or not these vehicles can be deemed equivalent to the approved type. If deemed useful, the Commission would support an exchange of views and experiences on this topic among the approval authorities of the Member States in the Forum.</p> |

| |
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| Remarks: |
| <p>There may be some similarities with the handling and approval of pre-series vehicles, which have been used for homologation purposes, but may not have the final specifications and may not have been built according to the final assembly provisions.</p> |

Conclusion: Support.

6) 16_2021-09-28_NL_TAA_00 - Forum Q&A Type-IIA performance N3 vehicles
UNECE R13

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Forum for the Exchange of Information on Enforcement of the EU legislation on the approval and
market surveillance of motor vehicles

Questions & Answers template



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| Date: |
| 28.09.2021 |

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| Member State / Organisation: |
| The Netherlands / RDW |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| Type Approval Authority e4 |
| Directive or Regulation number / any other document of reference: |
| UN Regulation No 13 |
| Subject: |
| Type-IIA performance N3 vehicles |

| |
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| Reference to Annex, etc. in the Directive or Regulation: |
| Regulation 13 Supplement 16 to the 11 series of amendments, Annex 4, Paragraphs 1.8.1., 1.8.1.1., 1.8.1.2., 1.8.2., 1.8.2.1. and 1.8.2.2. |
| Relevant text (please copy from Directive or Regulation): |
| 1.8.1. Vehicles of the following categories shall be subject to the Type IIA test. 1.8.1.1. Vehicles of category M3, belonging to Classes II, III or B as defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3). 1.8.1.2. Vehicles of category N3 which are authorized to tow a trailer of category O4. If the maximum mass exceeds 26 tonnes, the test mass is limited to 26 tonnes or, in the case where the unladen mass exceeds 26 tonnes, this mass is to be taken into account by calculation. 1.8.2. Test conditions and performance requirements. 1.8.2.1. The performance of the endurance braking system shall be tested at the maximum mass of the vehicle or of the vehicle combination 1.8.2.2. Laden vehicles shall be tested in such a manner that the energy input is equivalent to that recorded in the same period of time with a laden vehicle driven at an average speed of 30 km/h on a 7 per cent down-gradient for a distance of 6 km. During the test, the service, secondary and parking braking systems shall not be engaged. The gear engaged shall be such that the speed of the engine does not exceed the maximum value prescribed by the manufacturer. An integrated endurance braking system may be used, provided that it is suitably phased such that the service braking system is not applied; this may be verified by checking that its brakes remain cold, as defined in paragraph 1.4.1.1. of this Annex. |

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| Question: |
| It is unclear how to interpret item 1.8.1.2. in relation to 1.8.2.1. and 1.8.2.2. Item 1.8.1.2. prescribes one of the vehicles that are subject to Type IIA test: "Vehicles of category N3 which are authorized to tow a trailer of category O4." If the maximum mass exceeds 26 tonnes, the test mass is limited to 26 tonnes. The question is about the wording "the maximum" in this last |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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sentence. Does this mean the maximum mass of the vehicle of the single motor vehicle, or of the vehicle combination (motor vehicle plus the towed vehicle)?
Item 1.8.2.1. prescribes "the maximum mass of the vehicle or of the vehicle combination". RDW has the opinion that the words "or of the vehicle combination" apply only to ADR vehicles according item 1.8.1.3.
In the opinion of RDW, not all type approval authorities deal with this issue in the same way.

Question
By formulating the following vehicle specifications, the question is: how should this vehicle be tested?
Vehicle specification: N3, non ADR, GVW 19 ton, GCW 40 ton. For answers, see solutions A or B.

| Suggested solutions (if any): | |
|--------------------------------------|--|
| A: | With an energy input equivalent based on the single laden vehicle (GVW) of 19 ton? |
| B: | With an energy input equivalent based on the laden vehicle combination (GCW) with a maximum of 26 ton? |
| C: | |

| Answer of the Commission: |
|----------------------------------|
| |

| Remarks: |
|-----------------|
| |

See TAAM question No. 7.

7) 17_2021-09-29_NL_001_TAA_00 - Q&A - Point 0.2.3. Identifiers on the CoC

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Questions & Answers template

FORUM
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| Date: |
| 29.09.2021 |

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| Member State / Organisation: |
| The Netherlands / RDW |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| TAA e4 |
| Directive or Regulation number / any other document of reference: |
| Implementing Regulation (EU) 2020/683 |
| Subject: |
| Point 0.2.3. Identifiers on the Certificate of Conformity (CoC) |

| |
|--|
| Reference to Annex, etc. in the Directive or Regulation: |
| Point 0.2.3. of CoC Model A1, A2, B, C1 and C2 ((in)complete(d) vehicles) - Part 1 of Annex VIII |
| Relevant text (please copy from Directive or Regulation): |
| MODEL A1 —PART 1 COMPLETE VEHICLES; MODEL A2 —PART 1 COMPLETE VEHICLES TYPE-APPROVED IN SMALL SERIES; MODEL B —PART 1 COMPLETED VEHICLES; Part 1: 0.2.3. Identifiers (1): (1): Only for the approval under Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1). MODEL C1 —PART 1 INCOMPLETE VEHICLES; MODEL C2 —PART 1 INCOMPLETE VEHICLES TYPE-APPROVED IN SMALL SERIES; Part 1: 0.2.3. Identifiers (if applicable) (161): (161) Only applicable to individual vehicles from roadload matrix family (RLMF). |

| |
|---|
| Question: |
| First question about Footnote (1) "Only for the approval under Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1)." which is only stated at point 0.2.3. on model A1, A2 and is different from footnote 161 "Only applicable to individual vehicles from roadload matrix family (RLMF)". which is stated at model C1 and C2. |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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It indicates that the identifiers are only applicable for type approvals under Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1). On the various prescribed templates in annex VIII of Regulation (EU) 2020/683, however, the identifiers are listed.

So the questions is how do we deal with the mention of an identifier if it does not apply to the vehicle?

Should the identifier be removed from the model or must the identifier always be stated with N/A (Not Applicable) after it if the identifiers do not apply to the vehicle?

Second Question about footnote (161) "Only applicable to individual vehicles from roadload matrix family (RLMF)" which is only stated on model C1 and C2 and is different from footnote (1) "Only for the approval under Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1)." which is stated at model A1, A2 and B. It indicates that it is only applicable to individual vehicles from roadload matrix family (RLMF).

Why is the use of the footnote for the identifiers in model C1 and C2 different from the footnote of model A1, A2 and B? Is it true that due to the difference in footnotes to the comparative identifiers, there is also a difference in the way we deal with the situation described in the first question?

| Suggested solutions first question (if any): | |
|---|--|
| A: | Always state the name of the item on the CoC. If the identifiers are not applicable, the name of the item will be stated for the item concerned, but the codes that are not applicable are not. In that case N/A will be stated at that point. |
| B: | |
| C: | |

| Suggested solutions second question (if any): | |
|--|--|
| A: | Harmonize the models as far as possible and only use a difference (for example in the case of footnotes) if necessary. |
| B: | |
| C: | |

Answer of the Commission:

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Remarks:

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SE: No question for TAAM.

Conclusion: NL will send a proposal to the COM to adapt the regulation.

8) 18_New Q from NL ang R58: Where should point P1 be located?

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Questions & Answers template

FORUM
for the Exchange of Information on Enforcement

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| Date: |
| 03.03.2021 |

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|---|
| Member State / Organisation: |
| RDW the Netherlands |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| TAA e4 |
| Directive or Regulation number / any other document of reference: |
| Regulation (EU) 2015/208 amended by Regulation (EU) 2020/540 (agricultural and forestry vehicles) |
| Subject: |
| Requirements on rear protective structures with respect to: 1. The width of the device 2. The placement of test force P1. |

| |
|--|
| Reference to Annex, etc. in the Directive or Regulation: |
| Annex XXVI |
| Relevant text (please copy from Directive or Regulation): |
| <p>Point 2.4.2. the width of the device shall at no point exceed the width of the rear axle measured at the outermost points of the wheels, excluding the bulging of the tyres close to the ground, nor shall it be more than 10 cm shorter on either side. Where there is more than one rear axle, the width to be considered is that of the widest. The width of the device shall not exceed in any case 2,55 m;</p> <p>Point 2.4.5.1. points P1 are located 30 cm from the longitudinal planes tangential to the outer edges of the wheels on the rear axle; points P2, which are located on the line joining points P1, are symmetrical to the median longitudinal plane of the vehicle at a distance from each other of 70 to 100 cm inclusive, the exact position being specified by the manufacturer. The height above the ground of points P1 and P2 shall be defined by the vehicle manufacturer within the lines that bound the device horizontally. The height shall not, however, exceed 60 cm when the vehicle is unladen. P3 is the centre-point of the straight line joining points P2;</p> |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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| Question 1: |
| In point 2.4.2. it is stated that width of the device shall not be more than 10 cm shorter <u>on either side at the most outermost points of the wheels</u> , and shall not exceed 2,55m |
| Currently we notice that some EU Members are granting Type Approvals according Annex XXVI for vehicles with a width over the outermost points of the wheels of <u>more than 2,55 m</u> and where the width of the device is limited on 2,35 m. |
| Question: Is it allowed to grant a Type Approval according Annex XXVI for vehicles with a width of the rear axle measured at the outermost points of the wheels, excluding the bulging of the tyres close to the ground of <u>more than 2,55 m</u> where the width of the device is limited on 2,35 m for that variant and/or version? |

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| Suggested solutions (if any): |
| A: NO, this is not allowed. If the width of the rear axle measured at the outermost points of the wheels, excluding the bulging of the tyres close to the ground is more than 2,55 m, the width of the device shall not be more than 10 cm shorter on either side however the width of the device shall not exceed 2,55 m. |
| B: YES, this is allowed, based on Annex XXI point 2.3.2. the maximal width of the vehicle itself is limited on 2,55 m. The increase of the maximum width above 2,55 m is only allowed as an option within the vehicle type approval for mounting of extra wide tyres The width of device shall not be more than 10 cm shorter on either side is to be considered only with tyres mounted that limit the width of the vehicle to a maximum of 2.55 m and therefore 2.35m is acceptable. |

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| Answer of the Commission: |
| <p>The following draft Commission reply has been prepared for discussion in the next Forum meeting. As a result of the discussions during the meetings, a consolidated version of the replies will be entered in Forum's CIRCABC Questions and answers - completed versions.</p> <p>Currently solution A applies. Any possible future amendment to Regulation (EU) 2015/208 will take into account the discussions at the WGAT of 18/3/2021.</p> |

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| Remarks: |
| If answer B is correct, than point 2.4.2. of Annex XXVI need to be amended so that it is clear the minimal width of the device is related to the width over the vehicle in case optional tires are used that measure more than 2,55 m at the outermost points of the wheels. |

Conclusion: No common understanding. The question should be passed to the Forum and also to the working group.

9) 19_2021-07-28_IT_001_TAA_00 - Q&A - Load tyre and maximum permissible mass per axle for T-cat

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Questions & Answers template

FORUM

for the Exchange of Information on Enforcement

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| Date: |
| 28/7/2021 |
| Member State / Organisation: |
| ITALY |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| e3 |
| Directive or Regulation number / any other document of reference: |
| Commission Delegated Regulation (EU) 2015/208 concerning vehicle functional safety requirements for the approval of agricultural and forestry vehicles. |
| Subject: Functional safety requirements for the approval of agricultural and forestry vehicles |
| Load tyre and maximum permissible mass per axle |

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|---|
| Reference to Annex, etc. in the Directive or Regulation: |
| Annex XXX - Requirements on tyres |
| Relevant text (please copy from Directive or Regulation): |
| <i>"2.2.4.1.2. When a vehicle may be fitted on each axle with tyres for which the sum of maximum load rating is less than the maximum permissible mass per axle, the requirements of points 2.2.4.1 and 2.2.4.1.1 apply with the maximum permissible mass per axle according to the tyre specification instead of the maximum permissible mass per axle."</i> |

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| Question: |
| Is the possibility allowed in 2.2.4.1.2 valid for every tire combinations or at least one tire combination shall guarantee the maximum permissible mass of the vehicle declared by the manufacturer? |
| <i>(e.g.: In case of a 3-axle trailer the manufacturer declares a total maximum permissible mass of 30,000 kg with 10,000 kg for axle and there is no tire combination that guarantees 10,000 kg for axle within type approval documentation).</i> |

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| Suggested solutions (if any): |
| A: At least one tire combination shall guarantee the maximum permissible mass of the vehicle declared by the manufacturer. In case no tire combination guarantees the maximum permissible mass of the vehicle declared by the manufacturer, then the maximum mass of the vehicle is determined by TAA/TS as sum of maximum permissible masses per axle given by the tire combination that guarantees the greatest permissible mass per axle. |

1 The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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| | |
|----|---|
| | <i>(e.g. In case of maximum permissible mass per axle determined by tire combination is 9,500 kg, then the maximum mass attributed to the vehicle by TAA/TS will be 28,500 kg even if the manufacturer declares 30,000 kg).</i> |
| B: | |
| C: | |

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| Answer of the Commission: |
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| Remarks: |
| A better wording of point 2.2.4.1.2 of Annex XXX of Regulation (EU) 2015/208 would be suitable. We suggest to add to point 2.2.4.1.2 the words "...at least a single tire combination shall guarantee the total maximum permissible mass declared by the manufacturer". |

Conclusion: Answer A is supported.

10) 20_2021-07-28_IT_002_TAA_00 - Q&A - Aerial platforms for lifting people

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Questions & Answers template

FORUM
for the Exchange of Information on Enforcement

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| Date: |
| 19/7/2021 |
| Member State / Organisation: |
| ITALY |
| Type Approval Authority e3¹/ Market Surveillance Authority: |
| Ministry of Sustainable Infrastructure and Mobility |
| Directive or Regulation number / any other document of reference: |
| Regulation 858/2018 |
| Subject: |
| Classification of vehicles having installed a fixed system for lifting people - a.k.a. "aerial platforms"- which characterizes their use and where the whole person lifting machine is to be considered as a "special accessory" pursuant to point 2.3.1 of Annex I of Regulation 858/2018. |
| Reference to Annex, etc. in the Directive or Regulation: |
| Regulation 858/2018, Annex I |
| Relevant text (please copy from Directive or Regulation): |
| Annex I ... 1. Definitions ... 1.3. 'Goods' means primarily any movable things. It includes products in bulk, manufactured goods, liquids, living animals, crops, indivisible loads. ... 2.3. Special equipment 2.3.1. Vehicles fitted primarily with fixed equipment such as machinery or apparatus shall be regarded as N or O category. ... 3.6.2. The mass of equipment that is fitted to the vehicle in order to accommodate goods (e.g. tank, bodywork, etc.), to handle goods (e.g. crane, lift, etc.) and to secure goods (e.g. cargo securing devices) shall be included in M. 3.6.3. The mass of equipment that is not used for the purposes referred to in point 3.6.2 (such as a compressor, a winch, an electric power generator, broadcasting equipment, etc.) shall not be included in M for the purposes of the application of the formulae referred to in point 3.6.1. |
| Question: |
| Having regard that : <ul style="list-style-type: none">the definition of "special purpose vehicles – aerial platforms for lifting people" places the |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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person lifter as a whole (rotation tower + arm system + basket) as a "Special Accessory" pursuant to point 2.3 of Annex I;

- the term "goods" includes liquids, manufactured goods, animal and vegetable products, but not people (point 1.3 of Annex I);

Is it correct to assert that the mass of the person lifter (as a whole) should not be counted in the mass M for the purpose of calculating the verification of the load capacity of category N vehicles, as this special accessory is not intended to house, contain or move "goods" pursuant to the exception foreseen by para. 3.6.3 of Annex I of Directive 858/2018?

| Suggested solutions (if any): | |
|-------------------------------|--------------------------|
| A: | YES (suggested by Italy) |
| B: | NO |

| Answer of the Commission: |
|---------------------------|
| |

Remarks:

Although the European Regulation 858/2018 has not introduced significant changes regarding the classification of vehicles with respect to Directive 2007/46/EC, recent interpretations of this Regulation regarding vehicles with **special use classification (SG)** need further clarification.

Among the variety of vehicles included in this classification (**SG**) there are also aerial platforms.

These aerial platforms are considered as "special purpose" since on the vehicle a fixed system for lifting people is fitted. This system characterizes the use of the vehicle and the person lifter is to be considered as a "special accessory" pursuant to point 2.3.1 of Annex I of Regulation 858/2018.

These vehicles also clearly meet the requirements of point 3.6, since the mass of accessories not intended for handling goods should not be taken into account in the mass in running order, when applying the formulae in para 3.6.1

The mass of the people lifting systems, which are seen as "special accessories", should not be counted within the mass in running order for verification pursuant to point 3.6.1 of annex I of Regulation 858/2018 because they are systems intended only for lifting people and not for housing, containing or handling "goods" as defined in point 1.3 of the same Annex to the Regulation in question.

Up to now, these vehicles have been considered unsuitable for loading, therefore their payload has been 0 kg. This principle is already used for the classification in category N3 of vehicles with bodywork as "mobile cranes" and belonging to the **SF subgroup of special vehicles**.

The vehicle with bodywork also complies with the requirements for masses and dimensions defined by Regulation 1230/2012.

Conclusion: The majority is in favor with answer A.

11) 21_2021-09-30_NL_002_TAA_00 - Q&A - Requirements on vehicle exterior and accessories Reg 2015-208 Point 1.3 is the definition of the “Extreme outer edge”

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Questions & Answers template

FORUM
for the Exchange of Information on Enforcement

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| Date: |
| 30.09.2021 |

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| Member State / Organisation: |
| The Netherlands / RDW |
| Type Approval Authority e¹/ Market Surveillance Authority: |
| e4 |
| Directive or Regulation number / any other document of reference: |
| Commission Delegated Regulation (EU) 2015/208 |
| Subject: |
| Requirements on vehicle exterior and accessories |

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| Reference to Annex, etc. in the Directive or Regulation: |
| Annex XIV of Regulation (EU) 2015/208 |
| Relevant text (please copy from Directive or Regulation): |
| <p>Point 1.3. 'Extreme outer edge' of the vehicle means, in relation to the sides of the vehicle, the plane parallel to the median longitudinal plane of the vehicle coinciding with its outer lateral edge, account not being taken of the projection:</p> <ul style="list-style-type: none">a) of tyres near their point of contact with the ground, and connections for tyre pressure gauges and tyre inflating/deflating devices/ducts;b) of any anti-skid devices which may be mounted on the wheels;c) of rear-view mirrors, including their support;d) of side direction indicator lamps, end outline marker lamps, front and rear position (side) lamps, parking lamps, retro-reflectors, signalling panels and SMV rear marking plates;e) of articulation structures on foldable ROPS of T2, C2, T3 and C3 category tractors;f) of mechanical, electrical, pneumatic or hydraulic connections, and their supports on the sides of tractors. |
| <p>Point 2.1.1. at a height of less than 0,75 m, the parts forming only at the sides of the vehicle the extreme outer edge in each vertical plane perpendicular to the length axis of the vehicle, with the exemption of those parts with distance greater than 80 mm from the side extreme outer edge of the vehicle and towards its median longitudinal plane, when the vehicle is equipped with the tyres or set of tracks, described in point 2.1, giving the least track width; if more than one tyre or set of tracks, described in point 2.1, exist, the one giving the minimum vehicle width shall be considered;</p> |

¹ The lower case letter 'e' followed by the distinguishing number of the Member State issuing the EC type-approval: 1 for Germany; 2 for France; 3 for Italy; 4 for the Netherlands; 5 for Sweden; 6 for Belgium; 7 for Hungary; 8 for the Czech Republic; 9 for Spain; 11 for the United Kingdom; 12 for Austria; 13 for Luxembourg; 17 for Finland; 18 for Denmark; 19 for Romania; 20 for Poland; 21 for Portugal; 23 for Greece; 24 for Ireland; 25 for Croatia; 26 for Slovenia; 27 for Slovakia; 29 for Estonia; 32 for Latvia; 34 for Bulgaria; 36 for Lithuania; 49 for Cyprus; 50 for Malta.

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Point 2.1.2.

at the sides and at a height between 0,75 and 2 m, all parts, except:

Point 2.1.2.1.

the parts that cannot be contacted by a sphere with a diameter of 100 mm, when approaching horizontally in each vertical plane perpendicular to the length axis of the vehicle; the displacement of the sphere shall not exceed 80 mm, starting from the extreme outer edge of each of the left and right side of the vehicle and towards its median longitudinal plane, when the vehicle is equipped with the tyres or set of tracks, described in point 2.1, giving the least track width; if more than one tyre or set of tracks, described in point 2.1, exist, the one giving the minimum vehicle width shall be considered;

General:

Point 1.3 is the definition of the "Extreme outer edge"

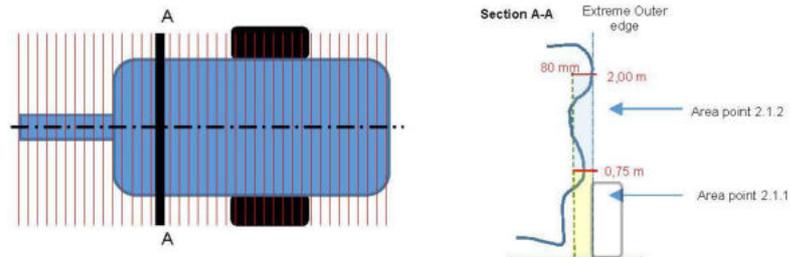
Point 2.1.1 and 2.1.2 describes two separate areas in which the external surface need to fulfill the requirement of point 3. We see that the two separate areas described in point 2.1.1 and 2.1.2 are interpreted differently by technical services and approval authorities.

Question 1 of 2:

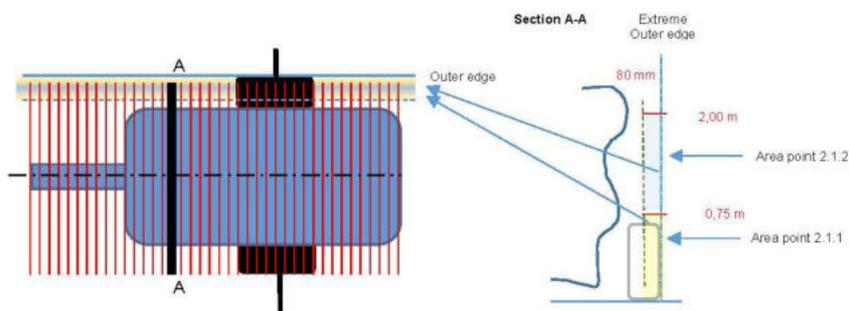
How does point 2.1.1 and 2.1.2 with regards to the tested area need to be interpreted?

Suggested solutions (if any):

A: Point 2.1.1. and 2.1.2 states "at the sides of the vehicle **the extreme outer edge in each vertical plane perpendicular to the length axis of the vehicle**" which means; For each section A-A as set out in the image below (redline) the extreme outer edge of each section need to be determined and checked with the requirements, point 3.



B: The **extreme outer edge** only need to be determined once which applies for the whole vehicle length. Each section A-A as set out below (redline) will need to be checked on the requirements of point 3. Which means for the specific section A-A below that the vehicle exterior and accessories are not within the area which has to be checked;



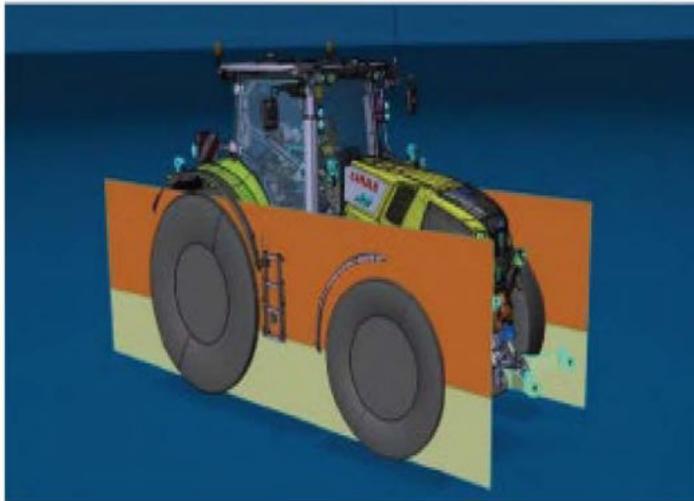
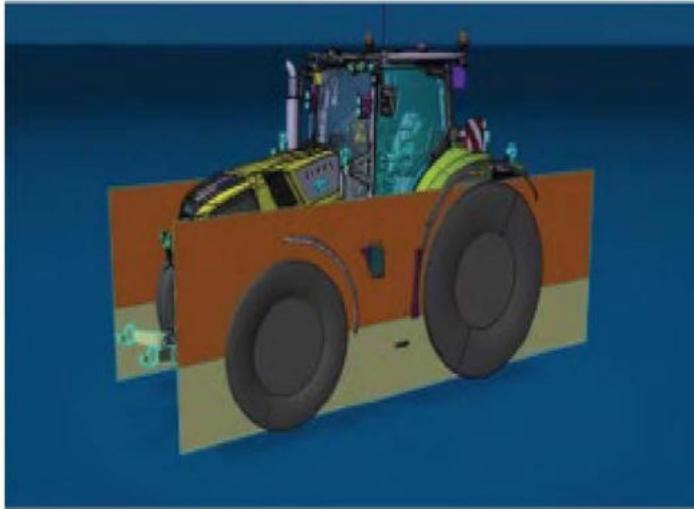
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Answer of the Commission:

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Remarks:

Please note following. If answer B is correct than a large part of the outer surface of the vehicle will not be checked on the requirements as it will not be within the requirement area. We have seen several WVTA's where this is the case, see image below.



Conclusion: No common understanding. DE will check there approval practice.

12) 22_2021-09-30_NL-001_TAA_00 - Q&A - R58 RUPD mounted on a turntable of a steering system



Division Vehicle Regulation & Admission

The Netherlands e4/E4

Questions by the TAAM delegation of the Netherlands RDW TAAM Query November 2021

Directive EC, Regulation (EU) or UNECE Regulation number
UNECE Regulation No 58.03, Rear underrun protective devices (RUPDs)

Subject
Rear underrun protective devices mounted on a turntable of a steering system.

Reference to Annex, Appendix, Paragraph, etc. in Directive or Regulation
Part II, Item 16.4 / Part III Item 25.3 of UN Regulation No 58

Text

PART II, Item 16.4

For vehicles of categories M, N1, N2 with a maximum mass not exceeding 8 t, O1 and O2, the device shall be so fitted that the horizontal distance between the rear of the cross-member of the device and the most rearward point at the rear extremity of the vehicle, including any platform lift system, does not exceed 400 mm diminished by the largest total deformation including both plastic and elastic deformation (paragraph 7.3. of Part I) measured and recorded during the test at any of the points where the test forces are applied (Annex 1, item 8) during the type approval of the rear underrun protective device in conformity with the provisions of Part I of this Regulation and recorded in the type approval communication form. In measuring this distance, any part of the vehicle which is more than 2 m above the ground for every loading condition of the vehicle shall be excluded.

For vehicles of categories N2 with a maximum mass exceeding 8 t, N3, and vehicles of categories O3 and O4, equipped with a platform lift or being designed as a tipping trailer, the same requirement as above applies; however, for vehicles of these categories, the horizontal distance shall not exceed 300 mm measured to the rear of the cross-member before the test forces are applied.

For vehicles of categories O3 and O4, without any platform lift system and not being designed as a tipping-trailer, the maximum horizontal distances are reduced to 200 mm before the test forces have been applied and 300 mm diminished by the largest total deformation including both plastic and elastic deformation (paragraph 7.3. of Part I) measured and recorded during the test at any of the points where the test forces are applied (Annex 1, item 8).

In any case non-structural protrusions such as tail lamps and those of less than 50 mm of size in any direction, such as rubber bumpers, resilient buffers, hinges and latches shall be excluded from the determination of the most rearward point at the rear extremity. Before the application of the test forces, the maximum allowed horizontal distance of a single, a segmented or an inclined cross-member of a RUPD is 100 mm between the rear of the cross-member measured at the most forward point and the rear of the cross-member measured at the most rearward point, measured in the longitudinal plane of the vehicle.

PART III, Item 25.3

For vehicles of categories M, N1, N2 with a maximum mass not exceeding 8 t, O1 and O2, the RUP shall be situated as close to the rear of the vehicle as possible. The maximum horizontal distance between the rear of the device and the most rearward point at the rear extremity of the vehicle, including any platform lift system, does not exceed 400 mm measured to the rear of the cross-member and recorded during the test when the test forces are applied.

For vehicles of categories N2 with a maximum mass exceeding 8 t, N3, and vehicles of categories O3 and O4, equipped with a platform lift or being designed as a tipping trailer, the same requirement as above applies; however, for vehicles of these categories, the horizontal distance shall not exceed 300 mm measured to the rear of the cross-member before the test forces are applied.

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The Netherlands

Tel. + 31 79 345 83 02
E-mail typeapproval@rdw.nl
www.rdw.nl

Type-approval Department

For RUP for vehicles of categories O3 and O4, without any platform lift system and not being designed as a tipping-trailer, the maximum horizontal distance is reduced to 200 mm before and 300 mm during the test when the test forces are applied.

In any case non-structural protrusions such as tail lamps and those of less than 50 mm of size in any direction, such as rubber bumpers, resilient buffers, hinges and latches shall be excluded from the determination of the most rearward point at the rear extremity.

In any case aerodynamic devices that comply with the provisions in Annex 8 shall be excluded from the determination of the most rearward point at the rear extremity.

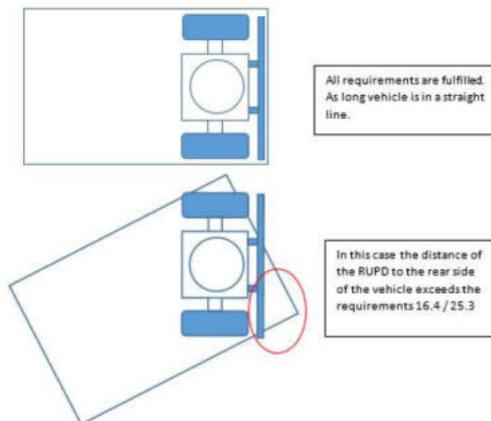
Before the application of the test forces the maximum allowed horizontal distance of a single, a segmented or an inclined cross-member of a RUPD is 100 mm between the rear of the cross-member measured at the most forward point and the rear of the cross-member measured at the most rearward point, measured in the longitudinal plane of the vehicle.

Question(s)

Is the mounting of a rear underrun protective device on a turntable within the scope of UNECE Regulation No 58?



If the RUPD is mounted on a turntable and meet all the requirements during testing. Do the requirement of points 16.4 of 25.3 also need to be fulfilled during normal operation of the vehicle? For example, when the vehicle is steered into a corner, the turntable will be turned and therefore also the RUPD will be turned partially under the vehicle, see image below for visualization. In this case the outer part of the RUPD will potentially be placed further from rear-end of the trailer than specified in the requirements of 16.4 or 25.3. (see red circle)



Solutions first question

A YES, it is allowed as long as all requirements are fulfilled.

B NO, mounting of a RUPD on a turntable is not within scope of the Regulation, and an Approval should not be granted.

Proposed Decisions

| <i>Solution</i> | <i>Accepted</i> | <i>Refused</i> |
|-----------------|-----------------|----------------|
| A | | X |
| B | X | |

Solutions second question

A YES, these requirements need to be fulfilled at all time, during testing but also during the normal operation of the vehicle and in this case the vehicle is cornering.

B NO, The if the requirements are fulfilled during testing an approval will be granted. The normal operation of the vehicle is not within scope of the Regulation

Proposed Decisions

| <i>Solution</i> | <i>Accepted</i> | <i>Refused</i> |
|-----------------|-----------------|----------------|
| A | | |
| B | | |

Authority

Type approval Authority e/E e4/E4



Conclusion: Opinions diverged from each other. But the need is seen for some special vehicles.

6. **ETAES**

The chair reports briefly on the current status of ETAES. The MassUplouad is currently in the test phase and it will be completed in Q1 2022.

In Q2 2021, the technical services were included as a mandatory attribute in the ETAES database. For each type approval to be uploaded, a technical service must now be specified. If none exists, the technical service "Not applicable" is selected. The list of technical services is maintained by COM. New technical services or changes to existing technical services will be notified to the Commission. They will pass on the changes to the KBA.

7. **AOB**

No point is raised for AOB.