

STATUTORY INSTRUMENTS

2018 No. 673

**The Road Vehicles (Defeat Devices, Fuel Economy
and Type-Approval) (Amendment) Regulations 2018**

PART 4

**AMENDMENTS TO PART 4 OF THE 2009 REGULATIONS: NATIONAL
SMALL SERIES TYPE APPROVAL AND INDIVIDUAL APPROVAL**

- 8.**—(1) Regulation 25 (grant of national small series type approval) is amended as follows.
- (2) After paragraph (2) insert—
- “**(2A)** The approval authority may, when giving notice of its decision under paragraph (1) (c), notify the applicant manufacturer in writing that it has in making its decision waived the requirements of any of the following paragraphs of Annex II to the Framework Directive—
- (a) paragraph 1.1.1(c);
 - (b) paragraph 2.1.1(h);
 - (c) paragraph 3.1.1(d);
 - (d) paragraph 4.1.1(e);
 - (e) paragraph 5.1.1(f);
 - (g) paragraph 6.1.1(f).”.
- (3) In paragraph (12)—
- (a) for the definition of “maximum permitted number”, substitute—
“maximum permitted number” means—
 - (a) for any type of vehicle other than one specified in sub-paragraph (b), the number shown in column (2) of Table 1 in relation to the vehicle category to which that type belongs; and
 - (b) for a type of vehicle specified in column (1) of Table 2 which exceeds 4 metres in height the number shown in column (2) of that Table 2 in relation to the vehicle category to which that type belongs;”;
 - (b) for the Table at the end, substitute the following Tables—

“Table 1

Maximum permitted numbers

<i>(1) Vehicle category</i>	<i>(2) Maximum permitted number</i>
M1	100
M2 or M3	250

<i>(1) Vehicle category</i>	<i>(2) Maximum permitted number</i>
N1	250
N2 or N3	250
O1 or O2	500
O3 or O4	250

Table 2

Maximum permitted numbers

<i>(1) Vehicle Category</i>	<i>(2) Maximum permitted number</i>
M2 or M3	1,000
N2 or N3	1,200
O3 or O4	2,000”.

9.—(1) In Schedule 4 (technical and administrative requirements for grant of national small series type approval), Section 1 of Part 2 (requirements for vehicles of category M1) is amended as follows.

(2) In item 2 of the table (emissions)—

(a) for the heading “**2. Emissions**”, substitute “**2. Light Duty Emissions**”;

(b) in the first column—

(i) in paragraph 3, for “Vehicles”, substitute “Complete or Completed vehicles”.

(ii) after paragraph 3 insert—

“4. Complete or Completed vehicles manufactured after 1st December 2018: the technical provisions of Annex XXI to Regulation (EU) No. 2017/1151 (WLTP)”;		
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(c) in the third column—

(i) in paragraph 5 for “The requirements”, substitute “In the case of a Completed vehicle, the requirements”;

(ii) in paragraph 6, at the end, insert “or aerodynamic performance”.

(3) In item 3 of the table (fuel tanks / rear protective devices), in the first column, at the end of paragraph 1 insert—

“Or The technical provisions of Regulation (EC) No. 79/2009 or UNECE Regulation 134 for hydrogen.”.		
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- (4) Omit item 11 of the table (diesel smoke).
- (5) In item 41 of the table (diesel emissions)—
 - (a) for the heading “**41. Diesel Emissions**”, substitute the heading “**41. Heavy Duty Emissions**”;
 - (b) in the first column, after paragraph 2, insert—

“3. Complete or Completed vehicles manufactured on or after 1st September 2018: Regulation (EC) No. 595/2009 Annex I limit values”;		
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- (c) in the third column, in paragraph 3, for “For vehicles with a maximum mass equal to or exceeding 2500kg” substitute “In the case of Completed vehicles”.
- (6) At the end of the table add the following item—

“69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01”		

- 10.**—(1) In Schedule 4, Section 2 of Part 2 (wheelchairs) is amended as follows.
 - (2) In paragraph 4 (testing of restraint system anchorages), re-letter the sub-paragraphs (c) to (i) as sub-paragraphs (a) to (g) respectively.
 - (3) In paragraph 5 (forces applied to a wheelchair), re-letter the sub-paragraphs (j) and (k) as (a) and (b) respectively.
 - (4) In paragraph 7 (anchorage system performance), re-letter the sub-paragraphs (l) and (m) as (a) and (b) respectively.

11.—(1) In Schedule 4, Section 1 of Part 3 (requirements for vehicles of category N1) is amended as follows.

- (2) In item 2 of the table (emissions)—
 - (a) for the heading “**2. Emissions**”, substitute the heading “**2. Light Duty Emissions**”;
 - (b) in the first column, at the end, add the following paragraph—

“4. Complete or Completed vehicles manufactured after 1st December 2019: the technical provisions of Annex XXI in Regulation EU No. 2017/1151 (WLTP).”;		
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- (c) in the third column, in paragraph 4—
 - (i) for “special purpose vehicle”, substitute “completed vehicle”; and
 - (ii) at the end, add “or aerodynamic performance”.
- (3) In the first column of item 3 of the table (fuel tanks / rear protective devices)—
 - (a) insert at the end of paragraph 2—

<p>“Or The technical provisions of Regulation (EC) No. 79/2009 or UNECE Regulation 134 for hydrogen.”;</p>		
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- (b) renumber paragraph 4 as paragraph 3.
- (4) Omit item 11 of the table (diesel smoke).
- (5) In item 41 (diesel emissions)—
 - (a) for the heading “**41. Diesel Emissions**” substitute “**41. Heavy Duty Emissions**”; and
 - (b) in the first column, after paragraph 2, add the following paragraph—

<p>“3. Complete or completed vehicles manufactured on or after 1st September 2018; Regulation (EC) No. 595/2009 Annex I limit values.”.</p>		
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- (6) At the end of the table, add the following item—

<p>“69. Electrical Safety</p>		
<p>Vehicle: The technical provisions of UNECE Regulation 100.01”.</p>		

12.—(1) In Schedule 4, Part 4 (requirements for vehicles of categories M2, M3, N2, N3, and O) is amended as follows.

- (2) In item 2 (emissions)—
 - (a) for the heading “**2. Emissions**” substitute “**2. Light Duty Emissions**”;
 - (b) in the first column—
 - (i) in paragraph 3, for “Vehicles” substitute “Complete or Completed vehicles”; and
 - (ii) after paragraph 3 insert—

<p>“4. Complete or Completed vehicles manufactured after 1st March 2020: the technical provisions of Annex XXI in Regulation (EU) No. 2017/1151 (WLTP).”;</p>		
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- (c) in the third column—
 - (i) omit paragraph 2;
 - (ii) in paragraph 6, for “motor caravan, ambulance or hearse”, substitute “Completed vehicle”;
 - (iii) in paragraph 7, at the end, add “or aerodynamic performance”.

(3) In item 3 (fuel tanks / rear protective devices), at the end of paragraph 2, in the first column of the table, insert—

<p>“Or</p> <p>The technical provisions of EU Regulation No. 79/2009 or UNECE Regulation 134 for hydrogen.”.</p>		
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(4) For item 8 (indirect vision), substitute—

<p>“8. Indirect Vision</p> <p>Component:</p> <p>Directive 2003/97/EC.</p> <p>Vehicle:</p> <p>1. The technical provisions of:</p> <p>Directive 2003/97/EC Annex III.</p> <p>2. N2 and N3 vehicles manufactured after 1 April 2016: the technical provisions of paragraph 15 of UNECE Regulation 46.04.</p>		<p>1. Does not apply to O category vehicles.</p> <p>2. Field of view requirements do not apply to optional mirrors.</p> <p>3. In the case of a Completed vehicle, the requirements according to the category of the base or incomplete vehicle based on maximum mass apply.</p> <p>4. In the case of an armoured vehicle, exemption from one or more of the provisions in column 1 is permitted where it can be demonstrated to the satisfaction of the approval authority that the special purpose of the vehicle makes it impossible to fully comply.</p> <p>5. The vehicle requirements in col. 1 paragraph 2 do not apply to vehicles where any part of the Class V mirror is less than 2.4m above the ground.</p> <p>6. The requirements in col 1 paragraph 2 do not apply to vehicles where the incomplete vehicle is of a type that is type approved to Directive 2003/97/EC.”.</p>
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(5) Omit item 11 (diesel smoke).

(6) In item 41 (diesel emissions)—

- (a) for the heading “**41. Diesel Emissions**” substitute “**41. Heavy Duty Emissions**”;
- (b) in the first column, at the end insert—

<p>“3. Complete or Completed vehicles manufactured on or after 1st September 2018: Regulation (EC) No. 595/2009 Annex 1 limit values.”;</p>		
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(c) in the third column—

- (i) omit paragraph 2; and
- (ii) for paragraph 6, substitute—

		<p>“6. Does not apply to—</p> <p>(a) mobile cranes which have an engine meeting the technical requirements of Regulation (EU) No. 2016/1628; or</p> <p>(b) vehicles designed to tow combinations exceeding 200 tonnes which have an engine meeting the technical requirements of Regulation (EU) No. 2016/1628.”.</p>
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(7) After item 57 (front underrun protection), insert the following items—

<p>“65. AEBS</p>		
<p>The technical provisions of Regulation (EU) No. 347/2012 or UNECE Regulation 131.</p>		<p>1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1st September 2018.</p> <p>2. A Complete vehicle which was manufactured before 1st September 2018.</p> <p>3. A Completed vehicle where the Complete or Incomplete vehicle upon which it is based either has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was</p>

		<p>manufactured before 1st November 2020.</p> <p>4. A Complete vehicle which has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was manufactured before 1st November 2020.</p> <p>5. The vehicle classes listed in Article 1 of EU Regulation No. 347/2012.</p> <p>6. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1.</p> <p>7. Vehicles built by a manufacturer which made fewer than 1,000 chassis and unitized bodies in the previous calendar year.</p>
66. LDWS		
<p>The technical provisions of Regulation (EU) No. 351/2012 or UNECE Regulation 130.</p>		<p>1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1st September 2018.</p> <p>2. A Complete vehicle which was manufactured before 1st September 2018.</p> <p>3. The exemptions listed in Article 1 of EU Regulation No. 351/2012.</p> <p>4. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1.</p> <p>5. Vehicles built by a manufacturer which made fewer than 1,000 chassis and unitized bodies in the previous calendar year.</p>
69. Electrical Safety		

Vehicle: The technical provisions of UNECE Regulation 100.01".		
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13.—(1) Schedule 5 (technical and administrative requirements for grant of individual approval) is amended as follows.

(2) In Part 1 (general provisions), in paragraph 7(2) for “does not exceed 300” substitute “does not exceed 500”.

(3) In Part 2 (requirements for Part 2 vehicles)—

- (a) in item 2 (emissions), for the heading “**2. Emissions**”, substitute “**2. Light Duty Emissions**”;
- (b) in the third column of item 2, in paragraph 9, insert at the beginning “In the case of a completed vehicle.”;
- (c) in item 3 (fuel tanks), in the first column, at the end of paragraph 3, insert—

“Or The technical provisions of Regulation (EC) No. 79/2009 or UNECE Regulation 134 for hydrogen.”;		
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(d) in the first column of item 11 (diesel smoke), after paragraph 2 insert—

“3. If the vehicle has an effective date on or after 1st September 2018, when the engine is subject to the free-acceleration test, the co-efficient of absorption of the exhaust emissions from the engine immediately after leaving the exhaust must not exceed 0.7 per metres or the plate value (if any), whichever is lower.”;		
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(e) in the second column of item 11, at the end, insert—

	“ “plate value” means the co-efficient of absorption specified either on the vehicle’s plate provided under item 18 of this table, or on any other plate provided for this purpose.”;	
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(f) in item 41 (diesel smoke), for the heading “**41. Diesel Emissions**”, substitute the heading “**41. Heavy Duty Emissions**”;

(g) in the first column of item 41, at the end insert—

<p>“5. Complete or completed vehicles manufactured on or after 1st September 2018: Regulation (EC) No. 595/2009 Annex I limit values”;</p>		
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(h) after item 60 (frontal protection systems (“bull bars”) (if fitted)), insert the following item—

<p>“69. Electrical Safety</p>		
<p>Vehicle: The technical provisions of UNECE Regulation 100.01.</p>		<p>For a vehicle with batteries with maximum voltage 48V – only compliance with the essential technical requirements of UNECE Regulation 100.00 is required”.</p>

(4) In Part 3 (requirements for Part 3 vehicles) —

- (a) in item 2 (emissions), for the heading “**2. Emissions**” substitute the heading “**2. Light Duty Emissions**”;
- (b) in column 1 of item 2, at the end, insert—

<p>“6. Complete or Completed vehicles manufactured after 1st December 2018 in the case of M1 vehicles and 1st December 2019 otherwise: the technical provisions of Annex XXI to Regulation (EU) No. 2017/1151.”;</p>		
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(c) in column 3 of item 2, for paragraph 4, substitute—

		<p>“4. In the case of a Completed vehicle, the requirements according to the category and date of completion of the base or incomplete vehicle based on maximum mass may apply.”;</p>
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(d) in column 3 of item 2, in paragraph 5, after “reference mass”, add “or aerodynamic performance”;

(e) in item 41 (diesel emissions)—

- (i) for the heading “**41. Diesel Emissions**”, substitute the heading “**41. Heavy Duty Emissions**”;
- (ii) in the first column, at the end, add—

<p>“5. Complete or Completed vehicles manufactured on or after 1st September</p>		
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2018: Regulation No. (EC) No. 595/2009 Annex I limit values.”;	
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- (f) in column 3 of item 41, at the beginning of paragraph 2, insert “In the case of a completed vehicle”;
- (g) after item 54 (side impact), insert the additional item—

“69. Electrical Safety.	
Vehicle: The technical provisions of UNECE Regulation 100.01”.	

- (5) In Part 4 (requirements for other vehicles)—
 - (a) in item 2 (emissions), for the heading “**2. Emissions**”, substitute the heading “**2. Light Duty Emissions**”;
 - (b) in item 2, for the entry in the first column, substitute—

<p>“1. Directive 70/220/EEC as amended by Directive 94/12/EC, Annex I, paragraph 5.</p> <p>2. Vehicles manufactured on or after 1st January 2001; Directive 70/220/EEC as amended by Directive 98/69/EC, Annex I.</p> <p>3. Vehicles manufactured on or after 1st January 2006; Directive 70/220/EEC as amended by Directive 98/69/EC Annex I, paragraph 5 (Row B limits).</p> <p>4. Vehicles manufactured on or after 1st September 2012: Regulation (EC) No. 715/2007, Annex I, Table 1.</p> <p>5. Vehicles manufactured on or after 1st September 2016: Regulation (EC) No. 715/2007, Annex I, Table 2.</p> <p>6. Vehicles manufactured on or after 1st March 2020: Regulation (EU) No. 2017/1151 (WLTP).”;</p>	
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- (c) in item 2, in the third column—
 - (i) omit paragraph 2;
 - (ii) for paragraph 6, substitute—

		“6. In the case of a completed vehicle, the requirements according to the category and date of completion of the base or incomplete vehicles based on maximum mass may apply.”;
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- (iii) in paragraph 7, after “reference weight”, insert “or aerodynamic performance”;
- (d) in item 3 (fuel tanks / rear protective devices), at the end of paragraph 2, in column 1 insert—

“The technical provisions of Regulation (EC) No. 79/2009 or UNECE Regulation 134 for hydrogen”;		
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- (e) in item 8 (indirect vision)—
 - (i) in the first column after “Vehicle” insert—

“1. The technical provisions of Directive 2003/97/EC Annex III. 2. N2 and N3 vehicles manufactured after 1 April 2016: the technical provisions of paragraph 15 of UNECE Regulation 46.04.”;		
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- (ii) in the third column, in paragraph 3, for “motor caravan, ambulance or hearse”, substitute “Completed vehicle”; and
 - (iii) in the third column, after paragraph 4, insert—

		“5. The vehicle requirements in col 1 paragraph 2 do not apply to vehicles where any part of the Class V mirror is below 2.4m above the ground. 6. The requirements in col 1 paragraph 2 do not apply to vehicles where the incomplete vehicle is of a
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	type that is type approved to Directive 2003/97/EC .”;
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- (f) omit item 11 (diesel smoke);
- (g) in item 41 (diesel emissions), for the heading “**41. Diesel Emissions**”, substitute the heading “**41. Heavy Duty Emissions**”;
- (h) in item 41, in the first column, for paragraphs 1 and 2, substitute—

<p>“1. Directive 88/77/EEC as amended by Directive 91/542/EEC Row B limit values.</p> <p>2. Vehicles manufactured on or after 1st October 2001: Directive 88/77/EEC as amended by Directive 1999/96/EC Row A limit values.</p> <p>3. Vehicles manufactured on or after 1st October 2006; Directive 88/77/EEC as amended by Directive 1999/96/EC Row B1 limit values.</p> <p>4. Vehicles manufactured on or after 1st October 2009: Directive 88/77/EEC as amended by Directive 1999/96/EC Row B2 limit values.</p> <p>5. Complete or completed vehicles manufactured on or after 1st September 2018: Regulation (EC) No. 595/2009 Annex I limit values.”;</p>		
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- (i) in item 41, in the third column—
 - (i) in paragraph 5, for “a motor caravan, ambulance or hearse”, substitute “a completed vehicle”; and
 - (ii) for paragraph 6, substitute—

	<p>“6. In the case of —</p> <p>(a) mobile cranes which have an engine meeting the technical requirements of Regulation (EU) No. 2016/1628; or</p>
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		<p>(b) vehicles designed to tow combinations exceeding 200 tonnes which have an engine meeting the technical requirements of Regulation (EU) No. 2016/1628, compliance with Regulation (EU) No. 2016/1628 can be accepted.”;</p>
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(j) after item 57 (front underrun protection), insert the following items—

“65. AEBS		
<p>The technical provisions of Regulation (EU) No. 347/2012 or UNECE Regulation 131.</p>		<ol style="list-style-type: none"> 1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1st September 2018. 2. A Complete vehicle which was manufactured before 1st September 2018. 3. A Completed vehicle where the Complete or Incomplete vehicle upon which it is based has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was manufactured before 1st November 2020. 4. A Complete vehicle which has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and which was manufactured before 1st November 2020. 5. The exemptions listed in Article 1 of Regulation EU No. 347/2012. 6. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1.

		7. Vehicles built by a manufacturer which made fewer than 1,000 chassis and unitized bodies in the previous calendar year.
66. LDWS		
The technical provisions of Regulation (EU) No. 351/2012 or UNECE Regulation 130.		<p>1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1st September 2018.</p> <p>2. A Complete vehicle which was manufactured before 1st September 2018.</p> <p>3. The exemptions listed in Article 1 of EU Regulation No. 351/2012.</p> <p>4. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1.</p> <p>5. Vehicles built by a manufacturer which made fewer than 1,000 chassis and unitized bodies in the previous calendar year.</p>
69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01.”.		