
Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 582/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX XII

CONFORMITY OF IN-SERVICE ENGINES AND VEHICLES TYPE-APPROVED UNDER DIRECTIVE 2005/55/EC

1. INTRODUCTION
 - 1.1. This Annex sets out requirements for the conformity of in-service engines and vehicles type-approved under Directive 2005/55/EC.
2. PROCEDURE FOR IN-SERVICE CONFORMITY
 - [^{F1}2.1. For in-service conformity testing, the provisions set out in Annex 8 to UNECE Regulation No 49, amendment 5, shall apply.]

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 133/2014 of 31 January 2014 amending, for the purposes of adapting to technical progress as regards emission limits, Directive 2007/46/EC of the European Parliament and of the Council, Regulation (EC) No 595/2009 of the European Parliament and of the Council and Commission Regulation (EU) No 582/2011 (Text with EEA relevance).

- 2.2. On the request of the manufacturer the approval authority that granted the original type-approval may decide to use the in-service conformity procedure specified in Annex II to this Regulation for engines and vehicles type-approved under Directive 2005/55/EC.
- 2.3. If the procedures described in Annex II are used, the following exceptions shall apply:
 - 2.3.1. [^{F1}All references to WHTC and WHSC shall be understood as references to ETC and ESC, respectively, as defined in Annex 4A to UNECE Regulation No 49, amendment 5.]
 - 2.3.2. Point 2.2 of Annex II to this Regulation shall not apply.
 - 2.3.3. If the normal in-service conditions of a particular vehicle are considered to be incompatible with proper execution of the tests, the manufacturer or the approval authority may request that alternative driving routes and payloads are used. The requirements as specified in points 4.1 and 4.5 of Annex II to this Regulation shall be used as guideline to determine whether the driving patterns and payloads are acceptable for in-service conformity testing.

When the vehicle is operated by a driver other than the usual professional driver of the particular vehicle, this alternative driver shall be skilled and trained to operate heavy duty vehicles of the category subject to be tested.
 - 2.3.4. Points 2.3 and 2.4 of Annex II shall not apply.
 - 2.3.5. Point 3.1 of Annex II shall not apply.
 - 2.3.6. The manufacturer shall perform in-service testing on this engine family. The test schedule shall be approved by the approval authority.

At the request of the manufacturer the testing may stop 5 years after the end of production.

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- 2.3.7. [F1 At the request of the manufacturer the approval authority may decide on a sampling plan in accordance with points 3.1.1, 3.1.2 and 3.1.3 of Annex II or in accordance with Appendix 3 of Annex 8 to UNECE Regulation No 49, amendment 5.]
- 2.3.8. Point 4.4.2 of Annex II to this Regulation shall not apply.
- 2.3.9. The fuel may be replaced with the appropriate reference fuel, on the request of the manufacturer.
- 2.3.10. The values in point 4.5 of Annex II may be used as guidance to determine whether the driving patterns and payloads are acceptable for in-service conformity testing.
- 2.3.11. Point 4.6.5 of Annex II shall not apply.
- 2.3.12. The minimum test duration shall be three times the work of the ETC or the CO₂ reference mass in kg/cycle from the ETC as applicable.
- 2.3.13. Point 5.1.1.1.2 of Annex II shall not apply.
- 2.3.14. In the case the data stream information referred to in point 5.1.1 of Annex II cannot be retrieved in a proper manner from two vehicles with engines from the same engine family, while the scan-tool is working properly, the engine shall be tested following the procedures set out in Annex 8 to UN/ECE Regulation No 49.
- 2.3.15. Confirmatory testing may be performed on an engine test bench as defined in Annex 8 to UN/ECE Regulation No 49.
- 2.3.16. The manufacturer may request the approval authority to perform confirmatory testing on an engine test bench as defined in Annex 8 to UN/ECE Regulation No 49 if the following conditions are met:
- (a) a fail decision has been reached for the vehicles sampled according to point 2.3.7;
 - (b) the 90 % cumulative percentile of the exhaust emission conformity factors from the engine system tested, determined in accordance with the measurement and calculation procedures specified in Appendix 1 to Annex II does not exceed the value of 2,0.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2022/1273 reg. 65\(19\)](#)
- Annex list words substituted by [S.I. 2022/1273 reg. 65\(20\)](#)
- Annex 1 Appendix 4Pt. 3 omitted by [S.I. 2022/1273 reg. 66\(3\)\(g\)](#)
- Annex 1 Appendix 8 image substituted by [S.I. 2022/1273 reg. 66\(7\)\(b\)](#)
- Annex 1 Appendix 4Pt. 1 table words inserted by [S.I. 2022/1273 reg. 66\(3\)\(e\)\(i\)](#)
- Annex 1 Appendix 4Pt. 2 table words inserted by [S.I. 2022/1273 reg. 66\(3\)\(f\)\(i\)](#)
- Annex 1 Appendix 4 words omitted by [S.I. 2022/1273 reg. 66\(3\)\(b\)](#)
- Annex 1 Appendix 4 words omitted by [S.I. 2022/1273 reg. 66\(3\)\(c\)\(ii\)\(bb\)](#)
- Annex 1 Appendix 4 words omitted by [S.I. 2022/1273 reg. 66\(3\)\(c\)\(iii\)\(aa\)](#)
- Annex 1 Appendix 4 table words omitted by [S.I. 2022/1273 reg. 66\(3\)\(d\)\(i\)](#)
- Annex 1 Appendix 4 words omitted by [S.I. 2022/1273 reg. 66\(3\)\(d\)\(iii\)](#)
- Annex 1 Appendix 8 words omitted by [S.I. 2022/1273 reg. 66\(7\)\(c\)](#)
- Annex 1 Appendix 1 point 2.2 words omitted by [S.I. 2022/1273 reg. 66\(10\)\(e\)](#)
- Annex 1 Appendix 4 words substituted by [S.I. 2022/1273 reg. 66\(3\)\(a\)](#)
- Annex 1 Appendix 4 words substituted by [S.I. 2022/1273 reg. 66\(3\)\(c\)\(i\)](#)
- Annex 1 Appendix 4 words substituted by [S.I. 2022/1273 reg. 66\(3\)\(c\)\(ii\)\(aa\)](#)
- Annex 1 Appendix 4 words substituted by [S.I. 2022/1273 reg. 66\(3\)\(c\)\(iii\)\(bb\)](#)
- Annex 1 Appendix 4 table words substituted by [S.I. 2022/1273 reg. 66\(3\)\(d\)\(ii\)](#)
- Annex 1 Appendix 4Pt. 1 table words substituted by [S.I. 2022/1273 reg. 66\(3\)\(e\)\(ii\)](#)
- Annex 1 Appendix 4Pt. 2 table words substituted by [S.I. 2022/1273 reg. 66\(3\)\(f\)\(ii\)](#)
- Annex 1 Appendix 5 heading words substituted by [S.I. 2022/1273 reg. 66\(4\)\(a\)](#)
- Annex 1 Appendix 5 words substituted by [S.I. 2022/1273 reg. 66\(4\)\(a\)](#)
- Annex 1 Appendix 5s. 2 point 000.5 words substituted by [S.I. 2022/1273 reg. 66\(4\)\(b\)](#)
- Annex 1 Appendix 6 heading words substituted by [S.I. 2022/1273 reg. 66\(5\)\(a\)](#)
- Annex 1 Appendix 6 heading words substituted by [S.I. 2022/1273 reg. 66\(5\)\(b\)](#)
- Annex 1 Appendix 6 heading words substituted by [S.I. 2022/1273 reg. 66\(5\)\(c\)](#)
- Annex 1 Appendix 7 heading words substituted by [S.I. 2022/1273 reg. 66\(6\)](#)
- Annex 1 Appendix 7 words substituted by [S.I. 2022/1273 reg. 66\(6\)](#)
- Annex 1 Appendix 7 Addendum words substituted by [S.I. 2022/1273 reg. 66\(6\)](#)
- Annex 1 Appendix 8 heading words substituted by [S.I. 2022/1273 reg. 66\(7\)\(a\)](#)
- Annex 1 Appendix 9 heading words substituted by [S.I. 2022/1273 reg. 66\(8\)](#)
- Annex 1 Appendix 9 words substituted by [S.I. 2022/1273 reg. 66\(8\)](#)
- Annex 1 Appendix 10 words substituted by [S.I. 2022/1273 reg. 66\(9\)](#)
- Annex 10 Appendix 5 point 2.4.1 words omitted by [S.I. 2022/1273 reg. 66\(12\)\(f\)\(i\)](#)
- Annex 10 Appendix 5 point 6 heading words omitted by [S.I. 2022/1273 reg. 66\(12\)\(f\)\(iii\)](#)
- Annex 10 Appendix 5 point 6 words omitted by [S.I. 2022/1273 reg. 66\(12\)\(f\)\(iii\)](#)
- Annex 10 Appendix 5 point 5.2.4 words substituted by [S.I. 2022/1273 reg. 66\(12\)\(f\)\(ii\)](#)
- Annex 11 Appendix 1 point 2-2.3 omitted by [S.I. 2022/1273 reg. 66\(13\)\(k\)\(ii\)](#)
- Annex 11 Appendix 2 words inserted by [S.I. 2022/1273 reg. 66\(13\)\(l\)\(ii\)](#)
- Annex 11 Appendix 1 point 000.7 words substituted by [S.I. 2022/1273 reg. 66\(13\)\(k\)\(i\)](#)
- Annex 11 Appendix 2 words substituted by [S.I. 2022/1273 reg. 66\(13\)\(l\)\(i\)](#)
- Annex 11 Appendix 2 words substituted by [S.I. 2022/1273 reg. 66\(13\)\(l\)\(iii\)](#)
- Annex 11 Appendix 3 point 2.4.2.11 words substituted by [S.I. 2022/1273 reg. 66\(13\)\(m\)\(i\)](#)

- Annex 11 Appendix 3 point 2.4.6.5 words substituted by [S.I. 2022/1273 reg. 66\(13\)\(m\)\(ii\)](#)
- Art. 2(44) omitted by [S.I. 2022/1273 reg. 65\(2\)](#)
- Art. 5(4)(d) omitted by [S.I. 2022/1273 reg. 65\(6\)\(c\)](#)
- Art. 5(4)(g) omitted by [S.I. 2022/1273 reg. 65\(6\)\(c\)](#)
- Art. 6(1a)(a) words substituted by [S.I. 2022/1273 reg. 65\(7\)\(c\)\(ii\)](#)
- Art. 6(1a)(b) omitted by [S.I. 2022/1273 reg. 65\(7\)\(c\)\(iii\)](#)
- Art. 7(4)(c) omitted by [S.I. 2022/1273 reg. 65\(8\)\(c\)](#)
- Art. 7(4)(d) omitted by [S.I. 2022/1273 reg. 65\(8\)\(c\)](#)
- Art. 8(1a)(a) word substituted by [S.I. 2022/1273 reg. 65\(9\)\(d\)\(i\)](#)
- Art. 8(1a)(b) omitted by [S.I. 2022/1273 reg. 65\(9\)\(d\)\(ii\)](#)
- Art. 8(1a)(e) words substituted by [S.I. 2022/1273 reg. 65\(9\)\(d\)\(iii\)](#)
- Art. 10(1a)(a) word substituted by [S.I. 2022/1273 reg. 65\(11\)\(a\)](#)
- Art. 10(1a)(b) omitted by [S.I. 2022/1273 reg. 65\(11\)\(d\)\(ii\)](#)
- Art. 10(1a)(e) words substituted by [S.I. 2022/1273 reg. 65\(11\)\(d\)\(iii\)](#)