

EXPLANATORY MEMORANDUM TO
THE AGRICULTURAL OR FORESTRY TRACTORS (EMISSION OF
GASEOUS AND PARTICULATE POLLUTANTS) AND TRACTOR ETC (EC
TYPE-APPROVAL) (AMENDMENT) REGULATIONS 2013

2013 No. 3171

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

- 2.1 These Regulations transpose into United Kingdom law the changes to Council Directive 2000/25/EC (The Agricultural or Forestry Tractors Emissions Directive) that are introduced by Council Directives 2011/72/EU and 2011/87/EU. These changes are to the provisions that exist to ease the transition from one emissions standard to the next.

- 2.2 The opportunity has also been taken to transpose Council Directives 2012/24/EU and 2013/8/EU by updating the definitions of Council Directive 2003/37/EC and “separate directive” in the Tractor etc (EC Type-Approval) Regulations 2005 (S.I. 2005/390).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 None.

4. **Legislative Context**

- 4.1 Directive 2000/25/EC, as amended, (the Agricultural or Forestry Tractors Emissions Directive) is transposed into United Kingdom law by the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002 (S.I. 2002/1891) and the Tractor etc (Type-Approval) Regulations 2005 (S.I. 2005/390).

- 4.2 The current instrument amends S.I. 2002/1891 so as to reflect changes made to the Agricultural or Forestry Tractors Emissions Directive by European Directive 2011/72/EU and European Directive 2011/87/EU.

- 4.3 Member States were required to transpose Council Directive 2011/72/EU into national law by 24 September 2012, and to transpose Council Directive 2011/87/EU into national law by 9 December 2012.

4.4 The instrument amends, at the same time, S.I. 2005/390 so as to reflect the changes introduced by Council Directives 2012/24/EU and 2013/8/EU to the separate directives referenced by Council Directive 2003/37/EC (the Tractor Type-Approval Directive).

4.5 Member States were required to transpose Council Directive 2012/24/EU into national law by 1 November 2013 and are required to transpose Council Directive 2013/13/EU into national law by 1 April 2014. Clearance has been obtained for this early transposition on the basis that the transposing measure is very minor in nature and beneficial to business.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why

7.1 This instrument makes temporary changes to the provisions that exist to ease the transition from one emissions standard to the next. It amends, at the same time, some of the type-approval requirements for tractors so as to align them with current engineering practice.

7.2 The measure introduces (in accordance with the requirements of Directive 2011/87/EU) a three year delay in respect of the application of the latest standard to specialised “narrow path” tractors and, in accordance with the requirements of Directive 2011/72/EU, an increase in the scope of the “flexibility scheme” which permits a number of tractors or tractor engines meeting the superseded standard to be placed on the market.

7.3 A delay in the application of the latest, Stage IIIB, emissions standard to specialised tractors designed to work in the narrow spaces between vines or fruit trees is required because of the recognised technical difficulty of meeting the standard with these very compact machines. This difficulty arises because the Stage IIIB standard is the first one to be applied to tractors which manufacturers have chosen to meet by the use of exhaust aftertreatment devices. These devices have high surface temperatures, which means that they must not be allowed to come into contact with crops, and increase the overall size of the engine. Engine manufacturers are confident that they will be able to develop engines meeting the Stage IIIB standard that are suitable for use in specialised machines within the three years permitted by the amendment.

7.4 A temporary change to the flexibility scheme is introduced that increases the number of engines meeting the previous emissions stage that

may be placed on the market from twenty to forty percent of one average year's sales of machines with engines in that category. The fixed allowances for the smallest manufacturers are temporarily increased in proportion. This additional flexibility is introduced in recognition both of the unusual technical difficulties faced by tractor builders during the transition to the Stage IIIB standard (because of the requirement to redesign machines to accept larger engine systems), and the current difficult economic climate.

7.5 To obtain EC type-approval for a tractor under the terms of the Tractor Type-Approval Directive, compliance must be shown with the minimum technical standards specified by various separate EU Directives (the "separate directives") that are incorporated by reference into the Type-Approval Directive. In the case of vehicles, this allows registration and sale of the vehicles in any EEA Member State, and in the case of systems and components, this allows their sale or installation.

7.6 Directive 2012/24/EU amends Directive 86/297/EEC, which is one of the separate directives, and which relates to power take-offs on agricultural tractors.

7.7 Directive 2013/8/EU amends Directive 2009/144/EEC, which is one of the separate directives, and which relates to mechanical couplings for agricultural tractors.

4.6 A power take-off (PTO) allows attachments or separate machines to be powered from the tractor. Directive 86/297/EEC on PTOs for agricultural vehicles was amended in 2010 by Directive 2010/62/EU. This introduced a requirement for front PTOs (that is, PTOs positioned at the front of the tractor) to meet the requirements of ISO Standard 8759-1:1998. The ISO standard contains a prescription for the location of the PTO which is not compatible with a large number of agricultural and forestry tractors. Directive 2012/24/EU amends Directive 86/297/EEC so as to exempt tractors from complying with the PTO location requirements of the ISO standard.

4.7 A mechanical coupling allows a tractor to pull agricultural machinery. Directive 2009/144/EC of the European Parliament and of the Council sets out general provisions and requirements for mechanical couplings between tractors and towed vehicles and vertical loads on the coupling point.

4.8 In recent years, new kinds of couplings have been put into use in the European Union and are nationally approved by some Member States on the basis of ISO standards. These are no-swivel clevis couplings, ball-type couplings, and pin-type couplings. Directive 2013/8/EU amends Directive 2009/144/EC to allow EC type-approval for these types of couplings.

- Consolidation

7.2 This instrument does not consolidate the Regulations. We have chosen not to consolidate the Regulations now in order to save time, and so reduce the

risk of infraction proceedings being pursued against the United Kingdom by the European Commission.

8. Consultation outcome

8.1 We have maintained contact with trade associations and with individual companies with an interest in the amendments throughout the process of policy development and negotiation that led to the adoption of the Directives implemented by the current instrument. Manufacturers in the exhaust aftertreatment sector have expressed some reservations about the effective delay to full take-up of the latest emissions standard that results from the amendments to the emissions legislation. The overall view of the amendments, however, has been overwhelmingly positive. A number of companies contacted the Department to urge early implementation of the Directive dealing with increased flexibility, in particular, for both tractors and the closely-related Non-Road Mobile Machinery sector in UK law when it was first published, and companies have contacted the Department and its agencies since to enquire about the possibility of making use of the additional flexibility that it offers.

8.2 In accordance with our practice of maintaining contact with, and seeking the views of, industry stakeholders, letters were sent by the Vehicle Certification Agency on 3 June 2013 to representatives of industry in order to advise of the imminent transposition of the Directives amending the Tractor Type-Approval Directive and to invite any comment. No responses to these letters were received.

8.3 In view of the significant volume of correspondence and other contact that we have had with stakeholders on the matters covered by these Regulations, and the fact that they represent a minimal transposition of the Directives into United Kingdom law, we have judged it sensible and proportionate to dispense with a formal consultation procedure in this case.

9. Guidance

9.1 The substantive changes made by the Regulations are of direct interest only to professionals involved in the manufacture of engines for tractors or in the building of tractors. Most of these interested parties fully understand the implications of the three year delay introduced for narrow-path tractors. Most of them, in addition, are already familiar with the operation of the flexibility scheme as a result of having used it in its existing form or are already aware that guidance is available from the Vehicle Certification Agency. The publication of additional guidance is consequently considered unnecessary.

10. Impact

10.1 The overall impact on business of the additional flexibilities introduced into the emissions legislation is assessed as negative in monetised terms. The three year delay introduced for narrow-path tractors has a very small negative impact in monetised terms, whilst the increased flexibility has a slightly larger

negative impact in monetised terms. The negative impacts arise primarily because the delay to the introduction of Stage IIIB permitted for narrow-path tractors, and the extension of the flexibility scheme, both permit more operators to choose to purchase a Stage IIIA tractor. The fuel consumption of Stage IIIB tractors is expected to be lower than that of the current Stage IIIA tractors, so that choosing to make use of the flexibilities delays fuel consumption improvements. Our estimate is that making this choice, where an alternative Stage IIIB tractor is available, will cost the operator concerned approximately £8.50 per week in additional fuel costs. Although the purchasing decision will be made voluntarily by the operator, it is normal practice to count the outcome of it as a regulatory burden.

10.2 The changes to the tractor type-approval requirements simply reduce the regulatory burden upon industry, and have no negative impact upon business.

10.2 There is no impact upon charities or voluntary bodies.

10.3 The impact on the public sector is negligible.

10.4 Impact Assessments for both of the emissions measures transposed are attached to this memorandum and will be published alongside the Explanatory Memorandum on www.legislation.gov.uk.

10.5 No impact assessment has been prepared for the changes to the tractor type-approval legislation because they are both small reductions in regulatory burden which evidently impose no costs upon industry.

11. Regulating small business

11.1 The legislation applies to small business. No engine manufacturers and few, if any, builders of tractors are small businesses. Many owners and operators of tractors, however, are small businesses. Owners and operators of tractors are not directly affected by the legislation, but they will draw some overall benefit both from the freedom of choice with respect to the purchase of tractors that it makes available and from the reduction in regulatory burden upon tractor manufacturers.

11.2 No attempt to minimise the impact of the requirements upon firms employing up to twenty people has been made.

11.3 The basis for the final decision on what action to take to assist small business was that the Directive being transposed provided no option for doing so, and that we believe that the legislation provides a benefit to the small businesses concerned.

12. Monitoring & review

12.1 The Regulations include a provision requiring a statutory review of the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate

Pollutants) Regulations to be held no later than five years after the Regulations have come into force.

12.2 A duty to review clause already exists in the Tractors etc (EC Type Approval) Regulations 2005, which obliges the review to take place before 20th June 2016.

13. Contact

Simon Davies at the Department for Transport, Tel: 0207 944 2116 or email: simon.davies@dft.gsi.gov.uk, can answer any queries regarding the instrument.

TRANSPOSITION NOTE FOR:

**COUNCIL DIRECTIVE 2011/72/EU AMENDING COUNCIL DIRECTIVE
2000/25/EC AS REGARDS THE PROVISIONS FOR ENGINES PLACED ON
THE MARKET UNDER THE FLEXIBILITY SCHEME**

BY

**THE AGRICULTURAL OR FORESTRY TRACTORS (EMISSION OF
GASEOUS AND PARTICULATE POLLUTANTS) AND TRACTOR ETC (EC
TYPE-APPROVAL) (AMENDMENT) REGULATIONS 2013**

1. For the purposes of this note:-

“The 2002 Regulations” means the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002 (S.I. 2002/1891 as last amended by S.I. 2006/2393).

“The 2000 Directive” means Council Directive 2000/25/EC as amended by instruments up to and including Commission Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p.1), Directive 2011/72/EU of the European Parliament and of the Council of 14 September 2011 (OJ No L 246, 23.9.2011, p.1 and Directive 2011/87/EU of the European Parliament and of the Council of 16 November 2011 (OJ No L 301, 18.11.2011, p.1).

“The 2011 Directive” means Council Directive 2011/72/EU.

2. These Regulations do what is necessary to implement Article 1, Article 3a, and Annex IV of the 2000 Directive as amended by the 2011 Directive.

With the agreement of the devolved administrations, the Secretary of State has taken on the responsibility of implementing these provisions of the Directive for the whole of the UK via the 2013 Regulations.

The 2011 Directive				
Article	Objective and text	Copy Out?	If “No.” Justification	National Provision
Article 1	Article 1(1) - Amends Article 1 of the 2000 Directive by introducing a number of new definitions. It does this with the intent of improving clarity.	No	Direct copy-out would not fit within the structure of the UK Regulations.	This provision is implemented by paragraphs (4), (5), (6) and (7) of regulation 3 of the 2013 Regulations.

	<p>The text;</p> <p>“(1) In Article 1, the following indents are added:</p> <ul style="list-style-type: none">– "flexibility scheme" means the exemption procedure by means of which a Member State permits the placing on the market and entry into service of a limited number of tractors in accordance with the requirements laid down by Article 3a,– "engine category" means the classification of engines which combines the power range with the stage of exhaust emission limits,– "making available on the market"			
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	<p>means any supply of a tractor or engine for distribution or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge,</p> <ul style="list-style-type: none">- "placing on the market" means the first making available on the market of a tractor or engine,- "entry into service" means the first use, for its intended purpose, in the Union of a tractor or engine. The date on which it is registered, if applicable, or placed on the			
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	market shall be considered the date of entry into service.".			
	<p>Article 1(2) - Amends Article 3a of the 2000 Directive so as to introduce wording with respect to the “flexibility scheme” that is intended to be clearer, and so as to set a time limit upon access to the extended scheme that is introduced for the transition to Stage IIIB.</p> <p>The text;</p> <p>“(2) Article 3a is replaced by the following:</p> <p>‘Article 3a Flexibility scheme By way of derogation from Article 3(1) and (2), Member States shall provide that, at the request of the tractor manufacturer, and on condition that the approval authority has granted the relevant permit for placing on the market in accordance with the procedures laid down in Annex IV, a limited number of tractors fitted with engines approved in accordance with the requirements of the emission limits stage immediately preceding the applicable one may enter into service.</p>	No	Direct copy-out would not fit within the structure of the UK Regulations.	This provision is implemented by regulation 7 of the 2013 Regulations.

	<p>The flexibility scheme shall begin when a given stage becomes applicable and shall have the same duration as the stage itself. The flexibility scheme set out in section 1.2 of Annex IV shall, however, be restricted to the duration of Stage III B or to three years where no subsequent stage exists.’ ”</p>			
	<p>Article 1(3) - Amends the 2000 Directive so as to replace the text of the existing Annex IV, dealing with the “flexibility scheme,” with a new text which adds the provisions related to the extended scheme which is introduced by the 2011 Directive.</p> <p>The text;</p> <p>“(3) Annex IV is replaced by the text appearing in the Annex to this Directive.”</p> <p>(The new text of Annex IV is shown below.)</p>	No	Direct copy-out would not fit within the structure of the UK Regulations.	This provision is implemented by regulation 7 of the 2013 Regulations together with the amended tables that it references.
	<p>Text of Annex IV;</p> <p style="text-align: center;">“ANNEX IV</p> <p>PROVISIONS FOR TRACTORS AND ENGINES PLACED ON THE MARKET UNDER THE FLEXIBILITY SCHEME LAID DOWN IN ARTICLE 3a</p> <p>1. ACTIONS BY THE TRACTOR MANUFACTURERS</p> <p>1.1. Except during Stage III B, a tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from the</p>			

approval authority to place tractors on the market in accordance with the relevant provisions set out in this Annex. The number of tractors shall not exceed the ceilings set out in sections 1.1.1 and 1.1.2. The engines shall meet the requirements referred to in Article 3a.

1.1.1. The number of tractors placed on the market under the flexibility scheme shall, in each engine category, not exceed 20 % of the annual number of tractors placed on the market by the tractor manufacturer with engines in that engine category (calculated as the average of the last five years' sales on the Union market). Where a tractor manufacturer has marketed tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has marketed tractors in the Union.

1.1.2. As an alternative option to section 1.1.1, the number of tractors placed on the market under the flexibility scheme shall, in each power range, not exceed the following ceilings:

Engine power range P (kW)	Number of tractors
$19 \leq P < 37$	200
$37 \leq P < 75$	150
$75 \leq P < 130$	100
$130 \leq P \leq 560$	50

1.2. During Stage III B, a tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from the approval authority to place tractors on the market in accordance with the relevant provisions set out in this Annex. The number of tractors shall not exceed the ceilings set out in sections 1.2.1 and 1.2.2. The engines shall meet the requirements referred to in Article 3a.

1.2.1. The number of tractors placed on the market under the flexibility scheme shall, in each engine category, not exceed 40 % of the annual number of tractors placed on the market by the tractor manufacturer with engines in that engine category (calculated as the average of the last five years' sales on the Union market). Where a tractor manufacturer has marketed tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has marketed tractors in the Union.

1.2.2. As an alternative option to section 1.2.1, the number of tractors placed on the market under the flexibility scheme shall, in each power range, not exceed the following ceilings:

Engine power range P (kW)	Number of tractors
$19 \leq P < 56$	200
$56 \leq P < 75$	175
$75 \leq P < 130$	250
$130 \leq P \leq 560$	125

1.3. The tractor manufacturer shall include in his application to the approval authority the following information:

(a) a sample of the labels to be affixed to each tractor in which an engine placed on the market under the flexibility scheme will be installed. The labels shall bear the following text: "TRACTOR NO ... (sequence of tractors) OF ... (total number of tractors in respective power range) WITH ENGINE NO ... WITH TYPE-APPROVAL (Directive 2000/25/EC) NO ... ";

(b) a sample of the supplementary label to be affixed on the engine bearing the text referred to in section 2.2.

1.4. The tractor manufacturer shall provide the approval authority with any necessary information connected with the implementation of the flexibility scheme that the approval authority may request in order to make a decision.

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State where the tractor is placed on the market on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress, without any exceptions.

2. ACTIONS BY THE ENGINE MANUFACTURER

2.1. An engine manufacturer may place on the market engines under the flexibility scheme approved in accordance with sections 1 and 3 of this Annex.

2.2. The engine manufacturer shall label those engines with the following text: "Engine placed on the market under the flexibility scheme " in accordance with the requirements referred to in section 5 of Annex I.

3. ACTIONS BY THE APPROVAL AUTHORITY

The approval authority shall evaluate the content of the flexibility scheme request and the enclosed documents. As a consequence it will inform the tractor manufacturer of its decision as to whether or not to allow use of the flexibility scheme as requested.'

TRANSPOSITION NOTE FOR:

COUNCIL DIRECTIVE 2011/87/EU AMENDING COUNCIL DIRECTIVE 2000/25/EC AS REGARDS THE APPLICATION OF EMISSION STAGES FOR NARROW-TRACK TRACTORS

BY

THE AGRICULTURAL OR FORESTRY TRACTORS (EMISSION OF GASEOUS AND PARTICULATE POLLUTANTS) AND TRACTOR ETC (EC TYPE-APPROVAL) (AMENDMENT) REGULATIONS 2013

1. For the purposes of this note:-

“The 2002 Regulations” means The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002 (S.I. 2002/1891 as last amended by S.I. 2006/2393).

“The 2000 Directive” means Council Directive 2000/25/EC as amended by instruments up to and including Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p.1), Directive 2011/72/EU of the European Parliament and of the Council of 14 September 2011 (OJ No L 246, 23.9.2011, p.1 and Directive 2011/87/EU of the European Parliament and of the Council of 16 November 2011 (OJ No L 301, 18.11.2011, p.1).

“The 2011 Directive” means Council Directive 2011/87/EU.

2. These Regulations do what is necessary to implement Article 4 of the 2000 Directive as amended by the 2011 Directive.

With the agreement of the devolved administrations, the Secretary of State has taken on the responsibility of implementing this Article of the Directive for the whole of the UK via the 2013 Regulations.

The 2011 Directive				
Article	Objective and text	Copy Out?	If “No.” Justification	National Provision
Article 1	Article 1 - Amends Article 4 of the 2000 Directive by adding a new paragraph 9 which has the effect of	No	Direct copy-out would not fit within the structure of	This provision is implemented by regulation 4 of the 2013 Regulations.

	<p>postponing the application of the Stage IIIB emissions standard to narrow- track (so-called “vineyard”) tractors.</p> <p>The text;</p> <p>“In Article 4 of Directive 2000/25/EC, the following paragraph is added:</p> <p>"9. By way of derogation, the dates set out in points (d) and (e) of paragraph 2 and in paragraph 3 shall, for tractors of categories T2, T4.1 and C2, as defined respectively in the second indent of point A.1 of Chapter A, in point 1.1 of Part I of Appendix 1 of Chapter B, and in point A.2 of Chapter A of Annex II to Directive 2003/37/EC, and equipped with engines of categories L to R, be postponed for three years. Until such dates, the requirements of Stage III A in this Directive shall</p>		<p>the UK Regulations.</p>	
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	continue to apply."."			
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TRANSPOSITION NOTE FOR:

COUNCIL DIRECTIVE 2012/24/EU AMENDING COUNCIL DIRECTIVE 86/297/EEC AS REGARDS THE STANDARDS FOR POWER TAKE-OFFS FOR TRACTORS

BY

THE AGRICULTURAL OR FORESTRY TRACTORS (EMISSION OF GASEOUS AND PARTICULATE POLLUTANTS) AND TRACTOR ETC (EC TYPE-APPROVAL) (AMENDMENT) REGULATIONS 2013

1. For the purposes of this note:-

“The 2005 Regulations” means the Tractor etc (EC Type-Approval) Regulations 2005 (S.I. 2005/390) as last amended by S.I. 2011/1279).

“The 1986 Directive” means Council Directive 86/297/EEC as amended by instruments up to and including Directive 97/54/EC of 23 September 1997 (OJ No L 277, 10.10.1997, p.24), Directive 2010/62/EU of the European Parliament and of the Council of 8 September 2010 (OJ No L 238, 9.9.2010, p.7).

“The 2003 Directive” means Council Directive 2003/37/EC as amended by instruments up to and including Directive 2004/66/EC of 26 April 2004 (OJ No L 168, 1.5.2004, p35), Directive 2005/13/EC of 21 February 2005 (OJ No L 55, 1.3.2005, p35), Directive 2005/67/EC of 18 October 2005 (OJ No L 273, 19.10.2005, p17), Directive 2006/96/EC of 20 November 2006 (OJ No L 363, 20.12.2006, p81), Regulation (EC) No 1137/2008 of 22 October 2008 (OJ No L 311, 21.11.2008, p1), Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p1), Directive 2010/62/EU of 8 September 2010 (OJ No L 238, 9.9.2010, p7), Directive 2013/15/EU of 13 May 2013 (OJ No L 158, 10.6.2013, p172).

“The 2012 Directive” means Council Directive 2012/24/EU.

2. These Regulations do what is necessary to implement the 1986 Directive as amended by the 2012 Directive.

With the agreement of the devolved administrations, the Secretary of State has taken on the responsibility of implementing the Directive for the whole of the UK via the 2013 Regulations.

The 2012 Directive				
Article	Objective and text	Copy Out?	If “No.” Justification	National Provision
Article 1	<p>Article 1 - Amends Annex I of the 1986 Directive so that clause 4.2 of ISO standard 8759-1:1998, relating to front power take-offs, need no longer be complied with.</p> <p>The text;</p> <p>“(1) point 4.2 is replaced by the following:</p> <p style="padding-left: 40px;">‘4.2. Provisions for front power take-offs</p> <p style="padding-left: 40px;">The specifications of ISO 8759-1:1998, with the exception of its clause 4.2, apply to tractors of all T and C categories which are equipped with front power take-offs as specified in this standard.’;</p> <p>(2) Table 2 is deleted.”</p>	No	Direct copy-out would not fit within the structure of the UK Regulations.	This provision is implemented by regulation 3(3) and regulation 8 of the 2013 Regulations.

TRANSPOSITION NOTE FOR:
COUNCIL DIRECTIVE 2013/8/EU AMENDING COUNCIL DIRECTIVE
2009/144/EC AS REGARDS THE STANDARDS FOR MECHANICAL
COUPLINGS FOR TRACTORS

BY

THE AGRICULTURAL OR FORESTRY TRACTORS (EMISSION OF
GASEOUS AND PARTICULATE POLLUTANTS) AND TRACTOR ETC (EC
TYPE-APPROVAL) (AMENDMENT) REGULATIONS 2013

1. For the purposes of this note:-

“The 2005 Regulations” means the Tractor etc (EC Type-Approval) Regulations 2005 (S.I. 2005/390) as last amended by S.I. 2011/1279).

“The 2009 Directive” means Council Directive 2009/144/EC as amended by instruments up to and including Commission Directive 2010/62/EU of 8 September 2010 (OJ No L 238, 9.9.2010, p7)

“The 2003 Directive” means Council Directive 2003/37/EC as amended by instruments up to and including Directive 2004/66/EC of 26 April 2004 (OJ No L 168, 1.5.2004, p35), Directive 2005/13/EC of 21 February 2005 (OJ No L 55, 1.3.2005, p35), Directive 2005/67/EC of 18 October 2005 (OJ No L 273, 19.10.2005, p17), Directive 2006/96/EC of 20 November 2006 (OJ No L 363, 20.12.2006, p81), Regulation (EC) No 1137/2008 of 22 October 2008 (OJ No L 311, 21.11.2008, p1), Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p1), Directive 2010/62/EU of 8 September 2010 (OJ No L 238, 9.9.2010, p7), Directive 2013/15/EU of 13 May 2013 (OJ No L 158, 10.6.2013, p172).

“The 2013 Directive” means Council Directive 2013/8/EU.

2. These Regulations do what is necessary to implement the 2009 Directive as amended by the 2013 Directive.

With the agreement of the devolved administrations, the Secretary of State has taken on the responsibility of implementing the Directive for the whole of the UK via the 2013 Regulations.

The 2013 Directive				
Article	Objective and text	Copy Out?	If “No.” Justification	National Provision
Article 1 Annex	<p>Article 1 - Amends Annex IV of the 2009 Directive by reference to the Annex to this Directive.</p> <p>The text; “Annex IV to Directive 2009/144/EC is amended in accordance with the Annex to this Directive.”</p> <p>The Annex amends Annex IV of the 2009 Directive so as to include the necessary technical information to permit type-approval of the additional types of mechanical coupling now recognised. (The text of the Annex is shown below.)</p>	No	Direct copy-out would not fit within the structure of the UK Regulations.	This provision is implemented by regulation 3(3) and regulation 8 of the 2013 Regulations.
	<p>Text of the Annex;</p> <p style="text-align: center;"><i>ANNEX</i></p> <p>Annex IV to Directive 2009/144/EC is amended as follows:</p> <p>(1) point 1.1 is replaced by the following:</p> <p style="padding-left: 40px;">“1.1. Mechanical coupling between tractor and towed vehicle” means the components installed on the tractor and on the towed vehicle in order to provide the mechanical coupling between those vehicles.</p> <p style="padding-left: 40px;">Only mechanical coupling components for tractors are covered in this Directive.</p> <p style="padding-left: 40px;">Among the various types of mechanical coupling components for tractors a basic distinction is made between:</p>			

- clevis type (see Figures 1 and 2 of Appendix 1),
- no-swivel clevis couplings (see Figure 1d of Appendix 1),
- towing hook (see Figure 1 – “Hitch-hook dimensions” in ISO 6489-1:2001),
- tractor drawbar (see Figure 3 of Appendix 1),
- ball type (see Figure 4 of Appendix 1),
- pin (piton) type (see Figure 5 of Appendix 1).’;

(2) point 2.7 is replaced by the following:

‘2.7. The jaw must permit the drawbar rings to swivel axially at least 90° to the right or left around the longitudinal axis of the coupling with a fixed braking momentum of between 30 and 150 Nm.

The towing hook, no-swivel clevis coupling, ball type coupling and pin type coupling must allow the drawbar ring to swivel axially at least 20° to the right or left around the longitudinal axis of the coupling.’;

(3) point 3.1 is replaced by the following:

‘3.1. **Dimensions**

The dimensions of the mechanical coupling components on the tractor must comply with Appendix 1, Figures 1 to 5 and Table 1.’;

(4) point 3.3.1 is replaced by the following:

‘3.3.1. The maximum static vertical load is laid down by the manufacturer. However, it must not exceed 3 000 kg, except for the ball type coupling, where the maximum value shall not exceed 4 000 kg.’;

(5) in 3.4.1, the following sentence is added:

‘Masses m_t , m_{lt} , m_a and m_{la} are expressed in kg.’;

(6) point 4.2 is replaced by the following:

‘4.2. For each type of mechanical coupling component the application must be accompanied by the following documents and particulars:

- scale drawings of the coupling device (three copies). These drawings must in particular show the required dimensions in detail as well as the measurements for mounting the device,
- a short technical description of the coupling device specifying the type of construction and the material used,
- a statement of the value of D as referred to in Appendix 2 for the dynamic test or the value of T

	<p>(towable mass in tonnes), corresponding to 1,5 times the technically permissible maximum laden trailer mass, as referred to in Appendix 3 for the static test, and also the vertical maximum load on the coupling point S (expressed in kg),</p> <p>— one or more sample devices as required by the technical service.’;</p> <p>(7) points 5.1.3 and 5.1.4 are replaced by the following: ‘5.1.3. where the strength is checked in accordance with Appendix 2 (dynamic test):</p> <p style="padding-left: 40px;">permissible value of D (kN),</p> <p style="padding-left: 40px;">static vertical load value of S (kg);</p> <p>5.1.4. where the strength is checked in accordance with Appendix 3 (static test):</p> <p style="padding-left: 40px;">towable mass T (tonnes), and vertical load on the coupling S (kg).’;</p> <p>point</p> <p>(8) point 6 is replaced by the following: ‘6. INSTRUCTIONS FOR USE</p> <p style="padding-left: 40px;">All mechanical couplings must be accompanied by the manufacturer’s instructions for use. These instructions must include the EC component type-approved number and also the values of D (kN) or T (tonnes) depending on which test was performed on the coupling.’;</p>
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(9) Appendix 1 is amended as follows:

(a) the following Figure 1d and Table 1 are inserted after Figure 1c:

Figure 1d

No-swivel clevis coupling (corresponding to ISO 6489-5:2011)

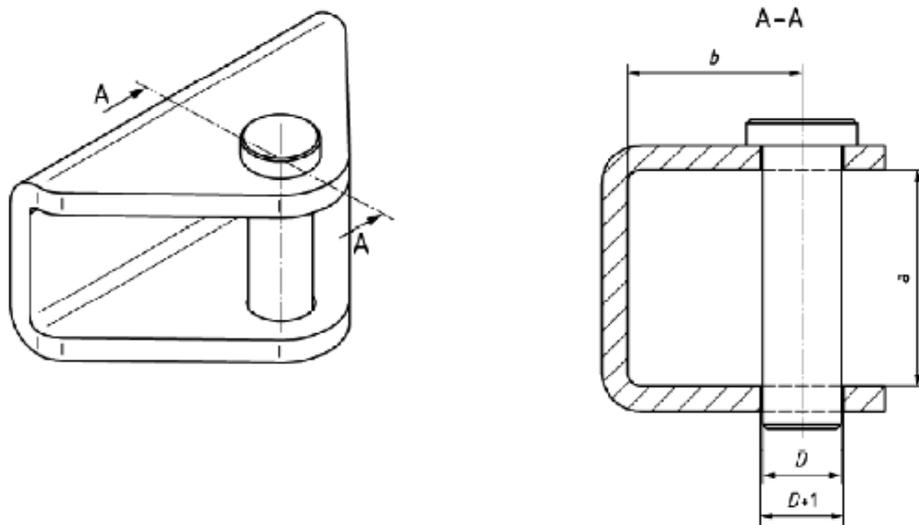


Table 1

Shapes and dimensions of trailer or implement clevis couplings Vertical load S kg

Vertical Load S kg	D value D kN	Shape	Dimension mm		
			D $\pm 0,5$	a min.	b min.
$\leq 1\ 000$	≤ 35	w	18	50	40
$\leq 2\ 000$	≤ 90	x	28	70	55
$\leq 3\ 000$	≤ 120	y	43	100	80
$\leq 3\ 000$	≤ 120	z	50	110	95

(b) the following Figures 4 and 5 are added:

Figure 4

Ball type coupling (corresponding to ISO 24347:2005)

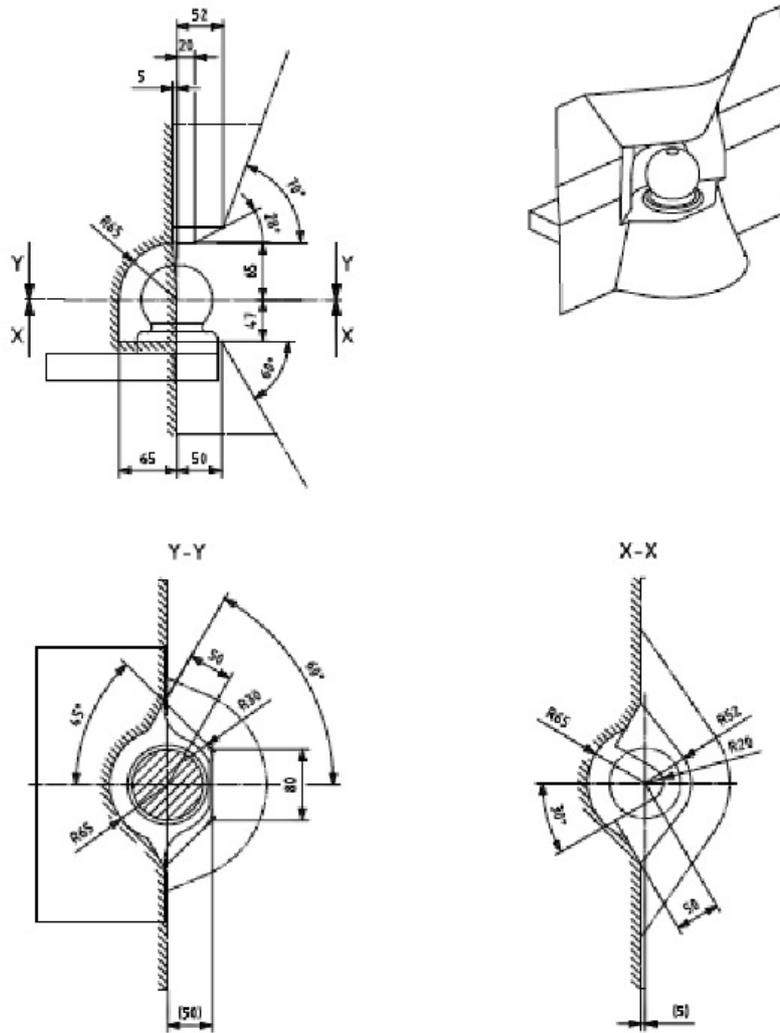
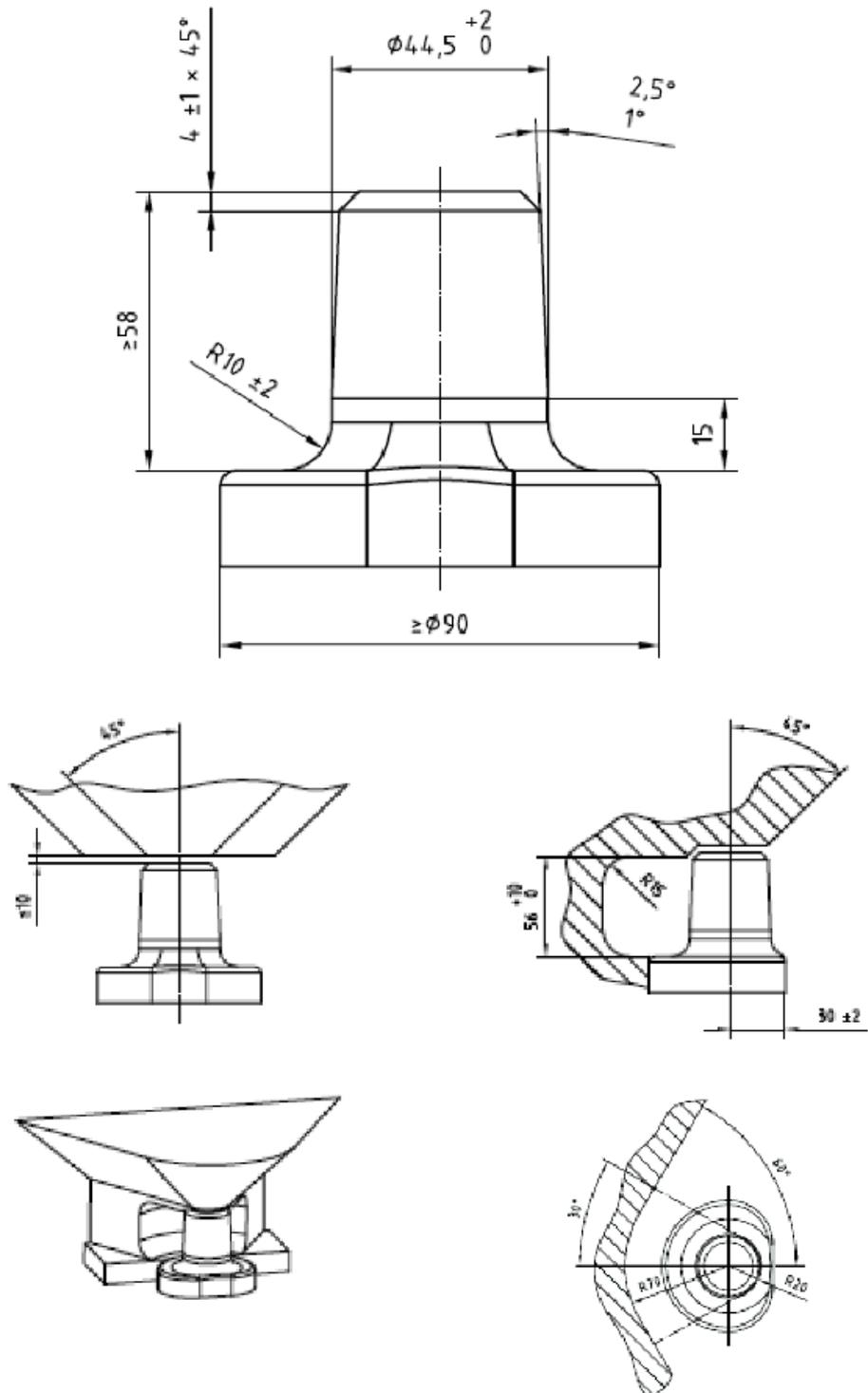


Figure 5

Pin type coupling (corresponding to ISO 6489-4:2004)



(10) Appendix 2 is amended as follows:

(a) in point 2 the fifth and sixth paragraphs are replaced by the following:

are ‘The vertical force components at right angles to the track expressed by the static vertical load S (kg).

by The technically permissible masses M T and M R are given the manufacturer in tonnes.’;

(b) point 3.2 is replaced by the following:

‘3.2. Test forces

The test force consists in geometrical terms of the horizontal and vertical test components as follows:

$$F = \sqrt{F_h^2 + F_v^2}$$

where:

$F_h = \pm 0,6 \cdot D$ (kN) in the case of alternating force,

or

$F_h = 1,0 \cdot D$ (kN) in the case of rising force (traction or pressure),

$F_v = g \cdot 1,5 \cdot S/1\ 000$ (value expressed in kN)

S = static drawbar load (load on the track, expressed in kg).’;

(11) in Appendix 3 point 1.5 is replaced by the following:

‘1.5. The test referred to in point 1.4.2 must be preceded by a test in which an initial load of three times the maximum permissible vertical force (in daN, equal to $g \cdot S/10$) recommended by the manufacturer is applied in a gradually increasing manner, starting from an initial load of 500 daN, to the reference centre of the coupling device.

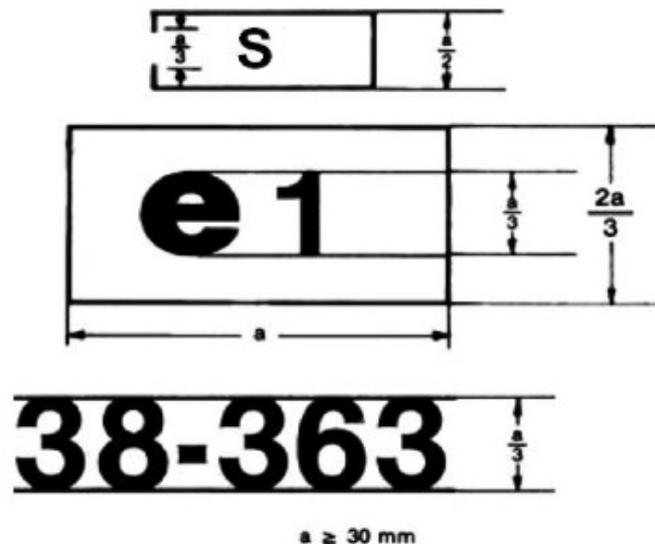
During the test, deformation of the coupling device must not exceed 10 % of the maximum elastic deformation occurring.

The check is carried out after removing the vertical force (in daN, equal to $g \cdot S/10$) and returning to the initial load of 500

daN.’;

(12) in Appendix 4 the following example is added:

‘Example of an EC type-approval mark



The coupling bearing the EC component type-approval mark shown above is a device for which EC component type-approval was granted in Germany (e1) under the number 38-363 and on which a static strength test (S) was performed.’;

(13) Appendix 5 is amended as follows:

(a) the title is replaced by the following:

‘NOTIFICATION CONCERNING THE GRANTING, REFUSAL, WITHDRAWAL OR EXTENSION OF EC COMPONENT TYPE-APPROVAL WITH REGARD TO THE STRENGTH AND DIMENSIONS AND VERTICAL LOAD ON THE COUPLING POINT OF A TYPE OF COUPLING DEVICE (CLEVIS TYPE, NO-SWIVEL CLEVIS COUPLINGS, TOWING HOOK, TRACTOR DRAWBAR, BALL TYPE AND PIN TYPE.)’;

(b) point 2 is replaced by the following:

‘2. Type of coupling device (clevis type, no-swivel clevis couplings, towing hook, tractor drawbar, ball type, pin type) (2)’;

	<p>(c) points 5.1 and 5.2 are replaced by the following:</p> <p>‘5.1. <i>Dynamic test</i>:</p> <p>value of D: (kN)</p> <p>vertical load on the coupling point (S): (kg)</p> <p>5.2. <i>Static test</i>:</p> <p>towable mass T: (tonnes)</p> <p>vertical load on the coupling point (S): (kg)’;</p> <p>(14) in Appendix 7, point 9 is replaced by the following:</p> <p>‘9. Permissible static vertical load on the coupling point: (kg)’</p>
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