Commission Delegated Regulation (EU) 2015/68 of 15 October 2014 supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle braking requirements for the approval of agricultural and forestry vehicles (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2015/68

of 15 October 2014

supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle braking requirements for the approval of agricultural and forestry vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles[(1)], and in particular Article 17(5),

Whereas:

(1) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured. To that end, a comprehensive EU type-approval system and a strengthened market surveillance system for agricultural and forestry vehicles and their systems, components and separate technical units as defined by Regulation (EU) No 167/2013 apply.

(2) The term ‘agricultural and forestry vehicles’ covers a wide range of different vehicle types with one or more axles and two, four or more wheels or track-laying vehicles, e.g. wheeled tractors, track-laying tractors, trailers and towed equipment, used for a wide variety of agricultural and forestry purposes, including special purpose works.

(3) While the requirements of this Regulation are based on existing legislation last amended in 1997, technical progress requires in particular the adaptation of the test rules in detail, as well as the introduction of specific provisions for energy reservoirs, vehicles with hydrostatic drive, vehicles with inertia braking systems, vehicles with complex electronic control systems, anti-lock braking systems and electronically controlled braking systems.

(4) This Regulation also includes stricter requirements on brake control of towed vehicles and brake coupling between the tractor and towed vehicles than Council Directive 76/432/EEC[(2)], repealed by Regulation (EU) No 167/2013.

(5) By Council Decision 97/836/EC[(3)], the Union acceded to United Nations Economic Commission for Europe (UNECE) Regulation No 13. The substantive requirements laid down in Annex 18 to that Regulation on safety aspects of complex electronic vehicle

control systems should be taken over into this Regulation, as they reflect the latest state of technology.

(6) While anti-lock braking systems are wide-spread for vehicles with a maximum design speed of above 60 km/h and could thus be considered as appropriate and made compulsory as of its application by this Regulation, such systems are not yet widely available for vehicles with a design speed between 40 km/h and 60 km/h. For those vehicles, the introduction of anti-lock braking systems should thus be confirmed after a final assessment by the Commission of the availability of such systems. To this effect, the Commission should assess, at the latest by 31 December 2016, the availability of anti-lock braking systems for agricultural and forestry vehicles with a maximum design speed between 40 km/h and 60 km/h. Should this assessment not confirm that such technology is available or applicable, the Commission should amend this Regulation in order to provide that these requirements will not become applicable to vehicles with a design speed between 40 km/h and 60 km/h.

(7) Where manufacturers may choose to apply for national type approval in accordance with Article 2 of Regulation (EU) No 167/2013, Member States should, for all subjects covered in this Regulation be free to set requirements for the purposes of national type approval which are different from the requirements of this Regulation.
Member States should not, for the purposes of national type-approval, refuse, on ground relating to the functional safety with respect to braking performance, to approve vehicles, systems, components and separate technical units which are compliant with the requirements provided for in this Regulation, with the exception of requirements applying to hydraulic connections of the single-line type. This Regulation should introduce harmonised requirements for hydraulic connections of the single-line type under which such connections could be accepted for the purposes of EU-type approval for a limited period of time. However, as some Member States used to have stricter requirements at national level, Member States should be allowed to refuse granting national type-approvals to vehicle types equipped with hydraulic connections of the single-line type already as from the application date of this Regulation, if they consider this to be in line with their safety requirements at national level.

(8) In order to allow for a harmonised application date of all new type-approval rules, this Regulation should apply from the same date of application as Regulation (EU) No 167/2013,

HAS ADOPTED THIS REGULATION:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2015/68. (See end of Document for details)*

CHAPTER I

SUBJECT MATTER AND DEFINITIONS

Article 1

Subject matter

This Regulation establishes the detailed technical requirements and test procedures regarding functional safety with respect to braking performance for the approval and market surveillance of agricultural and forestry vehicles and systems, components and separate technical units intended for such vehicles in accordance with Regulation (EU) No 167/2013.

Article 2

Definitions

[[F1]For the purposes of this Regulation, the definitions in Article 2 and Annexes XII and XXXIII to Commission Delegated Regulation (EU) 2015/208[(4)] shall apply. The following definitions shall also apply:**]**

(1) ‘braking system’ means the combination of parts whose function is progressively to reduce the speed of a moving vehicle or to bring it to a halt, or to keep it stationary if it has already halted; the system consists of the control device, the transmission and the brake;

(2) ‘service braking system’ means the braking system that enables the driver to control the movement of the vehicle and to halt it safely, speedily and effectively, for all the range of speed and load that the vehicle is approved to operate, on any up or down gradient;

(3) ‘graduated braking’ means braking which, within the normal range of operation of the equipment, during either the application or the releasing of the brakes, fulfils all the following conditions:

  (a) the driver can, at any time, increase or reduce the braking force through action of the control device;

  (b) the braking force acts in the same direction as the action on the control device (monotonic function);

  (c) it is easily possible to make a sufficiently fine adjustment to the braking force;

(4) ‘control device’ means the device actuated directly by the driver to supply to the transmission the energy required for braking or controlling it. This energy may be the muscular energy of the driver, or energy from another source controlled by the driver, or in appropriate cases the kinetic energy of a towed vehicle, or a combination of these various kinds of energy;

(5) **[**[F1]‘transmission’ means the combination of components comprised between the control device and the brake, excluding the control lines, supply lines and supplementary lines between tractors and towed vehicles, and linking them

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functionally through mechanical, hydraulic, pneumatic or electric means or through the use of a combination of those means; where the braking power is derived from or assisted by a source of energy independent of the driver, the reserve of energy in the system is likewise part of the transmission;**]**

(6) ‘control transmission’ means the combination of the components of the transmission which control the operation of the brakes and of the necessary reserve(s) of energy;

(7) ‘energy transmission’ means the combination of the components which supply to the brakes the necessary energy for their function;

(8) ‘friction brake’ means a brake where forces are generated by the friction between two parts of the vehicle moving relatively to one another;

(9) ‘fluid brake’ means a brake where forces are generated by the action of a fluid situated between two parts of the vehicle moving relatively to one another; the fluid is liquid in the case of a ‘hydraulic brake’ and air in the case of a ‘pneumatic brake’;

(10) ‘engine brake’ means a brake where forces are derived from a controlled increase in the braking action of the engine transmitted to the wheels;

(11) ‘parking braking system’ means a system that enables the vehicle to be held stationary on an up or down gradient even in the absence of the driver;

(12) ‘continuous braking’ means the braking of vehicles constituting a combination of vehicles through an installation having all the following characteristics:

(a) a single control device which the driver actuates progressively, by a single movement, from his driving seat;

(b) the energy used for braking the vehicles constituting the combination of vehicles is supplied from the same source;

(c) the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, whatever their relative positions;

(13) ‘semi-continuous braking’ means the braking of vehicles constituting a combination of vehicles through an installation having all the following characteristics:

(a) a single control device which the driver actuates progressively, by a single movement, from his driving seat;

(b) the energy used for braking the vehicles constituting the combination of vehicles is supplied from two different sources;

(c) the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, wherever their relative positions;

(14) ‘automatic braking’ means braking of the towed vehicle or towed vehicles occurring automatically in the event of separation of any of the vehicles constituting the combination of vehicles, including such separation through coupling breakage, without the effectiveness of the remainder of the combination being affected;

(15) ‘inertia braking’ means braking by utilising the forces generated by the towed vehicle's moving up on the tractor;

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(16) ‘non-disengageable transmission’ means the transmission for which either pressure or force or torque are continuously transmitted at any time during travelling of the vehicle in the drive train between the vehicle engine and the wheels and in the braking system between the brake control device and the wheels;

(17) **[**[F2]. . . . .**]**

(18) ‘wheel load’ means the vertical static force of the road surface in the contact area on the wheel;

(19) ‘axle load’ means the sum of the vertical static forces of the road surface in the contact area on the wheels of the axle;

(20) ‘maximum stationary wheel load’ means the stationary wheel load achieved under the condition of the technically permissible maximum laden mass of the vehicle;

(21) ‘maximum stationary axle load’ means the stationary axle load achieved under the condition of the technically permissible maximum laden mass of the vehicle;

(22) ‘towed vehicle’ means a trailer as defined in Article 3(9) of Regulation (EU) No 167/2013 or an interchangeable towed equipment as defined in Article 3(10) of that Regulation;

(23) ‘drawbar towed vehicle’ means a towed vehicle of category R or S with at least two axles of which at least one is a steered axle, equipped with a towing device which can move vertically in relation to the towed vehicle and which transmits no significant static vertical load to the tractor;

(24) ‘centre-axle towed vehicle’ a towed vehicle of category R or S where one or more axles are positioned close to the centre of gravity of the vehicle when uniformly loaded so that only a small static vertical load, not exceeding 10 % of that corresponding to the maximum mass of the towed vehicle or a load of 1 000 daN, whichever is less, is transmitted to the tractor;

(25) ‘rigid drawbar towed vehicle’ means a towed vehicle of category R or S with one axle or one group of axles fitted with a drawbar which transmits a significant static load to the tractor due to its construction and which does not meet the definition of a centre-axle towed vehicle; the coupling to be used for a vehicle combination shall not consist of a king pin and a fifth wheel; some slight vertical movement may occur at a rigid drawbar; a hydraulically adjustable articulated drawbar is considered to be a rigid drawbar;

(26) ‘endurance braking system’ means an additional braking system having the capability to provide and to maintain a braking effect over a long period of time without a significant reduction in performance, including the control device which may comprise a single device or a combination of several devices each of which may have its own control;

(27) ‘electronically controlled braking system’ (EBS) means a braking system where the control is generated and processed as an electrical signal in the control transmission and electrical output signals to devices which generate actuating forces produced from stored or generated energy;

(28) ‘automatically commanded braking’ means a function within a complex electronic control system where actuation of the braking system or brakes of certain axles is made for the purpose of generating vehicle retardation with or without a direct action of the driver, resulting from the automatic evaluation of on board initiated information;