COMMISSION DIRECTIVE 96/20/EC

of 27 March 1996

adapting to technical progress Council Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970, on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers [1], as last amended by Commission Directive 95/54/EC [2] and in particular Article 13 (2) thereof,

Having regard to Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles [3], as last amended by Directive 92/97/EEC [4], and in particular Article 3 thereof,

Whereas Directive 70/157/EEC is one of the separate Directives of the EC type-approval procedure which has been established by Directive 70/156/EEC; whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas, in particular, Articles 3 (4) and 4 (3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerized;

Whereas, the recent developments in engine technology make it necessary to define more explicitly the testing process, particularly in the case of heavy vehicles, insofar as the feasibility and the repetition of such tests is concerned;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The Articles of Directive 70/157/EEC shall be amended as follows:

— Article 1 to read at the end: '... rails and of agricultural and forestry tractors and all mobile machinery.',

— in Article 2, second indent, and Article 2a, paragraph 2, replace 'Article 9a' by 'Article 2',

— in Article 3, replace 'the Annex' by 'the Annexes'.

2. The Annexes to Directive 70/157/EEC shall be amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 October 1996 Member States may not, on grounds relating to the permissible sound level or the exhaust system:

— refuse, in respect of a type of vehicle or a type of exhaust system, to grant EC type-approval or national type-approval, or

— prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of exhaust systems,

if the vehicles or exhaust systems comply with the requirements of Directive 70/157/EEC, as amended by this Directive.

2. With effect from 1 January 1997 Member States:

— shall no longer grant EC type-approval, and

— shall refuse to grant national type-approval,

for a type of vehicle on grounds relating to its permissible sound level and for a type of exhaust system, if the requirements of Directive 70/157/EEC, as amended by this Directive, are not fulfilled.

3. Notwithstanding paragraph 2, for the purposes of replacement parts, Member States shall continue to grant EC type-approval, and to permit the sale and entry into service, of exhaust systems in accordance with previous versions of Directive 70/157/EEC provided that such exhaust systems:

— are intended to be fitted to vehicles already in use, and

— comply with the requirements of that Directive which were applicable when the vehicles were first registered.

[1] OJ No L 42, 23. 2. 1970, p. 1.
[2] OJ No L 266, 8. 11. 1995, p. 1.
[3] OJ No L 42, 23. 2. 1970, p. 16.
[4] OJ No L 371, 19. 12. 1992, p. 1.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 October 1996. They shall forthwith inform the Commission thereof.

2. When the Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 4

This Directive shall enter into force the twentieth day after its publication in the *Official Journal of the European Communities.*

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 27 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

A list of Annexes shall be inserted between the Articles and Annex I to read:

'List of Annexes

ANNEX I: EC type-approval in respect of the sound level of a type of motor vehicle

Appendix 1: Information document

Appendix 2: Type-approval certificate

ANNEX II: EC type-approval of exhaust systems as separate technical units

Appendix 1: Information document

Appendix 2: Type-approval certificate

Appendix 3: Model for the EC type-approval mark

ANNEX III: Checks on conformity of production

ANNEX IV: Test track specifications'.

Amendments to Annex I:

The footnote to item 1.1.7. shall be amended to read:

'(1) In accordance with the definitions given in Annex II A to Directive 70/156/EEC.'

Item 2.1. shall be amended to read:

'2.1. The application for EC type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle type with regard to its sound level shall be submitted by the vehicle manufacturer.'

Item 2.2. shall be amended to read:

'2.2. A model for the information document is given in Appendix 1.'

Items 2.2.1. to 2.2.4. inclusive shall be deleted.

In item 2.3. the words 'or his authorized representative' shall be deleted.

Item 2.5. shall be deleted.

Item 4. shall be amended to read:

'4. **Granting of EC type-approval**

4.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4 (3) and, if applicable, 4 (4) of Directive 70/156/EEC shall be granted.

4.2. A model for the EC type-approval certificate is given in Appendix 2.

4.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each vehicle type approved. The same Member State shall not assign the same number to another vehicle type.'

In item 5.2.1.2. 'Annex III' shall read 'Appendix 2'.

In item 5.2.2.3.1. 'Annex VI' shall read 'Annex IV'.

In item 5.2.2.3.4. the text of the second paragraph shall read:

'The tyres used for the test are selected by the vehicle manufacturer and shall comply with commercial practice and be available on the market; they shall correspond to one of the tyre-size designations (see item 2.17. of Annex II to Council Directive 92/23/EEC (*)) indicated for the vehicle by the vehicle manufacturer according to item 1.5. of the Addendum to Appendix 2 and in the case of vehicles of categories M_1 and N_1 meet the requirements of Directive 89/459/EEC regarding the minimum tread depth; for vehicles of other categories, the minimum tread depth specified in Directive 89/459/EEC will be applied as if the vehicles were within the scope of that Directive. The tyres must be inflated to the appropriate pressure(s) for the test mass of the vehicle

(*) OJ No L 129, 14. 5. 1992, p. 95.'

In item 5.2.2.4.3.3.1.1. at the end of the third paragraph, it shall be added:

'If the engine speed "S" is still attained with an approach engine speed corresponding to the idle speed, then the test will be performed only in third gear and the relevant results have to be evaluated.'

In item 5.2.2.4.3.3.1.2. it shall be added at the end:

'However, the vehicle is deemed representative of its type also, if, on the applicant's request, the tests are extended over more ratios than foreseen, and the highest sound level is obtained between the extreme ratios tested.'

In items 5.2.3.1. and 5.2.3.5.1. 'Annex III' shall read 'Appendix 2'.

In items 5.3.2. 'Article 8 (3)' shall read 'Article 11 (2) or 11 (3)'.

Item 6. shall read:

'6. **Modifications of the type and amendments of approval**

6.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.'

The sub-items of item 7. shall read:

'7.1. Measures to ensure the conformity of production shall be taken in accordance with the requirements laid down in Article 10 of Directive 70/156/EEC.

7.2. Special provisions:

7.2.1. The tests referred to in item 2.3.5. of Annex X to Directive 70/156/EEC are those laid down in Annex III (I) to this Directive.

7.2.2. The frequency of inspections referred to in item 2.4. of Annex X to Directive 70/156/EEC is normally one every two years.'

After figure 4 the following Appendices 1 and 2 shall be added:

'Appendix 1

Information document No ... pursuant to Annex I of Council Directive 70/156/EEC (*) relating to EC type-approval of a vehicle with respect to the permissible sound level and the exhaust system (Directive 70/157/EEC, as last amended by Directive .../.../EC)

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. **General**

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.3. Means of identification of type, if marked on the vehicle (b):

0.3.1. Location of that marking:

0.4. Category of vehicle (c):

0.5. Name and address of manufacturer:

0.8. Address(es) of assembly plant(s):

(*) The item numbers and footnotes used in this information document correspond to those set out in Annex I to Directive 70/156/EEC.
Items not relevant for the purpose of this Directive are omitted.

1.	**General construction characteristics of the vehicle**
1.1.	Photographs and/or drawings of a representative vehicle:
1.3.3.	Powered axles (number, position, interconnection):
1.6.	Position and arrangement of the engine:
2.	**Masses and dimensions** (e) (in kg and mm) (Refer to drawing where applicable)
2.4.	Range of vehicle dimensions (overall)
2.4.1.	For chassis without bodywork
2.4.1.1.	Length (j):
2.4.1.2.	Width (k):
2.4.2.	For chassis with bodywork
2.4.2.1.	Length (j):
2.4.2.2.	Width (k):
2.6.	Mass of the vehicle with bodywork in running order, or mass of the chassis with cab if the manufacturer does not fit the bodywork (with standard equipment, including coolant, oils, fuel, tools, spare wheel and driver) (o) (maximum and minimum):
3.	**Power plant** (q)
3.1.	Manufacturer:
3.1.1.	Manufacturer's engine code: (As marked on the engine, or other means of identification)
3.2.	Internal combustion engine
3.2.1.1.	Working principle: positive ignition /compression ignition, four stroke/two stroke (1)
3.2.1.2.	Number and arrangement of cylinders:
3.2.1.2.3.	Firing order:
3.2.1.3.	Engine capacity (s): ..... cm^3
3.2.1.8.	Maximum net power (t): ..... kW at ..... min − 1 (manufacturer's declared value)
3.2.4.	Fuel feed
3.2.4.1.	By carburettor(s): yes/no (1)
3.2.4.1.2.	Type(s):
3.2.4.1.3.	Number fitted:
3.2.4.2.	By fuel injection (compression ignition only): yes/no (1)
3.2.4.2.2.	Working principle: Direct injection/pre-chamber/swirl chamber (1)
3.2.4.2.4.	Governor
3.2.4.2.4.1.	Type:
3.2.4.2.4.2.1.	Cut-off point under load: ..... min − 1
3.2.4.3.	By fuel injection (positive ignition only): yes/no (1)
3.2.4.3.1.	Working principle: Intake manifold (single-/multi-point (1))/direct injection/other (specify) (1)

(1) Delete where not applicable.