COUNCIL DIRECTIVE

of 25 June 1987

supplementing Annex I to Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(87/403/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas Directive 70/156/EEC (3), as last amended by Directive 87/358/EEC (4), laid down, in the Notes to Annex I, the classification of motor vehicles and their trailers;

Whereas it is now necessary to define off-road vehicles at Community level with a view in particular to the application of Directive 84/424/EEC (5), Article 1 of which lays down exceptions for these vehicles and more generally for the application of any other Directive in the motor vehicle sector that might need such definition;

Whereas off-road vehicles are defined differently in each Member State and whereas, in order not to hinder intra-Community trade, a common definition, within the international categories set out in the notes to Annex I to Directive 70/156/EEC, is necessary,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 70/156/EEC is hereby supplemented as set out in the Annex hereto.

Article 2

Member States shall take the measures necessary to comply with this Directive by 1 October 1988.

They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 25 June 1987.

For the Council

The President

H. DE CROO

(1) OJ No C 108, 23. 4. 1987, p. 9.
(2) OJ No C 190, 20. 7. 1987.
(3) OJ No L 42, 23. 2. 1970, p. 1.
(4) OJ No L 192, 11. 7. 1987, p. 51.
(5) OJ No L 238, 6. 9. 1984, p. 31.

ANNEX

In the Notes to Annex I the following shall be added at the end of (b):

'4. Vehicles in categories M and N, above, considered to be off-road vehicles under the load and checking conditions set out in point 4.4 and pursuant to the definitions and sketches of point 4.5.

4.1. Vehicles in category N_1 with a maximum mass not exceeding two tonnes and motor vehicles in category M_1 are considered to be off-road vehicles if they have:

at least one front axle and at least one rear axle designed to be driven simultaneously including vehicles where the drive to one axle can be disengaged,

at least one differential locking mechanism or at least one mechanism having a similar effect and

if they can climb a 30 % gradient calculated for a solo vehicle.

In addition, they must satisfy at least five of the following six requirements:

— the front incidence angle must be at least 25°,

— the rear incidence angle must be at least 20°,

— the ramp angle must be at least 20°,

— the ground clearance under the front axle must be at least 180 mm,

— the ground clearance under the rear axle must be at least 180 mm,

— the ground clearance between the axles must be at least 200 mm.

4.2. Vehicles in category N_1 with a maximum mass exceeding two tonnes or in category N_2, M_2 or M_3 with a maximum mass not exceeding 12 tonnes are considered to be off-road vehicles either if all their wheels are designed to be driven simultaneously, including vehicles where the drive to one axle can be disengaged, or if the following three requirements are satisfied:

— at least one front axle and at least one rear axle are designed to be driven simultaneously, including vehicles where the drive to one axle can be disengaged,

— there is at least one differential locking mechanism or at least one mechanism having a similar effect,

— they can climb a 25 % gradient calculated for a solo vehicle.

4.3. Vehicles in category M_3 with a maximum mass exceeding 12 tonnes or in category N_3 are considered to be off-road either if the wheels are designed to be driven simultaneously, including vehicles where the drive to one axle can be disengaged, or if the following requirements are satisfied:

— at least half the wheels are driven,

— there is at least one differential locking mechanism or at least one mechanism having a similar effect,

— they can climb a 25 % gradient calculated for a solo vehicle,

— at least four of the following six requirements are satisfied:

  — the front incidence angle must be at least 25°,

  — the rear incidence angle must be at least 25°,

  — the ramp angle must be at least 25°,

  — the ground clearance under the front axle must be at least 250 mm,

  — the ground clearance between the axles must be at least 300 mm,

  — the ground clearance under the rear axle must be at least 250 mm.