# Council Directive 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 (70/157/EEC)

## COUNCIL DIRECTIVE

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

(70/157/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;

Having regard to the Opinion of the European Parliament[(1)];

Having regard to the Opinion of the Economic and Social Committee[(2)];

Whereas the technical requirements which motor vehicles must satisfy pursuant to national laws relate, *inter alia,* to the permissible sound level and the exhaust system;

Whereas those requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules, in order, in particular, to allow the EEC type approval procedure which was the subject of the Council Directive[(3)] 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 to be applied in respect of each type of vehicle;

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

For the purposes of this Directive, ‘vehicle’ means any motor vehicle intended for use on the road, with or without bodywork, having at least four wheels and a maximum design speed exceeding 25 kilometres per hour, with the exception of vehicles which run on **[**[F1]rails and of agricultural and forestry tractors and all mobile machinery.**]**

**Textual Amendments**

**F1** Substituted by 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).

**Status:** *EU Directives are being published on this site to aid cross referencing from UK legislation. After exit day no further amendments will be applied to this version.*

### *[F2 Article 2*

No Member State may, on grounds relating to the permissible sound level and the exhaust system, refuse to grant EEC or national type-approval in respect of a type of motor vehicle or type of exhaust system or component of such a system regarded as a separate technical unit,

— if the vehicle satisfies the requirements of Annex I as regards the sound level and exhaust system,

— if the exhaust system or any component thereof, considered as a separate technical unit within the meaning of **[**F1Article 2**]** of Directive 70/156/EEC satisfies the requirements of Annex II.**]**

**Textual Amendments**

**F1** Substituted by 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).

**F2** Substituted by Commission Directive of 13 April 1981 adapting to technical progress Council Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (81/334/EEC).

### *[F2 Article 2a*

1 No Member State may, on grounds relating to the permissible sound level and the exhaust system, refuse or prohibit the sale, registration, entry into service or use of any vehicle in which the sound level and the exhaust system satisfy the requirements of Annex I.

2 No Member State may, on grounds relating to the permissible sound level and the exhaust system, prohibit the placing on the market of an exhaust system or any component thereof considered as a separate technical unit within the meaning of **[**F1Article 2**]** of Directive 70/156/EEC if, within the meaning of Article 2, it is of a type in respect of which a type-approval has been granted.**]**

**Textual Amendments**

**F1** Substituted by 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).

**F2** Substituted by Commission Directive of 13 April 1981 adapting to technical progress Council Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (81/334/EEC).

### *Article 3*

The amendments necessary for adjusting the requirements of **[**F1the Annexes**]** so as to take account of technical progress, with the exception of the requirements set out under **[**F2items 5.2.2.1 and 5.2.2.5 of Annex I**]**, shall be adopted in accordance with the procedure laid down in Article 13 of the Council Directive on the type approval of motor vehicles and their trailers.

**Textual Amendments**

**F1** Substituted by 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).

**F2** Substituted by Commission Directive of 13 April 1981 adapting to technical progress Council Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (81/334/EEC).

*Article 4*

1 Member States shall put into force the provisions containing the requirements needed in order to comply with this Directive within eighteen months of its notification and shall forthwith inform the Commission thereof.

2 Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

*Article 5*

This Directive is addressed to the Member States.

***Status:*** *EU Directives are being published on this site to aid cross referencing from UK legislation. After exit day no further amendments will be applied to this version.*

## [F3List of Annexes

**Textual Amendments**

**F3** Inserted by 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).

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| ANNEX I: | [F4Provisions for ec type-approval in respect of the sound level of a type of motor vehicle<br>Appendix 1: Information document No … pursuant to Annex I of Council Directive 70/156/EEC[a] 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. 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)<br>Appendix 2: Model<br>Addendum to EC type-approval certificate concerning the type-approval of a vehicle with regard to Directive 70/157/EEC as last amended by Directive …/…/EC] |
| ANNEX II: | [F4Administrative provisions for ec type-approval of exhaust systems as separate technical units (replacement exhaust systems)<br>Appendix 1: Information document No . . . pursuant to Annex I of Council Directive 70/156/EEC[a] 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)<br>Appendix 2: Model<br>Addendum to EC concerning the separate technical unit type-approval of exhaust |

**a** 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.]

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|---|---|
| | type-approval certificate: systems for motor vehicles with regard to Directive 70/157/EEC as last amended by Directive …/…/EC<br>Appendix 3: Model for the EC type-approval mark**]** |
| ANNEX III: | **[**F5Checks on conformity of production**]** |

**[**F5**]**

**a** 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.**]**

## **[**F4ANNEX I

PROVISIONS FOR EC TYPE-APPROVAL IN RESPECT OF THE SOUND LEVEL OF A TYPE OF MOTOR VEHICLE

1. APPLICATION FOR EC TYPE-APPROVAL OF A VEHICLE TYPE

1.1. 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.

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

1.3. A vehicle representative of the type in respect of which type-approval is sought must be submitted to the technical service responsible for the tests by the vehicle manufacturer.

1.4. At the request of the technical service, a specimen of the exhaust system and an engine of at least the same cylinder capacity and rated maximum power as that fitted to the vehicle in respect of which type-approval is sought must also be submitted.

2. SOUND LEVEL OF MOVING VEHICLES

2.1. Limiting values

The sound level measured in accordance with the provisions of Annex III shall not exceed the following limits:

| **Vehicle categories** | **Values expressed in dB(A)(decibels(A))** |
|---|---|
| 2.1.1. Vehicles intended for the carriage of passengers, and comprising not more than nine seats including the driver's seat | 74 |
| **2.1.2.Vehicles intended for the carriage of passengers and equipped with more than nine seats, including the driver's seat; and having a maximum permissible mass of more than 3,5 tonnes and:** | |
| 2.1.2.1. with an engine power of less than 150 kW | 78 |