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From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

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To: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

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Subject: COMMISSION DELEGATED REGULATION (EU) No .../.. of 19.9.2014
supplementing and amending Regulation (EU) No 167/2013 of the
European Parliament and of the Council with regard to vehicle construction
and general requirements for the approval of agricultural and forestry
vehicles

Delegations will find attached document C(2014) 6494 final.

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Brussels, 19.9.2014
C(2014) 6494 final

COMMISSION DELEGATED REGULATION (EU) No .../..

of 19.9.2014

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

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

(a) Grounds for and objectives of the delegated act

The term ‘agricultural and forestry vehicles’ covers a wide range of different vehicle types with at least two axles, e.g. narrow-track tractors, extra-wide tractors, track-laying tractors, agricultural trailers and interchangeable towed equipment, such as rollers, tillers, seed drills, etc.

Type-approval requirements applying to agricultural and forestry vehicles are still set out in Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units¹ (the ‘Framework Directive’).

In the legislative process leading to the adoption of 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 vehicles² which will repeal Directive 2003/37/EC with effect from first January 2016 the following key concerns as regards the current provisions for the type-approval of new agricultural and forestry vehicles were addressed:

- the complexity of the legal framework;
- the lack of requirements necessary in order to apply for EC whole-vehicle type-approval on a voluntary basis for other categories than T1, T2 and T3;
- occupational safety aspects related to type-approval requirements;
- the lack of a legal framework for vehicles fitted with new technologies;
- the availability on the internal market, and registration of, certain imported vehicles, systems, components or separate technical units which do not comply with the current type-approval requirements regarding occupational safety;
- the non-discriminatory access to repair and maintenance information, especially that related to on-board diagnostic systems and the communication protocols between tractors and diagnostic tools, reprogramming of control units and the interconnectivity with towed or mounted equipment.

Based on the empowerments in Regulation (EU) 167/2013, this delegated act consolidates current type-approval requirements regarding the vehicle construction of agricultural and forestry vehicles, updating them in line with technical progress and simplifying them as much as possible by referring to international requirements in this area (e.g. OECD codes or UNECE regulations).

(b) Existing provisions in the area of the delegated act on vehicle construction

- Framework Directive 2003/37/EC;

¹ OJ L 171, 9.7.2003, p. 1.

² OJ L60, 2.3.2013, p. 1.

- Directives 76/763/EEC³, 78/764/EEC⁴, 80/720/EEC⁵, 86/297/EEC⁶, 86/298/EEC⁷, 86/415/EEC⁸, 87/402/EC⁹, 2009/57/EC¹⁰, 2009/75/EC¹¹, 2009/76/EC¹² and 2009/144/EC¹³.

Type-approval legislation is addressed in the CARS 21 initiative launched in 2005 to carry out a regulatory and policy review of the automotive sector to inform the Commission's thinking on future policy options. CARS 21 was partly a response to concerns expressed by automotive industry stakeholders that the cumulative cost of regulation had a negative effect on competitiveness and made vehicles unnecessarily expensive. The CARS 21 Final Report concluded that, while most of the legislation in force should be maintained for the protection of citizens and the environment, arrangements should be simplified by means of rationalisation and international harmonisation. Plans for this simplification were set out in the Commission's *Second progress report on the strategy for simplifying the regulatory environment*. Any initiative taken should be aligned with this strategy. Referring to UNECE regulations that replace current EU legislation is a particularly effective way of reducing complexity and the burden on vehicle manufacturers, approval authorities and technical services.

As an alternative, reference could be made to Codes established by the Organisation for Economic Cooperation and Development (OECD) or to CEN/Cenelec or ISO standards which are directly available to the public and referenced therein.

For these reasons, this delegated act on vehicle construction and general requirements stipulates detailed technical provisions and test procedures, with reference to the Codecision act, Regulation (EU) No 167/2013, to help achieve the EU's goals in terms of occupational and road safety objectives and uniform rules for vehicle manufacturers and other stakeholders for the construction of agricultural and forestry vehicles. In addition, general detailed elements such as the arrangements for type-approval, conformity of production requirements, repair and maintenance information requirements and the procedure for the assessment of technical services are set out in this delegated act supplementing Regulation (EU) No 167/2013.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE DELEGATED ACT

In the preparation of this act, the Commission carried out appropriate consultations at expert level comprising the relevant industrial stakeholders, social partners and Member State experts. A study commissioned by the Commission provided further expertise.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

(c) Legal basis

³ OJ L 262, 27.9.1976, p. 135.

⁴ OJ L 255, 18.9.1978, p. 1.

⁵ OJ L 194, 28.7.1980, p. 1.

⁶ OJ L 186, 8.7.1986, p. 19.

⁷ OJ L 186, 8.7.1986, p. 26.

⁸ OJ L 240, 26.8.1986, p. 1.

⁹ OJ L 220, 8.8.1987, p. 1.

¹⁰ OJ L 261, 3.10.2009, p. 1.

¹¹ OJ L 261, 3.10.2009, p. 40.

¹² OJ L 201, 1.8.2009, p. 18.

¹³ OJ L 27, 30.1.2010, p. 33.

The legal basis of this delegated act is 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.

(d) Choice of instruments

The use of a Regulation is considered to be appropriate in that it provides the required assurance for compliance while not requiring transposition into Member States' legislation.

Regulation (EU) 167/2013 uses the 'split-level approach' originally introduced at the request of the European Parliament and used in other legislation for EU type-approval of motor vehicles. This approach provides for legislation in three steps:

- the fundamental provisions and scope are laid down by the European Parliament and the Council in Regulation (EU) No 167/2013 based on Article 114 of TFEU in accordance with the ordinary legislative procedure;
- the technical specifications associated with the fundamental provisions are laid down in four delegated acts (Article 290 of TFEU):
 - (a) a Regulation on environmental and propulsion unit performance requirements;
 - (b) a Regulation on vehicle functional safety requirements;
 - (c) a Regulation on vehicle braking requirements;
 - (d) a Regulation on vehicle construction requirements and general type-approval subjects containing requirements regarding:
 - (1) arrangements for type-approval procedures;
 - (2) conformity of production requirements;
 - (3) access to repair and maintenance information;
 - (4) roll-over protection structures ('ROPS');
 - (5) falling objects protection structures ('FOPS');
 - (6) passenger seats;
 - (7) driver's exposure to noise level;
 - (8) driving seat;
 - (9) operating space and access to the driving position, including protection against slipping, tripping or falling;
 - (10) power take-offs;
 - (11) protection of drive components;
 - (12) seat-belt anchorage points;

- (13) safety belts;
 - (14) protection of driver against penetrating objects (Operator Protection Structures, 'OPS');
 - (15) protection of driver against hazardous substances;
 - (16) protection from exposure to parts or materials at extreme temperatures;
 - (17) operators manual;
 - (18) control devices, including safety and reliability of control systems, emergency and automatic stop devices;
 - (19) protection against mechanical hazards, other than the ones mentioned in points (4), (5), (10) and (14), including protection against rough surfaces, sharp edges and angles, rupture of pipes carrying fluids and uncontrolled movement of the vehicle;
 - (20) operation and maintenance, including safe cleaning of the vehicle;
 - (21) guards and protective devices;
 - (22) information, warnings and markings;
 - (23) materials and products;
 - (24) batteries;
 - (25) Performance standards and assessment of technical services; and
- an Implementing Act (Article 291 of TFEU) sets out the administrative provisions regarding the information document, the definitions in the type-approval certificate, the certificate of conformity and associated production conformity requirements, etc.

COMMISSION DELEGATED REGULATION (EU) No .../..

of 19.9.2014

supplementing and amending Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle construction and general 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 vehicles¹⁴, and in particular Articles 18(4), 20(8), 27(6), 28(6), 49(3), 53(12), 60(1), 61, and 70 thereto,

Whereas:

- (1) This Regulation aims to set out the technical requirements and test methods required for the construction of agricultural and forestry vehicles in order to minimise the risk of injury to persons working on or with the vehicle.
- (2) By Council Decision 97/836/EC¹⁵, the Union has acceded to the Agreement of the United Nations Economic Commission for Europe (UNECE) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement'). In its Communication CARS 2020: Action Plan for a competitive and sustainable automotive industry in Europe, the Commission highlighted that the acceptance of international regulations under the 1958 UNECE Agreement is the best way to remove non-tariff barriers to trade.
- (3) The possibility to apply UNECE regulations for the purposes of EU vehicle type-approval is provided for in Regulation (EU) No 167/2013. UNECE regulations being part of the requirements for the EU type-approval of a vehicle help avoid duplication not only of technical requirements but also of certification and administrative procedures. In addition,

¹⁴ (OJ L 60, 2.3.2013, p. 1).

¹⁵ Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') (OJ L 346, 17.12.97, p. 78).

type-approval that is directly based on internationally agreed standards should improve market access in third countries, in particular in those which are contracting parties to the Revised 1958 Agreement, thus enhancing the Union industry's competitiveness.

- (4) In the interest of clarity, predictability, rationality and simplification and in order to reduce the burden on vehicle manufacturers, technical services and type-approval authorities, Regulation (EU) No 167/2013 provides for the recognition of test reports drawn up under the Codes established by the Organisation for Economic Cooperation and Development (OECD) for the purposes of EU type-approval as an alternative to the test reports drawn up under that Regulation or the delegated acts adopted pursuant to that Regulation. It is therefore appropriate to establish a list of OECD Codes the subject-matter of which falls within the scope of this Regulation and which can be the bases for test reports recognised for the purposes of EU type-approval.
- (5) With the aim to adapt the provisions on the construction of agricultural and forestry vehicles to technical progress, latest versions of CEN/Cenelec or ISO standards which are accessible by the public should be made applicable as regards certain requirements.
- (6) In view of reducing manufacturers' costs by no longer obliging them to build prototypes for the purposes of obtaining EU type-approval, this Regulation sets out detailed conditions with respect to virtual testing and self-testing carried out by the manufacturers. Manufacturers not wishing to take advantage of virtual testing methods should be allowed to continue to use the existing physical test methods.
- (7) The virtual testing method should guarantee the same level of confidence in the results as the physical test. Therefore, it is appropriate to lay down relevant conditions to ensure that the manufacturer or the technical service can properly validate the mathematical models used.
- (8) Checks on the conformity of vehicles, components or separate technical units throughout the production process are an essential part of the EU type-approval process. The conformity of production procedures for agricultural and forestry vehicles should be further improved and aligned with similar procedures applicable to passenger cars.
- (9) Virtual methods should not be permissible for the purposes of conformity of production testing, even if they have been used for type-approval purposes, because at this stage, a physical test of the existing vehicle does not imply unnecessary burden for the manufacturer.
- (10) The provisions of Regulation (EU) No 167/2013 on the access to repair and maintenance information are largely based on Regulation (EC) No 595/2009¹⁶ of the European Parliament and of the Council. In order to adopt the harmonized approach for access to repair and maintenance information provided for in this Regulation, it is appropriate to carry over to this Regulation the provisions on access to repair and maintenance information set

¹⁶ Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009., p. 1).

out in the Commission Regulation (EC) No 582/2011¹⁷ and adapt it to the specificities of the agricultural and forestry vehicles sector.

- (11) In particular, it is appropriate to adopt specific requirements and procedures for access to vehicle repair and maintenance information in the case of small volume production in order to avoid unproportionate burden. It is also appropriate to lay down specific procedures for access to vehicle repair and maintenance information in the case of multi-stage type-approval to take account of the fact that there is more than one manufacturer involved.
- (12) With regard to vehicle types of categories R and S, the figures introduced to categorise small volume manufacturers should take account of the fact that Regulation (EU) No 167/2013 does not provide for the national type-approval of small series for such vehicle types and such vehicle categories cannot be fully exempted from the obligation to provide vehicle repair and maintenance information under that Regulation. Should Annex II to that Regulation be modified in order to expand the possibility to grant national type approval of small series to categories R and S, the Commission should consider reducing these figures.
- (13) Harmonised provisions on the access to vehicle on-board diagnostic (OBD) and vehicle repair and maintenance information are necessary to improve the effective competition within and the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services for independent vehicle repair and maintenance operators. A great proportion of such information relates to the OBD system and its interaction with other vehicle systems. It is appropriate to lay down the technical specifications that manufacturers' websites should follow, along with targeted measures to ensure reasonable access for small and medium-sized enterprises.
- (14) Common standards for the reprogramming of the electronic control units agreed with the stakeholders concerned can facilitate the exchange of information between manufacturers and service providers. It is therefore appropriate that manufacturers use those common standards. Nevertheless, to reduce the burden on vehicle manufacturers, an appropriate lead time for their implementation should be provided for in this Regulation.
- (15) In order to keep aligned the technical requirements carried over to this Commission Delegated Regulation with the requirements of the separate directives repealed by Regulation (EU) 167/2013 and with the requirements of the OECD standard Codes, the seat reference point (S) and the seat index point (SIP) should be maintained unmodified.
- (16) To be able to EU type-approve the same types of tractors according to each of the Annexes listed in Annex II as those approved under the corresponding OECD Codes and to be effectively able to recognise the OECD test reports for the purposes of EU type-approval, the technical field of application of the EU requirements should be aligned with the field of application of the OECD standard Codes.
- (17) To make clear that certain requirements of Union legislation are fully aligned with the requirements set out in the OECD standard Codes, the text of the requirements and the numbering set out in certain annexes should be identical with the text and numbering of the corresponding OECD standard Code.

¹⁷ Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 167, 25.6.2011, p. 1).

- (18) To reduce the number of injuries and fatal accidents caused by the failure to raise the front-mounted foldable ROPS for narrow-track tractors in potentially dangerous situations, new requirements based on an ergonomic approach should be included in Annex IX to facilitate and encourage the raising of the ROPS when needed.
- (19) As in forestry applications tractors are confronted with higher energy levels from falling and penetrating objects than in agricultural applications, stricter requirements for protection structures against these objects should be required for tractors equipped for forestry applications.
- (20) While large parts of the requirements laid down in this Regulation have been carried over from repealed directives, important modifications should be introduced where necessary to update to technical progress, extend the scope to further vehicle categories or to increase the level of safety as regards, for example: access to driving position, emergency exits, control devices and their position, operator's manual, warnings, symbols and pictograms, protection against hot surfaces, greasing points, jacking points, engine hood, burning rate of cab material, battery isolators, etc.
- (21) As the scope of Council Directive 80/720/EEC did not include tractors of category T2 and tractors of category T.4.3 with an offset of the cabin of more than 100 mm, the requirements for operating space and the number of emergency exits should be adapted to cover all tractor categories.
- (22) As many of the requirements and test methods carried over from repealed Directives apply only to tractors equipped with pneumatic tyres, specific requirements and test methods should be established for track-laying tractors. This is the case for: driver's perceived noise level, access to the driving position, control devices, etc.
- (23) The same applies to R- and S-category vehicles, for which requirements and test methods should be prescribed for guards and protective devices, operators manual Information, warnings and markings and protection against other mechanical hazards, as tipping operation of trailers.
- (24) In addition, vehicles of categories R and S should comply with the requirements of Directive 2006/42/EC¹⁸ of the European Parliament and of the Council, where applicable.
- (25) As far as the level of safety is maintained, alternative requirements and test procedures should be permitted for tractors equipped with a straddle seat and a handlebar to take into account their specific technical characteristics. This is the case of some of the requirements and test procedures for: driver's seat, control devices and protection of drive components.
- (26) The reference to the requirements in passenger cars' legislation for seat-belt anchorages and safety belts set out in repealed Directive 2003/37/EC should be substituted by requirements adapted to the specificities of agricultural and forestry tractors.
- (27) In order to allow the type-approval authorities to assess the compliance with the requirements for protection against hazardous substances set out in this regulation, these requirements should be based on the level of protection provided by the type of tractor instead of the possible use of a given vehicle. The level of protection required for each

¹⁸ Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24).

particular use of each hazardous substance should be determined in accordance with the relevant EU and/or national legislation.

- (28) In order to ensure that technical services meet the same high level of performance standards in all Member States, this Regulation should set out the standards with which technical services have to comply, as well as the procedure for the assessment of that compliance and for the accreditation of those services.
- (29) For the purposes of national type-approval granted in accordance with Regulation (EU) No 167/2013, Member States should be free to set construction requirements which differ from those provided for in this Regulation. However, they should have the obligation to approve types of vehicles, systems, components and separate technical units compliant with the requirements provided for in this Regulation.
- (30) Several entries of Annex I to Regulation (EU) No 167/2013 should be amended to permit laying down requirements for additional vehicle categories where it is necessary.
- (31) This Regulation should apply from the date of application of Regulation (EU) No 167/2013,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND DEFINITIONS

Article 1

Subject matter

This Regulation establishes the detailed technical requirements and test procedures regarding vehicle design, construction and assembly for the approval of agricultural and forestry vehicles and their systems, components and separate technical units, the detailed arrangements and requirements with regard to type-approval procedures, virtual testing and conformity of production, the technical specifications with regard to access to repair and maintenance information and the performance standards and criteria for the assessment of technical services in accordance with Regulation (EU) No 167/2013.

Article 2

Definitions

The following definitions shall apply:

- (1) 'seat reference point (S)' means the point of intersection in the median longitudinal plane of the seat between the tangential plane at the base of the padded backrest and a horizontal

plane. This horizontal plane intersects the lower surface of the seat 150 mm in front of the seat reference point (S) as determined in Appendix 8 to Annex XIV.

- (2) 'control device' means any device whose direct actuation enables the state or operation of the tractor or of any equipment linked to it to be altered.
- (3) 'shield' means a protective device located immediately in front of a dangerous part and which, either on its own or with other parts of the machine, protects on all sides against contact with the dangerous part.
- (4) 'guard' means a protective device which, by means of a rail, grille or similar device, provides the necessary safety distance preventing contact with the dangerous part.
- (5) 'hood' means a protective device located in front of the dangerous part and which protects against contact with it on the covered side.
- (6) 'firmly attached' means that removal of such devices should be possible only with the aid of tools.
- (7) 'hot surface' means any metal surface of the tractor that reaches, during the normal use envisaged by the Manufacturer, a temperature higher than 85°C or any plastic surface that reaches a temperature higher than 100°C.

CHAPTER II

VEHICLE CONSTRUCTION AND GENERAL TYPE-APPROVAL REQUIREMENTS

Article 3

Manufacturer's general obligations regarding vehicle construction

1. Manufacturers shall equip agricultural and forestry vehicles with systems, components and separate technical units affecting occupational safety that are designed, constructed and assembled so as to enable the vehicle in normal use and maintained according to the prescriptions of the manufacturer to comply with the detailed technical requirements and testing procedures set out in Articles 4 to 32.
2. Manufacturers shall demonstrate by means of physical demonstration testing to the approval authority that the agricultural and forestry vehicles made available on the market, registered or entering into service in the Union comply with the detailed technical requirements and test procedures laid down in Articles 4 to 32.
3. Manufacturers shall ensure that spare parts and equipment that are made available on the market or are entering into service in the Union comply with the detailed technical requirements and test procedures referred to in this Regulation. An approved agricultural and forestry vehicle equipped with such a spare part or equipment shall meet the same test requirements and performance limit values as a vehicle equipped with an original part.

4. Manufacturers shall ensure that type-approval procedures for verifying conformity of production are followed as regards the detailed vehicle construction requirements laid down in this Regulation.

Article 4
Application of UNECE regulations

The UNECE regulations and amendments thereto set out in Annex I to this Regulation shall apply to type-approval of agricultural and forestry vehicles subject to the conditions laid down in this Regulation.

Article 5
Recognition of test reports issued on the basis of OECD Codes for the purposes of EU type-approval

In accordance with Article 50 of Regulation (EU) No 167/2013, the test reports issued on the basis of OECD Codes set out in Annex II to this Regulation shall be recognised for the purpose of EU type approval as an alternative to the test report issued on the basis of this Regulation.

Article 6
Arrangements with regard to type-approval procedures, including the requirements relating to virtual testing

The arrangements with regard to type-approval procedures referred to in Article 20 (8) of Regulation (EU) No 167/2013 and the requirements relating to virtual testing referred to in Article 27(6) of that Regulation shall be laid down in Annex III to this Regulation.

Article 7
Arrangements with regard to conformity of production

The arrangements with regard to conformity of production referred to in Article 28(6) of Regulation (EU) No 167/2013 shall be laid down in Annex IV to this Regulation.

Article 8
Requirements with regard to access to repair and maintenance information

The requirements with regard to access to repair and maintenance information referred to in Article 53(12) of Regulation (EU) No 167/2013 shall be laid down in Annex V to this Regulation.

Article 9
Requirements applying to roll-over protection structures (dynamic testing)

The test procedures and requirements applying to roll-over protection structures as regards dynamic testing for vehicles of categories T1, T4.2 and T4.3 referred to in Article 18(2)(a) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex VI to this Regulation.

Article 10

Requirements applying to roll-over protection structures (track-laying tractors)

The test procedures and requirements applying to roll-over protection structures as regards track-laying tractors for vehicles of categories C1, C2, C4.2 and C4.3 referred to in Article 18(2)(a) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex VII to this Regulation.

Article 11

Requirements applying to roll-over protection structures (static testing)

As an alternative to the requirements laid down in Article 9 and Article 10, manufacturers may choose to comply with the requirements of this Article, where the type of vehicle falls within the field of application set out in Annex VIII to this Regulation. The test procedures and requirements applying to roll-over protection structures as regards static testing for vehicles of categories T1/C1, T4.2/C4.2 and T4.3/C4.3 referred to in Article 18(2)(a) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex VIII to this Regulation.

Article 12

Requirements applying to roll-over protection structures (front mounted roll-over protective structures on narrow-track tractors)

The test procedures and requirements applying to front mounted roll-over protective structures as regards narrow-track tractors for vehicles of categories T2, T3 and T4.3 referred to in Article 18(2)(a) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex IX to this Regulation.

Article 13

Requirements applying to roll-over protection structures (rear mounted roll-over protective structures on narrow-track tractors)

The test procedures and requirements applying to rear mounted roll-over protective structures as regards narrow-track tractors for vehicles of categories T2/C2, T3/C3 and T4.3/C4.3 referred to in Article 18(2)(a) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex X to this Regulation.

Article 14

Requirements applying to falling objects protection structures

The test procedures and requirements applying to falling objects protection structures for vehicles of categories T and C referred to in Article 18(2)(b) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XI to this Regulation.

Article 15

Requirements applying to passenger seats

The test procedures and requirements applying to passenger seats for vehicles of categories T and C referred to in Article 18(2)(c) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XII to this Regulation.

Article 16

Requirements applying to the driver's exposure to noise level

The test procedures and requirements applying to the driver's exposure to noise level for vehicles of categories T and C referred to in Article 18(2)(d) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XIII to this Regulation.

Article 17

Requirements applying to the driving seat

The test procedures and requirements applying to the driving seat for vehicles of categories T and C referred to in Article 18(2)(e) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XIV to this Regulation.

Article 18

Requirements applying to operating space and to access to the driving position

The test procedures and requirements applying to operating space and to access to the driving position for vehicles of categories T and C referred to in Article 18(2)(f) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XV to this Regulation.

Article 19

Requirements applying to power take-offs

The test procedures and requirements applying to power take-offs for vehicles of categories T and C referred to in Article 18(2)(g) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XVI to this Regulation.

Article 20

Requirements applying to the protection of drive components

The test procedures and requirements applying to protection of drive components for vehicles of categories T and C referred to in Article 18(2)(h) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XVII to this Regulation.

Article 21

Requirements applying to seat-belt anchorages

The test procedures and requirements applying to seat-belt anchorages for vehicles of categories T and C referred to in Article 18(2)(i) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XVIII to this Regulation.

Article 22

Requirements applying to safety belts

The test procedures and requirements applying to safety belts for vehicles of categories T and C referred to in Article 18(2)(j) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XIX to this Regulation.

Article 23

Requirements applying to the protection against penetrating objects

The test procedures and requirements applying to the protection against penetrating objects for vehicles of categories T and C referred to in Article 18(2)(k) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XX to this Regulation.

Article 24

Requirements applying to exhaust systems

The test procedures and requirements applying to exhaust systems for vehicles of categories T and C referred to in Article 18(2)(l) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXI to this Regulation.

Article 25

Requirements applying to the operator's manual

The requirements applying to the operator's manual, including aspects relating to the protection against hazardous substances and operation and maintenance of the vehicle, for vehicles of categories T, C, R and S referred to in points (l), (n) and (q) of Article 18(2) of Regulation (EU) No 167/2013 shall be laid down in Annex XXII to this Regulation.

Article 26

Requirements applying to control devices, including safety and reliability of control systems and emergency and automatic stop devices

The test procedures and requirements applying to control devices, including safety and reliability of control systems and emergency and automatic stop devices for vehicles of categories T and C referred to in Article 18(2)(o) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXIII to this Regulation.

Article 27

Requirements applying to the protection against other mechanical hazards

The test procedures and requirements applying to the protection against mechanical hazards, including aspects relating to the protection against rough surfaces, sharp edges and angles, rupture of pipes carrying fluids and uncontrolled movement of the vehicle, other than those mentioned in Articles 9 to 14, 19 and 23 for vehicles of categories T, C, R and S referred to in Article 18(2)(p) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXIV to this Regulation.

Article 28

Requirements applying to guards and protective devices

The test procedures and requirements applying to guards and protective devices for vehicles of categories T, C, R and S referred to in Article 18(2)(r) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXV to this Regulation.

Article 29

Requirements applying to information, warnings and markings

The test procedures and requirements applying to information, warnings and markings, including aspects relating to the warning signals with regard to braking and the operation and maintenance of the vehicle, for vehicles of categories T, C, R and S referred to in Article 18(2)(s) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXVI to this Regulation.

Article 30

Requirements applying to materials and products

The test procedures and requirements applying to materials and products for vehicles of categories T and C referred to in Article 18(2)(t) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXVII to this Regulation.

Article 31

Requirements applying to batteries

The test procedures and requirements applying to batteries for vehicles of categories T and C referred to in Article 18(2)(u) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXVIII to this Regulation.

Article 32

Requirements applying to protection against hazardous substances

The test procedures and requirements applying to protection against hazardous substances for vehicles of categories T and C referred to in Article 18(2)(l) of Regulation (EU) No 167/2013 shall be conducted and verified in accordance with Annex XXIX to this Regulation.

CHAPTER III REQUIREMENTS RELATING TO TECHNICAL SERVICES

Article 33

Performance standards and assessment of technical services

Technical services have to comply with the performance standards and the procedure for their assessment referred to in Article 61 of Regulation (EU) No 167/2013, which shall be verified in accordance with Annex XXX to this Regulation.

Article 34

Permissibility of self-testing

Self-testing by in-house technical services referred to in Article 60(1) of Regulation (EU) No 167/2013 may only be conducted where permitted in Annex III to this Regulation.

CHAPTER IV

NATIONAL TYPE-APPROVAL OF VEHICLES, SYSTEMS, COMPONENTS OR SEPARATE TECHNICAL UNITS

Article 35

National type-approval of vehicles, systems, components or separate technical units

National authorities shall not refuse to grant national type-approval to a type of vehicle, system, component or separate technical unit on grounds relating to the construction requirements where the vehicle, system, component or separate technical unit complies with the requirements set out in this Regulation.

CHAPTER V

FINAL PROVISIONS

Article 36

Amendments to Annex I to Regulation (EU) No 167/2013

Annex I to Regulation (EU) No 167/2013 is amended as follows:

- (1) in row No 39, the entries corresponding to vehicle categories Ca and Cb are replaced by 'X';
- (2) in row No 41, the entries corresponding to vehicle categories T2a and T2b are replaced by 'X';
- (3) in row No 43, the entries corresponding to vehicle categories Ca and Cb are replaced by 'X';
- (4) in row No 44, the entries corresponding to vehicle categories Ca and Cb are replaced by 'X'.

Article 37

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. It shall apply from 1 January 2016.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19.9.2014

For the Commission
The President
José Manuel BARROSO