Consultation on a Proposed European Commission Regulation on the type approval and market surveillance of 2- and 3-wheeled vehicles and quadricycles

Contents

Foreword

1. Your comments are invited on the attached European Commission proposal for a Regulation on the type approval and market surveillance of two- and three-wheel vehicles (motorcycles, mopeds and motor tricycles) and quadricycles and the accompanying UK negotiating stage Impact Assessment (IA).

Executive Summary

2. The Commission's proposed Regulation lays down the legal framework for the type approval and market surveillance of two and three wheelers and quadricycles, it will replace the existing approval framework Directive, 2002/24/EC, and its separate daughter Directives.

3. The proposal focuses on:

- simplifying and improving the type approval process;
- improving safety;
- reducing environmental impacts;
- access to repair and maintenance information and;
- procedures for market surveillance.

4. Simplification will be achieved by repealing existing European Directives and adopting harmonised international standards in their place. Where a proposed measure is not the subject of any existing harmonised standards, technical provisions will be set out in delegated acts attached to the Regulation.

5. Safety measures include the fitment of advanced braking systems such as ABS and combined braking systems (CBS). Existing measures to prevent tampering that might be detrimental to safety or tailpipe emissions will be revised, but detailed requirements will be set out in the delegated acts and will be drafted at a later stage. The existing provision permitting Member States to refuse registration of motorcycles with a power exceeding 74kW has been removed.

6. Environmental measures include new emission limits, requirements on the durability of emission control equipment, limits

on evaporative emissions and On Board Diagnostics to monitor the performance of emission control equipment.

7. The Commission also propose to use a new emissions test cycle reflecting real world riding patterns, and to record CO_2 emissions for use in consumer information.

8. Vehicle manufacturers will be required to make repair and maintenance information available to independent repairers making it easier for them to compete with franchised repairers. Information will also be available to component manufacturers who wish to produce replacement parts for a vehicle.

9. Finally, the Regulation sets out obligations for market surveillance, including recall procedures. These obligations are in-line with the provisions of Decision No 768/2008/EC on a common framework for the marketing of products.

10. The attached negotiating stage Impact Assessment contains a detailed analysis of the costs and benefits of the proposal.

How to Respond

11. The consultation period began on 5 September 2011 and will run until 28 October, please ensure that your response reaches us by that date. However in view of the fact that EU negotiations on this proposal are on-going, early responses would be welcomed.

12. If you would like further copies of this consultation document it can be found at http://www.dft.gov.uk/consultations or you can contact the Department if you would like alternative formats (Braille, audio CD,etc).

13. Please send consultation responses to

International Vehicle Standards
Department for Transport
Zone 1/34
Great Minster House
76 Marsham Street
London
SW1P 4DR
Tel:020 7944 2065
Email: motorcycle.consultation@dft.gsi.gov.uk

14. When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation please make it clear who the organisation represents, and where applicable, how the views of members were assembled.

15. If you have any suggestions of others who may wish to be involved in this process please contact us.

Freedom of Information

16. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

17. If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

18. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

19. The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

The proposals

20. This proposal aims to simplify the approval process for motorcycles, mopeds, tricycles and quadricycles, while improving safety and limiting the emission of exhaust pollutants.

21. Simplification will be achieved by repealing the current framework Directive, 2002/24/EC, its 13 associated technical Directives and their amendments, and replacing them with a new Regulation containing the type approval requirements. Compliance

with harmonised international standards adopted by the UNECE (United Nations Economic Commission for Europe) will ensure technical requirements are still met. A small number of delegated acts will be created containing technical measures not covered by UNECE Regulations. There are expected to be three delegated acts covering:

- Environmental and propulsion performance
- Functional safety
- Vehicle construction

22. There will also be one implementing measure covering the administrative procedures for type approval.

23. Advanced braking is proposed for new types of motorcycle approved from January 2017. Larger bikes, e.g. those over 125cc, will be fitted with ABS while smaller bikes may be fitted with either ABS or combined braking systems (CBS). CBS systems are generally simpler than ABS. They do not prevent wheel lock but ensure that the braking force is always distributed between the front and rear brakes giving better braking performance, especially in situations where the rider has applied only the front or rear brake. The proposal does not require advanced braking on mopeds, tricycles or quadricycles.

24. The proposal requires measures to prevent tampering of a vehicle's power-train with the aim of preventing modifications that may prejudice safety and to prevent damage to the environment. Details of the measures are not included in the proposal and will be laid down later in a delegated act.

25. New lighting measures are proposed requiring the fitment of "Automatic Headlamp On" or daytime running lights. The existing option for Member States to limit the power of motorcycles to 74 kW will be repealed (this option has not been implemented by the UK). The following measures have also been proposed but the technical details will be laid down at a later date in the delegated acts:

- Endurance testing of functional safety systems
- Front and rear protective devices (quadricycles)

- Steer-ability, cornering properties and turn-ability
- Speed limitation plate (quadricycles)
- Vehicle structure integrity
- Handholds and footrests

26. Revisions to vehicle categories have been proposed as shown in annex A. A new category for powered cycles, those with pedals and a continuous rated power between 0.25 and 1 kW is introduced. Motorcycles have been categorised according to the system introduced in the 3rd driving licence directive, 2006/126/ EC. Tricycles and quadricycles have been sub-divided into utility purposes and passenger transport.

27. Environmental measures include three new stages of air pollutant emissions limits which would be mandatory for all new machines on 1st January 2015, 1st January 2018 and 1st January 2021 respectively. Percentage reductions over existing standards vary depending on pollutant and vehicle category, however they are generally around 25%, 50% and 75% reductions at first, second and third stages.

28. Each emissions stage is also accompanied by durability requirements and the second and third stages are accompanied by evaporative emissions limits to control formation of hydrocarbon (HC) emissions by evaporation of fuel. Two stages of On Board Diagnostic systems are also required at the second and third emissions stage. The first stage OBD requirements are met by many new machines already; the second stage requirements require new technology.

29. Finally the Commission propose to mandate use of a new emissions test cycle which better reflects real world riding patterns, and to record CO_2 emissions (as well as air pollutants) on this test cycle for use in consumer information.

30. New responsibilities on those involved in importing, distributing and marketing motorcycles are being introduced to ensure that products remain in conformity with the type approval throughout this process. Requirements on market surveillance are also set out to ensure appropriate action is taken to prevent non-compliant products entering the market.

31. Manufacturers will be obliged to provide independent operators with non-discriminatory access to information on the repair and maintenance of vehicles. Vehicle manufacturers will also be expected to make available to manufacturers of components all information necessary to enable them to obtain type approval.

The Government's View

32. The Government welcomes the objective of a single set of requirements minimising cost, providing simplification and clarity by removing layers of legislation, and access to the widest market for manufacturers.

33. The attached negotiating stage Impact Assessment, examines the proposals in detail to ensure the costs and benefits for the UK are understood. During negotiations officials will be pressing for adequate flexibility in the timetable for changes to technical standards to ensure they are realistic about industry's ability to deliver and to minimise the cost to consumers.

Simplification

34. Simplification will reduce costs on both government and industry and should be supported; however, the Government is seeking flexibility to retain the UK's national single vehicle approval scheme which offers a cost effective route to approve individual vehicles such as home builds.

Functional Safety

35. Advanced braking has the potential to reduce injury accidents by 1655 annually in the UK, saving over £234 million, when fitted to all motorcycles. However, it can also significantly increase the cost of entry level vehicles. The Government will seek to ensure lower cost alternatives are permitted in these cases. Anti-tampering measures are intended to prevent user modifications that increase pollutant emissions or reduce functional safety. While there is some justification where vehicle performance is intentionally restricted, e.g. vehicles intended for learner riders, there is no evidence that anti tampering offers benefits for larger machines. The Government therefore opposes a blanket anti tampering measure.

36. The Regulation gives the Commission powers to lay down detailed technical requirements through delegated acts to ensure a high level of functional safety. The Government is seeking the inclusion of an obligation on the Commission to fully evaluate the impact on industry and consumers for any future technical measure (under delegated acts) on new functional safety items and follow adequate scrutiny processes.

Tailpipe emission stages

37. The Commission's proposal introduces three stages of exhaust air pollutant emissions limits, tightening existing requirements. These would become mandatory for all new vehicles in 2015, 2018 and 2021. The Commission's Impact Assessment argues that these measures are necessary in view of the fact that motorcycles and mopeds represent a disproportionate share of transport Hydrocarbon (HC) and Carbon Monoxide (CO) emissions. It estimated the costs of the 3 stages as €23 billion (£20 billion) for the EU as a whole over a 2010-2020 assessment period. However it does not provide an assessment of the monetised benefits or the effectiveness of these proposals to reducing exceedences of EU air quality objectives.

38. The UK Impact Assessment estimated the costs to be substantially in excess of the benefits. In particular Stage 3 increases costs by £15 million for only an additional £2 million benefit in the 2013-2025 assessment period. Costs and benefits of Stage 1 alone have not been quantified, although annual costs in the 2013-2017 period, prior to the introduction of Stage 2, suggest that costs are around double the benefits for the UK even at Stage 1.

39. In respect of air quality, the UK has no exceedences of EU air quality limits on CO, or the two HC species for which air quality objectives set mandatory limits. As we understand it there are no exceedences of health based air quality objectives for CO anywhere in the EU and exceedences for HC species are also limited. However HC is also a precursor for ground level ozone formation. Exceedences of, non-legally binding, air quality target values on ground level ozone concentrations are common in southern Europe (influenced by climatic conditions).

40. Bearing the poor cost benefit in mind the Government does not support the proposed Stages 2 and 3. However since

manufacturers are already working towards compliance with Stage 1 and it may provide greater benefits in southern Europe than in the UK we can support Stage 1. However, in view of the lack of EU air quality exceedences on CO, the Government does not support any tightening of CO limits relative to existing standards.

Durability of emission control systems

41. The Commission's proposal introduces requirements on the durability of motorcycle and moped emissions control systems for the first time. In principle this should help ensure that emissions reductions are maintained in service, however durability testing could be very time consuming and burdensome, potentially extending model development timescales significantly.

42. For these reasons the Government can support the adoption of durability requirements with Stage 1 emissions limits, provided that measures are taken to minimise test burdens. Passenger car legislation permits manufacturers to use conservative default deterioration factors instead of conducting durability testing and US motorcycle emissions legislation allows extrapolation of emissions durability test results from half of the durability mileage to the full durability distance. We propose that these measures be adopted and that the Commission be tasked with adopting conservative default values by comitology, drawing on deterioration data published by the US Environmental Protection Agency.

Evaporative emissions

43. The Commission has proposed introduction of controls on the evaporation of fuel from motorcycle and moped fuel systems in order to control evaporative HC emissions. The Commission's Impact Assessment estimates the cost of this at €513 million across the whole of the EU over a 2010-2020 assessment period, but does not provide a monetised benefit.

44. The UK Impact Assessment estimates the costs outweigh the benefits to the UK by over 20 times. Although the benefits are likely to be higher in Member States which are warmer and have greater air quality problems with HC species and ozone, it still seems unlikely that these requirements would deliver a net benefit. For this reason the Government does not support these requirements.

On Board Diagnostics

45. The Commission propose the introduction of On Board Diagnostic (OBD) systems to monitor the correct functioning of emissions control systems. Two stages are proposed. OBD-I is relatively simple, requiring the OBD system to check for circuit continuity of electrical components in the emissions control system and that signals from sensors are within the expected range. This is relatively straightforward and has minimal cost and should help in detecting some emissions control failures.

46. OBD-II requires the performance of components of the emissions control system to be monitored for degradation. This will require additional sensors, and there is uncertainty regarding the technical feasibility of some of these sensors. The Commission's Impact Assessment estimated the cost of the two stages of OBD as €1,588 million for the EU as a whole over a 2010-2020 assessment period. It did not however estimate the benefits. These are difficult to quantify as they require assumptions about, currently undetected, component failure rates. The UK Impact Assessment assumes that the cost of OBD-I is negligible, but estimates the cumulative costs of OBD-II at £9 million against benefits of £1 million, both over a 2013-2025 assessment period.

47. In view of the above figures the Government supports the adoption of OBD-I, but not of OBD-II.

CO_2 emissions

48. The proposed recording of CO_2 emissions will not add any cost to existing test procedures and will enable provision of consumer information on the relative fuel economy of motorcycles in the future and should therefore be supported.

Repair and maintenance information

49. Provision of non-discriminatory access to repair and maintenance information is essential for effective functioning of a competitive market for vehicle servicing and repair. The Government strongly supports this element of the Commission's proposal as it delivers substantial net benefits to small and medium sized enterprises in the repair sector and to consumers through reduced servicing costs.

50. However, the obligation to provide repair information need not and should not require vehicle manufacturers to release their intellectual property, and repair information should include bulk information on the components fitted to vehicles.

51. Broadening access to vehicle repair information, such as the ability to reset security and anti-theft devices, carries a risk of increasing vehicle crime. The Commission should develop robust and workable solutions to mitigate vehicle security risks.

52. Finally the obligation to provide all repair information in real time, via website, would be disproportionate on small series manufacturers who should be exempt from these obligations, as they are in the car sector.

Individual approval

53. Individual approval schemes provide a route to national registration for people who build their own vehicles or wish to import a single vehicle from outside the EU. Including IVA within the scope of the regulation is likely to result in an increase in the stringency of the requirements for these vehicles placing a disproportionate burden on individuals and small companies, and significantly increasing vehicle costs. The added cost is unlikely to be proportionate with the potential safety and environmental benefits.

54. The proposed Regulation requires all Member States to introduce a scheme for individual approval however, in some Member States there may be insufficient demand for such a scheme whereas Member States that have schemes in place will be obliged to modify them to comply with the new obligations. Both scenarios are likely to place significant costs on the Member State with no clear benefit.

55. For these reasons vehicles approved though IVA should be outside of the scope of the Regulation and all provisions relating to IVA deleted. This would leave Member States free to set up appropriate IVA schemes based on the needs of their individual markets.

Small series approval

56. The addition of a small series approval scheme will help to protect small business and may even encourage them to enter the market, provided that the measures permit them to operate in an economically viable way. Limits should be placed on the number of vehicles that may be approved through this route to prevent misuse by larger manufacturers but if the limits are too low it will not be cost effective to approve through this route and manufacturers may be dissuaded from entering the market.

57. The proposed text sets different numerical limits for each category of vehicle. These apply across the Union, for example two wheeled motorcycles are limited to 50 vehicles of each type across the EU per year. Two-wheeled mopeds are limited to 20. The current approval framework permits up to 200 vehicles to be registered per year and this offers manufacturers a more realistic volume for the economic production of small series of vehicles.

End-of-series provisions

58. End-of-series provisions set out procedures to permit the entry into services of limited numbers of vehicles where the EU approval is no longer valid, for example due to the effect of transitional provisions. The proposed text limits the number of vehicles to 10% of the number of vehicles registered in the two preceding years or 10 vehicles per member state, whatever is the highest.

59. However the current framework provides Member States with the flexibility to opt for an alternative procedure to limit entry into service to only those vehicles where the approval remained valid for at least 3 months after its issue. This alternative should be retained to avoid unnecessary costs to Member States who currently use it.

Electrically assisted pedal cycles (EAPC)

60. EAPCs are pedal cycles fitted with an electric motor which can provide power assistance to the rider, within prescribed limits. These powered cycles are typically subject to the same restrictions imposed on pedal cycles.

61. There are two types of electric cycle in use in GB, those where power is only supplied while the rider continues to pedal (pedal assist), and those where the power can be provided even when the rider is not pedalling (twist-and-go). Whilst the pedal assist type remains out of scope of the new Regulation, the current proposal would apply approval and registration provisions to twist and go cycles (of the same power and limited speed capability).

62. Twist and go cycles can provide added mobility particularly for the elderly and the Government would like to retain the flexibility to regulate both types of electric cycle nationally. Excluding them from the scope would not preclude a Member State from placing additional restrictions at a national level.

Market surveillance

63. The proposal establishes market surveillance provisions to ensure that where a vehicle presents a serious risk to safety or of increased pollutant emissions, effective measures are taken, including the recall of vehicles. The UK is obliged under Regulation 765/2008/EC, which entered into force in January 2010, to meet these provisions and so there is little scope to negotiate on this issue. However the proposal should not introduce any measures beyond those currently required by existing EU legislation.

Entry into force

64. The Regulation is due to enter into force from January 2013 however the process of drafting and adopting the implementing measures and delegated acts is likely to leave insufficient time for the Government or industry to be ready. We will press the Commission for adequate lead times.

Consultation Questions

65. Your comments and supporting evidence are particularly invited on;

i. The technology assumptions and cost and benefit estimates made in the Impact Assessment (IA) for:

   a. Simplification

   b. Advanced braking

c. Tailpipe emissions

d. Evaporative emissions

e. Durability requirements

f. On board diagnostics

g. Access to repair information

h. Anti-tampering requirements

i. Approval of components which affect functional safety or environmental emissions

j. In-service conformity checking

k. CO_2 and fuel consumption

l. Repeal of 74kW power limit

m. Daytime running lamps

ii. Although not specifically evaluated in the impact assessment we would also welcome your views on the proposed vehicle categories

iii. Whether you foresee any unintended consequences of adopting this Regulation.

66. You may wish to use the form attached at the end of this document in your response.

What will happen next

67. A summary of responses, including the next steps will be published following the close of consultation on http://www.dft.gov.uk/. Paper copies will be available on request. The Government will consider the views expressed in response to this consultation when it reviews its negotiating position on this proposal.

Question and Answer Brief

Q1: What is the purpose of the proposal?

A1: The Commission is aiming to simplify the approval process, improve safety, reduce tail-pipe emissions, introduce provisions on market surveillance and recall of dangerous or defective products and make repair and maintenance information more widely available.

Q2: Do we really need further tightening of motorcycle emissions standards?

A2: The UK impact assessment indicates that motorcycles are only a small contributor to the most important air pollutant emissions and that the Commission's proposed standards are costly for the small benefits they deliver. In order to minimise the net cost of the proposal the Government supports adoption of only the first of the three emissions stages proposed.

Q3: When will the new standards take effect?

A3: The proposed regulation would enter into force from January 2013. The first emissions stage becomes a requirement for new vehicle types from 1 January 2014, the second from 1 January 2017 and the third from 1 January 2020. OBD-I & II and two stages of evaporative emissions limits are introduced with the second and third tailpipe emissions stages. Advanced braking is required from 1 January 2017.

Q4: Will the proposal affect existing vehicles?

A4: No. The proposal will not affect the continued use of existing vehicles in any way.

Q5: What will consumers have to do to ensure the vehicles they purchase comply?

A5: Nothing. Manufacturers will be required to ensure that all vehicles they offer for sale in the EU are compliant.

Q6: How will the proposal affect the cost of motorcycles?

A6: The most likely cost increases will be due to the need to fit additional safety and emission control equipment to the vehicle. Current estimates of the cost of ABS range from £92 to £365 if fitment is mandatory. The variation is likely to indicate differences in the complexity of the available systems. CBS has been estimated to cost between £92 and £243. The additional

equipment costs to meet the three emission stages are estimated at £16, £50 and £128 respectively. The cost of additional equipment to meet evaporative emissions is estimated at £21 and the additional sensors required for OBD II could add up to £47

Q7: How have the costs been assessed?

A7: Costs have been assessed using, where possible, estimates supplied from manufacturers and component suppliers. Unit costs have been converted into annual costs over the lifetime of a vehicle and total costs calculated based on the projected size of the vehicle fleet. Costs have been assessed both annually and over the 2013-2025 period discounting future costs at a rate of 3.5%.

Q8: How have the benefits been assessed?

A8: Safety benefits have been assessed based on a review of existing literature on advanced braking systems and estimates of the casualty population that could be influenced using accident data from the period 2005 to 2009. Standard DfT casualty valuations were used and the annual benefits calculated using the estimated percentage of the fleet equipped. Cumulative benefits between 2013-2025 were then calculated.

Emission savings benefits have been estimated by calculating the annual savings in NOx, CO and HC emissions from motorcycles due to the tighter standards. The emission savings have been monetised using a combination of damage costs and abatement costs. Damage costs are used where emissions savings are assumed to be delivered outside areas where air quality objectives are exceeded. These costs represent estimates of the cost of environmental damage caused by each tonne of pollutant emissions. Abatement costs have been used where emissions savings are assumed to be delivered in areas where air quality objectives are exceeded. These costs are significantly higher than damage costs and represent the cost of taking alternative measures to deliver the same emissions reduction in order to contribute to meeting air quality objectives.

Impact Assessment

68. The negotiating stage Impact Assessment is attached. When responding to the consultation, please comment on the analysis of costs and benefits, giving supporting evidence wherever possible.

69. Please also suggest any alternative methods for reaching the objective and highlight any possible unintended consequences of the policy, and practical enforcement or implementation issues.

The Consultation criteria

70. The consultation is being conducted in line with the Government's Code of Practice on Consultation. The criteria are listed at Annex B except for the consultation period which has been reduced from 12 to 8 weeks to ensure comments are received in time to influence the ongoing discussions.

A full version of the Code of Practice on Consultation is available on the Better Regulation Executive web-site at:

http://www.bis.gov.uk/files/file47158.pdf

71. If you consider that this consultation does not comply with the criteria or have comments about the consultation process please contact:

Consultation Co-ordinator
Department for Transport
Zone 2/25
Great Minster House
London SW1P 4DR

Email address: motorcycle.consultation@dft.gsi.gov.uk

Annex A –Proposed vehicle categories

Category	Category name	Common classification criteria
L1e	Light two-wheel powered vehicle	(1) two wheels and powered by a propulsion as listed under Article 4(3) and (2) engine capacity ≤ 50 cm^3 if a PI engine forms part of the vehicle's propulsion configuration.
Sub-categories	**Subcategory name**	**Supplemental sub-classification criteria:**
L1Ae	Powered cycle	(3) primary aim to aid pedalling and vehicle equipped with an auxiliary propulsion and (4) maximum design speed ≤ 25 km/h and (5) output of auxiliary propulsion is progressively reduced and finally cut off as vehicle reaches a speed of 25 km/h and (6) the auxiliary propulsion has a maximum continuous rated power ≤ 1 kW and (7) powered three-wheel cycles complying with supplemental specific classification criteria (3), (4), (5) and (6) are classified as being technically equivalent to powered two-wheel cycles.
L1Be	Two-wheel moped	(3) maximum design speed ≤ 25 km/h and (4) maximum continuous rated power ≤ 4 kW.
Category	**Category name**	**Common classification criteria**
L2e	Three-wheel moped	(1) three wheels and powered by a propulsion as listed under Article 4(3) and (2) engine capacity ≤ 50 cm^3 if a PI engine forms part of the vehicle's propulsion configuration and (3) maximum design speed ≤ 45 km/h and (4) maximum continuous rated power ≤ 4 kW.

Category	**Category name**	**Common classification criteria**
L3e(2)	Two-wheel motorcycle	(1) two wheels and powered by propulsion as listed under Article 4(3) and (2) engine capacity > 50 cm^3 if a PI engine forms part of the vehicle's propulsion configuration and (3) maximum design speed > 45 km/h and (4) maximum continuous rated power > 4 kW.
Sub-categories	**Subcategory name**	**Supplemental sub-classification criteria:**
L3e - A1	Low-performance motorcycle	(5) engine capacity ≤ 125 cm^3 and (6) maximum continuous rated power ≤ 11 kW and (7) power / weight ratio ≤ 0.1 kW/kg.
L3e - A2	Medium-performance motorcycle	(5) maximum continuous rated power ≤ 35 kW and (6) power / weight ratio ≤ 0.2 kW/kg and (7) not derived from a vehicle equipped with an engine of more than double its power.
L3e - A3	High-performance motorcycle	(5) any other vehicle of the L3e category that cannot be classified according to the performance criteria of subcategories A1 or A2.
Category	**Category name**	**Common classification criteria**
L4e	Two-wheel motorcycle with side-car	(1) base powered vehicle complying with the classification and sub classification criteria for L3e vehicles and (2) base powered vehicle equipped with a side-car.

Category	Category name	Common classification criteria
L5e	Powered tricycle	(1)three wheels and powered by a propulsion as listed under Article 4(3) and (2)if a PI combustion engine makes part of the vehicle's propulsion configuration: an engine capacity > 50 cm^3 and (3)maximum design speed > 45 km/h and (4)maximum continuous rated power > 4 kW.
Sub-categories	**Subcategory name**	**Supplemental sub-classification criteria:**
L5Ae	Tricycle	(5) powered tricycles other than those complying with the specific classification criteria for commercial tricycles.
L5Be	Commercial Tricycle	(5) designed and used as commercial vehicles and characterised by an enclosed driving and passenger compartment accessible via two or more doors.
L5Be - U	Tricycles for utility purposes	(6) exclusively designed for the carriage of goods with an open or enclosed, virtually even and horizontal loading bed that meets one of the following criteria: (1)lengthloading bed x widthloading bed > 0.3 x Lengthvehicle x Widthvehicle or (2)an equivalent loading bed area as defined above used to install machines and/or equipment.
L5Be - P	Tricycle for passenger transport	(6)equipped with two, three or four passenger seating positions, including the seating position for the driver and all seating positions equipped with seat belts.

Category	**Category name**	**Common classification criteria**
L6e	Light quadricycle	(1) four wheels and powered by a propulsion as listed under Article 4(3) and (2) maximum design speed ≤ 45 km/h and (3) the mass in running order ≤ 350 kg, not including: (a) mass of batteries in case of a hybrid or fully electric propelled vehicle or (b) weight of gaseous-fuel system including tanks for gaseous fuel storage in the case of mono- , bi or multi-fuel vehicle or (c) weight of tank(s) to store compressed air in case of pre-compressed air propulsion.
Sub-categories	**Subcategory name**	**Supplemental sub-classification criteria:**
L6Ae	Light on-road quad	(4) category L6e vehicles not complying with the special categorisation criteria for sub category L6Be vehicles and (5) maximum continuous rated power ≤ 4 kW and (6) engine capacity ≤ 50 cm^3 if a PI engine forms part of the vehicle's propulsion configuration.
L6Be	Light mini-car	(4) enclosed driving and passenger compartment accessible via two or more doors and (5) maximum continuous rated power ≤ 6 kW and (6) engine capacity ≤ 50 cm^3 if a PI engine forms part of the vehicle's propulsion configuration and (7) Lengthvehicle x Widthvehicle ≤ 4.4 m^2 with a maximum Width vehicle ≤ 1.5 m.

Sub-categories	Subcategory name	Supplemental sub-classification criteria:
L6Be - U	Light mini-cars for utility purposes	(8) exclusively designed for the carriage of goods with an open or enclosed, virtually even and horizontal loading bed that meets one of the following criteria: (a) lengthloading bed x widthloading bed > 0.3 x Lengthvehicle x Widthvehicle or (b) an equivalent loading bed area as defined above used to install machines and/or equipment.
L6Be - P	Light mini-car for passenger transport	(8) vehicles mainly designed and used for passenger transport, characterised by being equipped with two passenger seating positions, including the seating position for the driver, and both seating positions equipped with seat belts.

Category	Category name	Common classification criteria
L7e	Heavy quadricycle	(1) four wheels and powered by a propulsion as listed under Article 4(3) and (2) maximum design speed > 45 km/h and (3) mass in running order: (a) ≤ 400 kg for transport of passengers; (b) ≤ 550 kg for transport of goods. The mass in running order does not include: (1) mass of the batteries in the case of a hybrid or fully electric-propelled vehicle or (2) weight of a gaseous-fuel system including tanks for gaseous fuel storage in the case of mono- , bi- or multi-fuel vehicles or (3) weight of tank(s) to store compressed air in the case of pre-compressed air propulsion; (4) maximum continuous rated power ≤ 15 kW.
Sub-categories	**Subcategory name**	**Supplemental sub-classification criteria:**
L7Ae	Heavy on-road quad	(5) category L7e vehicles not complying with the specific criteria for subcategory L7Be vehicles and (6) equipped with one or two passenger seating positions, including the seating position for the rider.

Sub-categories	Subcategory name	Supplemental sub-classification criteria:
L7Be	Heavy mini-car	(5) enclosed driving and passenger compartment accessible via two or more doors and (6) equipped with two, three or four passenger seating positions, including the seating position for the rider.
L7Be - U	Heavy mini-car for utility purposes	(7) exclusively designed for the carriage of goods with an open or enclosed, virtually even and horizontal loading bed that meets one of the following criteria: (a) lengthloading bed x widthloading bed > 0.3 x Lengthvehicle x Widthvehicle or (b) an equivalent loading bed area as defined above used to install machines and/or equipment.
L7Be - P	Heavy mini-car for passenger transport	(7) vehicles mainly designed and used for passenger transport, characterised by being equipped with less than or equal to four passenger seating positions, including the seating position for the driver and all seating positions being equipped with seat belts.

Annex B – Consultation Criteria

Criterion 1 When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2 Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3 Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4 Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5 The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6 Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7 Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Annex C – Response form

Title: Mr/Mrs/Miss/Ms/Other (please state):

Name:

Organisation (if applicable):

Address:

Postcode:

E-mail address:

Date:

Please note:

The Department will prepare and publish a summary of all the responses to this consultation letter. Copies of individual responses may also be made available to anyone that requests them.

I am/am not* content for a copy of my response to be made available if requested. Please note that if you ask for your response to be kept confidential this will only be possible if it is consistent with our obligations under the Freedom of Information Act 2000

*please delete as appropriate

Your comments on the following, together with supporting information if available, will help us to refine our impact assessment and provide evidence to inform ongoing negotiations on the proposal.

i. **The technology assumptions and cost estimates in the Impact Assessment (IA);**
Simplification
Advanced braking
Tailpipe emissions
Evaporative emissions

i. The technology assumptions and cost estimates in the Impact Assessment (IA);
Durability requirements
On-board diagnostics
Access to repair information
Anti-tampering requirements

i. The technology assumptions and cost estimates in the Impact Assessment (IA);
Approval of components which affect functional safety or environmental emissions
In-service conformity checking
CO2 and fuel consumption
Repeal of 74 kW power limit
Daytime running lamps

ii. **Whether the proposed vehicle categories are appropriate;**

iii. **Whether you foresee any unintended consequences of adopting this Regulation.**

iv. **Other comments or information**

Please return this form as soon as possible but no later than 28 October to:

International Vehicle Standards
Department for Transport
1/34 Great Minster House
76 Marsham Street
London
SW1P 4DR

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Email: motorcycle.consultation@dft.gsi.gov.uk