

Commission Regulation (EU) No 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers and amending Directive 2007/46/EC of the European Parliament and of the Council (Text with EEA relevance)

Article 1 **U.K.**

Subject matter and scope

[^{F1} This Regulation lays down the requirements for the EC type-approval of motor vehicles and their trailers with regard to their masses and dimensions as well as of certain separate technical units intended for those vehicles.]

2 This Regulation applies to incomplete, complete and completed vehicles of categories M, N and O.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2019/1892 of 31 October 2019 amending Regulation \(EU\) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers \(Text with EEA relevance\)](#).

Article 2 **U.K.**

Definitions

For the purposes of this Regulation, the following definitions shall apply in addition to the definitions set out in Directive 2007/46/EC and Regulation (EC) No 661/2009:

- (1) ‘vehicle type’ means a set of vehicles as defined in Part B of Annex II to Directive 2007/46/EC;
- (2) ‘standard equipment’ means the basic configuration of a vehicle which is equipped with all the features that are required under the regulatory acts referred to in Annex IV and Annex XI to Directive 2007/46/EC, including all features that are fitted without giving rise to any further specifications on configuration or equipment level;
- (3) ‘optional equipment’ means all the features not included in the standard equipment which are fitted to a vehicle under the responsibility of the manufacturer that can be ordered by the customer;
- (4) ‘mass in running order’ means
 - (a) in the case of a motor vehicle:

the mass of the vehicle, with its fuel tank(s) filled to at least 90 % of its or their capacity/ies, including the mass of the driver, of the fuel and liquids, fitted with the standard equipment in accordance with the manufacturer’s

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specifications and, when they are fitted, the mass of the bodywork, the cabin, the coupling and the spare wheel(s) as well as the tools;

(b) in the case of a trailer:

the mass of the vehicle including the fuel and liquids, fitted with the standard equipment in accordance with the manufacturer's specifications, and, when they are fitted, the mass of the bodywork, additional coupling(s), the spare wheel(s) and the tools;

- (5) [^{F2}'mass of the optional equipment' means the maximum mass of the combinations of optional equipment which may be fitted to the vehicle in addition to the standard equipment in accordance with the manufacturer's specifications;]
- (6) 'actual mass of the vehicle' means the mass in running order plus the mass of the optional equipment fitted to an individual vehicle;
- (7) 'technically permissible maximum laden mass' (M) means the maximum mass allocated to a vehicle on the basis of its construction features and its design performances; the technically permissible laden mass of a trailer or of a semi-trailer includes the static mass transferred to the towing vehicle when coupled;
- (8) 'technically permissible maximum laden mass of the combination' (MC) means the maximum mass allocated to the combination of a motor vehicle and one or more trailers on the basis of its construction features and its design performances or the maximum mass allocated to the combination of a tractor unit and a semi-trailer;
- (9) 'technically permissible maximum towable mass' (TM) means the maximum mass of one or more trailers that may be towed by a towing vehicle which corresponds to the total load transmitted to the ground by the wheels of an axle or a group of axles on any trailer coupled to the towing vehicle;
- (10) 'axle' means the common axis of rotation of two or more wheels whether power-driven or freely rotating, and whether in one or more segments located in the same plane perpendicular to the longitudinal centre-line of the vehicle;
- (11) 'group of axles' means a number of axles having an axle spacing that is restricted to one of the axle spacings referred to as distance 'd' in Annex I to Directive 96/53/EC and which interact due to the specific design of the suspension;
- (12) 'solo axle' means an axle that cannot be considered as part of a group of axles;
- (13) 'technically permissible maximum mass on the axle' (m) means the mass corresponding to the maximum permissible static vertical load transmitted to the ground by the wheels of the axle, on the basis of the construction features of the axle and of the vehicle and their design performances;
- (14) 'technically permissible maximum mass on a group of axles' (μ) means the mass corresponding to the maximum permissible static vertical load transmitted to the ground by the wheels of the group of axles, on the basis of the construction features of the group of axles and of the vehicle and their design performances;
- (15) 'coupling' means a mechanical device including component items as defined in points 2.1 to 2.6 of Regulation No 55 of the United Nations Economic Commission for Europe (UNECE) — Uniform provisions concerning the approval of mechanical coupling components of combinations of vehicles⁽¹⁾ and a close-coupling device as defined in point 2.1.1 of UNECE Regulation No 102 — Uniform provisions

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- concerning the approval of I.A close-coupling device (CCD) II. Vehicles with regard to the fitting of an approved type of CCD⁽²⁾;
- (16) ‘coupling point’ means the centre of engagement of the coupling fitted to a towed vehicle within the coupling fitted to a towing vehicle;
- (17) ‘mass of the coupling’ means the mass of the coupling itself and of the parts necessary for the attachment of the coupling to the vehicle;
- (18) ‘technically permissible maximum mass at the coupling point’ means:
- (a) in the case of a towing vehicle, the mass, corresponding to the maximum permissible static vertical load on the coupling point (‘S’ or ‘U’ value) of a towing vehicle, on the basis of the construction features of the coupling and of the towing vehicle;
- (b) in the case of a semi-trailer, a centre-axle trailer or a rigid drawbar trailer, the mass corresponding to the maximum permissible static vertical load (‘S’ or ‘U’ value) to be transferred by the trailer to the towing vehicle at the coupling point, on the basis of the construction features of the coupling and of the trailer;
- (19) ‘mass of the passengers’ means a rated mass depending on the vehicle category multiplied by the number of seating positions including, if any, the seating positions for crew members and the number of standees, but not including the driver;
- (20) ‘mass of the driver’ means a mass rated at 75 kg located at the driver’s seating reference point;
- (21) ‘pay-mass’ means the difference between the technically permissible maximum laden mass and the mass in running order increased by the mass of the passengers and the mass of the optional equipment;
- (22) ‘length’ means the dimension defined in points 6.1.1, 6.1.2 and 6.1.3 of Standard ISO 612:1978; this definition also applies also to articulated vehicles made up of two or more sections;
- (23) ‘width’ means the dimension defined in point 6.2 of Standard ISO 612:1978;
- (24) ‘height’ means the dimension defined in point 6.3 of Standard ISO 612:1978;
- (25) [^{F1}‘wheelbase’ means the following:
- (a) for motor vehicles and drawbar trailers, the horizontal distance between the centre of the first and the last axle;
- (b) for centre-axle trailers, semi-trailers and rigid drawbar trailers, the distance between the vertical axis of the coupling and the centre of the last axle;
- (26) ‘axle spacing’ means the distance between two consecutive axles; for centre axle trailers, semi-trailers and rigid drawbar trailers, the first axle spacing is the horizontal distance between the vertical axis of the front coupling and the centre of the first axle;]
- (27) ‘track’ means the distance referred to in point 6.5 of Standard ISO 612:1978;
- (28) ‘fifth wheel lead’ means the distance referred to in point 6.19.2 of Standard ISO 612:1978, taking into account the note referred to in point 6.19 of the same standard;

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- (29) ‘front fitting radius of semi-trailer’ means the horizontal distance from the axis of the kingpin to any point at the front of the semi-trailer;
- (30) ‘front overhang’ means the horizontal distance between the vertical plane passing through the first axle or the kingpin axle in the case of a semi-trailer and the foremost point of the vehicle;
- (31) ‘rear overhang’ means the horizontal distance between the vertical plane passing through the last rear axle and the rearmost point of the vehicle; where the vehicle is fitted with a coupling that is not removable, the rearmost point of the vehicle is the coupling point;
- (32) ‘length of the loading area’ means the distance from the foremost internal point to the rearmost internal point of the cargo area, measured horizontally in the longitudinal plane of the vehicle;
- (33) [^{F1}‘rear swing-out’ means the distance between the initial point and the actual extreme point reached by the rear end of a vehicle when manoeuvring in the conditions specified in Section 8 of Part B of Annex I or in Section 7 of Part C of that Annex;]
- (34) ‘axle-lift device’ means a mechanism fitted to a vehicle for the purpose of raising the axle clear off the ground and lowering it to the ground;
- (35) ‘lift axle or retractable axle’ means an axle which can be raised from its normal position and re-lowered by an axle-lift device;
- (36) ‘loadable axle’ means an axle the load on which can be varied without the axle being raised by the use of an axle-lift device;
- (37) ‘air suspension’ means a suspension system on which at least 75 % of the spring effect is caused by the air spring;
- (38) ‘class of a bus or of a coach’ means a set of vehicles as defined in points 2.1.1 and 2.1.2 of UNECE Regulation No 107 – Uniform provisions concerning the approval of category M₂ or M₃ vehicles with regard to their general construction⁽³⁾;
- (39) ‘articulated vehicle’ means a vehicle of category M₂ or M₃ as defined in point 2.1.3 of UNECE Regulation No 107;
- (40) ‘indivisible load’ means a load that cannot, for the purposes of carriage by road, be divided into two or more loads without undue expense or risk of damage and which, owing to its mass or dimension, cannot be carried by a vehicle the masses and dimensions of which comply with the maximum authorised masses and dimensions applicable in a Member State^{[F1];}
- (41) [^{F3}‘aerodynamic devices and equipment’ mean devices or equipment that are designed to reduce the aerodynamic drag of road vehicles, with the exception of elongated cabs.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2019/1892 of 31 October 2019 amending Regulation \(EU\) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers \(Text with EEA relevance\)](#).
- F2** Substituted by [Commission Regulation \(EU\) 2017/1151 of 1 June 2017 supplementing Regulation \(EC\) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles \(Euro 5 and Euro 6\) and](#)

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on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (Text with EEA relevance).

F3 Inserted by Commission Regulation (EU) 2019/1892 of 31 October 2019 amending Regulation (EU) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers (Text with EEA relevance).

Article 3 **U.K.**

Obligations of manufacturers

1 The manufacturer shall determine, for each version within a vehicle type, irrespective of the state of completion of the vehicle, the following masses:

- a the technically permissible maximum laden mass;
- b the technically permissible maximum laden mass of the combination;
- c the technically permissible maximum towable mass;
- d the technically permissible maximum mass on the axles or the technically permissible maximum mass on a group of axles;
- e the technically permissible maximum masses at the coupling point(s) taking into account the technical features of the couplings that are fitted or can be fitted to the vehicle as the case may be.

2 When determining the masses referred to in paragraph 1, the manufacturer shall take into account the best practices of good engineering and the best available technical knowledge in order to minimise the risks of mechanical failure, in particular those due to fatigue of materials, and to avoid damage to the road infrastructure.

3 When determining the masses referred to in paragraph 1, the manufacturer shall take into account the maximum speed by construction of the vehicle.

Where the vehicle is equipped by the manufacturer with a speed limitation device, the maximum speed by construction shall be the true speed permitted by the speed limitation device.

4 When determining the masses referred to in paragraph 1, the manufacturer shall not impose restrictions on the use of the vehicle except those concerning the tyre capacities that can be adjusted to the speed by construction as is allowed under UNECE Regulation No 54 — Uniform provisions concerning the approval of pneumatic tyres for commercial vehicles and their trailers⁽⁴⁾ and in Section 5 of Annex II to Commission Regulation (EU) No 458/2011⁽⁵⁾.

5 For incomplete vehicles, including chassis-cabin vehicles, that require a further stage of completion, the manufacturer shall provide all relevant information to the next stage manufacturers so that the requirements of this Regulation continues to be fulfilled.

For the purposes of the first subparagraph, the manufacturer shall specify the position of the centre of gravity of the mass corresponding to the sum of the load.

6 Incomplete vehicles of categories M₂, M₃, N₂ and N₃ not fitted with a bodywork shall be designed so as to allow the subsequent stage manufacturers to be able to fulfil the requirements of Sections 7 and 8 of Part B and Section 6 and 7 of Part C of Annex I.

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Article 4 **U.K.**

Provisions for EC type-approval of a type of vehicle with regard to its masses and dimensions

1 The manufacturer or his representative shall submit to the type-approval authority the application for EC type-approval of a type of vehicle as regard its masses and dimensions.

2 The application shall be drawn up in accordance with the model information document set out in Part A of Annex V.

3 For the purposes of mass distribution calculations, the manufacturer shall provide the type-approval authority, for each technical configuration within the vehicle type as determined by the set of values of the relevant points in Annex V, with the information necessary to identify the following masses:

- a the technically permissible maximum laden mass;
- b the technically permissible maximum mass on the axles or group of axles;
- c the technically permissible maximum towable mass;
- d the technically permissible maximum mass at the coupling point(s);
- e the technically permissible maximum laden mass of the combination.

The information shall be provided in tabular or any other appropriate format, in agreement with the type-approval authority.

4 Where the optional equipment significantly affects the masses and dimensions of the vehicle, the manufacturer shall provide the technical service with the location, mass and geometrical position of the gravity centre with respect to the axles of the optional equipment that can be fitted to the vehicle.

5 By way of derogation from paragraph 4, where the optional equipment is made up of several parts located in various spaces in the vehicle, the manufacturer may provide the technical service with the distribution of the mass of the optional equipment on the axles only.

6 For groups of axles, the manufacturer shall indicate the load distribution among the axles of the total mass applied to the group.

Where necessary, the manufacturer shall state the distribution formulae or produce the relevant distribution graphs.

7 Where the approval authority or the technical service deems it necessary, they may request the manufacturer to make available a vehicle representative of the type to be approved for the purposes of inspection.

8 The vehicle manufacturer may submit an application for recognition of the equivalence of a suspension to air suspension to the type-approval authority.

The type-approval authority shall recognise the equivalence of a suspension to air suspension where the requirements of Annex III are fulfilled.

Where the technical service has recognised the equivalence, it shall issue a test report. The type-approval authority shall attach the test report and a technical description of the suspension to the EC type-approval certificate.

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9 Where the requirements set out in Annexes I to IV, of this Regulation are met, the approval authority shall grant a type-approval in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.

A Member State shall not assign the same number to another vehicle type.

10 For the purposes of paragraph 9, the type-approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part B of Annex V.

11 The permissible deviations referred to in Appendix 2 to Annex I shall apply for the purposes of Article 12(2) of Directive 2007/46/EC

F³ Article 4a U.K.

EC separate technical unit type-approval of aerodynamic devices and equipment

1 The manufacturer or his representative shall submit to the type-approval authority the application for EC type-approval of an aerodynamic device or equipment as a separate technical unit.

The application shall be drawn up in accordance with the model of the information document set out in Part C of Annex V.

2 If the relevant requirements set out in this Regulation are met, the approval authority shall grant an EC separate technical unit type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC

A Member State shall not assign the same number to another type of separate technical unit.

3 For the purposes of paragraph 2, the type-approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part D of Annex V.

Textual Amendments

F3 Inserted by [Commission Regulation \(EU\) 2019/1892 of 31 October 2019 amending Regulation \(EU\) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers \(Text with EEA relevance\).](#)

Article 4b U.K.

EC separate technical unit type-approval mark

Every separate technical unit conforming to a type in respect of which EC separate technical unit type-approval has been granted pursuant to this Regulation shall bear an EC separate technical unit type-approval mark as set out in Part E of Annex V.]

Textual Amendments

F3 Inserted by [Commission Regulation \(EU\) 2019/1892 of 31 October 2019 amending Regulation \(EU\) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated](#)

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cabs and for aerodynamic devices and equipment for motor vehicles and their trailers (Text with EEA relevance).

Article 5 **U.K.**

Registration/in-service maximum permissible masses

1 For the purposes of registration and entry into service of vehicles type-approved under this Regulation, national authorities shall determine, for each variant and version within the type of vehicle, all of the following masses that are permitted for national traffic or for international traffic under Directive 96/53/EC:

- a the registration/in-service maximum permissible laden mass;
- b the registration/in-service maximum permissible mass on the axle(s);
- c the registration/in-service maximum permissible mass on the group of axles;
- d the registration/in-service maximum permissible towable mass;
- e the registration/in-service maximum permissible laden mass of the combination.

National authorities shall establish the procedure for the determination of the registration/in service maximum permissible masses referred to in the first subparagraph. They shall designate the competent authority entrusted with the determination of those masses, and shall specify the information that must be provided to that competent authority.

2 The registration/in-service maximum permissible masses determined in accordance with the procedure referred to in paragraph 1 may not exceed the maximum masses referred to in Article 3(1).

3 The manufacturer shall be consulted by the competent authority as regards the mass distribution on the axles or group of axles in order to ensure the proper functioning of the systems of the vehicle, in particular the brake- and steering system.

4 When determining the registration/in-service maximum permissible masses, national authorities shall ensure that the requirements of the regulatory acts listed in Annex IV and Annex XI to Directive 2007/46/EC continue to be fulfilled.

5 Where national authorities concludes that the requirements of one of the regulatory acts listed in Annex IV and Annex XI to Directive 2007/46/EC, with the exception of this Regulation, are no longer fulfilled, they shall require that fresh tests are conducted and a new type-approval or an extension as the case may be, be granted by the type-approval authority that has granted the initial type-approval under the regulatory act in question.

Article 6 **U.K.**

Derogations

1 Without prejudice to Article 4(3) of Directive 96/53/EC, an EC type-approval may be granted for vehicles the dimensions of which exceed the requirements of this Regulation that are intended for the transport of indivisible loads. In such a case, the type-approval certificate and the certificate of conformity shall clearly indicate that the vehicle is intended for the transport of indivisible loads only.

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2 Member States may grant approvals under Articles 23 and 24 of Directive 2007/46/EC for vehicles exceeding the maximum authorised dimensions set out in point 1.1 of Parts B, C and D of Annex I to this Regulation.

Type-approvals under Article 23 of Directive 2007/46/EC shall be subject to the quantitative limits set out in Section 3 of Part A of Annex XII to that Directive.

Article 7 **U.K.**

Transitional provisions

1 National authorities shall permit the sale and entry into service of vehicles type-approved before the date referred to in Article 13(2) of Regulation (EC) No 661/2009 and shall continue to grant extensions to approvals granted under the terms of Directive 92/21/EEC and Directive 97/27/EC.

2 By way of derogation from paragraph 1, EC type-approvals granted pursuant to Article 7 of Directive 97/27/EC shall cease to be valid on the date referred to in Article 19(1) of Regulation (EC) No 661/2009.

However, Member States may register and permit the sale or entry into service of end-of-series vehicles whose EC type-approval is no longer valid where the manufacturer so requests, in accordance with Article 27 of Directive 2007/46/EC.

3 As from 10 January 2014 manufacturers shall deliver certificates of conformity which are in accordance with this Regulation.

Until 9 January 2014 they shall indicate the actual mass of the vehicle in entry 52 of the certificate of conformity, unless it is indicated in one of the other entries of the certificate of conformity.

Article 8 **U.K.**

Amendments to Directive 2007/46/EC

Annexes I, III, IX, and XVI to Directive 2007/46/EC are amended in accordance with Annex VI to this Regulation.

Annex XII to Directive 2007/46/EC is replaced by Annex VII to this Regulation.

Article 9 **U.K.**

Entry into force

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 to new vehicle types for which type-approval is granted from 1 November 2012.

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

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- (1) OJ L 227, 28.8.2010, p. 1.
- (2) OJ L 351, 20.12.2008, p. 44.
- (3) OJ L 255, 29.9.2010, p. 1.
- (4) OJ L 183, 11.7.2008, p. 41.
- (5) OJ L 124, 13.5.2011, p. 11.

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