

Commission Delegated Regulation (EU) No 134/2014 of 16 December 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to environmental and propulsion unit performance requirements and amending Annex V thereof (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 134/2014

of 16 December 2013

supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to environmental and propulsion unit performance requirements and amending Annex V thereof

(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 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles<sup>(1)</sup>, and in particular Article 18(3), Article 23(12), Article 24(3) and Article 74 thereof,

Whereas:

- (1) The term ‘L-category vehicles’ covers a wide range of light vehicle types with two, three or four wheels, e.g. powered cycles, two- and three-wheel mopeds, two- and three-wheel motorcycles, motorcycles with side-cars and light four-wheel vehicles (quadricycles) such as on-road quads, all-terrain quads and quadrimobiles.
- (2) Regulation (EU) No 168/2013 provides for the possibility of applying regulations of the United Nations Economic Commission for Europe (UNECE) for the purpose of EU whole vehicle type-approval. Under that Regulation, type-approval in accordance with UNECE regulations which apply on a compulsory basis is regarded as EU type-approval.
- (3) The compulsory application of UNECE regulations helps avoiding duplication not only of technical requirements but also of certification and administrative procedures. In addition, type-approval that is directly based on internationally agreed standards could improve market access in third countries, in particular those which are contracting parties 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 or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions (‘Revised 1958 Agreement’), acceded by the Union by Council Decision 97/836/EC<sup>(2)</sup>, and thus enhance the Union industry’s competitiveness. However, to date the available UNECE regulations are either outdated or not existing and therefore these are revisited and upgraded for technical progress.

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*Changes to legislation:* There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 134/2014, Introductory Text. (See end of Document for details)

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- (4) Therefore, Regulation (EU) No 168/2013 provides for the repeal of several directives concerning the approval of L-category vehicles, their systems, components and separate technical units intended for those vehicles in the areas of environmental and propulsion unit performance requirements. For the purposes of EU type-approval those directives should be replaced first with the provisions of this Regulation. On the long term, when the revisiting process at the level of the UN is finished, equivalent UNECE regulations will be available, which then will allow to replace the text of this Regulation with making reference to those UNECE regulations.
- (5) In particular UNECE regulation No 41 on noise emissions of categories L3e and L4e motorcycles was updated in 2011 for technical progress. UNECE regulation No 41 should therefore be made obligatory in EU type-approval legislation and replace Annex III to Chapter 9 of Directive 97/24/EC of the European Parliament and of the Council<sup>(3)</sup> in order for motorcycles to comply with only one set of motorcycle sound requirements, which are world-wide accepted by the contracting parties to the Revised 1958 Agreement. UNECE regulation No 85 on measurement of net power of electric motors should also be made obligatory with the same objective of mutual recognition between the contracting parties to the Revised 1958 Agreement in the area of propulsion unit performance requirements for electric motors.
- (6) The Euro 4 and 5 environmental steps are such measures designed to reduce emissions of particulate matter and ozone precursors such as nitrogen oxides and hydrocarbons. A considerable reduction in hydrocarbon emissions from L-category vehicles is necessary to improve air quality and comply The exhaust system which is granted system type-approval with limit values for pollution, not only directly to significantly reduce the disproportionately high hydrocarbon tailpipe and evaporative emissions from these vehicles, but also to help reduce volatile particle levels in urban areas and possibly also smog.
- (7) One of the measures against excessive hydrocarbon emissions from L-category vehicles is to limit the evaporative emissions to the hydrocarbon mass limits laid down in Annex VI(C) to Regulation (EU) No 168/2013. For this purpose, a type IV test has to be conducted at type-approval in order to measure the evaporative emissions of a vehicle. One of the requirements of the type IV Sealed House evaporative Emission Determination (SHED) test is to fit either a rapidly aged carbon canister or alternatively to apply an additive deterioration factor when fitting a degreened carbon canister. It will be investigated in the environmental effect study referred to in Article 23(4) of Regulation (EU) No 168/2013 whether or not it is cost effective to maintain this deterioration factor as alternative to fitting a representative and rapidly aged carbon canister. If the result of the study demonstrates that this method is not cost-effective a proposal will follow in due course to delete this alternative and should become applicable beyond the Euro 5 step.
- (8) A standardised method for measuring vehicles' energy efficiency (fuel or energy consumption, carbon dioxide emissions as well as electric range) is necessary to ensure that no technical barriers to trade arise between Member States and also to ensure that customers and users are supplied with objective and precise information.

- (9) The methods for measuring propulsion unit performance including the maximum design vehicle speed, maximum torque and maximum continuous total power of L-category vehicles may differ from one Member State to the next, this might constitute barriers to trade within the Union. Therefore, it is necessary to draw up harmonised requirements for methods for measuring the propulsion unit performance of L-category vehicles in order to enable the approval of vehicles, systems, components or separate technical units to be applied for each type of such vehicle.
- (10) Functional safety or environmental requirements call for restrictions on tampering with certain types of L-category vehicles. In order to avoid obstacles to servicing and maintenance by vehicle owners, such restrictions should be strictly limited to tampering which significantly modifies the environmental and propulsion unit performance of the vehicle and functional safety in a harmful way. As harmful tampering of the vehicle's powertrain affects both the environmental and functional safety performance, the detailed requirements regarding propulsion unit performance and noise abatement set out in this Regulation should also be used as reference for enforcement of powertrain tampering prevention.
- (11) Part A of Annex V to Regulation (EU) No 168/2013 makes reference to the 8 test types that allow assessment of the environmental performance of the L-category vehicle to be approved. It is appropriate to set out detailed test requirements in this delegated act as well as to amend Annex V (A) of Regulation (EU) No 168/2013 by linking the test limits agreed by Council and the European Parliament with detailed test procedures and technical requirements set out in this Regulation. A reference to the detailed test procedures and requirements set out in this Regulation should be inserted into Part A of Annex V to Regulation (EU) No 168/2013 by means of the amendments set out in Annex XII of this Regulation.

HAS ADOPTED THIS REGULATION:

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 134/2014, Introductory Text. (See end of Document for details)

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- (1) [OJ L 60, 2.3.2013, p. 52.](#)
- (2) 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 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, 17.12.1997, p. 78](#)).
- (3) [OJ L 226, 18.8.1997, p. 1.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 134/2014, Introductory Text.