

Robert Lloyd Smith
Department for Transport
Zone 1/33
Great Minster House
33 Horseferry Road
London
SW1P 4DR

6 September 2017

Dear Mr Smith,

RoSPA Response to Department of Transport Consultation Paper “Implementing EU regulation 167/2013 on Type Approval of Agricultural Vehicles”

RoSPA supports the proposal for the UK to implement EU Regulation 167/2013 that will introduce compulsory type approval of fast agricultural and forestry tractors, and set (optional) European standards for agricultural and forestry trailers and towed equipment that are towed behind tractors. It also made a number of other changes to the administrative framework and to safety and environmental.

The new requirements introduced by 167/2013 include:

- Requiring manufacturers of fast tractors (category Txb) to obtain type approval for new tractors from 1 January 2018
- Requiring manufacturers to make repair and maintenance information available to franchised dealers and independent repairers in a non-discriminatory way
- Requiring importers and distributors to ensure the legality of vehicles they sell and keep certain records
- Clarifying that “side-by-side” utility vehicles and all-terrain vehicles (ATV, “quad bikes”) can be approved as tractors, although some may be approved under the new Motorcycle Framework, EU Regulation 2013/168 instead, depending on their construction.
- Requiring new tractors to be approved even where they are never used on public roads
- Increased requirements for governments to carry out market surveillance to ensure that vehicles on sale are correctly approved
- Technical standards in new areas such as tractor tyres
- Optional approval for trailers and towed equipment including standards for lighting and braking
- An updated braking standard, requiring a high level of stringency, including requiring new tractors to be fitted with twin hydraulic or twin air connectors providing fail-safe braking of compatible agricultural trailers
- Requiring manufacturers to notify the approval authority of safety recalls
- Procedures for taking a decision to withdraw the type approval of a vehicle that presents a risk to safety.

Penalties

The European regulation also requires Member States, including the UK, to impose penalties on manufacturers who use 'defeat' devices that enable them to circumvent the intent of regulation. It makes it clear that using a "defeat device" is an offence.

RoSPA supports this requirement and agrees that such penalties should be stringent enough to act as a credible deterrent. We also agree that there should also be an offence of registering or placing on the market a vehicle using a defeat device, or other similar functionality, to deliberately circumvent EU Regulation, irrespective of which national authority is used to obtain type approval.

Evidence of Registration

Agricultural motor vehicles are subject to registration with DVLA, like all other motor vehicles used on public roads. Applicants to register vehicles are required to hold evidence of approval, such as an EU Certificate of Conformity, and must supply it when using the V55/4 paper application route. RoSPA agrees that from 1 January 2018, the DVLA should not permit the registration of fast tractors without evidence of type approval.

Other Issues

RoSPA's response to the 2016 consultation, "Introducing Roadworthiness Testing for Fast Tractors and Other Technical Changes to Vehicle Testing Legislation", can be found at <https://www.rospa.com/rospaweb/docs/advice-services/road-safety/consultations/2016/fast-tractors.pdf>.

RoSPA thanks the Department of Transport for the opportunity to comment on the proposals. We have no objection to our response being reproduced or attributed.

Yours sincerely,



Kevin Clinton
Head of Road Safety