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⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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DECISIONS

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Notice concerning the date of entry into force of the Agreement between the European Union and New Zealand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

The Agreement between the European Union and New Zealand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ⁽¹⁾, signed in Brussels on 20 July 2022, entered into force on 28 January 2023.

⁽¹⁾ OJ L 328, 22.12.2022, p. 61.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2023/314

of 25 October 2022

amending the regulatory technical standards laid down in Delegated Regulation (EU) 2016/2251 as regards the date of application of certain risk management procedures for the exchange of collateral

(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 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories ⁽¹⁾, and in particular Article 11(15) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2016/2251 ⁽²⁾ specifies, among others, the risk-management procedures, including the levels and type of collateral and segregation arrangements referred to in Article 11(3) of Regulation (EU) No 648/2012, that financial counterparties are required to have for the exchange of collateral, with respect to their over-the-counter (OTC) derivative contracts not cleared by a central counterparty.
- (2) Article 36(2), point (a), and Article 37(3), point (a), of Delegated Regulation (EU) 2016/2251 provide for a deferred date of application of the bilateral margin requirements for OTC derivative contracts that are not cleared by a central counterparty and that are concluded between counterparties which are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union. That deferred date of application was necessary to ensure that such OTC derivative contracts were not subject to the bilateral margin requirements before the adoption of an implementing act pursuant to Article 13(2) of Regulation (EU) No 648/2012.
- (3) So far, eight implementing acts have been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012. However, efforts are still being undertaken to analyse any other relevant third-country jurisdictions in relation to which any such implementing act may be warranted. The immediate application of the bilateral margin requirements for OTC derivative contracts that are not cleared by a central counterparty and that are concluded between counterparties which are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union without the adoption of implementing acts as referred to in Article 13(2) of Regulation (EU) No 648/2012, would, however have detrimental economic impacts on Union counterparties. The application of the bilateral margin requirements for non-centrally cleared OTC derivative intragroup contracts should therefore be further deferred.
- (4) Delegated Regulation (EU) 2016/2251 should therefore be amended accordingly.
- (5) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Banking Authority, the European Insurance and Occupational Pensions Authority and the European Securities and Markets Authority (the ESAs).

⁽¹⁾ OJ L 201, 27.7.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2016/2251 of 4 October 2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories with regard to regulatory technical standards for risk-mitigation techniques for OTC derivative contracts not cleared by a central counterparty (OJ L 340, 15.12.2016, p. 9).

- (6) The amendments to Delegated Regulation (EU) 2016/2251 are limited adjustments of the existing regulatory framework. Given the limited scope of those amendments and the urgency of the matter, it would be highly disproportionate for the ESAs to conduct open public consultations or analyses of the potential related costs and benefits. The ESAs nevertheless requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽³⁾, the advice of the Insurance and Reinsurance Stakeholder Group and the Occupational Pensions Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council ⁽⁴⁾, and the advice of the Securities and Markets Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽⁵⁾.
- (7) To provide market participants with legal certainty as quickly as possible, this Regulation should enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2016/2251

Delegated Regulation (EU) 2016/2251 is amended as follows:

- (1) in Article 36(2), point (a) is replaced by the following:
- ‘(a) from 30 June 2025 where no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 11(3) of that Regulation in respect of the relevant third country;’
- (2) in Article 37(3), point (a) is replaced by the following:
- ‘(a) from 30 June 2025 where no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 11(3) of that Regulation in respect of the relevant third country;’.

Article 2

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 25 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽⁴⁾ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

⁽⁵⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

COMMISSION DELEGATED REGULATION (EU) 2023/315**of 25 October 2022****amending the regulatory technical standards laid down in Delegated Regulations (EU) 2015/2205, (EU) No 2016/592 and (EU) 2016/1178 as regards the date at which the clearing obligation takes effect for certain types of contracts****(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 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Commission Delegated Regulations (EU) 2015/2205 ⁽²⁾, (EU) 2016/592 ⁽³⁾ and (EU) 2016/1178 ⁽⁴⁾ specify, among others, the dates from which the clearing obligation for contracts pertaining to the classes of over-the-counter (OTC) derivatives set out in the Annexes to those Delegated Regulations take effect. Article 3(2), first subparagraph, point (a), of those Delegated Regulations contain deferred dates of application for the clearing obligation for OTC derivative contracts concluded between counterparties which are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union. Those deferred dates of application were necessary to ensure that such OTC derivative contracts were not subject to the clearing obligation before the adoption of an implementing act pursuant to Article 13(2) of Regulation (EU) No 648/2012.
- (2) To this date, no implementing act pursuant to Article 13(2) of Regulation (EU) No 648/2012 has yet been adopted in relation to the clearing obligation. The application of the clearing obligation for OTC derivative contracts concluded between counterparties which are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union, without the adoption of the implementing act referred to Article 13(2) of Regulation (EU) No 648/2012, would have a detrimental economic impact on Union counterparties. The application of the clearing obligation for OTC derivative intragroup contracts with a third-country counterparty should therefore be further deferred.
- (3) Delegated Regulations (EU) 2015/2205, (EU) No 2016/592 and (EU) 2016/1178 should therefore be amended accordingly.
- (4) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Securities and Markets Authority (ESMA).

⁽¹⁾ OJ L 201, 27.7.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2015/2205 of 6 August 2015 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation (OJ L 314, 1.12.2015, p. 13).

⁽³⁾ Commission Delegated Regulation (EU) 2016/592 of 1 March 2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation (OJ L 103, 19.4.2016, p. 5).

⁽⁴⁾ Commission Delegated Regulation (EU) 2016/1178 of 10 June 2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation (OJ L 195, 20.7.2016, p. 3).

- (5) The amendments to Delegated Regulations (EU) 2015/2205, (EU) No 2016/592 and (EU) 2016/1178 are limited adjustments of the existing regulatory framework. Given the limited scope of those amendments and the urgency of the matter, it would be highly disproportionate for ESMA to conduct open public consultations or analyses of the potential related costs and benefits. ESMA nevertheless requested the advice of the Securities and Markets Stakeholder Group established by Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽⁹⁾ and consulted the European Systemic Risk Board.
- (6) To provide market participants with legal certainty as quickly as possible, this Regulation should enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Delegated Regulation (EU) 2015/2205

In Article 3(2), first subparagraph, of Delegated Regulation (EU) 2015/2205, point (a) is replaced by the following:

- ‘(a) 30 June 2025 in case no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country;’.

Article 2

Amendment to Delegated Regulation (EU) 2016/592

In Article 3(2), first subparagraph, of Delegated Regulation (EU) 2016/592, point (a) is replaced by the following:

- ‘(a) 30 June 2025 in case no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country;’.

Article 3

Amendment to Delegated Regulation (EU) 2016/1178

In Article 3(2), first subparagraph, of Delegated Regulation (EU) 2016/1178, point (a) is replaced by the following:

- ‘(a) 30 June 2025 in case no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country;’.

Article 4

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽⁹⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

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

Done at Brussels, 25 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2023/316**of 6 February 2023****entering a name in the register of protected designations of origin and protected geographical indications ('Goranski medun' (PDO))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Croatia's application to register the name 'Goranski medun' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Goranski medun' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Goranski medun' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 6 February 2023.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 397, 17.10.2022, p. 15.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2023/317**of 6 February 2023****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Colline di Romagna' (PDO))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(1) of Regulation (EU) No 1151/2012 in conjunction with the first subparagraph of Article 53(1) thereof, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Colline di Romagna', registered under Commission Regulation (EC) No 1491/2003 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no reasoned statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Colline di Romagna' (PDO) are hereby approved.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 6 February 2023.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 1491/2003 of 25 August 2003 supplementing the Annex to Regulation (EC) No 2400/96 (Ficodindia dell'Etna, Monte Etna, Colline di Romagna, Pretuziano delle Colline Teramane, Torta del Casar, Manzana de Girona or Poma de Girona) (OJ L 214, 26.8.2003, p. 6).

⁽³⁾ OJ C 397, 17.10.2022, p. 20.

COMMISSION IMPLEMENTING REGULATION (EU) 2023/318**of 6 February 2023****approving Union amendment to the specification for a Protected Designation of Origin or a Protected Geographical Indication ('Almansa' (PDO))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation ⁽¹⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) The Commission has examined the application for the approval of Union amendment to the product specification for the Protected Designation of Origin 'Almansa', forwarded by Spain in accordance with Article 97(2) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽²⁾ in conjunction with the first subparagraph of Article 105(3) of that Regulation.
- (2) The Commission has published the application for the approval of the Union amendment to the product specification in the *Official Journal of the European Union* ⁽³⁾, as required by Article 97(4) of Regulation (EU) No 1308/2013 in conjunction with the first subparagraph of Article 105(3) of that Regulation.
- (3) No reasoned statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.
- (4) The Union amendment to the product specification should therefore be approved in accordance with Article 99 of Regulation (EU) No 1308/2013,

HAS ADOPTED THIS REGULATION:

Article 1

The amendment to the product specification published in the *Official Journal of the European Union* regarding the name 'Almansa' (PDO) is hereby approved.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 9, 11.1.2019, p. 2.

⁽²⁾ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

⁽³⁾ OJ C 369, 27.9.2022, p. 7.

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

Done at Brussels, 6 February 2023.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2023/319

of 9 February 2023

accepting a request submitted by the Italian Republic pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council for non-application of point 7.4.2.3, paragraph 3(b), of the Annex to Commission Regulation (EU) 2016/919 for fifteen vehicles V250 Italia/ETR700

(notified under document C(2023) 875)

(Only the Italian version is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union ⁽¹⁾, and in particular Article 7(4) thereof,

Whereas:

- (1) On 29 June 2022, Italy submitted to the Commission a request for temporary non-application of point 7.4.2.3, paragraph 3(b), of the Annex to Commission Regulation (EU) 2016/919 ⁽²⁾, which requires the installation of the European Train Control System (ETCS) Baseline 3 after 1 July 2023 for vehicle types authorised before 1 January 2019. This request was submitted on the basis of Article 7(1), point (c), of Directive (EU) 2016/797, which provides for the possibility of non-application due to the risk to compromise the economic viability of the project. The request for temporary non-application concerns fifteen new vehicles V250 Italia/ETR700 with identification numbers 4810, 4804, 4814, 4815, 4881, 4812, 4813, 4811, 4806, 4883, 4816, 4809, 4802, 4801, and 4807, supplied by AnsaldoBreda S.p.A. Those fifteen vehicles belong to a fleet of seventeen vehicles V250 Italia / ETR700 owned by Trenitalia.
- (2) Point 7.4.2.3 of the Annex to Regulation (EU) 2016/919 establishes a transition phase to facilitate the transition from ETCS Baseline 2 toward ETCS Baseline 3. It allows the installation of ETCS Baseline 2 until 31 December 2020 regarding vehicles included in projects or contracts which started before the date of application of the technical specifications for interoperability laid down in Regulation (EU) 2016/919. If the option for delaying Baseline 3 is used, the project is to ensure compliance with set specifications #2 or #3 listed in Table A2 of Annex A to Regulation (EU) 2016/919 within a period of time not exceeding 1 July 2023.
- (3) The fifteen V250 vehicles referred to in the request were ordered on 4 August 2017 (contract number 3807) by Trenitalia as part of a seventeen-vehicles fleet of V250 to be delivered between May 2019 and the end of 2020, that is by the final date set in point 7.4.2.3, paragraph 3(a) of the Annex to Regulation (EU) 2016/919. Those fifteen vehicles installed ETCS Baseline 2 and were authorised in conformity to a type authorisation before 31 December 2020.
- (4) The migration of the fleet from Baseline 2 to Baseline 3 was initially scheduled for mid-2023 in line with the regular maintenance and operation of the vehicles within the fleet. However, the COVID-19 pandemic had a detrimental effect on the scheduled maintenance process of the vehicles concerned. As a result, the planning of the maintenance process of those vehicles needed to be rescheduled beyond 1 July 2023.

⁽¹⁾ OJ L 138, 26.5.2016, p. 44.

⁽²⁾ Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

- (5) If the request for non-application of point 7.4.2.3, paragraph 3(b), of the Annex to Regulation (EU) 2016/919 were not accepted, the operator would be obliged to install ETCS Baseline 3 in the fifteen vehicles, temporarily retiring them from service beyond the normal scheduled maintenance. That would have an economic impact in the missing income due to the inability to provide the scheduled commercial service and due to higher costs of an upgrade operation outside of the normal maintenance activity. It would also have a negative socio-economic impact on Trenitalia customers due to the disruption of the service caused by the maintenance activity outside of the planned schedule.
- (6) The manufacturer of the fifteen vehicles, AnsaldoBreda, and their owner, Trenitalia, have committed to an engineering and installation plan to upgrade those vehicles and the remaining fleet with on-board equipment of the new ETCS Baseline 3. According to the most recent planning forecast supplied by them, the upgrade to ETCS Baseline 3 should be completed by 31 December 2025.
- (7) The delay in the migration will not affect interoperability, as vehicles are already equipped with ETCS Baseline 2. ETCS trackside is set at Baseline 2 and will gradually migrate to Baseline 3 until 2026, according to Italy's ERTMS national implementation plan.
- (8) For those reasons, the conditions laid down in Article 7(1), point (c), and Article 7(4) of Directive (EU) 2016/797 should be considered as fulfilled for the fifteen vehicles concerned. Therefore, the request submitted by Italy not to apply temporary point 7.4.2.3, paragraph 3(b), of the Annex to Regulation (EU) 2016/919 to those vehicles and to defer the migration from ETCS Baseline 2 to Baseline 3 by 31 December 2025 should be accepted.
- (9) Italy committed to informing the Commission of the planning for and progress in upgrading the vehicles by 31 December of each year.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 51(1) of Directive (EU) 2016/797,

HAS ADOPTED THIS DECISION:

Article 1

The request for non-application until 31 December 2025 of point 7.4.2.3, paragraph 3(b), of the Annex to Regulation (EU) 2016/919, submitted to the Commission by the Italian Republic on 29 June 2022, is accepted for fifteen vehicles V250 Italia/ETR700 with identification numbers 4810, 4804, 4814, 4815, 4881, 4812, 4813, 4811, 4806, 4883, 4816, 4809, 4802, 4801, and 4807.

Article 2

Italy shall inform the Commission of the planning for and progress in upgrading the vehicles by 31 December of each year.

Article 3

This Decision shall apply within the geographic limits of the Italian railway network.

Article 4

This Decision is addressed to the Italian Republic.

It shall apply until 31 December 2025.

Done at Brussels, 9 February 2023.

For the Commission
Adina-Ioana VĂLEAN
Member of the Commission

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at: <https://unece.org/status-1958-agreement-and-annexed-regulations>

UN Regulation No 41 – Uniform provisions concerning the approval of motor cycles with regard to noise [2023/320]

Incorporating all valid text up to:

Supplement 1 to the 05 series of amendments – Date of entry into force: 7 January 2022

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1. SCOPE

This Regulation applies to vehicles of category L₃ ⁽¹⁾ with regard to noise.

The specifications in this Regulation are intended to reproduce the sound levels which are generated by vehicles during normal driving in urban traffic.

This Regulation provides, as well, Real Driving Additional Sound Emission Provisions (RD-ASEP) for vehicles of category L₃ referring to typical on road driving conditions including high accelerations and engine loads for urban and suburban traffic, except for highways situations.

2. DEFINITIONS, TERMS AND SYMBOLS

For the purpose of this Regulation

2.1. '*Approval of a motorcycle*' means the approval of a motorcycle type with regard to noise;

2.2. '*Type of motorcycle as regards its sound level*' means motorcycles which do not differ in such essential respects as the following:

2.2.1. The type of engine (two-stroke or four-stroke, reciprocating piston engine or rotary-piston engine, number and capacity of cylinders or rotors, number and type of carburetors or injection systems, arrangement of valves, rated maximum net power and corresponding engine speed). For rotary-piston engines the cubic capacity should be taken to be double of the volume of the chamber;

2.2.2. Transmission system, in particular the number and ratios of the gears and the overall gear ratio taking into account the rear wheel circumference.

2.2.3. Configurations and arrangements of exhaust or silencing systems.

2.3. '*Exhaust or silencing system*' means a complete set of components necessary to limit the noise caused by a motorcycle engine and its exhaust.

2.3.1. '*Original exhaust or silencing system*' means a system of a type fitted to the vehicle at the time of type approval or extension of type approval. It may also be the vehicle manufacturer's replacement part.

2.3.2. '*Non-Original Replacement Exhaust or Silencing System (NORESS)*' means a system of a type other than that fitted to the vehicle at the time of type approval or extension of type approval.

2.4. '*Exhaust or silencing systems of differing configurations*' means systems which are fundamentally different in one of the following ways:

2.4.1. Systems comprising components bearing different factory or trademarks;

2.4.2. Systems comprising any component made of materials of different characteristics or comprising components which are of a different shape or size;

2.4.3. Systems in which the operating principles of at least one component are different;

2.4.4. Systems comprising components in different combinations.

⁽¹⁾ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.6, para. 2 – www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html.

- 2.5. '*Component of an exhaust or silencing system*' means one of the individual components which together form the exhaust system (such as exhaust pipework, the silencer proper) and the intake system (air filter) if any.

If the engine has to be equipped with an intake system (air filter and/or intake noise absorber) in order to comply with the maximum permissible sound levels, the filter and/or absorber shall be treated as components having the same importance as the exhaust system.

- 2.6. '*Kerb mass*' (as defined in section 4.1.2 of ISO 6726: 1988) means the mass of the vehicle ready for normal operation and fitted with the following equipment:

- (a) Full electrical equipment including the lighting and signalling devices supplied by the manufacturer;
- (b) All instruments and fittings required by any legislation in respect of which a measurement of the vehicle dry mass is being made;
- (c) Full complement of liquids to ensure the correct functioning of every part of the vehicle and the fuel tank filled at least to 90 percent of the capacity specified by the manufacturer;
- (d) Auxiliary equipment usually supplied by the manufacturer in addition to that necessary for normal operation (tool-kit, carrier(s), windscreen(s), protective equipment, etc.)

Notes:

1. In the case of a vehicle which operates on a fuel/oil mixture:

1.1. Where the fuel and oil are premixed, the word 'fuel' is interpreted as including such premixture of fuel and oil;

1.2. Where the fuel and oil are separately metered, the word 'fuel' is interpreted as including only the petrol. [The 'oil', in this case, is already included in subparagraph (c) of this paragraph.]

- 2.7. '*Rated maximum net power*' means the rated engine power as defined in ISO 4106:2004.

The symbol P_n denotes the numerical value of the rated maximum net power expressed in kilowatts.

- 2.8. '*Rated engine speed*' means the engine speed at which the engine develops its rated maximum net power as stated by the manufacturer.

The symbol S denotes the numerical value of the rated engine speed expressed in revolutions per minute (^(?)).

- 2.9. '*Power-to-mass ratio index*' means the ratio of the rated maximum net power of a vehicle to its mass. It is defined as:

$$PMR = (P_n / (m_{\text{kerb}} + 75)) * 1\ 000$$

Where m_{kerb} is the numerical value of the kerb mass as defined in paragraph 2.6 above, expressed in kilograms.

The symbol PMR denotes the power-to-mass ratio index.

- 2.10. '*Maximum speed*' means the maximum vehicle speed as defined in ISO 7117:1995.

The symbol v_{max} denotes the maximum speed.

- 2.11. '*Locked gear*' means the control of the transmission such that the transmission gear ratio cannot change during a test.

(?) If the rated maximum net power is reached at several engine speeds, S is used in this Regulation as the highest engine speed at which the rated maximum net power is reached.

2.12. 'Engine' means the power source of the vehicle without detachable accessories.

2.13. Following is a table containing all symbols used in this Regulation:

Symbol	Units	Explanation	Reference
AA'	–	virtual line on the test track	Annex 4 – Figure 1
a_{wot}	m/s^2	calculated acceleration	Annex 3 – 1.4.2.
$a_{wot,ref}$	m/s^2	prescribed reference acceleration	Annex 3 – 1.3.3.3.1.2.
a_{urban}	m/s^2	prescribed target acceleration	Annex 3 – 1.3.3.3.1.2.
BB'	–	virtual line on the test track	Annex 4 – Figure 1
CC'	–	virtual line on the test track	Annex 4 – Figure 1
K	–	gear weighting factor	Annex 3 – 1.4.3.
k_p	–	partial power factor	Annex 3 – 1.4.4.
L	dB(A)	sound pressure level	Annex 3 – 1.4.1.
$L_{wot(i)}$	dB(A)	L at wot condition	Annex 3 – 1.4.6.
L_{ASEP}	dB(A)	L at RD-ASEP additional operating conditions	Annex 7 – 3.3.3.2.
l_{PA}	m	pre-acceleration length	Annex 3 – 1.3.3.1.1.
m_{kerb}	kg	kerb mass of the vehicle	2.6.
m_t	kg	test mass of the vehicle	Annex 3 – 1.3.2.2.
n	min^{-1}	engine speed	
$n_{PP'}$	min^{-1}	engine speed at PP'	Annex 7 – 2.6.
n_{idle}	min^{-1}	engine speed at idle	–
$n_{wot(i)}$	min^{-1}	$n_{PP'}$ measured at $L_{wot(i)}$ detection	Annex 7 – 2.6.
PP'	–	virtual line on the test track	Annex 4 – Figure 1
PMR	–	power-to-mass ratio index	2.9.
P_n	kW	rated maximum net power	2.7.
S	min^{-1}	rated engine speed	2.8.
V	km/h	measured vehicle speed	–
v_{max}	km/h	maximum speed	2.10.
v_{test}	km/h	prescribed test speed	Annex 3 – 1.3.3.1.1.

The following indices are used for engine speeds 'n' and vehicle speeds 'v' to indicate the location or rather time of the measurement:

- AA' denoting that the measurement corresponds to the point in time when the front of the vehicle passes the line AA' (see Annex 4 – Figure 1); or
- PP' denoting that the measurement corresponds to the point in time when the front of the vehicle passes the line PP' (see Annex 4 – Figure 1); or
- BB' denoting that the measurement corresponds to the point in time when the rear of the vehicle passes the line BB' (see Annex 4 – Figure 1).

The following indices are used for calculated full throttle accelerations a_{wot} and measured sound pressure levels L to indicate the gear used for the test:

- (a) 'i' denoting, in the case of a two-gear test, the lower gear (i.e. the gear with the higher gear transmission ratio) and otherwise referring to the single test gear or gear selector position used; or
- (b) 'i + 1' denoting, in the case of a two-gear test, the higher gear (i.e. the gear with the lower gear transmission ratio).

Measured sound pressure levels L also carry an index indicating the type of the respective test:

- (a) 'Wot' denoting a full throttle acceleration test (see paragraph 1.3.3.1.1 of Annex 3); or
- (b) 'CRS' denoting a constant speed test (see paragraph 1.3.3.3.2 of Annex 3); or
- (c) 'Urban' denoting a weighted combination of a constant speed test and a full throttle acceleration test (see paragraph 1.4.6.2 of Annex 3).

The index 'j' referring to the number of the test run can be used in addition to the indices mentioned above.

3. APPLICATION FOR APPROVAL

- 3.1. The application for approval of a motor cycle type with regard to its sound emissions shall be submitted by its manufacturer or by his duly accredited representative.
- 3.2. It shall be accompanied by the under mentioned documents in triplicate and the following particulars:
 - 3.2.1. A description of the motor cycle type with regard to the items mentioned in paragraph 2.2 above. The numbers and/or symbols identifying the engine type and the motor cycle type shall be specified; a description of the motor cycle type with regard to the items mentioned in paragraph 2.2 above. The numbers and/or symbols identifying the engine type and the motor cycle type shall be specified;
 - 3.2.2. A list of the components, duly identified, constituting the exhaust or silencing system;
 - 3.2.3. A drawing of the assembled exhaust or silencing system and an indication of its position on the motor cycle;
 - 3.2.4. Drawings of each component to enable it to be easily located and identified, and a specification of the materials used;
 - 3.2.5. Cross-sectional drawings indicating the dimensions of the exhaust system. A copy of these drawings shall be appended to the certificate referred to in Annex 1.
- 3.3. Respective documents mentioned in paragraph 3.2 above shall be prepared for each exhaust or silencing system configuration, if multiple configurations are applicable to the motorcycle type to be approved.
- 3.4. At the request of the technical service responsible for conducting approval tests in agreement with the type approval authorities, the motorcycle manufacturer shall, in addition, submit a sample of the exhaust or silencing system(s).
- 3.5. All motorcycle(s) representative of the same type with all possible exhaust or silencing system configurations to be approved shall be submitted to the technical service responsible for conducting approval tests in agreement with the type approval authorities.

3.6. A test report from the Technical Service conducting the type approval test shall be submitted to the Type Approval Authority. This test report shall at least include the following information:

- (a) Details of the test site (e.g. surface temperature, absorption coefficient, etc.), test site location, site orientation and weather conditions including wind speed and air temperature, direction, barometric pressure, humidity;
- (b) The type of measuring equipment including the windscreen;
- (c) The A-weighted sound pressure level typical of the background noise;
- (d) The identification of the vehicle, its engine, its transmission system, including available transmission ratios, size and type of tyres, tyre pressure, type approval number of the tyres (if available) or tyre manufacturer and commercial description of the tyres (i.e. trade name, speed index, load index), rated maximum net power, test mass, power to mass ratio index, $a_{wot\ ref}$, a_{urban} , vehicle length;
- (e) The transmission gears or gear ratios used during the test;
- (f) For tests according to Annex 3 of this Regulation and for the reference points tests of Annex 7 paragraph 3.2 the vehicle speed and engine speed at the beginning of the period of acceleration and the location of the beginning of the acceleration per gear used;
- (g) For tests according to Annex 3 of this Regulation and according to the reference points test of Annex 7 paragraph 3.2 the vehicle speed and engine speed at PP' and at the end of the acceleration per valid measurement;
- (h) For tests according to Annex 7, paragraph 3.3 the vehicle speed and the engine speed at lines AA', PP' and BB';
- (i) For tests according to Annex 7, paragraph 3.3 the approach condition to line AA' (acceleration, deceleration or constant speed) and the prescribed throttle control position (in % of throttle control opening) between lines AA' and BB';

Note: This is a description of the prescribed throttle control operation. The actual throttle control operation during a test run will not be recorded but assessed by observation only;

- (j) The method used for calculation of the acceleration;
- (k) The intermediate measurement results $a_{wot(i)}$, $a_{wot(i+1)}$, $L_{wot(i)}$, $L_{wot(i+1)}$, $L_{crs(i)}$ and $L_{crs(i+1)}$, if applicable;
- (l) The weighting factors k and k_p and the final measurement results L_{wot} , L_{crs} , L_{urban} and L_{ASEP} ;
- (m) The auxiliary equipment of the vehicle, where appropriate, and its operating conditions;
- (n) All valid A-weighted sound pressure level values measured for each test, listed according to the side of the vehicle and the direction of the vehicle movement on the test site; and
- (o) All relevant information necessary to obtain the different sound emission levels.

4. MARKINGS

4.1. The components of the exhaust or silencing system shall bear at least the following identifications:

4.1.1. The trade name or mark of the manufacturer of the exhaust or silencing system and of its components;

4.1.2. The trade description given by the manufacturer;

4.1.3. The identifying part numbers; and

- 4.1.4. For all original silencers, the 'E' mark followed by the identification of the country which granted the component type approval ⁽³⁾.
- 4.1.5. Any packing of original replacement exhaust or silencing systems shall be marked legibly with the words 'original part' and the make and type references integrated together with the 'E' mark and also the reference of the country of origin.
- 4.1.6. Such markings shall be indelible, clearly legible and also visible, in the position at which it is to be fitted to the vehicle.
5. APPROVAL
- 5.1. If the motor cycle type submitted for approval pursuant to this Regulation meets the requirements of paragraphs 6 and 7 below, approval of that motor cycle type shall be granted.
- 5.2.1. An approval number shall be assigned to each type approved. Its first two digits indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval. The same Contracting Party may not assign the same number to another motorcycle type.
- 5.2.2. Multiple exhaust or silencing system configurations shall be explicitly listed under the same approval of a type of motorcycle with their respective test results.
- 5.3. Notice of approval or of refusal of approval of a motorcycle type pursuant to this Regulation shall be communicated to the Parties to the Agreement which apply this Regulation, by means of a form conforming to the model in Annex 1 to this Regulation and of drawings of the exhaust or silencing system, supplied by the applicant for approval in a format not exceeding A4 (210 × 297 mm) or folded to that format and on an appropriate scale.
- 5.4. The respective information for multiple exhaust or silencing system configurations mentioned in paragraph 5.2.2 above shall be provided for in Annex 1 to this Regulation.
- 5.5. There shall be affixed, conspicuously and in a readily accessible place specified on the approval form, to every motor cycle conforming to a motor cycle type approved under this Regulation an international approval mark consisting of:
- 5.5.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval³; and
- 5.5.2. The number of this Regulation, followed by the letter 'R', a dash and the approval number to the right of the circle prescribed in paragraph 5.5.1.
- 5.6. If the motorcycle conforms to a motorcycle type approved, under one or more other Regulations annexed to the Agreement, in the country which has granted approval under this Regulation, the symbol prescribed in paragraph 5.5.1 need not be repeated; in such a case the Regulation and approval numbers and the additional symbols of all the Regulations under which approval has been granted in the country which has granted approval under this Regulation shall be placed in vertical columns to the right of the symbol prescribed in paragraph 5.5.1.
- 5.7. The approval mark shall be clearly legible and be indelible.
- 5.8. The approval mark shall be placed close to or on the motor cycle data plate affixed by the manufacturer.

⁽³⁾ The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev. 6, Annex 3 – www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html.

5.9. Annex 2 to this Regulation gives examples of arrangements of the approval mark.

6. SPECIFICATIONS

6.1. General specifications

6.1.1. The following information shall be provided on the motor cycle in an easily accessible but not necessarily immediately visible location:

- (a) The manufacturer's name;
- (b) The target engine speed and the final result of the stationary test as defined in paragraph 2 of Annex 3 to this Regulation;

In addition for motor cycles of category L_3 with $PMR > 50$ the in-use compliance reference data as defined in paragraph 3 of Annex 3 to this Regulation shall be displayed. This data can be provided either in one single location together with the information in 6.1.1.(a) and 6.1.1.(b) or in a second different location together with the information in 6.1.1.(a) ⁽⁴⁾.

6.2. Specifications regarding sound levels

6.2.1. The sound emissions of the motor cycle type submitted for approval shall be measured by the two methods described in Annex 3 to this Regulation (motor cycle in motion and motor cycle when stationary) ⁽⁵⁾; in the case of a motor cycle where an internal combustion engine does not operate when the motor cycle is stationary, the emitted noise shall only be measured in motion.

6.2.2. The test results obtained in accordance with the provisions of paragraph 6.2.1 above shall be entered in the test report and on a form conforming to the model in Annex 1 to this Regulation.

6.2.3. The test results for the motor cycle in motion obtained in accordance with paragraph 1 of Annex 3 to this Regulation and mathematically rounded to the nearest integer shall not exceed the limits prescribed (for new motor cycles and new silencing systems) in Annex 6 to this Regulation for the category to which the motor cycle belongs. In any case, L_{wor} shall not exceed the limit value for L_{urban} by more than 5 dB.

6.3. Additional sound emission provisions

6.3.1. The motor cycle manufacturer shall not intentionally alter, adjust, or introduce any device or procedure solely for the purpose of fulfilling the noise emission requirements of this Regulation, which will not be operational during typical on-road operation.

6.3.2. The vehicle type to be approved shall meet the requirements of Annex 7 to this Regulation. If the motorcycle has user selectable software programs or modes which affect the sound emission of the vehicle, all these modes shall be in compliance with the requirements in Annex 7.

6.3.3. In the application for type approval or for modification or extension of a type approval the manufacturer shall provide a statement in accordance with Annex 8 that the vehicle type to be approved complies with the requirements of paragraph 6.3.1 of this Regulation.

6.3.4. The test results obtained in accordance with the provisions of paragraph 6.3.2 above shall be entered in the test report and on a form conforming to the model in Annex 1 to this Regulation.

⁽⁴⁾ The establishment of an electronic type approval database is expected to make the provision of in-use compliance reference data on the motor cycle superfluous.

⁽⁵⁾ A test is made on a stationary motor cycle in order to provide a reference value for administrations which use this method to check motor cycles in use.

- 6.4. Additional specifications regarding exhaust or silencing systems filled with fibrous material
- 6.4.1. If the exhaust or silencing system of the motor cycle contains fibrous materials the requirements of Annex 5 shall apply. If the intake of the engine is fitted with an air filter and/or an intake-noise absorber which is (are) necessary in order to ensure compliance with the permissible sound level, the filter and/or absorber shall be considered to be part of the silencing system, and the requirements of Annex 5 shall also apply to them.
- 6.5. Additional prescriptions related to tamperability and manually adjustable multi-mode exhaust or silencing systems
- 6.5.1. All exhaust or silencing systems shall be constructed in a way that does not easily permit removal of baffles, exit-cones and other parts whose primary function is as part of the silencing/expansion chambers. Where incorporation of such a part is unavoidable, its method of attachment shall be such that removal is not facilitated easily (e.g. with conventional threaded fixings) and should also be attached such that removal causes permanent/irrecoverable damage to the assembly.
- 6.5.2. Exhaust or silencing systems with multiple, manually adjustable operating modes shall meet all requirements in all operating modes. The reported noise levels shall be those resulting from the mode with the highest noise levels.
7. MODIFICATION AND EXTENSION OF THE APPROVAL OF THE MOTOR CYCLE TYPE OR OF THE TYPE OF EXHAUST OR SILENCING SYSTEM(S)
- 7.1. Every modification of the motor cycle type or of the exhaust or silencing system shall be notified to the Type Approval Authority which approved the motor cycle type. The Type Approval Authority may then either:
- 7.1.1. Consider that the modifications made are unlikely to have appreciable adverse effects, and that in any case the motor cycle still complies with the requirements of this Regulation; or
- 7.1.2. Require a further test report from the Technical Service responsible for conducting the tests.
- 7.2. Confirmation or refusal of approval, specifying the alterations, shall be communicated by the procedure specified in paragraph 5.3 above to the Parties to the Agreement which apply this Regulation.
- 7.3. The competent authority which issued the approval extension shall assign a serial number to the extension and shall so notify the other Parties to the 1958 Agreement applying this Regulation, by means of a communication form conforming to the model in Annex 1 to this Regulation.
8. CONFORMITY OF PRODUCTION
- The conformity of production procedures shall comply with those set out in the Agreement, Appendix 2 (E/ECE/324-E/ECE/TRANS/505/Rev.2), with the following requirements:
- 8.1. Any motor cycle manufactured shall conform to a type of motor cycle approved pursuant to this Regulation, be equipped with the silencer with which it was type approved and satisfy the requirements of paragraph 6 above.
- 8.2. In order to test conformity as required above, a sample motorcycle will be taken from the production line of the type approved pursuant to this Regulation. Its sound levels measured and processed (L_{urban} and L_{wot}) according to the method described in Annex 3, with the same gear(s) and pre-acceleration distance(s) as used in the original type approval test, and mathematically rounded to the nearest integer shall not exceed by more than 3,0 dB(A) the values measured and processed at the time of type approval. Furthermore, L_{urban} shall not exceed by more than 1,0 dB(A) the limit laid down in Annex 6 of this Regulation, and L_{wot} , in connection with 6.2.3., shall not exceed the limit value for L_{urban} by more than 6,0 dB(A).

8.3. For conformity of production, the manufacturer shall make a renewed declaration that the type still fulfils the requirements of paragraph 6.3.1 of this Regulation. The measured sound levels according to Annex 7 shall not exceed by more than 1,0 dB(A) the limits given in paragraph 2.6 of Annex 7. As a minimum, tests in the operating conditions for the reference points according to paragraph 3.2 of Annex 7 shall be performed.

9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

9.1. The approval granted in respect of a motor cycle type pursuant to this Regulation may be withdrawn if the requirements laid down in paragraph 8 above are not met.

9.2. If a Party to the Agreement which applies this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation by means of a communication form conforming to the model in Annex 1 to this Regulation.

10. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of a motor cycle approved in accordance with this Regulation, he shall inform the authority which granted the approval. Upon receiving the relevant communication, that authority shall inform thereof the other Parties to the Agreement applying this Regulation by means of a communication form conforming to the model in Annex 1 to this Regulation.

11. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF THE TYPE APPROVAL AUTHORITIES

The Parties to the 1958 Agreement applying this Regulation shall communicate to the United Nations Secretariat the names and addresses of the Technical Services responsible for conducting approval tests and of the Type Approval Authorities which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.

12. TRANSITIONAL PROVISIONS

12.1. As from the official date of entry into force of the 05 series of amendments, no Contracting Party applying this Regulation shall refuse to grant or refuse to accept type approvals under this Regulation as amended by the 05 series of amendments.

12.2. As from 1 September 2023, Contracting Parties applying this Regulation shall not be obliged to accept type approvals to the preceding series of amendments, first issued after 1 September 2023.

12.3. Until 1 September 2024, Contracting Parties applying this Regulation shall accept type approvals to the preceding series of amendments, first issued before 1 September 2023.

12.4. As from 1 September 2024, Contracting Parties applying this Regulation shall not be obliged to accept type approvals issued to the preceding series of amendments to this Regulation.

12.5. Notwithstanding the transitional provisions above, Contracting Parties who start to apply this Regulation after the date of entry into force of the most recent series of amendments are not obliged to accept type approvals which were granted in accordance with any of the preceding series of amendments to this Regulation / are only obliged to accept type approval granted in accordance with the 05 series of amendments.

12.6. Notwithstanding paragraph 12.4, Contracting Parties applying this Regulation shall continue to accept type approvals issued according to the preceding series of amendments to this Regulation, for the vehicles/vehicle systems which are not affected by the changes introduced by the 05 series of amendments.

- 12.7. Contracting Parties applying this Regulation may grant type approvals according to any preceding series of amendments to this Regulation. However, the road surface covering of the test site may conform to ISO10844:2014 when granting type approval according to the 03 series of amendments to this Regulation or extensions thereof.
- 12.8. Contracting Parties applying this Regulation shall continue to grant extensions of existing approvals to any preceding series of amendments to this Regulation. However, the road surface covering of the test site may conform to ISO10844:2014 when granting type approval according to the 03 series of amendments to this Regulation or extensions thereof.
-

ANNEX 1

Communication

(Maximum format: A4 (210 × 297 mm))



issued by:

Name of administration:

.....
.....
.....

concerning (?):

- Approval granted
- Approval extended
- Approval refused
- Approval withdrawn
- Production definitely discontinued

of a motor cycle type with regard to noise emitted by motor cycles pursuant to Regulation No 41

Approval No: Extension No:

1. Trade name or mark of the motor cycle:
2. Motor cycle type:
3. Manufacturer's name and address:
4. If applicable, name and address of manufacturer's representative:
5. Engine
 - 5.1. Manufacturer:
 - 5.2. Type:
 - 5.3. Model:
 - 5.4. Rated maximum net power: kW at min⁻¹
 - 5.5. Kind of engine (e.g. positive-ignition, compression ignition, etc.): (?).....
 - 5.6. Cycles: two-stroke/four-stroke (?)
 - 5.7. Cylinder capacity:cm³
6. Transmission
 - 6.1. Type of transmission: non-automatic gearbox/automatic gearbox:
 - 6.2. Number of gears:
7. Equipment
 - 7.1. Exhaust silencer
 - 7.1.1. Manufacturer or authorized representative (if any):
 - 7.1.2. Model:

(1) Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).
 (?) Delete what does not apply
 (?) If a non-conventional engine is used, this should be stated

- 7.1.3. Type: in accordance with drawing No
- 7.2. Intake silencer
- 7.2.1. Manufacturer or authorized representative (if any):
- 7.2.2. Model:
- 7.2.3. Type: in accordance with drawing No
8. Gears used for test of motor cycle in motion:
9. Final drive ratio(s):
10. Type approval number of tyre(s):
- If not available, the following information shall be provided:
- 10.1. Tyre manufacturer:
- 10.2. Commercial description(s) of the type of tyre (by axle), (e.g. trade name, speed index, load index):
- 10.3. Tyre size (by axle):
- 10.4. Other type approval number (if available):
11. Masses
- 11.1. Maximum permissible gross weight: kg
- 11.2. Test mass: kg
- 11.3. Power to mass ratio index (PMR):
12. Vehicle length: m
- 12.1. Reference length l_{ref} : m
13. Vehicle speeds of measurements in gear (i)
- 13.1. Vehicle speed at the beginning of the period of acceleration (average of 3 runs) for gear (i): km/h
- 13.2. Pre-acceleration length for gear (i): m
- 13.3. Vehicle speed v_{PP} (average of 3 runs) for gear (i): km/h
- 13.4. Vehicle speed $v_{BB'}$ (average of 3 runs) for gear (i): km/h
14. Vehicle speeds of measurements in gear (i+1) (if applicable)
- 14.1. Vehicle speed at the beginning of the period of acceleration (average of 3 runs) for gear (i+1): km/h
- 14.2. Pre-acceleration length for gear (i+1): m
- 14.3. Vehicle speed v_{PP} (average of 3 runs) for gear (i+1): km/h
- 14.4. Vehicle speed $v_{BB'}$ (average of 3 runs) for gear (i+1): km/h
15. Accelerations are calculated between lines AA' and BB'/PP' and BB'
- 15.1. Description of functionality of devices used to stabilize the acceleration (if applicable):

- 16. Noise levels of moving vehicle
 - 16.1. Wide-open-throttle test result L_{wot} :dB(A)
 - 16.2. Constant speed test results L_{crs} :dB(A)
 - 16.3. Partial power factor k_p :
 - 16.4. Final test result L_{urban} :dB(A)
- 17. Noise level of stationary vehicle
 - 17.1. Position and orientation of microphone (according to Appendix 2 of Annex 3):
 - 17.2. Test result for stationary test: dB(A) at min^{-1}
- 18. Additional sound emission provisions:

18.1.	RD-ASEP operating conditions	Reference Point (i)	Reference Point (ii)	additional operating condition 1	additional operating condition 2	additional operating condition 3
18.1.1.	Selected gear number					
18.1.2.	Vehicle speeds	-	-	-	-	-
18.1.2.1.	Vehicle speed at the beginning of the period of acceleration (average of 3 runs) (km/h)			n.a.	n.a.	n.a.
18.1.2.2.	Pre-acceleration length (m)			n.a.	n.a.	n.a.
18.1.2.3.	Vehicle speed v_{AA}' (average of 3 runs for Reference Point (i) and (ii)) (km/h)					
18.1.2.4.	Vehicle speed v_{PP}' (average of 3 runs for Reference Points (i) and (ii)) (km/h)					
18.1.2.5.	Vehicle speed v_{BB}' (average of 3 runs for Reference Points (i) and (ii)) (km/h)					
18.1.3.	Engine speeds	-	-	-	-	-
18.1.3.1.	Engine speed n_{AA}' (average of 3 runs for Reference Points (i) and (ii)) (min^{-1})					
18.1.3.2.	Engine speed n_{PP}' (average of 3 runs for Reference Points (i) and (ii)) (min^{-1})					
18.1.3.3.	Engine speed n_{BB}' (average of 3 runs for Reference Points (i) and (ii)) (min^{-1})					

18.1.4.	Wide open throttle test result L_{wot} for Reference Points (i) and (ii) (dB (A))			n.a.	n.a.	n.a.
18.1.5.	max. sound pressure level L_{ASEP} of the additional operating conditions	n.a.	n.a.			
18.1.6.	RD-ASEP limit					

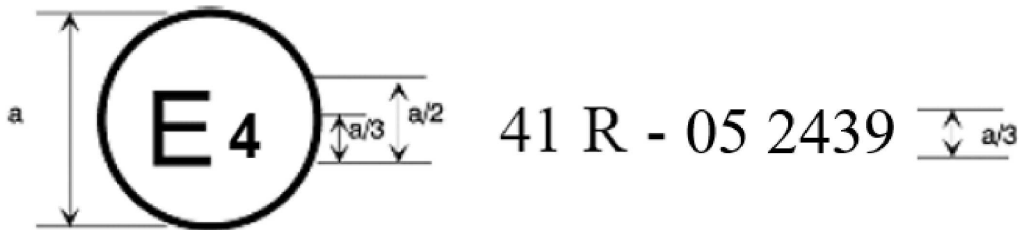
- 18.2. See manufacturer's statement of compliance with the requirements of paragraph 6.3.1 (attached).
19. In-use compliance reference data
- 19.1. Gear (i) or, for vehicles tested with non-locked gear ratios, the position of the gear selector chosen for the test:
- 19.2. Pre-acceleration length l_{PA} : m
- 19.3. Vehicle speed at the beginning of the period of acceleration (average of 3 runs) for gear (i): km/h
- 19.4. Sound pressure level $L_{wot(i)}$: dB(A)
- 19.5. User selectable software programs or modes with effect on either $L_{wot(i)}$ or L_{crs} or L_{urb} or L_{ASEP}
- 19.5.1. List of user selectable software programs or modes:
- 19.5.2. User selectable software programs or modes used for the L_{urb} determination according to Annex 3:
- 19.5.3. User selectable software programs or modes used for L_{wot} and L_{ASEP} determination according to Annex 7:
20. Date of submission of vehicle for approval:
21. Technical Service performing the approval tests:
22. Date of report issued by that service:
23. Number of report issued by that service:
24. Approval granted/extended/refused/withdrawn: ²
25. Place:
26. Date:
27. Signature:
28. Annexed to this communication are the following documents, bearing the approval number indicated above:
 Drawings, diagrams and plans of the engine and of the noise reduction system;
 Photographs of the engine and of the exhaust or silencing system;
 List of components, duly identified constituting the noise reduction system.

ANNEX 2

Arrangements of approval marks

Model A

(See paragraph 5.5 of this Regulation)

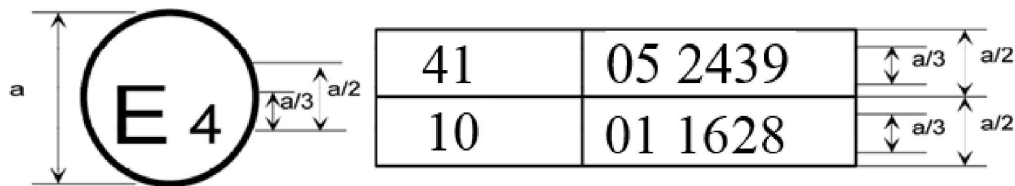


a = 8 mm min

The above approval mark affixed to a motor cycle shows that the motor cycle type concerned has, with regard to noise, been approved in the Netherlands (E4) pursuant to Regulation No 41 under approval number 052439. The first two digits of the approval number indicate that the approval was granted in accordance with the requirements of Regulation No 41 as amended by the 05 series of amendments.

Model B

(See paragraph 5.6 of this Regulation)



a = 8 mm min

The above approval mark affixed to a motor cycle shows that the motor cycle type concerned has been approved in the Netherlands (E 4) pursuant to Regulations Nos. 41 and 10. The first two digits of the approval numbers indicate that on the date on which these approvals were granted, Regulation No 41 included 05 series of amendments and Regulation No 10 included the 01 series of amendments.

ANNEX 3

Methods and instruments for measuring noise made by motor cycles

1. Noise of the motor cycle in motion (measuring conditions and method for testing of the vehicle during component type approval).
 - 1.1. Measuring instruments
 - 1.1.1. Acoustic measurements
 - 1.1.1.1. General

The apparatus used for measuring the sound pressure level shall be a sound level meter or equivalent measuring system meeting the requirements of Class 1 instruments (inclusive of the recommended windscreen, if used). These requirements are described in IEC 61672-1:2002.

Measurements shall be carried out using the time weighting 'F' of the acoustic measuring instrument and the 'A' frequency weighting curve also described in IEC 61672-1:2002. When using a system that includes periodic monitoring of the A-weighted sound pressure level, a reading should be made at a time interval not greater than 30 ms.

The instruments shall be maintained and calibrated in accordance with the instructions of the instrument manufacturer.
 - 1.1.1.2. Calibration

At the beginning and at the end of every measurement session, the entire acoustic measuring system shall be checked by means of a sound calibrator that fulfils the requirements of Class 1 sound calibrators according to IEC 60942:2003. Without any further adjustment, the difference between the readings shall be less than or equal to 0,5 dB(A). If this value is exceeded, the results of the measurements obtained after the previous satisfactory check shall be discarded.
 - 1.1.1.3. Compliance with requirements

Compliance of the sound calibrator with the requirements of IEC 60942:2003 shall be verified once a year. Compliance of the instrumentation system with the requirements of IEC 61672-1:2002 shall be verified at least every 2 years. All compliance testing shall be conducted by a laboratory which is authorized to perform calibrations traceable to the appropriate standards.
 - 1.1.2. Instrumentation for speed measurements

The rotational speed of the engine shall be measured with an instrument meeting specification limits of at least ± 2 percent or better at the engine speeds required for the measurements being performed. In case that there are other measurements correlated with the engine speeds, the calculated value may be used (e.g. calculation from the vehicle speed measurement).

The road speed of the vehicle shall be measured with instruments meeting specification limits of at least $\pm 0,5$ km/h when using continuous measuring devices.

If testing uses independent measurements of speed, this instrumentation shall meet specification limits of at least $\pm 0,2$ km/h ⁽¹⁾.
 - 1.1.3. Meteorological instrumentation

The meteorological instrumentation used to monitor the environmental conditions during the test shall meet the following specifications:

 - ± 1 °C or less for a temperature measuring device;
 - ± 1.0 m/s for a wind speed measuring device;
 - ± 5 hPa for a barometric pressure measuring device;
 - ± 5 percent for a relative humidity measuring device.

(1) Independent measurements of speed are when two or more separate devices will determine the values of v_{AA} , v_{BB} and v_{PP} . A continuous measuring device such as radar will determine all required speed information with one device.

1.2. Acoustical environment, meteorological conditions and background noise

1.2.1. Test site

The test site shall consist of a central acceleration section surrounded by a substantially level test area. The acceleration section shall be level; its surface shall be dry and so designed that rolling noise remains low.

On the test site the variations in the free sound field between the sound source at the centre of the acceleration section and the microphone shall be maintained to within 1 dB(A). This condition will be deemed to be met if there are no large objects which reflect sound, such as fences, rocks, bridges or buildings, within 50 m of the centre of the acceleration section. The road surface covering of the test site shall conform to ISO10844:2014.

The microphone shall not be obstructed in any way which could affect the sound field, and no person may stand between the microphone and the sound source. The observer carrying out the measurements shall take up position so as not to affect the readings of the measuring instrument.

1.2.2. Meteorological conditions

The meteorological instrumentation shall deliver data representative of the test site, and shall be positioned adjacent to the test area at a height representative of the height of the measuring microphone.

The measurements shall be made when the ambient air temperature is within the range from 5 °C to 45 °C. The tests shall not be carried out if the wind speed, including gusts, at microphone height exceeds 5 m/s, during the noise measurement interval.

A value representative of temperature, wind speed and direction, relative humidity and barometric pressure shall be recorded during the noise measurement interval.

1.2.3. Background noise

Any sound peak which appears to be unrelated to the characteristics of the general noise level of the vehicle shall be ignored in taking the readings.

The background noise shall be measured for a duration of 10 s immediately before and after a series of vehicle tests. The measurements shall be made with the same microphones and microphone locations used during the test. The maximum A-weighted sound pressure level shall be reported.

The background noise (including any wind noise) shall be at least 10 dB(A) below the A-weighted sound pressure level produced by the vehicle under test. If the difference between the background sound pressure level and the measured sound pressure level is between 10 dB(A) and 15 dB(A), in order to calculate the test result the appropriate correction shall be subtracted from the readings on the sound level meter, as given in Table 1.

Table 1

Correction applied to individual measured test value

Background sound pressure level difference to measured sound pressure level, in dB	10	11	12	13	14	≥ 15
Correction, in dB(A)	0,5	0,4	0,3	0,2	0,1	0,0

1.3. Test procedures

1.3.1. Microphone positions

The distance of the microphone positions from the line CC', on the microphone line PP', perpendicular to the reference line CC' on the test track (see Annex 4 – Figure 1), shall be 7,5 ±0,05 m.

The microphones shall be located 1,2 ±0,02 m above the ground level. The reference direction for free-field conditions (see IEC 61672-1:2002) shall be horizontal and directed perpendicularly towards the path of the vehicle line CC'.

1.3.2. Conditions of the vehicle

1.3.2.1. General Conditions

The vehicle(s) tested shall be representative of vehicles to be put on the market under the vehicle type to be approved and selected by the manufacturer in agreement with the Type Approval Authority, to comply with the requirements of this Regulation.

Before the measurements are started, the vehicle shall be brought to its normal operating conditions.

If the motor cycle is fitted with fans with an automatic actuating mechanism, this system shall not be interfered with during the sound measurements. For motor cycles having more than one driven wheel, only the drive provided for normal road operation may be used.

1.3.2.2. Test mass of the vehicle

Measurements shall be made on vehicles at the following test mass m_t , in kg, specified as:

$$m_t = m_{\text{kerb}} + 75 \pm 5 \text{ kg}$$

(75 ± 5 kg equates to mass of the driver and instrumentation)

1.3.2.3. Tyre selection and condition

The tyres shall be appropriate for the vehicle and shall be inflated to the pressure recommended by the vehicle manufacturer for the test mass of the vehicle.

The tyres shall be selected by the vehicle manufacturer, and correspond to one of the tyre sizes and types designated for the vehicle by the vehicle manufacturer. The minimum tread depth shall be at least 80 percent of the full tread depth.

1.3.3. Operating conditions

1.3.3.1. General operating conditions

The path of the centreline of the vehicle shall follow the line CC' as closely as possible throughout the entire test, from the approach to line AA' until the rear of the vehicle passes line BB' + 20m (see Annex 4 – Figure 1).

1.3.3.1.1. For full throttle acceleration tests the vehicle shall approach the line AA' at constant speed. When the front of the vehicle passes the line AA' the throttle control shall be shifted to the maximum throttle position as rapidly as possible and kept in this position until the rear of the vehicle passes the BB'. At this moment the throttle control shall be shifted to the idle position as rapidly as possible.

Unless specified otherwise the manufacturer may choose to use pre-acceleration in a full throttle acceleration test for the purpose of achieving a stable acceleration between the lines AA' and BB'. A test with pre-acceleration proceeds as described above except for the fact that the throttle control is shifted to the maximum throttle position already before the vehicle passes the line AA', namely when the front of the vehicle is still at a distance l_{PA} , the pre-acceleration length, from the line AA'.

The approach velocity shall be chosen such that the vehicle reaches a prescribed test speed v_{test} when its front passes the line PP'.

1.3.3.1.2. During constant speed tests, the acceleration control unit shall be positioned to maintain a constant vehicle speed between the lines AA' and BB'.

1.3.3.2. Operating conditions for vehicles with $PMR \leq 25$

The vehicle is tested in a full throttle acceleration test with the following specifications:

(a) The test speed shall be $v_{\text{test}} = 40 \pm 1 \text{ km/h}$.

(b) When the rear of the vehicle passes the line BB' the vehicle speed shall not exceed 75 percent of the maximum vehicle speed as defined in paragraph 2.10 of this Regulation neither shall the engine speed exceed the rated engine speed.

The gear for the test shall be selected in the following iterative way:

The initial test speed shall be as specified above. The test speed shall be reduced by increments of 10 percent of v_{test} (i.e. 4 km/h) in case the exit speed $v_{\text{BB}'}$ exceeds 75 percent of v_{max} or in case the engine speed exceeds the rated engine speed S at BB' . The selected gear shall be the lowest one without exceeding the rated engine speed S during the test. The final test conditions are determined by the lowest possible gear at the highest possible test speed without exceeding either 75 percent of v_{max} or the rated engine speed S at BB' .

To save testing time, the manufacturer may provide information on the iterative procedure for gear selection specified above.

A flow chart of the test procedure is given in Appendix 1 to this annex.

1.3.3.3. Operating conditions for vehicles with $\text{PMR} > 25$

The vehicle is tested in a full throttle acceleration test and in a constant speed test.

1.3.3.3.1. Full throttle acceleration test

For the full throttle acceleration tests the test speed and the mean acceleration of the vehicle in the test track are specified.

The accelerations are not measured directly but calculated from measurements of the vehicle speed as described in paragraph 1.4 below.

1.3.3.3.1.1. Test speed

The test speed v_{test} shall be:

40 ± 1 km/h for vehicles with a $\text{PMR} \leq 50$; and

50 ± 1 km/h for vehicles with a $\text{PMR} > 50$.

If, in a given gear, the exit speed $v_{\text{BB}'}$ exceeds 75 percent of the maximum speed v_{max} of the vehicle, the test speed for test in this gear shall be successively reduced by increments of 10 percent of v_{test} (i.e. 4 km/h or 5 km/h) until the exit speed $v_{\text{BB}'}$ falls below 75 percent of v_{max} .

1.3.3.3.1.2. Reference acceleration and target acceleration

During the full throttle acceleration tests the vehicle shall reach the reference acceleration $a_{\text{wot ref}}$ defined as:

$a_{\text{wot ref}} = 2,47 * \log(\text{PMR}) - 2,52$ for vehicles with a $\text{PMR} \leq 50$; and

$a_{\text{wot ref}} = 3,33 * \log(\text{PMR}) - 4,16$ for vehicles with a $\text{PMR} > 50$

The results of these full throttle acceleration tests are used together with the results of constant speed tests to approximate a partial load acceleration typical for urban driving. The corresponding target acceleration a_{urban} is defined as:

$a_{\text{urban}} = 1,37 * \log(\text{PMR}) - 1,08$ for vehicles with a $\text{PMR} \leq 50$; and

$a_{\text{urban}} = 1,28 * \log(\text{PMR}) - 1,19$ for vehicles with a $\text{PMR} > 50$.

1.3.3.3.1.3. Gear selection

It is the responsibility of the manufacturer to determine the correct manner of testing to achieve the required test speed and acceleration.

1.3.3.3.1.3.1. Vehicles with manual transmissions, automatic transmissions, or transmissions with continuously variable transmission ratios (CVT's) tested with locked gears

The selection of gears for the test depends on the specific acceleration under full throttle in the various gears in relation to the reference acceleration $a_{\text{wot ref}}$ required for the full-throttle acceleration tests according to paragraph 1.3.3.3.1.2 above.

The following conditions for the gear selection are possible:

- If there are two gears that give an acceleration in a tolerance band of ±10 percent of the reference acceleration $a_{\text{wot ref}}$, the gear nearest the reference acceleration shall be used for the test and shall be identified as such in the test report;
- If only one specific gear gives an acceleration in the tolerance band of ±10 percent of the reference acceleration $a_{\text{wot ref}}$, the test shall be performed with that gear;

- (c) If none of the gears gives the required acceleration to within ± 10 percent of the reference acceleration $a_{\text{wot,ref}}$, then tests shall be performed in two adjacent gears (i) and (i+1) chosen such that the gear (i), gives an acceleration higher and the gear (i+1) an acceleration lower than the reference acceleration $a_{\text{wot,ref}}$.

If the rated engine speed is exceeded in a gear before the vehicle passes BB', the next higher gear shall be used.

If the vehicle has more than one gear the first gear shall not be used. If $a_{\text{wot,ref}}$ can only be achieved in first gear, second gear shall be used.

1.3.3.3.1.3.2. Vehicles with automatic transmissions, adaptive transmissions or transmissions with variable transmission ratios tested with non-locked gears

The gear selector position for full automatic operation shall be used.

The test may then include a gear change to a lower gear and a higher acceleration. A gear change to a higher gear and a lower acceleration is not allowed. In any case, a gear change to a gear which is typically not used at the specified condition in urban traffic shall be avoided.

Therefore, it is permitted to establish and use electronic or mechanical devices, including alternative gear selector positions, to prevent a downshift to a gear which is typically not used at the specified test condition in urban traffic. If such devices are used, no pre-acceleration may be applied. The functionality of the devices shall be described in the communication form.

1.3.3.3.2. Constant speed test

For the constant speed tests the gears or gear selector positions and the test speeds shall be identical to those used in the full throttle acceleration tests previously performed.

1.4. Data processing and reporting

1.4.1. General

At least three measurements for each test condition shall be made on each side of the vehicle and for each gear.

The maximum A-weighted sound pressure level 'L' indicated during each passage of the vehicle between AA' and when the rear of the vehicle passes BB' + 20 m (see Annex 4 – Figure 1) shall be reduced by 1 dB(A) to account for measurement inaccuracy and mathematically rounded to the nearest first decimal place (e.g. XX.X) for both microphone positions. If a sound peak obviously out of character with the general sound pressure level is observed, that measurement shall be discarded.

The first three valid consecutive measurement results for each test condition, within 2,0 dB(A), allowing for the deletion of non-valid results, shall be used for the calculation of the appropriate intermediate or final result.

The speed measurements at AA' ($v_{AA'}$), BB' ($v_{BB'}$), and PP' ($v_{PP'}$) shall be mathematically rounded to the nearest first decimal place (e.g. XX.X) and noted for further calculations.

1.4.2. Calculation of the acceleration

All accelerations are calculated using different speeds of the vehicle on the test track. Depending on the type of transmission the acceleration is either calculated between the lines AA' and BB' or between the lines PP' and BB' as specified below. The method used for the calculation of the acceleration shall be indicated in the test report.

In all of the following cases the acceleration is calculated between the lines AA' and BB' as specified in paragraph 1.4.2.1 below:

- (a) The vehicle is equipped with a manual transmission.
- (b) The vehicle is equipped with an automatic transmission or with a transmission with continuously variable gear ratios (CVT's) but tested with locked gear ratios.

- (c) The vehicle is equipped with an automatic transmission, an adaptive transmission or a transmission with variable gear ratios and tested with non-locked gear ratios, and electronic or mechanical devices, including alternative gear selector positions, are used to prevent a downshift to a gear which is typically not used at the specified test condition in urban traffic.

In all other cases the acceleration is calculated between the lines PP' and BB' as specified in paragraph 1.4.2.2 below.

1.4.2.1. Calculation of the acceleration between the lines AA' and BB'

The acceleration is calculated from measurements of the vehicle speed at the lines AA' and BB':

$$a_{\text{wot,(i),j}} = ((v_{\text{BB',j}} / 3,6)^2 - (v_{\text{AA',j}} / 3,6)^2) / (2 * (20 + l_{\text{ref}}))$$

Where:

The index '(i)' refers to the gear used and the index 'j' to the number of the individual measurement. The velocities are expressed in units of km/h and the resulting accelerations have units of m/s²;

l_{ref} is either the length of vehicle or 2 m, freely selectable by the vehicle manufacturer, Type Approval Authority and Technical Service.

1.4.2.2. Calculation of the acceleration between the lines PP' and BB'

The acceleration is calculated from measurements of the vehicle speed at the lines PP' and BB':

$$a_{\text{wot,(i),j}} = ((v_{\text{BB',j}} / 3,6)^2 - (v_{\text{PP',j}} / 3,6)^2) / (2 * (10 + l_{\text{ref}}))$$

Where:

The index '(i)' refers to the gear used and the index 'j' to the number of the individual measurement. The velocities are expressed in units of km/h and the resulting accelerations have units of m/s²;

l_{ref} is either the length of vehicle or 2 m, freely selectable by the vehicle manufacturer, Type Approval Authority and Technical Service.

Pre-acceleration shall not be used.

1.4.2.3. Averaging of individual measurements

The calculated accelerations from three valid runs are arithmetically averaged to give the mean acceleration for the test condition:

$$a_{\text{wot,(i)}} = (1 / 3) * (a_{\text{wot,(i),1}} + a_{\text{wot,(i),2}} + a_{\text{wot,(i),3}})$$

The mean acceleration $a_{\text{wot,(i)}}$ shall be mathematically rounded to the nearest second decimal place (e.g. XX.XX) and noted for further calculations.

1.4.3. Calculation of the gear weighting factor

The gear weighting factor k is used only in the case of a two-gear test to combine the results from both gears into a single result.

The gear weighting factor is a dimensionless number defined as:

$$k = (a_{\text{wot,ref}} - a_{\text{wot,(i+1)}}) / (a_{\text{wot,(i)}} - a_{\text{wot,(i+1)}})$$

1.4.4. Calculation of the partial power factor

The partial power factor k_p is a dimensionless number used to combine the results of a full throttle acceleration test with those of a constant speed test.

1.4.4.1. For vehicles tested in two gears the partial power factor is defined as

$$k_p = 1 - (a_{\text{urban}} / a_{\text{wot,ref}}).$$

- 1.4.4.2. For vehicles tested in a single gear or with the gear selector in one position the partial power factor is defined as:

$$k_p = 1 - (a_{\text{urban}} / a_{\text{wot,(i)}})$$

If $a_{\text{wot,(i)}}$ is equal to or less than a_{urban} , k_p is set to zero.

- 1.4.5. Processing of the sound pressure measurements

For a given test condition, the three individual results of each side of the vehicle shall be averaged separately:

$$L_{\text{mode,(i),side}} = (1 / 3) * (L_{\text{mode,(i),side,1}} + L_{\text{mode,(i),side,2}} + L_{\text{mode,(i),side,3}})$$

Where the index 'mode' refers to the test mode (full throttle acceleration or constant speed), '(i)' to the gear and 'side' to the microphone position (left or right).

The higher value of the two averages shall be mathematically rounded to the nearest first decimal place (e.g. XX.X) and noted for further calculations:

$$L_{\text{mode,(i)}} = \text{MAX} (L_{\text{mode,(i),left}} ; L_{\text{mode,(i),right}})$$

- 1.4.6. Calculation of the final test results

- 1.4.6.1. Vehicles with $\text{PMR} \leq 25$

Vehicles with a PMR not exceeding 25 are tested in a single gear or gear selector position only under full throttle. The final test result is the sound pressure level $L_{\text{wot,(i)}}$ mathematically rounded to the nearest first decimal place (e.g. XX.X).

- 1.4.6.2. Vehicles with $\text{PMR} > 25$

If the vehicle was tested in two gears the gear weighting factor is used to calculate the test results of the full throttle acceleration tests and of the constant speed tests:

$$L_{\text{wot}} = L_{\text{wot (i+1)}} + k * (L_{\text{wot,(i)}} - L_{\text{wot,(i+1)}})$$

$$L_{\text{crs}} = L_{\text{crs (i+1)}} + k * (L_{\text{crs,(i)}} - L_{\text{crs,(i+1)}})$$

If the vehicle was tested in a single gear or gear selector position no further weighting is necessary:

$$L_{\text{wot}} = L_{\text{wot,(i)}}$$

$$L_{\text{crs}} = L_{\text{crs,(i)}}$$

The sound pressure level L_{urban} representing urban driving is finally calculated using the partial power factor k_p :

$$L_{\text{urban}} = L_{\text{wot}} - k_p * (L_{\text{wot}} - L_{\text{crs}})$$

All sound pressure levels are mathematically rounded to the nearest first decimal place (e.g. XX.X).

2. Noise from stationary motor cycle (measuring conditions and method for testing of the vehicle in use).

- 2.1. Sound-pressure level in the immediate vicinity of the motor cycle

In order to facilitate subsequent noise tests on motor cycles in use, the sound-pressure level shall also be measured in the immediate vicinity of the exhaust-system outlet in accordance with the following requirements, the result of the measurement being entered in the communication referred to in Annex 1.

- 2.2. Measuring instruments

A precision sound level meter as defined in paragraph 1.1.1 of this annex shall be used .

- 2.3. Conditions of measurement

- 2.3.1. Condition of the motor cycle

The vehicle transmission shall be in neutral position and the clutch engaged, or in parking position for automatic transmission, and the parking brake applied for safety, if equipped.

The vehicle air conditioner, if equipped, shall be turned off.

If the vehicle is fitted with fan(s) having an automatic actuating mechanism, this system shall not be interfered with during the sound pressure level measurements.

The engine hood or compartment cover shall be closed.

Before each series of measurements, the engine shall be brought to its normal operating temperature, as specified by the manufacturer.

In case of a two-wheeled motor-driven vehicle having no neutral gear position, measurements shall be carried out with the rear wheel raised off the ground so that the wheel can rotate freely.

If it is necessary to raise a two-wheeled vehicle off the ground to perform the test, the microphone measurement position shall be adjusted to achieve the specified distance from the reference point of the exhaust pipe; see Figure 1 for the location of the reference points.

2.3.2. Test site

A suitable test site shall be outdoors and consist of a level concrete, dense asphalt with no appreciable level of porosity or similar hard material flat surface, free from snow, grass, loose soil, ashes or other sound-absorbing material. It shall be in an open space free from large reflecting surfaces, such as parked vehicles, buildings, billboards, trees, shrubbery, parallel walls, people, etc., within a 3 m radius from the microphone location and any point of the vehicle.

As an alternative to outside testing, a semi-anechoic chamber may be used. The semi-anechoic chamber shall fulfil the acoustical requirements given above. These requirements shall be met if the testing facility meets the 3 m distance criteria above and has a cut-off frequency below the lower of:

- (a) One-third-octave band below the lowest fundamental frequency of the engine during test conditions; and
- (b) 100 Hz ⁽²⁾.

2.3.3. Miscellaneous

Readings of the measuring instrument caused by ambient noise and wind effects shall be at least 10 dB(A) lower than the sound levels to be measured. A suitable windshield may be fitted to the microphone provided that account is taken of its effect on the sensitivity of the microphone.

The tests shall not be carried out if the wind speed, including gusts, exceeds 5 m/s during the sound-measurement interval.

2.4. Method of measurement

2.4.1. Positioning of the microphone (see Appendix 2)

The microphone shall be located at a distance of $0,5 \pm 0,01$ m from the reference point of the exhaust pipe defined in Figure 1 and at an angle of $45 \pm 5^\circ$ to the vertical plane containing the flow axis of the pipe termination. The microphone shall be at the height of the reference point, but not less than 0,2 m from the ground surface. The reference axis of the microphone shall lie in a plane parallel to the ground surface and shall be directed towards the reference point on the exhaust outlet.

The reference point shall be the highest point satisfying the following conditions:

- (a) The reference point shall be at the end of the exhaust pipe,
- (b) The reference point shall be on the vertical plane containing the exhaust outlet centre and the flow axis of the exhaust pipe termination.

If two microphone positions are possible, the location farthest laterally from the vehicle longitudinal centreline shall be used.

⁽²⁾ The noise performance of indoor testing facilities is specified in terms of the cut-off frequency (Hz). This is the frequency above which the room can be assumed to act as a semi-anechoic space.

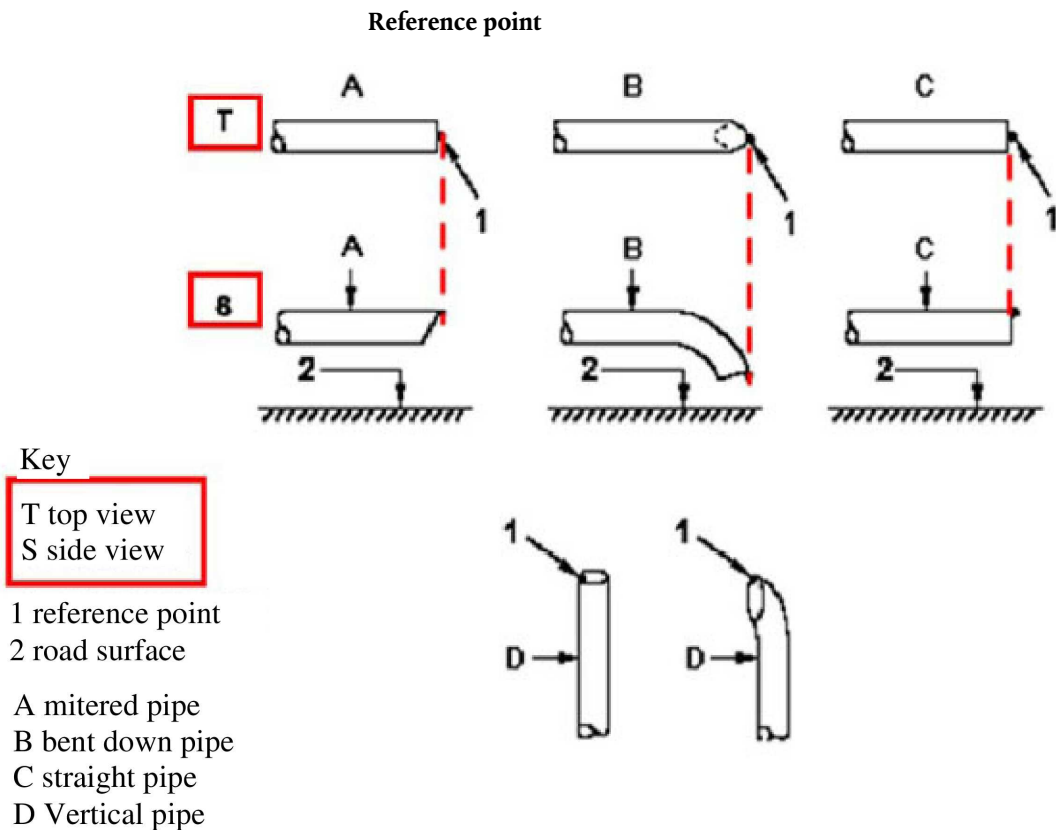
If the flow axis of the exhaust outlet pipe is at $90^\circ \pm 5^\circ$ to the vehicle longitudinal centreline, the microphone shall be located at the point that is the furthest from the engine.

If a vehicle has two or more exhaust outlets spaced less than or equal to 0,3 m apart and connected to a single silencer, only one measurement shall be made. The microphone shall be located relative to the outlet furthest from the vehicle's longitudinal centreline, or, when such outlet does not exist, to the outlet that is highest above the ground. The 0,3 m measurement is to be made along a single plane perpendicular to the flow axis of the exhaust gases.

If a vehicle has two or more exhaust outlets spaced less than or equal to 0,3 m apart and connected to separate silencers, only one measurement shall be made. The microphone shall be located relative to the outlet furthest from the vehicle's longitudinal centreline, or, when such outlet does not exist, to the outlet that is highest above the ground.

For vehicles having an exhaust provided with outlets spaced more than 0,3 m apart, one measurement is made for each outlet as if it were the only one, and the highest sound pressure level shall be noted. For the purpose of roadside checking, the reference point may be moved to the outer side of the body.

Figure 1



2.4.2. Operating conditions

2.4.2.1. Target engine speed

The target engine speed is defined as

75 percent of S for vehicles with $S \leq 5\,000 \text{ min}^{-1}$, and

50 percent of S for vehicles with $S > 5\,000 \text{ min}^{-1}$.

For a vehicle which cannot reach, in a stationary test, the target engine speed defined above, 95 percent of the maximum engine speed reachable in a stationary test shall be used instead as target engine speed.

2.4.2.2. Test procedure

The engine speed shall be gradually increased from idle to the target engine speed and held constant within a tolerance band of ± 5 percent. Then the throttle control shall be rapidly released and the engine speed shall be returned to idle. The sound pressure level shall be measured during a period consisting of constant engine speed of at least 1 s and throughout the entire deceleration period. The maximum sound level meter reading shall be taken as the test value.

A measurement shall be regarded as valid only if the test engine speed did not deviate from the target engine speed by more than the specified tolerance of ± 5 percent for at least 1 s.

2.4.3. Multi-mode exhaust system

Vehicles equipped with a multiple mode, manually adjustable exhaust system shall be tested in all modes.

2.5. Results

2.5.1. The Communication referred to in Annex 1 shall indicate all relevant data and particularly those used in measuring the noise of the stationary motor cycle.

2.5.2. Measurements shall be made at the microphone location(s) prescribed above. The maximum A-weighted sound pressure level indicated during the test shall be noted, retaining one significant figure behind the decimal place (e.g. 92,45 shall be noted as to 92,5 while 92,44 shall be noted as to 92,4).

The test shall be repeated until three consecutive measurements that are within 2,0 dB(A) of each other are obtained at each outlet.

2.5.3. The result for a given outlet is the arithmetic average of the three valid measurements, mathematically rounded to the nearest integer value (e.g. 92,5 shall be noted as to 93 while 92,4 shall be noted as to 92).

2.5.4. For vehicles equipped with multiple exhaust outlets, the reported sound pressure level shall be for the outlet having the highest average sound pressure level.

2.5.5. For vehicles equipped with a multi-mode exhaust system and a manual exhaust mode control the reported sound pressure level shall be for the mode having the highest average sound pressure level.

3. Noise from the motor cycle in motion (data reported to facilitate testing of the vehicle in use).

3.1. A test procedure for in-use compliance tests may be defined by a Contracting Party, taking due account of any differences from the test conditions used at type-approval.

3.2. In order to facilitate in-use compliance test of motor cycles, the following information relating to the sound-pressure level measurements carried out in accordance with paragraph 1 of Annex 3 for the motor cycle in motion is referred to as in-use compliance reference data:

(a) Gear (i) or, for vehicles tested with non-locked gear ratios, the position of the gear selector chosen for the test;

(b) The pre-acceleration length l_{pA} in m;

(c) The average vehicle speed in km/h at the beginning of the full throttle acceleration for tests in gear (i); and

(d) The sound pressure level $L_{wot,(i)}$ in dB(A) of the wide-open-throttle tests in gear (i), defined as the maximum of the two values resulting from averaging the individual measurement results at each microphone position separately.

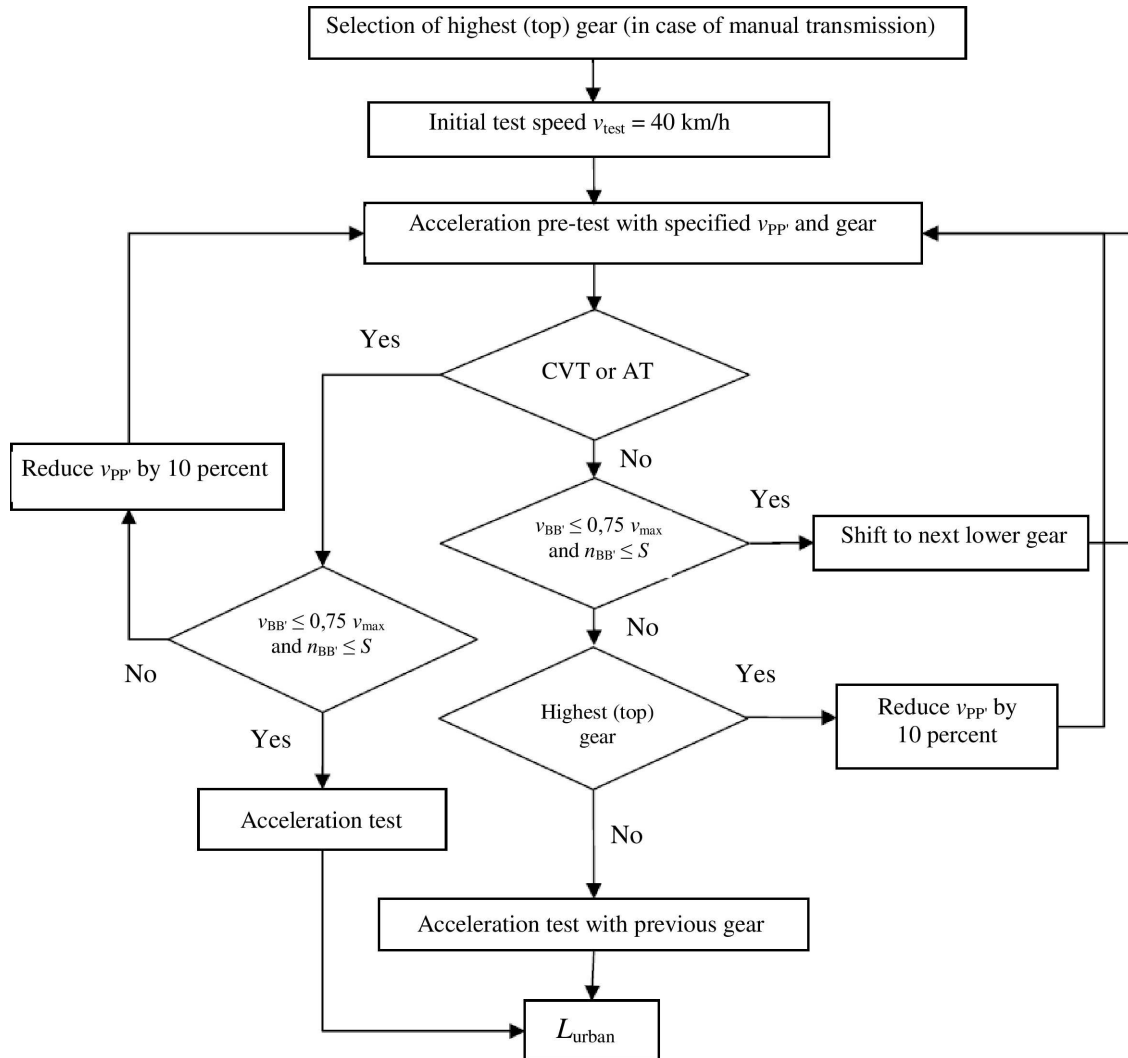
3.3. The in-use compliance reference data shall be entered in the communication form conforming to Annex 1.

—

ANNEX 3

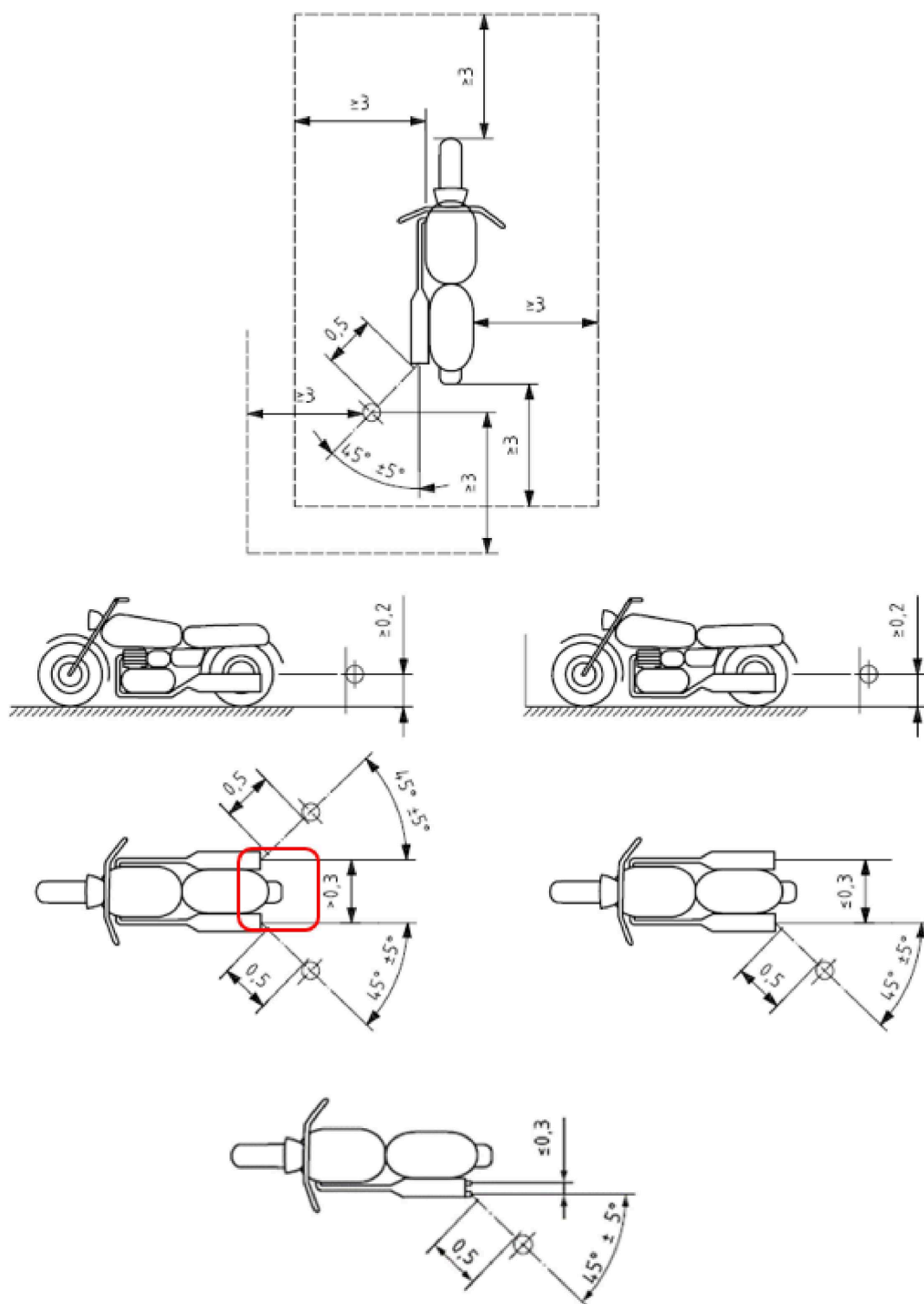
Appendix 1

Flowchart of the test procedure for the test of the vehicle in motion for vehicles of category L₃ with PMR ≤ 25



Appendix 2

Positioning of the microphones for the stationary noise test



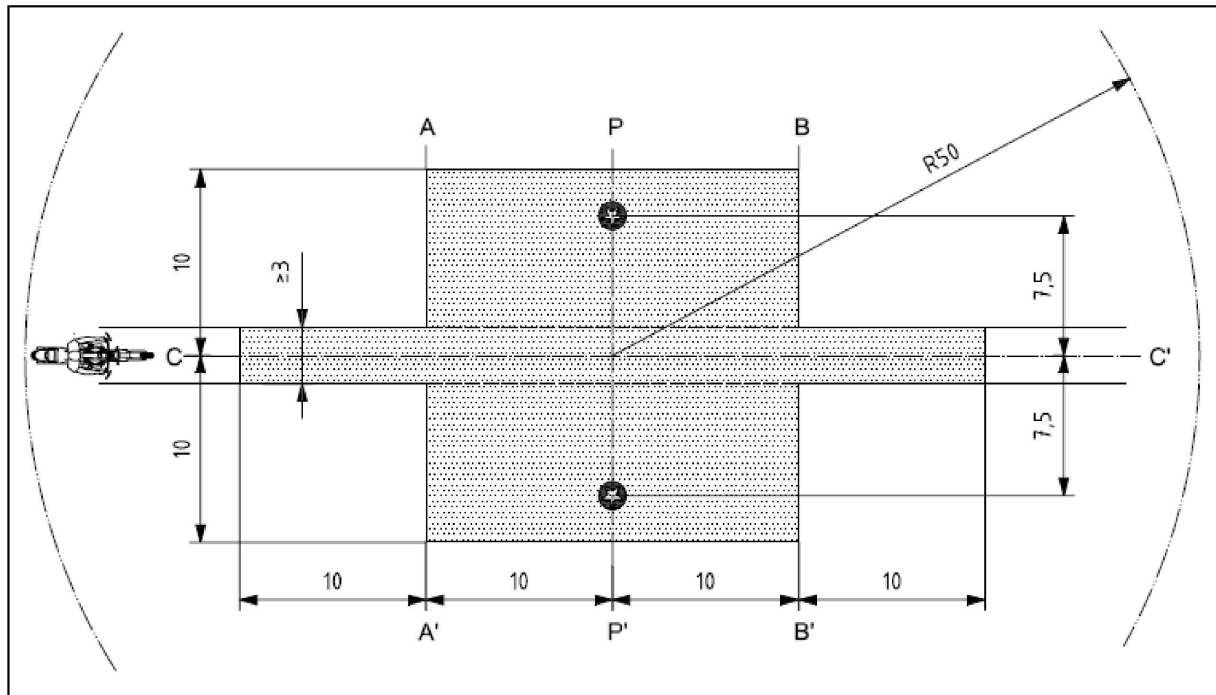
Dimensions in metres, unless otherwise indicated

ANNEX 4



Test track layout

Figure 1

Test track layout with dimensions in meters



Key

	Minimum area covered with test road surface, i.e. test area
	Microphone positions (height 1,2 m)

ANNEX 5

Exhaust or silencing systems containing fibrous material

1. Fibrous absorbent material shall be asbestos-free and may be used in the construction of the exhaust or silencing system only if suitable devices ensure that the fibrous material is kept in place for the whole time that the exhaust or silencing system is being used and the exhaust or silencing system meets the requirements of any one of paragraphs 1.1, 1.2, 1.3 or 1.4:
 - 1.1. After removal of the fibrous material, the sound level shall comply with the requirements of paragraph 6 of this Regulation.
 - 1.2. The fibrous absorbent material may not be placed in those parts of the silencer through which the exhaust gases pass and shall comply with the following requirements:
 - 1.2.1. The material shall be heated at a temperature of 650 ± 5 °C for 4 hours in a furnace without reduction in every length, diameter or bulk density of the fibre.
 - 1.2.2. After heating at 650 ± 5 °C for 1 hour in a furnace, at least 98 percent of the material shall be retained in a sieve of nominal aperture size 250 µm complying with ISO Standard 3310/1:1990 when tested in accordance with ISO Standard 2559:2000.
 - 1.2.3. The loss in weight of the material shall not exceed 10,5 percent after soaking for 24 hours at 90 ± 5 °C in a synthetic condensate of the following composition ⁽¹⁾:
 - 1 N hydrobromic acid (HBr): 10 ml
 - 1 N sulphuric acid (H₂SO₄): 10 ml
 - Distilled water to make up to 1 000 ml
 - 1.3. Before the system is tested in accordance with Annex 3, it shall be put into a normal state for road use by one of the following condition methods:
 - 1.3.1. Conditioning by continuous road operation
 - 1.3.1.1. According to the classes of motor cycles, the minimum distances to be completed during conditioning are:

Class of motor cycle according to Power-to-Mass Ratio index (PMR)	Distance (km)
Class I < 25	4 000
Class II > 25 < 50	6 000
Class III > 50	8 000

- 1.3.1.2. 50 ± 10 percent of this conditioning cycle consists of town driving and the remainder of long-distance runs at high speed; the continuous road cycle may be replaced by a corresponding test-track programme.
- 1.3.1.3. The two speed regimes shall be alternated at least six times.
- 1.3.1.4. The complete test programme shall include a minimum of 10 breaks of at least 3 hours' duration in order to reproduce the effects of cooling and condensation.
- 1.3.2. Conditioning by pulsation
 - 1.3.2.1. The exhaust system or components thereof shall be fitted to the motor cycle or to the engine. In the former case, the motor cycle shall be mounted on a test bench.
The test apparatus, a detailed diagram of which is shown in Figure 1, is fitted at the outlet of the exhaust system. Any other apparatus providing equivalent results is acceptable.

⁽¹⁾ The material shall be washed in distilled water and dried for 1 hour at 105 °C before weighing.

- 1.3.2.2. The test equipment shall be adjusted so that the flow of exhaust gases is alternatively interrupted and restored 2 500 times by a rapid-action valve.
- 1.3.2.3. The valve shall open when the exhaust gas back-pressure, measured at least 100 mm downstream of the intake flange, reaches a value of between 35 and 40 kPa. Should such a figure be unattainable because of the engine characteristics, the valve shall open when the gas back-pressure reaches a level equivalent to 90 percent of the maximum that can be measured before the engine stops. It shall close when this pressure does not differ by more than 10 percent from its stabilized value with the valve open.
- 1.3.2.4. The time-delay switch shall be set for the duration of exhaust gases calculated on the basis of the requirements of paragraph 1.3.2.3.
- 1.3.2.5. Engine speed shall be 75 percent of the rated engine speed (*S*).
- 1.3.2.6. The power indicated by the dynamometer shall be 50 percent of the full-throttle power measured at 75 percent of the rated engine speed (*S*).
- 1.3.2.7. Any drainage holes shall be closed off during the test.
- 1.3.2.8. The entire test shall be complete within 48 hours. If necessary, a cooling period shall be allowed after each hour.

1.3.3. Conditioning on a test bench

- 1.3.3.1. The exhaust system shall be fitted to an engine representative of the type fitted to the motor cycle for which the exhaust system was designed, and mounted on a test bench.
- 1.3.3.2. Conditioning consists of the specific number of test bench cycles for each class of motor cycle for which the exhaust system was designed. The number of cycles for each class of motor cycle is:

Class of motor cycle according to Power-to-Mass Ratio index (PMR)	Number of cycles
Class I < 25	6
Class II > 25 < 50	9
Class III > 50	12

- 1.3.3.3. Each test-bench cycle shall be followed by a break of at least 6 hours in order to reproduce the effects of cooling and condensation.

- 1.3.3.4. Each test-bench cycle consists of six phases. The engine conditions for and the duration of each phase are:

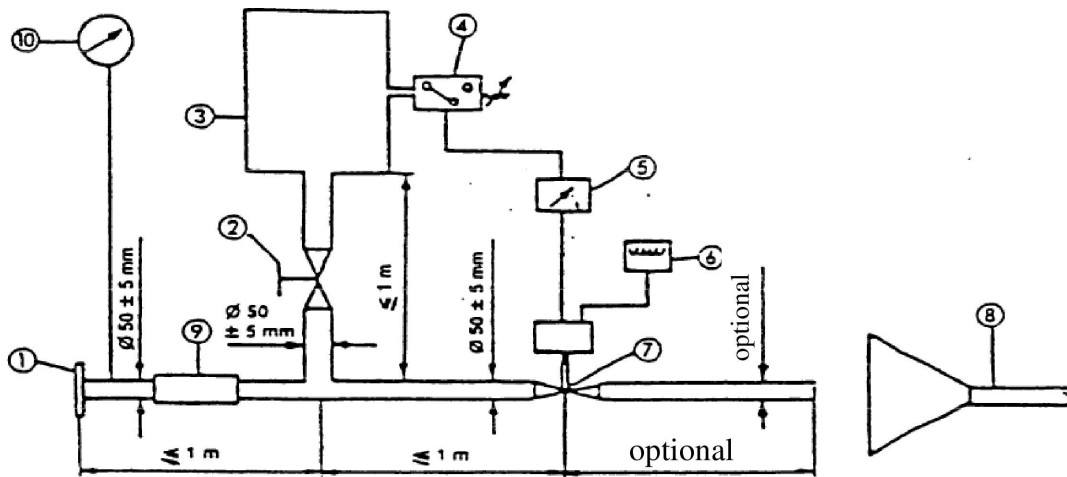
Phase	Conditions	Duration of phase in minutes	
		PMR < 50	PMR > 50
1	Idling	6	6
2	25 % load at 75 % <i>S</i>	40	50
3	50 % load at 75 % <i>S</i>	40	50
4	100 % load at 75 % <i>S</i>	30	10
5	50 % load at 100 % <i>S</i>	12	12
6	25 % load at 100 % <i>S</i>	22	22
	Total time	2,5 hours	2,5 hours

- 1.3.3.5. During this conditioning procedure, at the request of the manufacturer, the engine and the silencer may be cooled in order that the temperature recorded at a point not more than 100 mm from the exhaust gas outlet does not exceed that measured when the motor cycle is running at 110 km/h or 75 percent of *S* in top gear. The engine and/or motor cycle speeds are determined to within ± 3 percent.

- 1.4. Exhaust gases are not in contact with fibrous materials and fibrous materials are not under the influence of pressure variations.

Figure 1

Test apparatus for conditioning by pulsation



Notes:

1. Inlet flange or sleeve for connection to the rear of the test exhaust system.
2. Hand-operated regulating valve.
3. Compensating reservoir with a maximum capacity of 40 litres and a filling time of not less than 1 second.
4. Pressure switch with an operating range of 5 kPa to 250 kPa.
5. Time delay switch.
6. Impulse counter.
7. Quick response valve, such as exhaust brake valve 60 mm in diameter, operated by a pneumatic cylinder with an output of 120 N at 400 kPa. The response time, both when opening and closing, shall not exceed 0,5 seconds.
8. Exhaust gas evacuation.
9. Flexible pipe.
10. Pressure gauge.

ANNEX 6

Maximum limits of sound levels

Category	Power-to-mass ratio index (PMR)	Limit value for L_{urban} in dB(A)
First category	$\text{PMR} \leq 25$	73
Second category	$25 < \text{PMR} \leq 50$	74
Third category	$\text{PMR} > 50$	77 (*)

(*) For motor cycles tested in second gear only in Annex 3, the limit value is increased by 1 dB(A) until the date in paragraph 12.7. Data for affected vehicles shall be studied, and discussions shall be made in case of further extension.

ANNEX 7

Real Driving Additional Sound Emission Provisions (RD-ASEP)

1. Scope

1.1. This annex applies to vehicles of category L₃ with PMR >50.

2. Additional sound emission requirements

2.1. Measuring instruments

The requirements for the measurement equipment are identical to those defined in paragraph 1.1 of Annex 3 for the tests of the motorcycle in motion.

2.2. Acoustical environment, meteorological conditions and background noise

The requirements concerning the acoustical environment, the meteorological conditions and the background noise are identical to those defined in paragraph 1.2 of Annex 3 for the tests of the motorcycle in motion.

2.3. Microphone positions and conditions of the vehicle

The requirements concerning the microphone positions and the conditions of the vehicle are identical to those defined in paragraphs 1.3.1 and 1.3.2 of Annex 3 for the tests of the motorcycle in motion.

2.4. General operating conditions

The general operating conditions are identical to those defined in paragraph 1.3.3.1 of Annex 3 for the tests of the motorcycle in motion.

2.5. RD-ASEP control range

The requirements of this annex apply to any vehicle operation with the following restrictions:

- (a) v_{AA} shall be at least 10 km/h
- (b) v_{BB} shall not exceed 80 km/h for vehicles with $PMR \leq 150$
 v_{BB} shall not exceed 100 km/h for vehicles with $PMR > 150$
- (c) n_{AA} shall be at least $0,1 * (S - n_{idle}) + n_{idle}$
- (d) n_{BB} shall not exceed $0,8 * S$

The values for the RD-ASEP control range shall be seen as absolute values and shall not be increased or lowered by addition or subtraction of the tolerance for v_{test} as indicated in paragraph 3.3.1.

2.6. RD-ASEP limits

The maximum noise level recorded during the passage of the motorcycle through the test track shall not exceed:

$$L_{wot,(i)} + (1 * (n_{pp} - n_{wot,(i)}) / 1\,000) + 3 \text{ for } n_{pp} < n_{wot,(i)} \text{ and}$$

$$L_{wot,(i)} + (5 * (n_{pp} - n_{wot,(i)}) / 1\,000) + 3 \text{ for } n_{pp} \geq n_{wot,(i)}$$

Where $L_{wot,(i)}$ and n_{pp} have the same meaning as in paragraph 1 of Annex 3 and $n_{wot,(i)}$ refers to the corresponding engine speed when the front of the vehicle passes the line PP'.

If the tests according to Annex 3 of this UN Regulation and the RD-ASEP tests are performed with the same vehicle in immediate sequence, the values for $L_{wot,(i)}$ and $n_{wot,(i)}$ from the Annex 3 test may be used, if agreed by the type approval authority. Otherwise, when compliance with these limits is checked, values for $L_{wot,(i)}$ and $n_{wot,(i)}$ shall be newly determined by measurements as defined in paragraph 1 of Annex 3, however using the same gear (i) and the same pre-acceleration distance as during type approval.

2.7. Facilities

Due to limitations of test facilities and in respect of safety, not every test condition may be safely performed on every test facility.

Notwithstanding such restrictions, the type approval shall be granted on these test facilities, however the vehicle has to comply to all provisions of this Annex 7. In these cases, the vehicle manufacturer shall explain to the satisfaction of the authority present at type approval that the vehicle fulfils the requirements which could not be tested due to the restriction of the test facility.

3. Testing compliance by measurements ⁽¹⁾

3.1. General

The Type Approval Authority as well as the technical service shall request tests to check the compliance of the motorcycle with the requirements of paragraph 2 above. To avoid undue workload, testing is restricted to the reference points defined in paragraph 3.2 below and three additional operating conditions as defined in paragraph 3.3 of this Annex per gear. The total number of operating conditions to be tested according to paragraph 3.3 of this Annex shall be reduced by the operating conditions which were applied for tests according to paragraph 3.2 of this Annex and for the determination of L_{urb} according to Annex 3.

For vehicles with variable gear ratios or automatic transmission with non-lockable gear ratios testing shall be limited to 6 operating conditions as defined in paragraph 3.3 of this Annex, and different from the operating conditions which were applied for the determination of L_{urb} according to Annex 3.

3.2. RD-ASEP reference test conditions

3.2.1. Test procedure

When the front of the vehicle reaches AA', the throttle shall be fully engaged and held fully engaged until the rear of the vehicle reaches BB'. The throttle shall then be returned as quickly as possible to the idle position. Pre-acceleration may be used if acceleration is delayed beyond AA'. The location of the start of the acceleration shall be reported.

3.2.2. Test speed and gear selection

The vehicle shall be tested at each of the following operating conditions:

(a) $v_{PP'} = 50 \text{ km/h}$

The selected gear (i) and pre-acceleration condition shall be the same as those used in the original type approval test of Annex 3 of this Regulation.

(b) $v_{BB'}$ corresponding to

$$n_{BB'} = 0,8 \times S$$

$v_{BB'}$ shall not exceed the values as specified in paragraph 2.5(b) of this Annex.

The selected gear shall be 2nd. If the 3rd gear satisfies requirements of $n_{BB'}$ and $v_{BB'}$, 3rd shall be used. If the 4th gear satisfies requirements of $n_{BB'}$ and $v_{BB'}$, 4th shall be used. If the 5th gear satisfies requirements of $n_{BB'}$ and $v_{BB'}$, 5th shall be used. If the 6th gear satisfies requirements of $n_{BB'}$ and $v_{BB'}$, 6th shall be used.

If in 2nd gear under the above-mentioned condition for $n_{BB'}$ the vehicle speed at line BB' would exceed the value for $v_{BB'}$ as specified in paragraph 2.5 of this Annex, the test shall be performed in 2nd gear and a maximum vehicle speed as specified in paragraph 2.5 of this Annex shall be reached at line BB' instead.

If during the test unusual riding conditions (such as apparent wheel spin or front wheel lift up) occur, the test shall be performed in the next higher gear, and the maximum vehicle speed as specified in paragraph 2.5 of this Annex shall be reached at line BB' instead.

3.2.3. Data processing and reporting

The requirements of paragraph 1.4 of Annex 3 shall be applied.

In addition the engine speed values at AA', BB', and PP' in units of min^{-1} shall be mathematically rounded to the nearest integer for further calculations. For a given test condition the three individual engine speeds shall be averaged arithmetically.

⁽¹⁾ It is recommended that the rider who is performing the tests is making himself familiar with the riding characteristics of the test vehicle before he performs the test runs.

The final sound pressure levels for the full throttle acceleration shall not exceed the limits specified in paragraph 2.6 above.

3.3. Additional operating conditions

3.3.1. Test procedure

The vehicle shall approach the line AA' at constant speed or in acceleration or deceleration, according to the throttle operation which may be requested by the technical service responsible for conducting approval tests in agreement with the type approval authorities.

The approach velocity shall be chosen as such that the vehicle reaches a prescribed test speed $v_{\text{test}} \pm 5$ km/h when its front passes the line AA'.

Examples:

requested $v_{\text{test}}=10$ km/h → valid $v_{\text{AA}'}=10-15$ km/h

requested $v_{\text{test}}=15$ km/h → valid $v_{\text{AA}'}=10-20$ km/h

requested $v_{\text{test}}=75$ km/h → valid $v_{\text{AA}'}=70-80$ km/h

requested $v_{\text{test}}=95$ km/h → valid $v_{\text{AA}'}=90-100$ km/h

requested $v_{\text{test}}=100$ km/h → valid $v_{\text{AA}'}=95-100$ km/h

When the front of the vehicle passes the line AA' the throttle control shall be adjusted as rapidly as possible to a position (partial throttle, wide open throttle or maintain present throttle control position) which may be defined by the technical service responsible for conducting approval tests in agreement with the type approval authorities and shall be kept in this position until the rear of the vehicle passes line BB'.

When the rear of the vehicle passes line BB' the throttle control shall be shifted to the idle position as rapidly as possible.

The throttle position between lines AA' and BB' shall not result in a deceleration of the vehicle.

3.3.2. Test speed, gear and mode selection and throttle operation

The conditions of this paragraph may be defined by the technical service responsible for conducting the approval tests in agreement with the type approval authorities.

The test speed v_{test} may be any speed within the RD-ASEP control range as defined in paragraph 2.5 of this Annex.

The vehicle may be tested in any of the available gears, including 1st gear.

The vehicle may be tested in any of the available user selectable software programs or modes which affect the sound emissions of the vehicle.

The throttle operation shall be in accordance with paragraph 3.3.1 of this Annex.

The throttle operation before line AA' and between lines AA' and BB' shall be defined and described in a way that it can be performed by a skilled rider who has made himself familiar with the riding characteristics of the test vehicle and that the correct execution can be assessed by observation without the necessity of technical equipment on the vehicle or at the test site other than the equipment which is required for the tests according to Annex 3.

If the requested operating conditions lead to an unusual vehicle behaviour (i.e. front wheel lift up, apparent wheel spin, chain slap, engine lugging) or any other riding condition which may not be expected to occur when the vehicle is operated in real traffic, that test run shall be discarded and a test run with different operating conditions shall be performed.

3.3.3. Data processing and reporting

3.3.3.1. The maximum A-weighted sound pressure level 'L' indicated during the passage of the vehicle between AA' and when the rear of the vehicle passes BB' + 20 m (see Annex 4 – Figure 1) shall be reduced by 1 dB(A) to account for measurement inaccuracy and mathematically rounded to the nearest first decimal place (e.g. XX.X) for each microphone position (²).

(²) The sound pressure level 'L' is determined by a single test run.

If a sound peak obviously out of character with the general sound pressure level is observed, the measurement shall be discarded, and the test run shall be repeated with the same operating conditions.

3.3.3.2. Processing of the sound pressure measurements and calculation of the final test results

$$L_{ASEP} = \text{MAX} (L_{ASEP,\text{left}}, L_{ASEP,\text{right}})$$

Where the index 'left', 'right' refers to the microphone position (left or right).

3.3.3.3. The engine speed values at AA', BB', and PP' in units of min^{-1} shall be mathematically rounded to the nearest integer for further calculations

3.3.3.4. The final sound pressure levels for the additional operating conditions shall not exceed the limits specified in paragraph 2.6 of this Annex.

ANNEX 8

Statement of compliance with the Additional Sound Emission Provisions (ASEP)

(Maximum format: A4 (210 × 297 mm))

..... (Name of manufacturer) attests that vehicles of this type (type with regard to its noise emission pursuant to Regulation No 41) comply with the requirements of paragraph 6.3 of Regulation No 41.

..... (Name of manufacturer) makes this statement in good faith, after having performed an appropriate evaluation of the sound emission performance of the vehicles.

Date:

Name of authorized representative:

Signature of authorized representative:

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