

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**
No. 3931 of 24 May, 2012

LEGAL NOTICE NO. 78 OF 2012.

TRANSPORT ACT 1998

**TRANSPORT (ROADSIDE TEST) (AMENDMENT)
REGULATIONS 2012**

In exercise of the powers conferred upon him by section 69 of the Transport Act 1998, and all other enabling powers, and for the purpose of transposing into the law of Gibraltar Commission Directive 2010/47/EU of 5 July 2010 adapting to technical progress Directive 2000/30/EC of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community, the Minister has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Transport (Roadside Test) (Amendment) Regulations 2012 and come into operation on the day of publication.

Amendment of regulations.

2. The Transport (Roadside Test) Regulations 2003 are amended in accordance with the provisions in these Regulations.

Amendment to regulation 2.

3. In regulation 2, in the definition “required checklist” for the words “form RT/1” substitute the words “Specimen Technical Roadside Inspection Report Incorporating A Check-list”.

Amendment to regulation 3.

4.(1) In regulation 3(3)(b)(iii)(aa) for the words “Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers” substitute the words “Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers”.

(2) In regulation 3(7) for “form RT/1” substitute the words “the Specimen Technical Roadside Inspection Report Incorporating A Check-list”.

5. By substituting the following schedules for Schedule 1–

“SCHEDULE 1

(front side)

SPECIMEN TECHNICAL ROADSIDE INSPECTION REPORT INCORPORATING A CHECK-LIST

1. Place of check
2. Date
3. Time
4. Vehicle nationality mark and registration number
5. Vehicle identification/VIN number
6. Category of vehicle

(a) <input type="checkbox"/> N2 ^(a) (3,5 to 12 t) (b) <input type="checkbox"/> N3 ^(a) (more than 12 t) (c) <input type="checkbox"/> O3 ^(a) (3,5 to 10 t) (d) <input type="checkbox"/> O4 ^(a) (more than 10 t)	(e) <input type="checkbox"/> M2 ^(a) (> 9 seats ^(b) to 5 t) (f) <input type="checkbox"/> M3 ^(a) (> 9 seats ^(b) more than 5 t) (g) <input type="checkbox"/> Other vehicle category (Article 1(3))
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7. Undertaking carrying out transport
 - (a) Name and address
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 - (b) Number of the Community licence^(c) (Regulation (EC) No 1072/2009)
8. Nationality (driver)
9. Driver name
10. Checklist

	Checked ^(d)	Not checked	Failed ^(e)
(0) identification ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(1) braking equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) steering ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) visibility ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) lighting equipment and electric system ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) axles, wheels, tyres, suspension ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) chassis and chassis attachments ^(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7) other equipment including tachograph ^(f) and speed limitation device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8) nuisance including emissions and spillage of fuel and/or oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Result of inspection:

Ban on using the vehicle, which has dangerous defects

12. Miscellaneous/remarks:

13. Authority/officer or inspector having carried out the inspection

Signature of:

Testing authority/officer or inspector

Driver

Notes:

(a) Vehicle categories—

**Category M - Motor vehicles having at least four wheels
and for the carriage of passengers**

M2 Vehicles for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes.

M3 Vehicles for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes.

**Category N - Power-driven vehicles having at least four wheels
and for the carriage of goods**

N2 Vehicles for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes.

N3 Vehicles for the carriage of goods and having a maximum mass exceeding 12 tonnes.

Category O - Trailers (including semitrailers)

O3 Trailers with a maximum mass exceeding 3.5 tonnes, but not exceeding 10 tonnes.

O4 Trailers with a maximum mass exceeding 10 tonnes.

(b) Number of seats including the driver's seat.

(c) If available.

- (d) 'Checked' means that at least one or more of the inspection items listed in Schedule 3 of the Motor Vehicles Test Regulations 1987 of this group have been checked.
- (e) Defects indicated on the rear side.
- (f) Methods for testing and guidelines for assessment of defects according to Schedule 3 of the Motor Vehicles Test Regulations 1987.

(reverse side)

<p>0. IDENTIFICATION OF THE VEHICLE</p> <p>0.1. Registration number plates</p> <p>0.2. Vehicle identification/chassis/serial number</p> <p>1. BRAKING EQUIPMENT</p> <p>1.1. Mechanical condition and operation</p> <p>1.1.1. Service brake pedal pivot</p> <p>1.1.2. Pedal condition and travel of brake operating device</p> <p>1.1.3. Vacuum pump or compressor and reservoirs</p> <p>1.1.4. Low pressure warning gauge or indicator</p> <p>1.1.5. Hand-operated brake control valve</p> <p>1.1.6. Parking brake activator, lever control, parking brake ratchet</p> <p>1.1.7. Braking valves (foot valves, un-loaders, governors)</p> <p>1.1.8. Couplings for trailer brakes (electrical and pneumatic)</p> <p>1.1.9. Energy storage reservoir pressure tank</p> <p>1.1.10. Brake servo units, master cylinder (hydraulic systems)</p> <p>1.1.11. Rigid brake pipes</p> <p>1.1.12. Flexible brake hoses</p> <p>1.1.13. Brake linings and pads</p> <p>1.1.14. Brake drums, brake discs</p>	<p>1.1.15. Brake cables, rods, levers, linkages</p> <p>1.1.16. Brake actuators (including spring brakes or hydraulic cylinders)</p> <p>1.1.17. Load sensing valve</p> <p>1.1.18. Slack adjusters and indicators</p> <p>1.1.19. Endurance braking system (where fitted or required)</p> <p>1.1.20. Automatic operation of trailer brakes</p> <p>1.1.21. Complete braking system</p> <p>1.1.22. Test connections</p> <p>1.2. Service braking performance and efficiency</p> <p>1.2.1. Performance</p> <p>1.2.2. Efficiency</p> <p>1.3. Secondary (emergency) braking performance and efficiency</p> <p>1.3.1. Performance</p> <p>1.4. Parking braking performance and efficiency</p> <p>1.4.1. Performance</p> <p>1.4.2. Efficiency</p> <p>1.5. Endurance braking system performance</p> <p>1.6. Anti-lock braking system</p> <p>2. STEERING</p> <p>2.1. Mechanical condition</p> <p>2.1.1. Steering gear condition</p> <p>2.1.2. Steering gear casing attachment</p> <p>2.1.3. Steering linkage condition</p>	<p>2.1.4. Steering linkage operation</p> <p>2.1.5. Power steering</p> <p>2.2. Steering wheel and column</p> <p>2.2.1. Steering wheel condition</p> <p>2.2.2. Steering column</p> <p>2.3. Steering play</p> <p>2.4. Wheel alignment</p> <p>2.5. Trailer steered axle turntable</p> <p>3. VISIBILITY</p> <p>3.1. Field of vision</p> <p>3.2. Condition of glass</p> <p>3.3. Rear-view mirrors</p> <p>3.4. Windscreen wipers</p> <p>3.5. Windscreen washers</p> <p>3.6. Demisting system</p> <p>4. LAMPS, REFLECTORS, ELECTRICAL EQUIPMENT</p> <p>4.1. Headlamps</p> <p>4.1.1. Condition and operation</p> <p>4.1.2. Alignment</p> <p>4.1.3. Switching</p> <p>4.1.4. Compliance with requirements</p> <p>4.1.5. Levelling devices</p> <p>4.1.6. Headlamp cleaning device</p> <p>4.2. Front and rear position lamps, side marker lamps and end outline marker lamps</p> <p>4.2.1. Condition and operation</p> <p>4.2.2. Switching</p>	<p>4.2.3. Compliance with requirements</p> <p>4.3. Stop lamps</p> <p>4.3.1. Condition and operation</p> <p>4.3.2. Switching</p> <p>4.3.3. Compliance with requirements</p> <p>4.4. Direction indicator and hazard warning lamps</p> <p>4.4.1. Condition and operation</p> <p>4.4.3. Compliance with requirements</p> <p>4.4.4. Flashing frequency</p> <p>4.5. Front and rear fog lamps</p> <p>4.5.1. Condition and operation</p> <p>4.5.2. Alignment</p> <p>4.5.3. Switching</p> <p>4.5.4. Compliance with requirements</p> <p>4.6. Reversing lamps</p> <p>4.6.1. Condition and operation</p> <p>4.6.2. Switching</p> <p>4.6.3. Compliance with requirements</p> <p>4.7. Rear registration plate lamp</p> <p>4.7.1. Condition and operation</p> <p>4.7.2. Compliance with requirements</p> <p>4.8. Retro-reflectors, conspicuity markings and rear marker plates</p> <p>4.8.1. Condition</p>
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4.8.2. Compliance with requirements	5.3.3. Torque tubes, radius arms, wishbones and suspension arms	6.2.3. Doors and door catches	7.7. Audible warning device
4.9. Tell-tales mandatory for lighting equipment	5.3.4. Suspension joints	6.2.4. Floor	7.8. Speedometer
4.9.1. Condition and operation	5.3.5. Air suspension	6.2.5. Driver's seat	7.9. Tachograph
4.9.2. Compliance with requirements	6. CHASSIS AND ATTACHMENTS	6.2.6. Other seats	7.10. Speed limitation device
4.10. Electrical connections between towing vehicle and trailer or semi-trailer	6.1. Chassis or frame and attachments	6.2.7. Driving controls	7.11. Odometer
4.11. Electrical wiring	6.1.1. General condition	6.2.8. Cab steps	7.12. Electronic stability control (ESC)
4.12. Non-obligatory lamps and reflectors	6.1.2. Exhaust pipes and silencers	6.2.9. Other interior and exterior fittings and equipment	8. NOISE
4.13. Battery	6.1.3. Fuel tank and pipes (including heating fuel tank and pipes)	6.2.10. Mudguards (wings), spray suppression devices	8.1. 8.1 Noise suppression system
5. AXLES, WHEELS, TYRES AND SUSPENSION	6.1.4. Bumpers, lateral protection and rear under-run devices	7. OTHER EQUIPMENT	8.2. Exhaust emissions
5.1. Axles	6.1.5. Spare wheel carrier	7.1. Safety belts/buckles	8.2.1. Petrol engine emissions
5.1.1. Axles	6.1.6. Coupling mechanisms and towing equipment	7.1.1. Security of mounting	8.2.1.1. Exhaust emission control equipment
5.1.2. Stub axles	6.1.7. Transmission	7.1.2. Condition	8.2.1.2. Gaseous emissions
5.1.3. Wheel bearings	6.1.8. Engine mountings	7.1.3. Safety belt load-limiter	8.2.2. Diesel engine emissions
5.2. Wheels and tyres	6.1.9. Engine performance	7.1.4. Safety belt pretensioners	8.2.2.1. Exhaust emission control equipment
5.2.1. Road wheel hub	6.2. Cab and bodywork	7.1.5. Airbag	8.2.2.2. Opacity
5.2.2. Wheels	6.2.1. Condition	7.1.6. SRS systems	8.3. Electromagnetic interference suppression
5.2.3. Tyres	6.2.2. Mounting	7.2. Fire extinguisher	8.4. Other items related to the environment
5.3. Suspension system		7.3. Locks and anti-theft device	8.4.1. Visible smoke
5.3.1. Springs and stabilisers		7.4. Warning triangle	8.4.2. Fluid leaks
5.3.2. Shock absorbers		7.5. First aid kit	
		7.6. Wheel chocks (wedges)	

SCHEDULE 2

TABLE OF CONTENTS

- 1. INTRODUCTION
- 2. INSPECTION REQUIREMENTS
 - 1. Braking equipment
 - 8. Nuisance
- 1. INTRODUCTION

This Annex lays down the rules for testing and/or checking braking systems and exhaust emissions during a technical roadside inspection. The use of equipment is not mandatory during roadside inspections. However, it will enhance the quality of inspections and, where possible, it is recommended.

Items that may only be checked by the use of equipment have been marked with an **(E)**.

Where a method of inspection is given as visual, it means that in addition to looking at the items, the inspector should, if appropriate, also handle them, evaluate noise or use any other appropriate means of inspection without the use of equipment.

2. INSPECTION REQUIREMENTS

Roadside technical inspections may cover items and use the methods listed below. Deficiencies are examples of defects that can be detected.

Item	Method	Deficiencies
1. BRAKING EQUIPMENT		
1.1. Mechanical condition and operation		
1.1.1. Service brake pedal pivot	Visual inspection of the components while the braking system is operated. Note: Vehicles with power-assisted braking systems should be inspected	(a) Pivot too tight. (b) Excessive wear or play.

		with the engine switched off.	
1.1.2.	Pedal condition and travel of the brake operating device	<p>Visual inspection of the components while the braking system is operated.</p> <p>Note: Vehicles with power-assisted braking systems should be inspected with the engine switched off.</p>	<p>(a) Excessive or insufficient reserve travel.</p> <p>(b) Brake control not releasing correctly.</p> <p>(c) Anti-slip provision on brake pedal missing, loose or worn smooth..</p>
1.1.3.	Vacuum pump or compressor and reservoirs	<p>Visual inspection of the components at normal working pressure. Check time required for vacuum or air pressure to reach safe working value and function of warning device, multi-circuit protection valve and pressure relief valve.</p>	<p>(a) Insufficient pressure/ vacuum to give assistance for at least two brake applications after the warning device has operated (or gauge shows an unsafe reading).</p> <p>(b) Time taken to build up air pressure/- vacuum to safe working value not in accordance with the requirements⁽⁴⁾.</p> <p>(c) Multi-circuit protection valve or pressure relief valve not working.</p> <p>(d) Air leak causing a noticeable drop in pressure or audible air leaks.</p> <p>(e) External damage likely to affect the function of the braking system.</p>
1.1.4.	Low pressure warning gauge or indicator	Functional check	Malfunctioning or defective gauge or indicator.

<p>1.1.5. Hand-operated brake control valve</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Control cracked, damaged or excessively worn. (b) Control insecure on valve or valve insecure. (c) Loose connections or leaks in system. (d) Unsatisfactory operation.</p>
<p>1.1.6. Parking brake activator, lever control, parking brake ratchet</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Ratchet not holding correctly. (b) Excessive wear at lever pivot or in ratchet mechanism. (c) Excessive movement of lever indicating incorrect adjustment. (d) Activator missing, damaged or inoperative. (e) Incorrect functioning, warning indicator shows malfunction.</p>
<p>1.1.7. Braking valves (foot valves, un-loaders, governors)</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Valve damaged or excessive air leak. (b) Excessive oil discharge from compressor. (c) Valve insecure or inadequately mounted. (d) Hydraulic fluid discharge or leak.</p>

<p>1.1.8. Couplings for trailer brakes (electrical and pneumatic)</p>	<p>Disconnect and reconnect all braking system couplings between towing vehicle and trailer.</p>	<p>(a) Tap or self-sealing valve defective. (b) Tap or valve insecure or inadequately mounted. (c) Excessive leaks. (d) Incorrectly or not connected where required. (e) Not functioning correctly.</p>
<p>1.1.9. Energy storage reservoir pressure tank</p>	<p>Visual inspection.</p>	<p>(a) Tank damaged, corroded or leaking. (b) Drain device inoperative. (c) Tank insecure or inadequately mounted.</p>
<p>1.1.10. Brake servo units, master cylinder (hydraulic systems)</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Defective or ineffective servo unit. (b) Master cylinder defective or leaking. (c) Master cylinder insecure. (d) Insufficient brake fluid. (e) Master cylinder reservoir cap missing. (f) Brake fluid warning light illuminated or defective. (g) Incorrect functioning of brake fluid level warning device.</p>

<p>1.1.11. Rigid brake pipes</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Eminent risk of failure or fracture. (b) Pipes or connections leaking. (c) Pipes damaged or excessively corroded. (d) Pipes misplaced.</p>
<p>1.1.12. Flexible brake hoses</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Eminent risk of failure or fracture. (b) Hoses damaged, chafing, twisted or too short. (c) Hoses or connections leaking. (d) Hoses bulging under pressure. (e) Hoses porous.</p>
<p>1.1.15. Brake cables, rods, levers, linkages</p>	<p>Visual inspection of the components while the braking system is operated.</p>	<p>(a) Cable damaged or knotted. (b) Component excessively worn or corroded. (c) Cable, rod or joint insecure. (d) Cable guide defective. (e) Restriction to free movement of the braking system.</p>

		(f) Abnormal movement of the lever- s/linkage indicating maladjustment or excessive wear.
1.1.16. Brake actuators (including spring brakes or hydraulic cylinders)	Visual inspection of the components while the braking system is operated.	(a) Actuator cracked or damaged. (b) Actuator leaking. (c) Actuator insecure or inadequately mounted. (d) Actuator excessively corroded. (e) Insufficient or excessive travel of operating piston or diaphragm mechanism. (f) Dust cover missing or excessively damaged.
1.1.17. Load sensing valve	Visual inspection of the components while the braking system is operated.	(a) Defective linkage. (b) Linkage incorrectly adjusted. (c) Valve seized or inoperative. (d) Valve missing. (e) Missing data plate. (f) Data illegible or not in accordance with requirements ^(a)

1.1.18. Slack adjusters and indicators	Visual inspection.	(a) Adjuster damaged, seized or having abnormal movement, excessive wear or incorrect adjustment. (b) Adjuster defective. (c) Incorrectly installed or replaced.
1.1.19. Endurance braking system (where fitted or required)	Visual inspection.	(a) Insecure connectors or mountings. (b) System obviously defective or missing.
1.1.20. Automatic operation of trailer brakes	Disconnect brake coupling between towing vehicle and trailer.	Trailer brake does not apply automatically when coupling disconnected.
1.1.21. Complete braking system	Visual inspection.	(a) Other system devices (e.g. anti-freeze pump, air dryer, etc.) damaged externally or excessively corroded in a way that adversely affects the braking system. (b) Excessive leakage of air or anti-freeze. (c) Any component insecure or inadequately mounted. (d) Inappropriate repair or modification to any component.
1.1.22. Test connections (where fitted or required)	Visual inspection.	(a) Missing. (b) Damaged, unusable or leaking.

1.2. Service braking performance and efficiency		
1.2.1	Performance (E)	<p>Test on a static brake testing machine; apply the brakes progressively up to maximum effort.</p> <p>(a) Inadequate braking effort on one or more wheels.</p> <p>(b) Braking effort from any wheel is less than 70% of maximum effort recorded from the other wheel on the same axle.</p> <p>(c) No gradual variation in brake effort (grabbing).</p> <p>(d) Abnormal lag in brake operation of any wheel.</p> <p>(e) Excessive fluctuation of brake force during each complete wheel revolution.</p>
1.2.2	Efficiency (E)	<p>Test on a static brake testing machine at the presented weight.</p> <p>(a) Does not give at least the minimum figure as follows:</p> <p>(b) Category M1, M2 and M3 – 50 % (1)</p> <p>(c) Category N1 – 45 %</p> <p>(d) Category N2 and N3 – 43 % (2)</p> <p>(e) Category O2, O3 and O4 – 40 % (3)</p>
1.3. Secondary (emergency) braking performance and efficiency (if met by separate system)		
1.3.1.	Performance (E)	<p>If the secondary braking system is separate from</p> <p>(a) Inadequate braking effort on one or more</p>

	the service braking system, use the method specified in 1.2.1.	wheels. (b) Braking effort from any wheel is less than 70% of maximum effort recorded from another wheel on the same axle specified. (c) No gradual variation in brake effort (grabbing).
1.3.2. Efficiency (E)	If the secondary braking system is separate from the service braking system, use the method specified in 1.2.2.	Braking effort less than 50% (4) of the service brake performance defined in section 1.2.2 in relation to the maximum authorised mass or, in the case of semi-trailers, to the sum of the authorised axle loads.
1.4. Parking braking performance and efficiency		
1.4.1. Performance (E)	Apply the brake on a static brake testing machine.	Brake inoperative on one or more wheels.
1.4.2. Efficiency (E)	Test on a static brake testing machine at the presented weight.	Does not give at least for all vehicles a braking ratio of 16 % in relation to the maximum authorised mass, or, for motor vehicles, of 12 % in relation to the maximum authorised combination mass of the vehicle, whichever is the greater.
1.5. Endurance braking system performance	Visual inspection and, where possible test whether the system functions.	(a) No gradual variation of efficiency (not applicable to exhaust brake systems). (b) System not functioning.

1.6. Anti-lock braking system	Visual inspection of warning device.	(a) Warning device malfunctioning. (b) Warning device shows system malfunction.
8. NUISANCE		
8.2. Exhaust emissions		
2.1 Petrol engine emissions		
8.2.1.1. Exhaust emission control equipment	Visual inspection.	(a) Emission control equipment fitted by the manufacturer absent or obviously defective. (b) Leaks which could significantly affect emission measurements.

<p>8.2.1.2. Gaseous emissions (E)</p>	<p>Measurement using an exhaust gas analyser in accordance with the requirements ^(a). Alternatively, for vehicles equipped with suitable on-board diagnostic systems, the proper functioning of the emission system can be checked by appropriate reading of the OBD device and checks on the proper functioning of the OBD system in place of emission measurements at engine idle in accordance with the manufacturer's conditioning recommendations and other requirements ^(a) and taking account of appropriate tolerances.</p> <p>Alternatively, measurement using remote sensing equipment and confirmed by standard test methods.</p>	<p>(a) Either, gaseous emissions exceed the specific levels given by the manufacturer;</p> <p>(b) or, if this information is not available, the CO emissions exceed,</p> <p>1. for vehicles not controlled by an advanced emission control system,</p> <p>— 4,5 %, or</p> <p>— 3,5 %,</p> <p>according to the date of first registration or use specified in requirements ^(a)</p> <p>2. for vehicles controlled by an advanced emission control system,</p> <p>— at engine idle: 0,5 %,</p> <p>— at high idle: 0,3 %, or</p> <p>— at engine idle: 0,3 % (5)</p> <p>— at high idle: 0,2 %,</p> <p>according to the date of first registration or use specified in requirements ^(a).</p> <p>(c) Lambda outside the range $1 \pm 0,03$ or not in accordance with the manufacturer's specification.</p>
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		<p>(d) OBD read out indicating significant malfunction.</p> <p>(e) Remote sensing measurement showing significant non-compliance.</p>
8.2.2 Diesel engine emissions		
8.2.2.1. Exhaust emission control equipment	Visual inspection.	<p>(a) Emission control equipment fitted by the manufacturer absent or obviously defective.</p> <p>(b) Leaks which could significantly affect emission measurements.</p>
8.2.2.2. Opacity (E)	<p>(a) Exhaust gas opacity to be measured during free acceleration (no load from idle up to cut-off speed) with gear lever in neutral and clutch engaged.</p> <p>(b) Vehicle preconditioning:</p> <p>1. Vehicles may be tested without preconditioning although for safety reasons checks should be made that the engine is warm and in a satisfactory mechanical condition.</p> <p>2. Precondition requirements:</p> <p>(i) Engine shall be fully warm, for instance the engine oil temperature measured by a probe in the oil level dipstick tube to be at least 80°C, or normal operating temperature if lower, or the engine block temperature measured by the level of infrared radiation to be at least an equivalent</p>	<p>(a) For vehicles registered or put into service for the first time after the date specified in requirements ⁽³⁾, opacity exceeds the level recorded on the manufacturer's plate on the vehicle;</p> <p>(b) where this information is not available or requirements ⁽³⁾ do not allow the use of reference values,</p> <p>— for naturally aspirated engines: 2,5 m⁻¹,</p> <p>— for turbo-charged engines: 3,0 m⁻¹, or, for vehicles identified in requirements ⁽³⁾ or first registered or put into service for the first time after the date specified in requirements ⁽³⁾,</p> <p>— 1,5 m⁻¹ ⁽⁶⁾.</p>

	<p>temperature. If, owing to vehicle configuration, this measurement is impractical, the establishment of the engine's normal operating temperature may be made by other means, for example by the operation of the engine cooling fan.</p> <p>(ii) Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method.</p> <p>(c) Test procedure:</p> <p>1. Engine and any turbocharger fitted, to be at idle before the start of each free acceleration cycle. For heavy-duty diesels, this means waiting for at least 10 seconds after the release of the throttle.</p>	<p>(c) Remote sensing measurement showing significant non-compliance.</p>
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<p>8.2.2.2. Opacity Vehicles registered or put into service before 1 January 1980 are exempted from this requirement</p>	<p>(a) Exhaust gas opacity to be measured during free acceleration (no load from idle up to cut-off speed) with gear lever in neutral and clutch engaged.</p> <p>(b) Vehicle preconditioning: 1. Vehicles may be tested without preconditioning although for safety reasons checks should be made that the engine is warm and in a satisfactory mechanical condition.</p> <p>2. precondition requirements: (i) Engine shall be fully warm, for instance the engine oil temperature measured by a probe in the oil level dipstick tube to be at least 80 °C, or normal operating temperature if lower, or the engine block temperature measured by the level of infrared radiation to be at least an equivalent temperature. If, owing to vehicle configuration, this measurement is impractical, the establishment of the engine's normal operating temperature may be made by other means, for example by the operation of the engine cooling fan.</p> <p>(ii) Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method. limit the number of test cycles.</p>	<p>(a) For vehicles registered or put into service for the first time after the date specified in requirements ^(a), opacity exceeds the level recorded on the manufacturer's plate on the vehicle;</p> <p>(b) Where this information is not available or requirements ^(a), do not allow the use of reference values, for naturally aspirated engines: 2,5 m-1, for turbo-charged engines: 3,0 m-1, or, for vehicles identified in requirements ^(a), or first registered or put into service for the first time after the date specified in requirements ^(a), 1,5 m-1 (7).</p>
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	<p>for example by the operation of the engine cooling fan.</p> <p>(ii) Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method.</p> <p>5. To avoid unnecessary testing, Member States may fail vehicles which have measured values significantly in excess of the limit values after less than three free acceleration cycles or after the purging cycles. Equally to avoid unnecessary testing, Member States may pass vehicles which have measured values significantly below the limits after less than three free acceleration cycles or after the purging cycles</p>	
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- (1) 48% for vehicles not fitted with ABS or type approved before 1 October 1991.
 - (2) 45% for vehicles registered after 1988 or from the date specified in requirements ^(a) whichever is the later.
 - (3) 43% for semi-trailers and draw-bar trailers registered after 1988 or from the date in requirements ^(a) whichever is the later.
 - (4) 2,2 m/s² for N1, N2 and N3 vehicles.
 - (5) First registered or put into service after 1 July 2002.
 - (6) First registered or put into service after 1 July 2008
-

NOTES:

^(a) 'Requirements' are laid down by type-approval requirements at the date of first registration or first entry into service as well as retrofitting obligations or national legislation of the country of registration.

Vehicle categories

**Category M - Motor vehicles having at least four wheels
and for the carriage of passengers**

- M2 Vehicles for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes.
- M3 Vehicles for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes.

**Category N - Power-driven vehicles having at least four wheels
and for the carriage of goods**

- N2 Vehicles for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes.
- N3 Vehicles for the carriage of goods and having a maximum mass exceeding 12 tonnes.

Category O - Trailers (including semitrailers)

- O3 Trailers with a maximum mass exceeding 3.5 tonnes, but not exceeding 10 tonnes.
- O4 Trailers with a maximum mass exceeding 10 tonnes.

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Dated 24th May, 2012.

N COSTA,
Minister with responsibility for transport.

EXPLANATORY MEMORANDUM

These Regulations amend the Transport (Roadside Test) Regulations 2003 in order to transpose Commission Directive 2010/47/EU of 5 July 2010 adapting to technical progress Directive 2000/30/EC of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community.

The effect of the Directive is the amendment of the existing form in Schedule 1 with a new form and rules set out in Schedules 1 and 2.

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