

Guideline

for applications for the issue of type-approval certificates for agricultural and forestry tractors, their trailers and interchangeable towed machinery in accordance with the Directive 2003/37/EC

(LEG 2003/37/EC)

State: October 2006



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1 Introduction

This guideline serves to clarify questions related to the issue of type-approvals for vehicles in accordance with Directive 2003/37/EC.

It should help the applicant and technical services compile the application documents in a co-ordinated fashion, thus enabling a smooth issue of the type-approval.

1.1 Legal bases

The legal bases for this guideline are:

- the latest respective version of the basic Directive 2003/37/EC "Type-approval of agricultural and forestry tractors, their trailers and interchangeable towed machinery"
- the respective applicable separate Directives in the EC.

1.2 Scope of application and references to further instruction leaflets

The guideline applies for type-approvals for all types of vehicle covered by the scope of Directive 2003/37/EC.

System approvals may be quoted and/or test reports included as proof of compliance with the provisions of separate Directives.

As regards

- the exemption procedure in accordance with article 11 of Directive 2003/37/EC reference is made to the instruction leaflet "New technologies or features (MMT)" in accordance with article 8, paragraph 2 letter c of the Directive 70/156/EEC
- the procedure for small series in accordance with article 9 of Directive 2003/37/EC reference is made to the "Guideline for small series (LKS)" for Directive 2002/24/EC and § 20 StVZO (In single cases the KBA has the possibility for granting exemptions to the provisions. For the maximum number of vehicles consider Directive 2003/37/EC annex V chapter A)
- the procedure for end-of-series vehicles in accordance with article 10 of Directive 2003/37/EC reference is made to the "Guideline for end-of-series vehicles (MAS)" for Directive 70/156/EC (For the maximum number of vehicles consider Directive 2003/37/EC annex V chapter 5)
the initial assessment of the manufacturer, reference is made to the "Information sheet to Initial Assessment (MAB)".

2 Approval authority

The approval authority in the Federal Republic of Germany in the intendment of the aforementioned Directive is the

**Kraftfahrt-Bundesamt
24932 Flensburg
Germany**

Queries should be addressed:

Phone: +49 (4 61) 3 16-0
Fax: +49 (4 61) 3 16-28 01
E-Mail: kba@kba.de

3 Technical services

The tests and vehicle inspections that are necessary to issue the type-approval must be performed by technical services that are designated by the Kraftfahrt-Bundesamt (KBA). The applicant is free to choose their own technical services.

A list of designated technical services can be found on the homepage of the KBA (www.kba.de).

Queries on the approval of technical services should be addressed to:

Kraftfahrt-Bundesamt
Außenstelle Dresden
Bernhardstraße 62
01187 Dresden
Germany
Phone: +49 (3 51) 4 73 85 0
Fax: +49 (3 51) 4 73 85 36
E-Mail: AkkStelle@kba.de

4 Vehicle type approvals

4.1 Preconditions for an application

According to article 3 of the Directive 2003/37/EC, the application for the issue of a type-approval must be made by the manufacturer. A precondition for the application authorisation is approval of the applicant as the manufacturer.

According to article 2, letter p of the Directive 2003/37/EC, the "manufacturer" means the person or body responsible to the approval authority for all aspects of the type-approval process and for ensuring conformity of production.

The applicant this has to prove that they are responsible for the type-approval process and for ensuring conformity of production with the type-approval. According to article 13, paragraph 1 and Annex IV of Directive 2003/37/EC, the approval authority must perform an initial assessment of the manufacturer's quality control measures before issuing the first type-approval to ensure an effective control of compliance with these requirements.

Information on the procedure for the separate methods and a list of documents to be submitted can be found in the "Information sheet to Initial Assessment (MAB)", available from the KBA.

Manufactures who have already been issued with type-approvals for these types of vehicles from the KBA are regarded as having passed the initial assessment.

4.2 The application

The application for the issue of a type approval should only be submitted when the prerequisites for the application as listed in no. 4.1 of this guideline have been met. A separate application of the issue of a type-approval must be submitted to the KBA for each type of vehicle.

The application must contain:

- The type of approval applied for with brief description of the Directive and any respective amendments as well as the type of vehicle,

Example:

"Application for the issue of a type-approval in accordance with the Directive 2003/37/EC (as amended by ???/???/EC) for a tractor on wheels, class T1".

- Type of vehicle in accordance with the information in number 0.2 of the information document,
- a declaration that no type-approval has been either issued or applied for in another member state of the EU (article 3 chapter 4, 2003/37/EC). This declaration is not required in the case of an application for an amendment or extension.
- the existing approval number in the case of an amendment or extension of the type-approval,
- Date and original signature.

All documents listed in section 4.3 must also be submitted together with the application.

4.3 Annexes to the application

The following documents have to be submitted together with the application:

- Information folder (see no. 4.3.1 of the guideline),

- Sample signature for the certificate of conformity (see no. 4.3.2 of the guideline),
- test report on the inspection and testing of the vehicles (see no. 6 of the guideline),
- list of test results according to annex II chapter C part II, of the Directive 2003/37/EC (see no. 8 of the guideline),
- other annexes (see no. 4.3.4 of the guideline),
- possibly approval sheets (with annexes) for the separate Directives (see no. 4.3.3 of the guideline).

4.3.1 Information folder

The information folder normally comprise

- the fully completed information sheet according to annex I, model A or B of the Directive 2003/37/EC with list of corresponding annexes (Model A should be used in the absence of an EC type-approval certificate granted under a separate Directive on the subject. Model B is to be used where one or more EC type-approval or EC component type-approval certificates issued pursuant to separate Directives are available.),
- possibly a list of approval numbers of the approvals used according to separate Directives in accordance with annex I, model B part III of the Directive 2003/37/EC,
- the documents named in the list of annexes for the information document.

Details on drafting these documents can be found under numbers 4.3.1.1 and 4.3.1.2 of the guideline.

4.3.1.1 Information document

Notes on identification:

The information document must be identified as described in the following to ensure a clear assignment of the information documents to a type-approval and in particular for later extensions or supplements.

Page 1 of the information document must contain the following data:

- Company name and/or factory/trade name
- Description of the document with the number assigned to the applicant, e.g. "Information document no. ????*00 according to annex I, model A of the Directive 2003/37/EC as amended by ???/???/EC"
- Date of issue (basic version) and the latest revision number in the case of amendments

- Page number
- Page sequence (if pages have been inserted or removed following amendments)

The **remaining pages** must contain the following data:

- Number of the information document
- Page number
- Date of issue (only current version needed)

Notes on completing the information document:

Data must be provided for all requisite breakdown points.

Please enter "none", "not applicable", "not tested", etc. for items that are not applicable.

Sections that do not apply for a particular type of vehicle can be omitted completely.

This also applies if reference is made to type-approvals for systems or independent technical units in specific circumstances. (See also remark No. 3 annex I, model A of the Directive 2003/37/EC.)

4.3.1.2 List of approval numbers according to separate Directives

The list of approval numbers (annex I, model B part III of the Directive 2003/37/EC) for the applicable system approvals (approvals according to separate Directives) is to be shown in a separate section. It should contain the following information to enable a clear classification:

Page 1 of the list:

- Company name,
- Name of the document,
"List according to annex I, model B part III of Directive 2003/37/EC as amended by
???/???/EC"
- Number of the information document,
- Page number, if more than 1 page,
- Date of issue and the current revision date for extracts of amendments.

The **remaining pages**:

- Number of the information document,
- Page number,
- Date of issue and the current revision date for extracts of amendments.

4.3.2 Sample signature

The sample signature (annex II, chapter C, part I of the Directive 2003/37/EC) should be provided on a sheet of paper with company imprint and must contain the following:

- Complete address of the manufacturer,
- First name(s) and surname(s) of the authorised signatory,
- Sample signature(s),
- Position(s),
- Date.

Only one original sample signature is needed by the KBA. Copies can then be enclosed with the documents for further applications.

4.3.3 Approval sheet for separate Directives

The complete approvals for the applicable separate Directives are to be enclosed in order to check the application documents and to ensure that the approval authority can provide further information. If these have been issued by the KBA they need not be enclosed. The corresponding approvals can be submitted in a paper or electronic form.

4.3.4 Other annexes to the application

- Test report from the technical services on the test of the type with the applicable provisions of the Directive,
- Test reports for the separate Directives if no system or component approvals have been submitted,
- Instead of complete test reports it is possible to deliver reduced reports to the single directives, particularly in simple cases in context with the above-mentioned test reports of the technical services.
In conjunction with the above-mentioned test reports the reduced reports shall include the relevant information for granting the type-approval of a vehicle system.

The reduced reports shall be listed in a particular table according to Annex I, Form B, Part III of directive 2003/37/EC. This table must show the allocation of the variants/versions and test report to the reduced reports.

The model of the list is shown in Annex 2 of the guideline.

- Wherever possible, lists of test results according to annex II, chapter C, part II of the Directive 2003/37/EC.

5 Number and nature of the application documents

5.1 Number of application documents to be submitted

| | |
|--|------------|
| - Application | 1 copy |
| - Information document with annexes | triplicate |
| - Sample signature | triplicate |
| - Approval sheets for separate Directives | 1 copy |
| - Test reports with annexes | triplicate |
| - Test reports according to annex II, chapter C part II of the Directive 2003/37/EC | 1 copy |

5.2 Nature and language of the application documents:

The application and all copies of the test reports are to be submitted in original or an original copy.

They must be in an A4 format. If, for example, drawings have a different format they must be copied to A4 size.

The provisions of no. 4.3.2 of the guideline apply for the sample signature. The official language in the Federal Republic of Germany is German. Documents in English will, however, also be accepted.

6 Vehicle testing

Compliance of the actual conditions with the applicable system approvals, test reports and component approvals must be determined by practical tests on a suitable number of vehicles before the vehicle type-approval can be issued. These practical tests are not generally carried out by the KBA itself. They are normally carried out by technical services that have been designated by the KBA for this purpose.

The tests for the separate Directives in the context of a vehicle type-approvals, in other words of circumstances for which no type-approvals for systems or components are available, can be carried out by several technical services in the context of their designation. The **conformity and assembly tests**, however, should be carried out by one body or person.

The test report of the technical services should reflect the tests described in annex II, chapter B, appendix 2 of the Directive 2003/37/EC. In conjunction with the system approvals that are submitted, the information contained therein must be checked against the actual circumstances of the vehicles. Moreover, it must be determined whether these system approvals are the latest versions. If test reports are used instead of system approvals, these are to be included accordingly in the tests and the documentation. The sample of a test report can be found as annex 1 to the guideline.

7 List of contents for the information documents

This list of contents is drafted by the KBA. It is the link between the type approval sheet and the information documents. It is used in every case – and in particular in the case of supplements and extensions – to document an unambiguous classification of the scope of the approval.

The list of contents should clearly define the content of the information documents so that individual pages can always be found without confusion.

Example of a list of contents (basic approval)

KBA header sheet

Annex 1

to EC type-approval certificate no.: e1*2003/37*0001*00

List of contents for the information documents

Date of issue: 19.08.2005

| | | | |
|----|--|---------------|------------|
| 1. | Incidental provisions and legal remedy | | |
| 2. | Information document no. | | Date |
| | | 2003/37/123 | 12.08.2005 |
| 3. | Test report(s) no. | 1234-5678 | 12.08.2005 |
| | | 1234-5679 | 11.08.2005 |
| 4. | Test results | Page | |
| | | 1 – 3 | 11.08.2005 |
| 5. | Sample signature | No. of sheets | |
| | | 1 | 02.06.2005 |

8 List of test results

The list of test results (annex II, chapter C, part II of the Directive 2003/37/EC) as an annex to the type-approval certificate must be drafted by the approval authority. The individual data can be found in the type-approvals according to the separate Directives and/or the corresponding test reports.

Its drafting entails a lot of writing and checking on account of the large amount of data and its classification. The KBA thus recommends that the test results are provided in accordance with annex II, chapter C, part II together with the application documents. To enable these lists to be included directly as an annex to the EC type-approval certificate – i.e. without being transcribed by the KBA – you should

- use neutral sheets and
- leave a 30 mm margin in the header area of the sheets.

The KBA header can then be inserted directly into these documents.

9 Amendment to the approval

If amendments are to be made to an approved type (article 5 of the Directive 2003/37/EC), supplements can always be issued to the existing type approvals if the type classification criteria (article 2, letter f of Directive 2003/37/EC) are not affected by this. Irrespective of the consequences of a supplement to the approval documents (see no. 9.1 to 9.4 of the guideline), it is always a supplement from the point of view of fees.

The manufacturer submits the amended pages of the information document for a supplement in which the **type of change** and the **date** of the new version are noted. The **type of change** cannot always be shown clearly at the place of the change. It has thus proven practical to compile the changes in a **list of changes**.

In the case of simple changes to the information document and the necessary amendments, so-called extensions can be approved on request that only have a list of contents corrected by the KBA with the amended information document, without incrementing the amendment status. In such cases it is very important that the information documents be identified in accordance with the instructions in no. 4.3.1.1 of the guideline.

The list of contents for the information documents is brought up to date by the KBA so that all applicable pages of the information documents can be located without any confusion (see no. 7 of the guideline).

Changes to the approved type that call for new vehicle inspections and new information in the approval certificate as well as revisions of applicable separate Directives in conjunction with the date of invalidity always lead to the drafting of a revised approval certificate with a new revision number. Details can be found in article 5, paragraph 5 of the Directive 2003/37/EC.

9.1 Consequences for the information document

- The changed pages with marked amendments and new date of issue must be drafted so that they replace the invalid pages in the breakdown without any gaps.

- Additional pages must be numbered so that they can be inserted in the former page numbering. The page sequence should be brought up to date.
- Any pages that are omitted completely do not have to entail a renumbering of the following pages that are still applicable. It suffices that the invalid page numbers be deleted from the list of the page sequence.
- The nature of the amendments and/or extensions must be obvious. If this is not the case, the type of change and/or extension must be noted separately on the corresponding pages.
- Every new issue date for a page of the information documents with annexes changes its version. The valid version date of each approval status must be shown in the list of contents for the information documents with annexes.
- A complete information document with corresponding details of the changes can also be submitted for every amendment

9.2 Consequences for the test report

New tests are not integrated in the previous test reports. A supplemental report is drafted. If things become too confusing (this is determined by the KBA) a new test report has to be submitted that summarises all the information.

9.3 Consequences for the list of contents of the information documents

Any change to the information documents must be documented in the list of contents and thus leads to a new version of the list of contents to be drafted by the KBA.

Example:

A change on page 3 of the information documents should be documented as follows:

- Mark the amended page 3 of the information documents with the new date of issue and mark the change.
- Enter the new version date on page 1 of the information documents or possibly replace the previous version date with the new one.
- Correct the list of contents for the information documents.

The following example shows the list of contents to be drafted by the KBA according to no. 7 of the guideline, in which the amendments to the information documents with annexes and the test reports as well as the extension of the approval certificate are documented.

KBA header sheet**Annex 1**

To EC type-approval certificate no: e1*2003/37*0001*01

List of contents for the information documents

Date of issue: 19.08.2005 last revised 12.09.2005

| | | |
|---|---------------|------------|
| 1. Incidental provisions and legal remedy | | |
| 2. Information document no. | | Date |
| | 2003/37/123 | 12.08.2005 |
| last date of revision | | 14.09.2005 |
| 3. Test report(s) no. | 1234-5678 | 12.08.2005 |
| | 1234-5679 | 12.08.2005 |
| | 1234-5679 | 20.08.2005 |
| 4. Test results | Page | |
| | 1 | 11.08.2005 |
| | 1 | 20.08.2005 |
| | 1 | 21.08.2005 |
| 5. Sample signature | No. of sheets | |
| | 1 | 15.08.2005 |
| 6. List of changes | | 20.08.2005 |

9.4 Consequences for the approval certificate

Changes to vehicle type-approvals are documented depending on their type either by a revised approval certificate with new extension number or only by the updated list of contents for the information documents without an extension number.

The approval owner can however apply for an increment of the update status in the type-approval even for an extension that only shows a corrected information document with changed list of annexes.

Sample of a test report

for the conformity and assembly test with integrated test reports

| | | | |
|--------------------|-------------------------------|-----------------|----------------|
| Technical Service: | Manufacturer: Vehicle type | Test report no. | Page 1 of x |
|--------------------|-------------------------------|-----------------|----------------|

TEST REPORT

No.

According to the Directive of the European Community
on the

**type-approval for agricultural and forestry tractors,
their trailers and interchangeable towed machinery**

2003/37/EC

including all amendments up to

??/??/EC

previous approvals issued

0. previous approvals issued

- 0.1 Manufacturer's brand :
- 0.2 Type :
- 0.3 Class of vehicle :
- 0.4 Name and address of manufacturer :
- 0.5 Information document :
- Number :
- Date of issue :
- Last revision date :

1. Test vehicle(s)

- 1.1 Description
- 1.2 Comments

2. Test report

2.1 Test facilities

2.2 Test results

Validity test of the system approvals to which reference is made, component approvals and test reports for the separate Directives.

"The test reports and component approvals to which reference is made in the list according to annex I, model B part III of the Directive 2003/37/EC **refer / partly do not refer** to the respective applicable requirements of the separate Directives."

All applicable separate Directives have been taken into account.

2.3 Check of compliance of the vehicles with the system approvals, test reports and component approvals to which reference is made

| Test vehicle variant/version | System approval Test report Component approval | Compliance Requirements met? | Comments |
|------------------------------|--|------------------------------|----------|
| ? | ? | yes/no | ? |

2.4 General data

Place of testing :

Date of testing :

2.5 Comments

3. Annexes

List additional annexes to the test report.

4. Final certification

The information document listed under no. 0.5 and the type described therein – c o m p l y – with the aforementioned test specification

This test report comprises pages 1 to n.

The test report may only be copied and forwarded by the customer and only in its entirety. Copying and publication of the test report in parts requires the prior written approval of the test laboratory.

TESTLABORATORY

accredited by the accreditation office of the Kraftfahrt-Bundesamt

Place:

Date:

Signature:

(Name and function in capitals)

Sample of the list of test reports used

If test reports are submitted as proof of compliance with separate Directives it has proven practical to list these in a manner similar to annex I, model B part III of the Directive 2003/37/EC. This should be in a separate annex to the test report.

In this list the reduced reports according to 4.3.4 third bullet may be listed as well.

One example is shown below:

S a m p l e :

| | | | |
|--------------------|--------------------------------|------------------|----------------|
| Technical Service: | Manufacturer: Vehicle type: | Test report no.: | Page 1 of x |
|--------------------|--------------------------------|------------------|----------------|

Annex No. :
dated :

List of test reports for separate Directives:

| Situation | Separate Directive | Test report no. | Date | Technical service | Variant/version |
|---------------------|--------------------|-----------------|----------|-------------------|-----------------|
| Brake systems | 76/432/EC | 18 10 501 | 12.02.05 | TÜV Technik | A 36/7 ... |
| | | 18 10 501.1 | 02.06.05 | | B 36/7 ... |
| | | 18 10 502 | 30.07.05 | | C 36/7 |
| Passenger seats | 76/763/EC | 2000-7-123 | 01.04.05 | TÜV Mitte | all |
| ? | ? | ? | ? | ? | ? |
| Aud. warning device | 74/151/EC | 1.5 | 20.04.05 | - | all |
| Sound level | 74/151/EC | 1.6 | 22.02.02 | - | all |
| EMC | 75/322/EC | 6.1 | 11.01.01 | - | all |

Place:

Date: