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COUNCIL DIRECTIVE

of 26 May 1986

on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors

(86/298/EEC)

(OJ L 186, 8.7.1986, p. 26)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive 89/682/EEC of 21 December 1989	L 398	29	30.12.1989
►**M2**	Commission Directive 2000/19/EC of 13 April 2000	L 94	31	14.4.2000
►**M3**	Commission Directive 2005/67/EC of 18 October 2005	L 273	17	19.10.2005
►**M4**	Council Directive 2006/96/EC of 20 November 2006	L 363	81	20.12.2006

Amended by:

►**A1**	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995
►**A2**	Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003

Corrected by:

►**C1** Corrigendum, OJ L 173, 5.7.1988, p. 20 (86/298/EEC)

►**C2** Corrigendum, OJ L 145, 9.6.2005, p. 42 (89/682/EEC)

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COUNCIL DIRECTIVE

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on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors

(86/298/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission ([1]),

Having regard to the opinion of the European Parliament ([2]),

Having regard to the opinion of the Economic and Social Committee ([3]),

Whereas Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors ([4]), as last amended by the Act of Accession of Spain and Portugal, lays down that the necessary provisions for the implementation of the EEC type-approval procedure in respect of individual tractor parts or characteristics should be specified in special directives; whereas the provisions relating to roll-over protection structures and their attachments to tractors were laid down by Directives 77/536/EEC ([5]) and 79/622/EEC ([6]), as last amended by the Act of Accession of Spain and Portugal; whereas these two Directives cover respectively dynamic and static testing procedures — either of which may be employed by manufacturers for the present — and relate to standard tractors, that is, tractors having a maximum ground clearance of 1 000 mm and a fixed or adjustable track width of one of the driving axles of not less than 1 150 mm and weighing between 1,5 and 4,5 tonnes in the case of tractors covered by the 'dynamic testing' Directive and not less than 800 kilograms in the case of tractors covered by the 'static testing' Directive;

Whereas the tractors covered by this Directive have a maximum ground clearance of 600 mm, a minimum track width of both axles of less than 1 150 mm and a mass greater than 600 kilograms; whereas the roll-over protection structures of these tractors, which are used for specific activities, can be made subject to specific requirement or requirements other than those of Directive 77/536/EEC and 79/622/EEC;

Whereas the technical requirements with which such 'narrow-track' tractors must comply pursuant to national laws relate *inter alia* to roll-over protection structures and to their attachment to the tractor; whereas those requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules in order, in particular, to allow the EEC type-approval procedure which was the subject of Directive 74/150/EEC to be introduced in respect of each type of tractor;

Whereas this Directive covers roll-over protection structures of the rear-mounted rollbar, frame or cab type having a zone of clearance whose upper limit is 900 mm above the seat reference point in order to provide

([1]) OJ No C 123, 9. 5. 1983, p. 1.
([2]) OJ No C 307, 14. 11. 1983, p. 103.
([3]) OJ No C 286, 24. 10. 1983, p. 2.
([4]) OJ No L 84, 28. 3. 1974, p. 10.
([5]) OJ No L 220, 29. 8. 1977, p. 1.
([6]) OJ No L 179, 17. 7. 1979, p. 1.

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a sufficiently large area or unobstructed space for the protection of the driver; whereas another special Directive will be adopted in respect of roll-over protection structures having two pillars mounted in front of the driver;

Whereas a harmonized component type-approval procedure for roll-over protection structures and their attachment to the tractor makes it possible for each Member State to check compliance with the common construction and testing requirements and to inform the other Member States of its findings by sending them copies of the component type-approval certificate completed for each type of roll-over protection structure and its attachment to the tractor; whereas the placing of an EEC component type-approval mark on all structures manufactured in conformity with the approved type obviates any need for technical checks on those structures in the other Member States; whereas common requirements concerning other elements and characteristics of the roll-over protection structure, in particular, devices to prevent continuous roll-over if the tractor overturns, and protection of occupants, will be laid down at a later date;

Whereas the harmonized requirements are intended principally to ensure safety on the road and at work throughout the Community; whereas, for this reason, it is necessary to introduce the obligation for tractors covered by this Directive to be fitted with roll-over protection structures;

Whereas the approximation of the national laws relating to these tractors entails reciprocal recognition by Member States of the checks carried out by each of them on the basis of the common requirements,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to tractors as defined in Article 1 of Directive 74/150/EEC having the following characteristics:

— ground clearance of not more than 600 mm measured beneath the lowest points of the front or rear axles, allowing for the differential,

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— fixed or adjustable minimum track width of less than 1 150 mm for the axles fitted with the widest tyres; since the axle fitted with the widest tyres is assumed to be adjusted to a maximum track width of 1 150 mm, the other axle must be capable of being adjusted in such a way that the outer edges of the narrowest tyres do not project beyond the outer edges of the tyres on the axle with the widest tyres. Where both axles are equipped with wheels and tyres of the same size, the fixed or adjustable track width of both axles must be less than 1 150 mm,

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— mass greater than 600 kilograms and corresponding to the unladen weight of the tractor as defined in section 2.4 of Annex I to Directive 74/150/EEC, including the roll-over protection structure fitted in compliance with this Directive and tyres of the largest size recommended by the manufacturer.

Article 2

1. Each Member State shall grant EEC component type-approval for any type of roll-over protection structure and its tractor attachment which satisfies the construction and testing requirements laid down in Annexes I to IV.

2. A Member State which has granted EEC component type-approval shall take the measures required to verify, in so far as is necessary and

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if need be in cooperation with the competent authorities in the other Member States, that production models conform to the approved type. Such verification shall be limited to spot checks.

Article 3

Member States shall, for each type of roll-over protection structure and its tractor attachment which they approve pursuant to Article 2, issue to the manufacturer of the tractor or of the roll-over protection structure, or to his authorized representative, an EEC component type-approval mark conforming to the model shown in Annex VI.

Member States shall take all appropriate measures to prevent the use of marks liable to create confusion between roll-over protection structures which have been component type-approved pursuant to Article 2 and other devices.

Article 4

1. No Member State may prohibit the placing on the market of roll-over protection structures or their attachment to the tractors for which they are intended on grounds relating to their construction if they bear the EEC component type-approval mark.

2. Nevertheless, a Member State may prohibit the placing on the market of roll-over protection structures bearing the EEC component type-approval mark which consistently fail to conform to the approved type.

That State shall forthwith inform the other Member States and the Commission of the measures taken, specifying the reasons for its decision.

Article 5

The competent authorities of each Member State shall, within one month, send to the competent authorities of the ►C1 other Member States ◄ a copy of the component type-approval certificates, an example of which is given in Annex VII, completed for each type of roll-over protection structure which they approve or refuse to approve.

Article 6

1. If the Member State which has granted EEC component type-approval finds that a number of roll-over protection structures and their tractor attachments bearing the same EEC component type-approval mark do not conform to the type which it has approved, it shall take the necessary measures to ensure that production models conform to the approved type. The competent authorities of that State shall advise those of the other Member States of the measures taken which may, if necessary, where there is serious and repeated failure to conform, extend to withdrawal of EEC component type-approval. The said authorities shall take the same measures if they are informed by the competent authorities of another Member State of such failure to conform.

2. The competent authorities of the Member States shall within one month inform each other of any withdrawal of EEC component type-approval and of the reasons for any such measure.

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Article 7

Any decision taken pursuant to the provisions adopted in implementation of this Directive to refuse or withdraw component type-approval for roll-over protection structures and their tractor attachments, or to prohibit their placing on the market or their use, shall set out in detail the reasons on which it is based. Such decisions shall be notified to the party concerned, who shall at the same time be informed of the remedies available to him under the laws in force in the Member States and of the time limits allowed for the exercise of such remedies.

Article 8

No Member State may refuse to grant EEC type-approval or national type-approval in respect of a tractor on grounds relating to roll-over protection structures or their tractor attachment if these bear the EEC component type-approval mark and if the requirements laid down in Annex VIII have been satisfied.

Article 9

No Member State may refuse or prohibit the sale, registration, entry into service or use of any tractor on grounds relating to the roll-over protection structure and its tractor attachment if these bear the EEC component type-approval mark and if the requirements laid down in Annex VIII have been met.

Article 10

This Directive shall not affect the right of Member States to specify — in due compliance with the Treaty — the requirements they deem necessary to ensure that workers are protected when using the tractors in question, provided this does not mean that the protection structures are modified in a way unspecified in this Directive.

Article 11

1. In connection with EEC type-approval, any tractor to which Article 1 refers must be fitted with a roll-over protection structure.

2. Where the protection structure is not one having two pillars mounted in front of the driver's seat, the structure referred to in paragraph 1 must comply with the requirements laid down in Annexes I to IV to this Directive or to Directives 77/536/EEC or 79/622/EEC.

Article 12

Any amendments necessary in order to adapt the requirements of the Annexes to this Directive so as to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive 74/150/EEC.

Article 13

Within 18 months of the notification of this Directive, the Council, acting on a proposal from the Commission, on the basis of the provisions of the Treaty, shall adopt a Directive supplementing this

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Directive by means of provisions introducing the additional impact tests in the dynamic test procedure.

Article 14

1. Member States shall bring into force the provisions necessary in order to comply with this Directive within 24 months of its notification ([1]). They shall forthwith inform the Commission thereof.

2. Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

Article 15

This Directive is addressed to the Member States.

([1]) This Directive was notified to the Member States on 2 June 1986.

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LIST OF ANNEXES

ANNEX I	Conditions for EEC component type-approval
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ANNEX I

CONDITIONS FOR EEC COMPONENT TYPE-APPROVAL

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1. The definitions and requirements of point 1 of Code 7 of OECD Decision C(2005) 1 of 29 March 2005, with the exception of point 1.1, shall apply.

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2. GENERAL REQUIREMENTS

2.1. Every protection structure and its attachment to a tractor must be so designed and constructed as to fulfil the essential purpose laid down in Item 1.1 above.

2.2. This condition is considered to be fulfilled when the requirements of Annexes II and III are complied with.

3. APPLICATION FOR EEC COMPONENT TYPE-APPROVAL

3.1. The application for EEC component type-approval with regard to the strength of a protection structure and the strength of its attachment to a tractor shall be submitted by the tractor manufacturer or by the manufacturer of the protecion structure or by their authorized representatives.

3.2. The application for EEC component type-approval shall be accompanied by the undermentioned documents in triplicate and by the following particulars:

— general arrangement drawing either to a scale marked on the drawing or giving the main dimensions of the protection structure. This drawing must, in particular, show details of the mounting components,

— photographs from side and rear showing mounting details,

— brief description of the protection structure including type of construction, details of mounting on the tractor and, where necessary, details of cladding, means of access and escape, details of interior padding and features to prevent continuous rolling and details of heating and ventilation,

— details of materials used in structural parts including attaching brackets and fixing bolts (see Annex V).

3.3. A tractor representative of the tractor type for which the protection structure to be approved is intended shall be submitted to the technical service responsible for conducting the component type-approval tests. This tractor shall be fitted with the protection structure.

3.4. The holder of EEC component type-approval may request its extension to other tractor types. The competent authority which has granted the original EEC component type-approval shall grant the extension if the approved protection structure and the type(s) of tractor for which the extension is requested comply with the following conditions:

— the mass of the unballasted tractor, as defined in Item 1.4 of Annex II, does not exceed by more than 5 % the reference mass used in the tests,

— the wheelbase or the moment of inertia in relation to the rear-wheel axle is not more than the reference wheelbase or moment of inertia,

— the method of attachment and the points of attachment to the tractor are identical,

— any components, such as mudguards and bonnet which may provide support for the protection structure have indentical strength and are identically situated with respect to the protection structure,

— the critical dimensions and the position of the seat and steering wheel relative to the protection structure, and the position relative to the protection structure of the points deemed rigid and takeninto account for the purpose of verifying that the zone of clearance is protected, are such that the zone of clearance continues to be protected by the structure after the latter has undergone the deformation resulting from the various tests.

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4. MARKINGS

4.1. Every protection structure conforming to the approved type shall bear the following markings:

4.1.1. The trade mark or name.

4.1.2. A component type-approval mark conforming to the model in Annex VI.

4.1.3. Serial number of the protection structure.

4.1.4. Make and type(s) of tractor(s) for which the protection structure is intended.

4.2. All these particulars must appear on a small plate.

4.3. These markings must be visible, legible and indelible.

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ANNEX II

Technical requirements

The technical requirements for the EC type-approval of rear-mounted roll-over protection structures of narrow-track wheeled agricultural or forestry tractors shall be those set out in point 3 of Code 7 of the OECD Decision C(2005) 1 of 29 March 2005, with the exception of points 3.1.4 (Test reports), 3.4 (Minor modifications), 3.5 (Labelling) and 3.6 (Seat belt anchorage performance).

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ANNEX VI

MARKS

The EEC component type-approval mark shall consist of:

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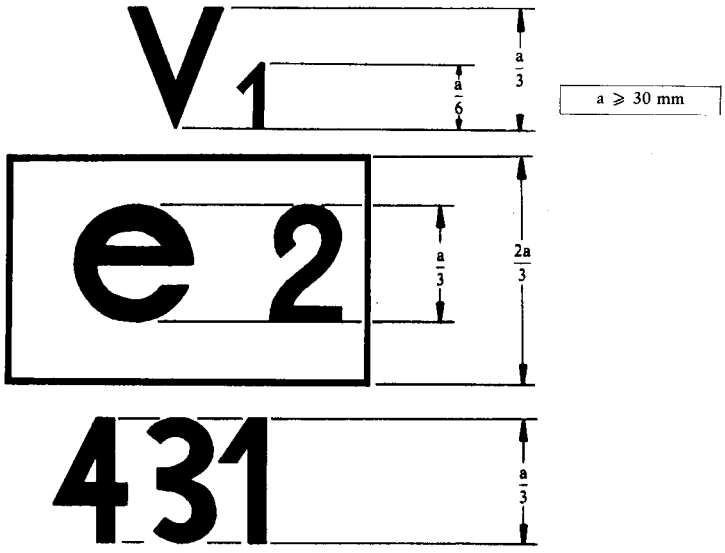
— a rectangle surrounding the lower case letter 'e' followed by the distinguishing number of the Member State which has granted the component type-approval:

1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 5 for Sweden, 6 for Belgium, ►A2 7 for Hungary, 8 for the Czech Republic ◄ 9 for Spain, 11 for the United Kingdom, 12 for Austria, 13 for Luxembourg, 17 for Finland, 18 for Denmark, ►A2 20 for Poland, ◄ 21 for Portugal, 23 for Greece, 24 for Ireland, ►A2 26 for Slovenia, 27 for Slovakia, 29 for Estonia, 32 for Latvia, 36 for Lithuania, CY for Cyprus, MT for Malta, ◄ ►M4 34 for Bulgaria, 19 for Romania, ◄

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— the EEC component type-approval number which corresponds to the number of the EEC component type-approval certificate issued with regard to the strength of the type of protection structure and its attachment to the tractor placed under and in the vicinity of the rectangle,

— the letters V or SV, depending on whether a dynamic (V) or static (SV) test was conducted, followed by the number 1, indicating that this is a protection structure within the meaning of this Directive.



Example of EEC component type-approval mark

The protection structure bearing the EEC component type-approval mark shown above is a structure of the rear-mounted rollbar, frame or cab type which has been subjected to a dynamic test, is intended for a narrow-track tractor (V1) and for which EEC component type-approval was granted in France (e2) under the number 431.

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ANNEX VII

MODEL EEC COMPONENT TYPE-APPROVAL CERTIFICATE

Name of competent authority

Notification concerning the granting, refusal, withdrawal or extension of EEC component type-approval with regard to the strength of a protection structure (rear-mounted rollbar, frame or cab) and to the strength of its attachment to the tractor

EEC component type-approval No: .....

.....extension (1)

1. Trade name or mark and type of protection structure: .....

.....

2. Name and address of manufacturer of protection structure: .....

.....

3. If applicable, name and address of authorized representative of manufacturer of protection structure: .....

.....

4. Trade mark or name, type and commercial description of tractor for which protection structure is intended: .....

.....

5. Extension of EEC component type-approval for tractors of the following type(s) and, where appropriate, commercial descriptions: .....

.....

.....

5.1. The mass of the unballasted tractor, as defined in 1.4 of Annex II, exceeds/does not exceed (2) the reference mass used for the test by more than 5 %.

5.2. The method of attachment and points of attachment are/are not (2) identical.

5.3. All the components likely to serve as supports for the protection structure are/are not (2) identical.

6. Submitted for EEC component type-approval on: .....

7. Test station: .....

8. Date and number of the report of the test station: .....

9. Date of granting/refusal/withdrawal of EEC component type-approval (2): .....

10. Date of granting/refusal/withdrawal of the extension of EEC component type-approval (2): .....

11. Place: .....

12. Date: .....

13. The following documents, bearing the component type-approval number shown above, are annexed to this certificate (e.g. report of the test station). These documents must be sent to the competent authorities of the other Member States if they so request .....

14. Remarks, if any: .....

15. Signature: .....

(1) If applicable, state whether this is the first, etc. extension of the original EEC component type-approval.
(2) Delete where inapplicable.

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ANNEX VIII

CONDITIONS FOR EEC TYPE-APPROVAL

1. The application for EEC type-approval of a tractor with regard to the strength of a protection structure and the strength of its attachment to the tractor shall be submitted by the tractor manufacturer or by his authorized representative.

2. A tractor representative of the tractor type to be approved, on which a protection structure and its attachment, duly approved, are mounted, shall be submitted to the technical services responsible for conducting the type-approval tests.

3. The technical service responsible for conducting the type-approval tests shall check whether the approved type of protection structure is intended to be mounted on the type of tractor for which the type-approval is requested. In particular, it shall ascertain whether the attachment of the component type-approval was granted.

4. The holder of the EEC type-approval may ask for its extension to other types of protection structures.

5. The competent authorities shall grant such extension on the following conditions:

5.1. The new type of protection structure and its tractor attachment must have received EEC component type-approval.

5.2. The new type of protection structure must be designed to be mounted on the type of tractor for which the extension of the EEC type-approval is requested.

5.3. The attachment of the protection structure to the tractor must correspond to that which was tested when EEC component type-approval was granted.

6. A certificate, of which a model is shown in Annex IX, shall be annexed to the EEC type-approval certificate for each type-approval or type-approval extension which has been granted or refused.

7. If the application for EEC type-approval for a type of tractor is introduced at the same time as the request for EEC component type-approval for a type of protection structure intended to be mounted on the type of tractor for which type-approval is requested, the checks laid down in 2 and 3 are not applicable.

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ANNEX IX

MODEL

Name of competent authority

ANNEX TO THE EEC TYPE-APPROVAL CERTIFICATE FOR A TRACTOR TYPE WITH REGARD TO THE STRENGTH OF PROTECTION STRUCTURES (REAR-MOUNTED ROLLBAR, FRAME OR CAB) AND THE STRENGTH OF THEIR ATTACHMENT TO THE TRACTOR

(Articles 4 (2) and 10 of Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors)

EEC type-approval No: .....

.....extension (1)

1. Trade name or mark of tractor: .....
2. Tractor type and commercial description: .....
3. Name and address of tractor manufacturer: .....
   .....
4. If applicable, name and address of manufacturer's authorized representative: .....
   .....
5. Trade name or mark and type of protection structure: .....
   .....
6. Extension of EEC-approval for the following type(s) of protection structure: .....
   .....
7. Tractor submitted for EEC type-approval on: .....
8. Technical service responsible for EEC type-approval conformity control: .....
   .....
9. Date of report issued by that service: .....
10. Number of report issued by that service: .....
11. EEC type-approval with regard to the strength of the protection structures and the strength of their attachment to the tractor has been granted/refused (2).
12. The extension of EEC type-approval with regard to the strength of the protection structures and the strength of their attachment to the tractor has been granted/refused (2).
13. Place: .....
14. Date: .....
15. Signature: .....

(1) If applicable, state whether this is the first, etc. extension of the original EEC type-approval.
(2) Delete where inapplicable.