



FREIGHT TRANSPORT ASSOCIATION

FTA Compliance Guide

Retrofitting of mirrors to hgvs



EDITION I

Ensuring compliance, advancing performance



FREIGHT TRANSPORT ASSOCIATION

FTA Retrofitting of mirrors to hgvs compliance guide

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FTA compliance guides are produced once legislative changes have been published and new requirements and responsibilities are known. Compliance guides are intended to provide clear guidance to members on what to do and how to comply.

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FTA compliance guides are available only to FTA members.

For further advice on this guide contact the Member Advice Centre on 0870 60 50 000

For details of how to join FTA contact the Member Service Centre on 08717 11 22 22*

*Calls may be recorded for training purposes

Introduction

New Directive 2007/38/EC on the retrofitting of mirrors to heavy goods vehicles registered in the European Union.

The EU published Directive 2007/38/EC requires certain vehicles over 3.5 tonnes to be retrofitted with proper devices in order to improve the driver's field of vision and increase vehicle safety. The deadline for retrofitting of mirrors or other devices is 31 March 2009.

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Background and objectives of the directive

The directive aims to improve the safety of road users, in particular vulnerable road users such as pedestrians, cyclists and motorcyclists. This group bears a greater risk of being involved in accidents with large goods vehicles, which have a blind spot on the passenger's side. Legislation making an improved set of mirrors mandatory from 2007 onwards for new large goods vehicles is already in place. However, existing trucks remain in circulation without any improvement of their field of indirect vision. The new directive extends the requirements for the field of indirect vision to the existing fleet of large goods vehicles.

Existing legislation

Under Directives 2003/97/EC and 2005/97/EC new goods vehicles over 7.5 tonnes and certain goods vehicles between 3.5 and 7.5 tonnes registered from 26 January 2007 had to be fitted with an increased number or improved mirrors in order to reduce blind spots.

New requirements of the directive

Directive 2007/38/EC requires heavy goods vehicles to be fitted retrospectively with enhanced devices, for example mirrors, so as to reduce the number of fatal accidents involving vulnerable road users. This directive applies to vehicles over 3.5 tonnes which are not type approved or approved as a single vehicle under the 2003 directive.

Most vehicles over 3.5 tonnes not already complying with the 2003 directive must be retrofitted, on the passenger's side only, with improved devices for indirect vision. These devices must meet 95 per cent and 85 per cent of the vision required under the 2003 directive for class IV (wide angle) and class V (close proximity) mirrors respectively.

Light goods vehicles below 3.5 tonnes and buses are not covered by the directive.

Class VI front mirrors which became mandatory on vehicles over 7.5 tonne from 26 January 2007 are not required to be retrofitted under this directive.

Exemptions

This directive does not apply to the following categories.

Older vehicles

- Vehicles over 3.5 tonnes registered before 1 January 2000

Low cab vehicles

- Vehicles over 3.5 tonnes having a maximum total permissible mass not exceeding 7.5 tonnes, where it is impossible to mount a class V mirror in a way that ensures that the following conditions are fulfilled:
 - no part of the mirror is less than 2m (a tolerance of +10cm may be applied) from the ground, regardless of the adjustment position, when the vehicle is under

a load corresponding to its maximum technically permissible weight

- the mirror is fully visible from the driving position

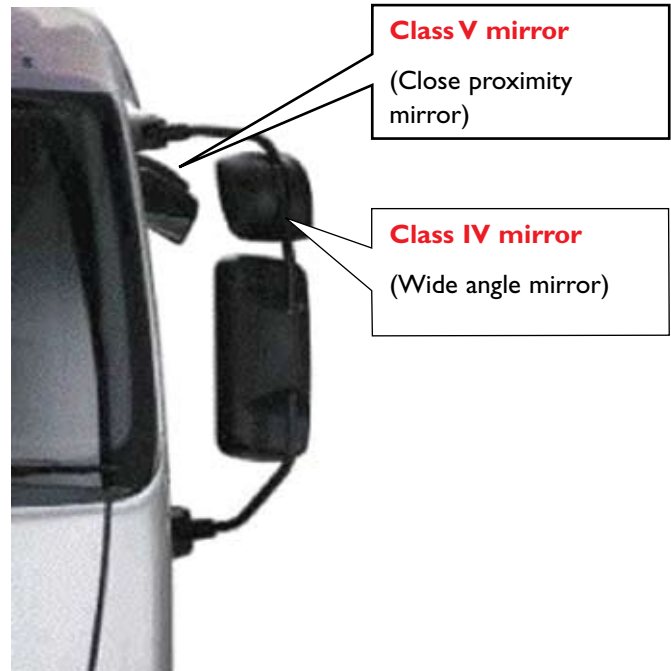
Vehicles already retrofitted

- Vehicles over 3.5 tonnes that are subject to national measures which entered into force before the dates for transposition of Directive 2003/97/EC and which require fitment, on the passenger side, of other means of indirect vision covering not less than 95 per cent of the total field of vision at ground level of class IV and class V mirrors under that directive. This refers to member states such as Netherlands, Belgium and Denmark where retrofitment legislation already applies

Vehicles previously derogated from Directive 2003/97/EC

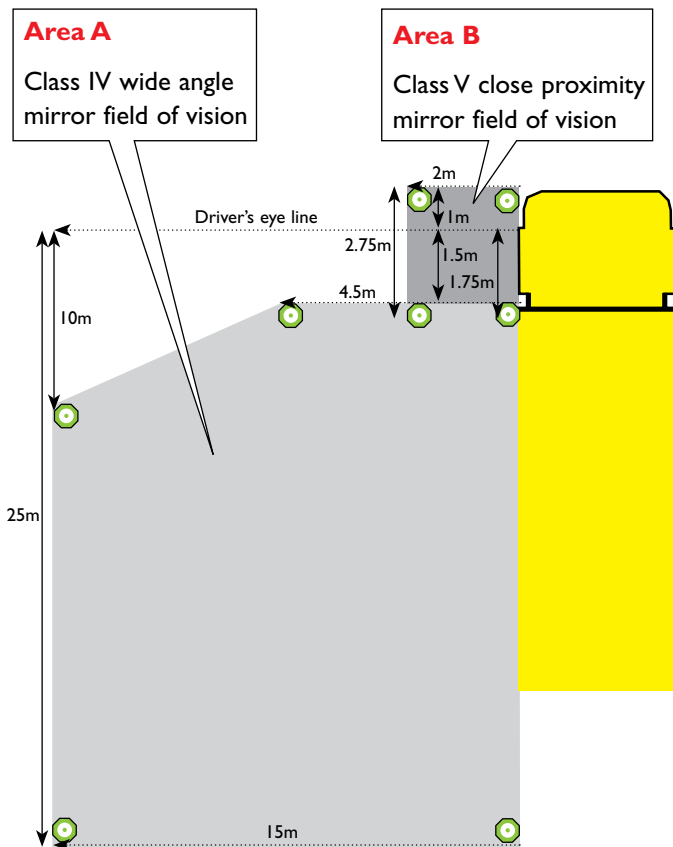
It is estimated that there are around 4,500 end of series UK vehicles manufactured before 26 January 2007 which were previously derogated from the requirements of the 2003 directive. These vehicles will need to be retrofitted and comply with the new 2007 directive. Vehicle owners should contact the relevant manufacturer who will be able to clarify if their vehicle was previously derogated and will now need to comply.

Identifying typical class IV and V mirrors



Fields of vision

In order for operators to check compliance of vehicles within scope of the new 2007 directive, a field of view check will need to be carried out. The 2007 retrofitment directive requires no less than 95 per cent of the field of vision at ground level of a class IV wide angle mirror and not less than 85 per cent of the field of vision at ground level of a class V close proximity mirror.



Bird's eye view of required field of vision complying with Directive 2003/97/EC for class IV and class V mirrors

Field of vision check

A field of vision check can be carried out by placing visible markers at the points shown on the diagram above. The two defined areas of vision can then be checked from the driver's seat. Mirrors will need to be adjusted until all of the area within markers can be seen; this will give the field of view required.

Class IV wide angle mirror

From your position in the driver's seat, if you can see 95 per cent of the shaded area marked 'Area A' within the markers at ground level through the exterior mirror/s you have a compliant field of vision for the class IV wide angle mirror under the new 2007 directive.

Close proximity mirror

From your position in the driver's seat, if you can see 85 per cent of the shaded area marked 'Area B' within the markers at ground level through your close proximity mirror you have a compliant field of vision for the class V close proximity mirror under the new 2007 directive.

NOTE: If you have no close proximity mirror fitted but you can see the shaded area marked 'Area B' through a combination of other mirrors and wide angle mirror, you do not need to fit a class V mirror.

Retrofitment of mirrors

Some manufacturers can offer replacement mirror glass which fulfils the requirements of the 2003 directive with regard to curvature and vision, and can be fitted into existing mirror

housings. This applies to specific makes and models, and depends on the year of build. Other manufacturers' vehicles cannot be retrofitted by merely exchanging the mirror glass because of the geometry of the mirror housings, and there are cases where mirror arms and mountings will need to be replaced.

Some manufacturers have mirrors profiled to a specific radius which are compliant with the requirements of the directive and can supply a simple profile gauge for vehicle operators to check compliance. Other manufacturers have a specific list of approved mirrors which comply.

Vehicles within scope of this directive, particularly for which technical solutions are not available or economically viable, may be equipped with supplementary mirrors and/or other devices of indirect vision (such as cameras and monitors etc), provided that the combination of such devices covers not less than 95 per cent of the field of vision at ground level of a wide angle mirror and not less than 85 per cent of the field of vision at ground level of a close proximity mirror under Directive 2003/97/EC.

It is important to stress that the directive is a field of view directive and specifies a defined area around the vehicle which must be in view from a particular eye position. Therefore fitment of correct mirrors alone does not guarantee that full compliance of the field of view will be met as it will depend on the positioning of the mirror.

Testing criteria and VOSA position

The Vehicle and Operator Services Agency (VOSA) has agreed with the Department for Transport on how compliance of the directive at annual test will be enforced. VOSA has proposed that from 1 April 2009, operators will need to complete a self-declaration certificate stating that the vehicle is equipped on the near-side with mirrors or such devices which fully comply with the relevant articles of Directive 2007/38/EC and present this at annual test. This will be a one off presentation of the certificate and will not be required on subsequent tests. The certificate should be retained with the vehicle's registration document for when the vehicle is sold.

Operators will need to fit mirrors or other devices and carry out a field of vision check to confirm compliance to the directive, and complete the self-declaration certificate. To help operators and drivers check their field of view, a guide will be available to download from the Transport Office. – www.transportoffice.gov.uk VOSA will also be producing a leaflet describing the changes.

VOSA examiners will then carry out a check of the self-declaration certificate and mirror checks against current standards to ensure roadworthiness. If in the opinion of the VOSA examiner it is clearly obvious that mirrors do not comply with the requirements of the directive, a physical check of the mirror profile may be carried out.

VOSA has stated that it has no plans to introduce checks of retrofit mirror certificates at roadside. VOSA also does not intend any changes to the current policy of checking mirrors at roadside checks in line with Categorisation of Defects criteria.

Questions and answers

Existing vehicles

Q My vehicle was registered after 26 January 2007 and already complies. Do I need to do anything?

A Compliant vehicles which are registered post 26 January 2007 are not subject to any changes and do not require self-declaration certificates. However, vehicle owners should contact the relevant manufacturer who will be able to clarify if their vehicle was one of the end of series vehicles previously derogated from the 2003 directive and will now need to comply with the 2007 directive.

Q What options, other than original manufacturer's mirrors, are there in order for my vehicle to comply?

A There are many after market mirrors which can be fitted in order to achieve compliance. CCTV is also an option.

Pre-owned vehicles

Q How do I check that a vehicle I buy second-hand is compliant?

A Ask to see the self-declaration certificate and retain it. It will be required to be presented at the vehicle's first annual test post 31 March 2009. (It would be prudent to carry out a field of view check to validate

the certificate.) If no certificate is available, check compliance to the required field of view using the guide issued by VOSA. If the field of view is met, then carry out self-certification. If not, mirrors/devices of the correct type will need to be fitted.

Enforcement

Q Will retrofit mirror certificates be checked at the roadside?

A VOSA has stated that it has no plans to introduce checks of retrofit mirror certificates at roadside.

Q If my vehicle comes up for test in September 2009 and requires additional mirrors, I intend fitting them at the time of test. Will it fail at the roadside if checked after 31 March 2009 before the extra mirror is fitted in September?

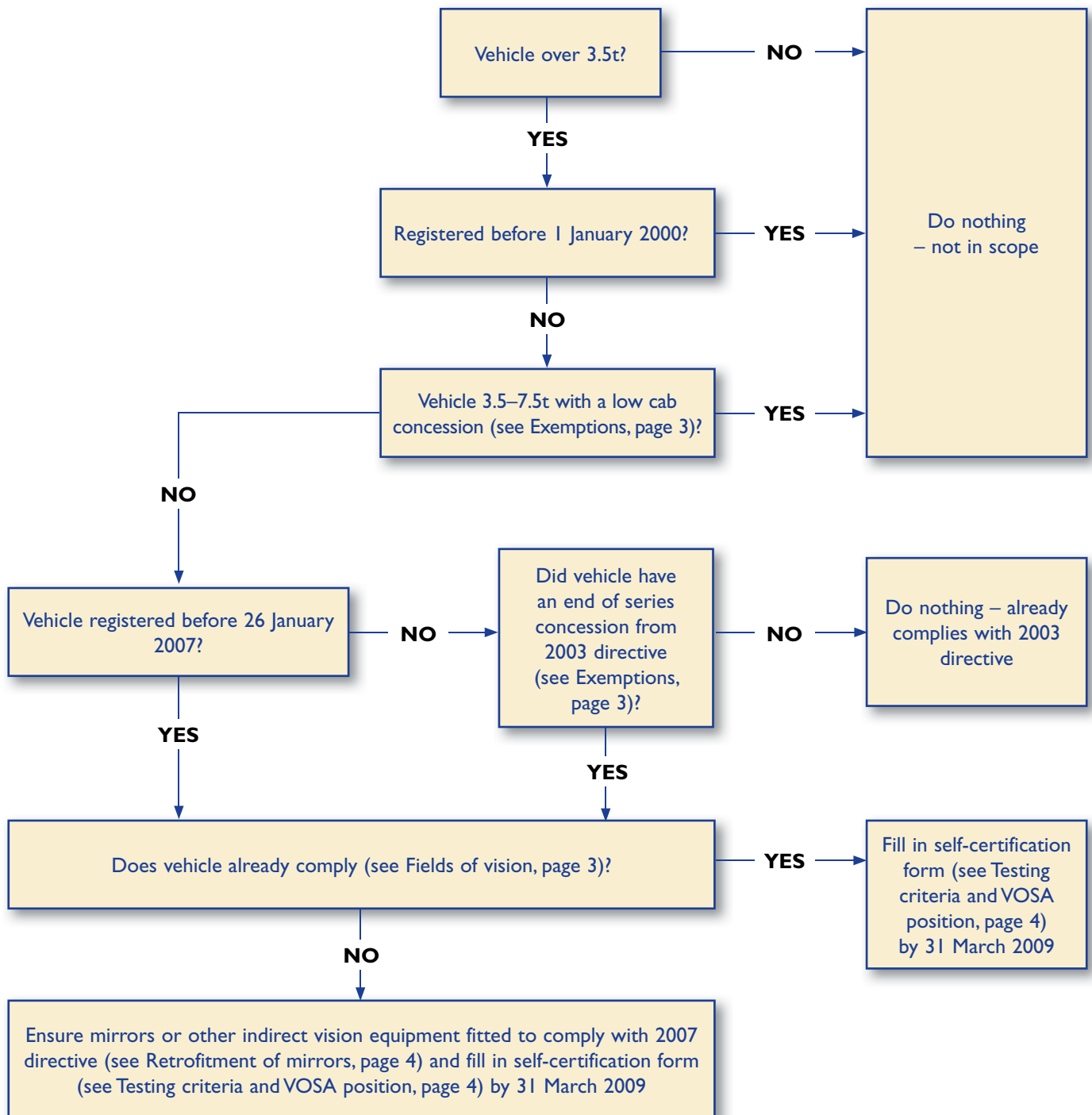
A VOSA has stated that it has no plans to change the current policy of checking mirrors at roadside checks, therefore providing the vehicle complies with current Categorisation of Defects criteria, the vehicle would not fail. However, it is a legal requirement to comply with the requirements of the directive with immediate effect post 31 March 2009. Non compliance could result in action by the Health and Safety Executive and possible civil claims should vehicles be involved in accidents.

Further information

Directive 2007/38/EC is available for downloading at:

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_l184/l_l18420070714en00250028.pdf

Retrofitting of mirrors to hgvs flowchart



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Shopfta features a wide range of transport related products, from digital tachograph equipment to work wear, books to dangerous goods equipment. All competitively priced and now available online, the shop is continually growing, with new products being introduced weekly. Visit www.shop.fta.co.uk to purchase online, or call **08717 11 11 11** to order by phone.

Vehicle Inspection Service

FTA's Vehicle Inspection Service offers a variety of inspection and audit services designed to maintain high levels of roadworthiness compliance. Members who use the Vehicle Inspection Service have benefited from fewer defects and prohibitions and an improved Operator Compliance Risk Score (OCRS).

Member Advice Centre (MAC)

A dedicated team of transport advisors is available via telephone to provide instant advice and answers on any legal, technical and operational issues that you may have regarding your operation, from employment law through to vehicle maintenance standards. The MAC is available to members only, please call 0870 6050 000.

Conferences and events

A range of conferences, seminars and free member briefings are scheduled each year throughout the country covering latest legislative developments and compliance best practice. For more information or to book places at any of our events please call the Member Service Centre number below.

E-services

E-news bulletins are available to members providing weekly information updates on current and forthcoming issues. Members also benefit from access to the FTA website which provides a wealth of relevant online information.

Freight magazine

Freight, our monthly transport magazine, is free to members or available to subscribe to for non-members. Key issues are discussed in the magazine from alternative fuels and hybrid vehicles to the challenges of urban logistics.

Training

FTA provides over 60 different training courses, many of which can either be taken at one of our venues throughout the country or alternatively they can be brought to you in-company to save on costs and downtime.

Representation

FTA's experienced policy team is continually striving to improve and influence legislation, policy and Government-led initiatives for members. FTA also provides its members with the opportunity to get involved in the democratic procedures that frame our response to Government decisions and policies through its Freight Councils. These quarterly councils are available throughout the country and provide a chance to have your say and to keep up-to-speed with issues that may affect all freight operators. For more information on how members may attend these meetings visit www.fta.co.uk/policy or email policy@fta.co.uk.

Consultancy

FTA's Consultancy Service is designed to support operators in meeting the challenges and demands of the modern day transport industry. Our established team of professionals has been highly trained to identify and rectify issues and implement new systems within organisations without the cost implications of employing experts full time.

Tachofta

FTA's Tachofta Service features a wide range of tachograph solutions including analysis bureaux, with analogue and digital capabilities, an onsite analysis and compliance service and the ability to provide management information and total systems audits. Over 8.5 million driver days (both analogue and digital) are recorded and analysed a year, helping operators remain safe, legal and compliant.

For more information on any of the above products, events or services, please call the Member Service Centre on 08717 11 22 22*



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