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PRODUCT STANDARDS

**Noise Emission in the
Environment by Equipment for
Use Outdoors (Amendment)
Regulations 2005 -**

**Guidance notes on the UK
Regulations - First edition**

February 2006

URN 06/743

Presentation of Guidance

A major point to note is that the two relevant Directives 2000/14/EC (the Noise Directive) and 2005/88/EC will remain as separate documents. The consequence of this is that manufacturers (and others to whom the amending Regulations might relate) should read them in conjunction.

We will be fully updating the Product Standards Booklet in the near future. In the meantime, this short guidance should be read in conjunction with the first edition of the Product Standards booklet, URN 01/774, relating to Noise emission in the environment by equipment for use outdoors.

The guidance is intended to assist manufacturers of equipment for use outdoors to understand the effect of the amending Regulations. It is not an authoritative interpretation of the amending Regulations, which is a matter for the Courts.

The guidance seeks to explain the requirements of the amending Regulations in general terms and does not attempt to address detailed issues. You should refer to the amending Regulations themselves (S.I. 2005/3525) for a full statement of the requirements.

Whilst the Department can offer a view of the position, it is for manufacturers of the relevant products (and others to whom the obligations of the amending Regulations might relate) to seek and rely on their own advice.

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Page 2 of URN 01/774 is amended as follows:

THE NOISE EMISSION IN THE ENVIRONMENT BY EQUIPMENT FOR USE OUTDOORS: THE LAW IN BRIEF

The EC Noise emission in the environment by equipment for use outdoors Directive (the Noise Directive) was adopted by the European Parliament and the Council on 3 July 2000 as Directive 2000/14/EC. The Directive arises from the European Community's (EC) programme for the elimination of technical barriers to trade and is formulated under the 'Global Approach'. Its purpose is to harmonise national laws of member States regarding noise emission limits and labelling requirements at the manufacturing stage.

The Noise Directive was implemented into UK law by The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001 (S.I.2001/1701), as amended by S.I 2001/3958, ("the 2001 Regulations"), made under the European Communities Act 1972.

The Noise Directive has been amended by Directive 2005/88/EC, adopted by the European Council and Parliament on 14 December 2005 and implemented into UK Law by The Noise Emission in the Environment by Equipment for Use Outdoors (Amendment) Regulations 2005 (S.I. 2005/3525)

The Noise Directive of 2000 set noise limits for 22 equipment types and was applicable in two stages. Stage I was set at 3 January 2002 and Stage II, which tightened the noise limits, was set at 3 January 2006. DG Enterprise have now accepted that some 9 equipment types will be unable to meet the "Stage II" noise limits for technical reasons (as opposed to economic/cost reasons).

The major objective of Directive 2005/88/EC is to allow certain types of equipment (for which clear evidence has been provided that the stage II limits of Directive 2000/14/EC are not presently technically feasible) to continue to be placed on the market and/or put into service in the European Community¹ from 3 January 2006.

A subsidiary objective is to provide the Commission with sufficient time to fulfil its reporting obligations under Article 20 of the original Directive 2000/14/EC. These obligations relate to a review of the Noise Directive, including the possibilities for the revision of the existing noise limits. If appropriate, the Commission will propose a further amendment to 2000/14/EC.

¹ There are 25 members of the Community - Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden the UK, Hungary, Czech Republic, Estonia, Slovenia, Slovak Republic, Malta, Cyprus, Poland, Latvia and Lithuania

Equipment types affected by the amendment

1. Walk behind vibratory rollers;
2. Vibratory plates (>3kW);
3. Vibratory rammers;
4. Dozers (steel tracked);
5. Loaders (steel tracked) > 55Kw;
6. Combustion- engine driven counterbalanced lift trucks;
7. Compacting screed paver finishers;
8. Hand-held internal combustion engine concrete breakers and picks (15<m<30)
9. Single engine mobile cranes (Stage I shall continue to apply until 3 January 2008. After that date Stage II figures shall apply)

In addition Stage I limits will continue to apply to Lawnmowers, lawn trimmers/lawn-edge trimmers ($L \leq 50$, $70 < L \leq 120$, $L > 120$).

All other equipment required to meet Stage II limits in accordance with the 2001 Regulations must do so from 3 January 2006.

The Noise Emission in the Environment by Equipment for Use Outdoors (Amendment) Regulations 2005 (S.I. 2005/3525)

Entry into force of S.I. 2005/3525 : 3 January 2006

Primary legislation: the European Communities Act 1972

Transitional arrangements: None

Mandatory application of the UK Regulations: 3 January 2006

Enforcement: The Vehicle Certification Agency (VCA) will enforce the amending legislation in the UK, as with the present Noise Regulations. They will apply the principles of good enforcement set out in the Cabinet Office's Enforcement Concordat.

Page 8 of URN 01/774 and the first two paragraphs of page 9 are amended as follows:

Noise Limits:

The following table, in the amending Regulations, substitutes Schedule 3 of S.I. 2001/1701 and amends the Stage II sound power limits for the following categories of equipment by providing that the Stage I sound power limits shall continue to apply during Stage II: walk-behind vibrating rollers, vibratory plates (>3 kW), vibratory rammers, dozers (steel tracked), loaders (steel tracked >55 kW), combustion-engine driven counterbalanced lift trucks, compacting screed paver finishers, hand-held combustion-engine concrete-breakers and picks ($15 < m < 30$), and lawnmowers, lawn trimmers/lawn-edge trimmers ($L \leq 50$, $70 < L \leq 120$, $L > 120$). In the case of single engine mobile cranes, Stage I shall continue to apply until 3 January 2008: after that date Stage II figures shall apply

The Stage II sound power limits for all other categories of equipment set out in the table remain unchanged.

SCHEDULE

Regulation 2

Type of equipment	Net installed power P (in kW) Electric power $P_{el}^{(1)}$ in kW Mass of appliance m in kg Cutting width L in cm	Permissible sound power level in dB/1 pW	
		Stage I as from 3 January 2002	Stage II as from 3 January 2006
Compaction machines (vibrating rollers, vibratory plates, vibratory rammers)	$P \leq 8$	108	105 ⁽²⁾
	$8 < P \leq 70$	109	106 ⁽²⁾
	$P > 70$	$89 + 11 \lg P$	$86 + 11 \lg P^{(2)}$
Tracked dozers, tracked loaders, tracked excavator- loaders	$P \leq 55$	106	103 ⁽²⁾
	$P > 55$	$87 + 11 \lg P$	$84 + 11 \lg P^{(2)}$
Wheeled dozers, wheeled loaders, wheeled excavator- loaders, dumpers, graders, loader-type landfill compactors, combustion-engine driven counterbalanced lift trucks, compaction machines (non- vibrating rollers), paver-finishers, hydraulic power packs	$P \leq 55$	104	101 ⁽²⁾
	$P > 55$	$85 + 11 \lg P$	$82 + 11 \lg P^{(2)}$
Mobile cranes	$P \leq 55$	104	101 ⁽³⁾
	$P > 55$	$85 + 11 \lg P$	$82 + 11 \lg P^{(3)}$
Excavators, builders' hoists for the transport of goods, construction winches, motor hoes	$P \leq 15$	96	93
	$P > 15$	$83 + 11 \lg P$	$80 + 11 \lg P$
Hand-held concrete- breakers and picks	$m \leq 15$	107	105
	$15 < m < 30$	$94 + 11 \lg m$	$92 + 11 \lg m^{(2)}$
	$m \geq 30$	$96 + 11 \lg m$	$94 + 11 \lg m$
Tower cranes		$98 + 1 \lg P$	$96 + 1 \lg P$
Welding and power generators	$P_{el} \leq 2$	$97 + 1 \lg P_{el}$	$95 + 1 \lg P_{el}$
	$2 < P_{el} \leq 10$	$98 + 1 \lg P_{el}$	$96 + 1 \lg P_{el}$
	$**10 > P_{el}$	$97 + 1 \lg P_{el}$	$95 + 1 \lg P_{el}$
Compressors	$P \leq 15$	99	97
	$P > 15$	$97 + 2 \lg P$	$95 + 2 \lg P$

Lawnmowers, lawn trimmers/lawn-edge trimmers	$L \leq 50$	96	96
	$50 < L \leq 70$	100	98
	$70 < L \leq 120$	100	100
	$L > 120$	105	105
The permissible sound power level shall be rounded up or down to the nearest integer number (less than 0.5, use lower number; greater than or equal to 0.5, use higher number).			

⁽¹⁾ P_{el} for welding generators: conventional welding current multiplied by the conventional load voltage for the lowest value of the duty factor given by the manufacturer. P_{el} for power generators: prime power according to ISO 8528-1:1993, clause 13.3.2.

⁽²⁾ For the following types of equipment the figures for Stage I shall continue to apply for Stage II—
Walk-behind vibrating rollers;
Vibratory plates (> 3 kW);
Vibratory rammers;
Dozers (steel tracked);
Loaders (steel tracked > 55 kW);
Combustion-engine driven counterbalanced lift trucks;
Compacting screed paver-finishers; and
Hand-held internal combustion-engine concrete-breakers and picks ($15 < m < 30$).

⁽³⁾ For single engine mobile cranes the figures for Stage I shall continue to apply until 3rd January 2008. After that date, Stage II figures shall apply.

** should read $P_{el} > 10$

Page 14 of URN 01/774 is amended as follows:

CONTACT POINTS

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