

Compliance Guide For Retrofitting of Mirrors to Lorries

Directive 2007/38/EC



**RETAIL MOTOR
INDUSTRY FEDERATION**

SMMT and the SMMT logo are trade marks of SMMT Ltd

*An executive agency of the
Department for*
Transport

Summary

- Most goods vehicles over 3.5 tonnes Gross Vehicle Weight need mirrors that comply with Directive 2007/38/EC by 31 March 2009
- Extra checks will be carried out on mirrors at the annual test from 1 April 2009 and you may need to complete a self-declaration certificate.
- Vehicles without the correct mirrors from this date will fail the annual test

Background

Every year in Europe about 400 people, mostly vulnerable road users such as pedestrians, cyclists and motorcyclists, are killed in accidents involving large goods vehicles. These accidents are often related to a change of direction at crossings, junctions or roundabouts when drivers fail to see other road users in the blind spots which exist in

the area immediately around their vehicles.

The European Union requires that devices for indirect vision, such as wide-angle and close proximity mirrors, cameras, monitors, or other type approved systems are used to improve the driver's field of vision and increase vehicle safety.

Introduction

European Directive 2007/38/EC on the Retrofitting of Mirrors to large goods vehicles has been incorporated into GB legislation. The Directive requires goods vehicles first registered from 1 January 2000 and over 3.5 tonnes gross vehicle weight be fitted with mirrors, or other devices, on the passenger side, to improve the driver's indirect field of view.

The Directive aims to improve the safety of road users, particularly of vulnerable road users such as pedestrians, cyclists and motorcyclists. These groups are at high risk of being involved in an accident with large goods vehicles that have a blind spot on the passenger side.

All affected vehicles must be made fully compliant by 31 March 2009

Requirements of the new Directive

Directive 2007/38/EC requires goods vehicles registered from 1 January 2000 and weighing over 3.5 tonnes to be fitted retrospectively, on the passenger side, with Class IV (wide angle) and Class V (close proximity/kerb) mirrors which comply with the requirements for those mirrors fitted to new vehicles (Directive 2003/97/EC).

Compliance will be deemed to be achieved where vehicles are already equipped, on the passenger side, with wide-angle and close-proximity mirrors, whose combination of fields of vision covers not less than 95% of the field of vision at ground level of a Class IV mirror and not less than 85% of the

field of vision at ground level of a Class V mirror under Directive 2003/97/EC.

Vehicles which, for want of available, economically viable, technical solutions, cannot be equipped with mirrors complying with the requirements set out above, may be equipped with supplementary mirrors and/or other devices for indirect vision, provided that the combination of those devices covers not less than 95 % of the field of vision at ground level of a Class IV mirror and not less than 85 % of the field of vision at ground level of a Class V mirror under Directive 2003/97/EC.

Important: You should check with your vehicle manufacturer or supplier first to confirm what retro-fit requirement, if any, is required for your particular vehicle.

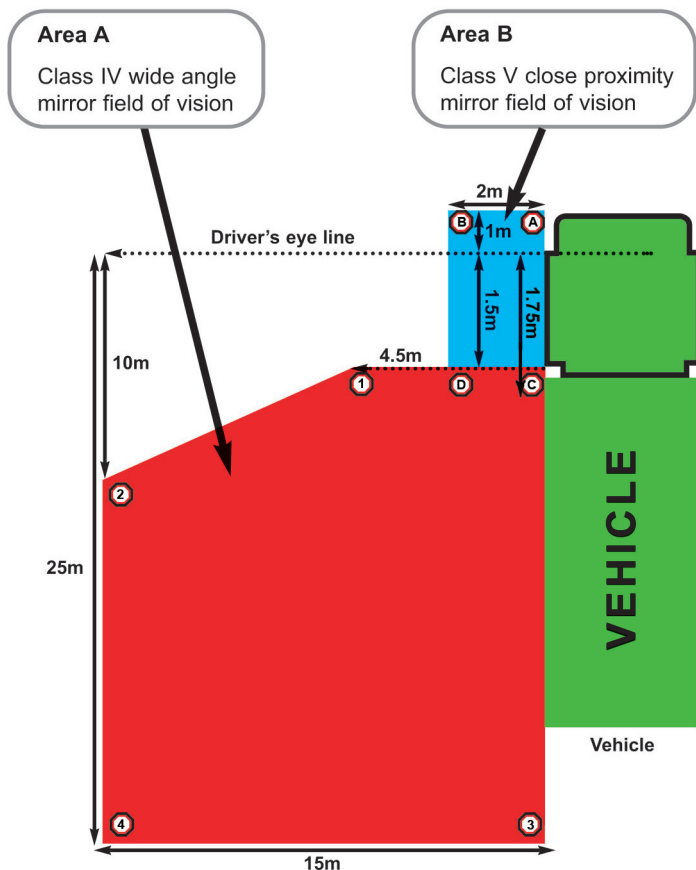
VOSA Testing and Enforcement

From 1 April 2009, VOSA will be ensuring compliance with the new Directive through the annual test. Vehicle presenters or operators will need to complete a self-declaration certificate stating that the vehicle is equipped with mirrors or devices that afford the driver a field of view compliant with article 3 of Directive 2007/38/EC. Once this certificate has been presented at the annual test and recorded by VOSA, it need not be presented at further annual tests.

Once you have confirmed your vehicle's mirrors comply and have presented your certificate to VOSA examiners at annual test, VOSA will check the certificate and carry out mirror checks against current HGV Inspection Manual standards. If the self-declaration certificate has not been completed, the vehicle will fail the annual test. Where the examiner identifies that the field of view is clearly inadequate further checks may be conducted.

Self-declaration certificates are available at VOSA test sites, or online at:
<http://www.transportoffice.gov.uk>

How to carry out a field of view check



In order to check if your vehicle meets the 2007/38 Directive, or needs to be retrofitted, you will need to carry out a field of view check.

With visible markers placed in the locations shown in the diagram and your mirrors adjusted as required, when positioned in the driver's seat, check if you can see the ground enclosed by the base of the markers. If you can, your field of view is compliant.

Full details on how to carry out the field of view check are provided on the self-declaration certificate.

Remember: It is the field of view that is important

Retrofitting Mirrors

This Directive is in place to ensure that the driver has an enhanced field of vision.

Check with your vehicle manufacturer or supplier first to confirm what retro-fit requirement, if any, is required for your particular vehicle.

Some vehicles may only need a replacement mirror glass fitted to the existing housing. Others may need replacement mirrors. However, the fitment of correct mirrors alone may not guarantee that you have full compliance

with the Directive. You may also need to change the mirror arm or mounting.

In some cases, it may be necessary to equip your vehicle with supplementary mirrors and/or other devices for indirect vision, such as CCTV cameras.

In all cases the required field of view must be met. You will not be required to comply with this retro-fit requirement if:

- Your vehicle is a bus or coach
- Your vehicle is a goods vehicle below 3.5 tonnes*
- Your vehicle is a goods vehicle over 3.5 tonnes* not exceeding 7.5 tonnes*, where it is impossible to mount a Class V mirror in a way that ensures the following conditions are fulfilled:
 - No part of the mirror is less than 2 metres from the ground, regardless of the adjustment position, when the vehicle is under a load corresponding to its maximum permissible weight
 - And the mirror is fully visible from the driving position

* Maximum total permissible mass

Existing Legislation

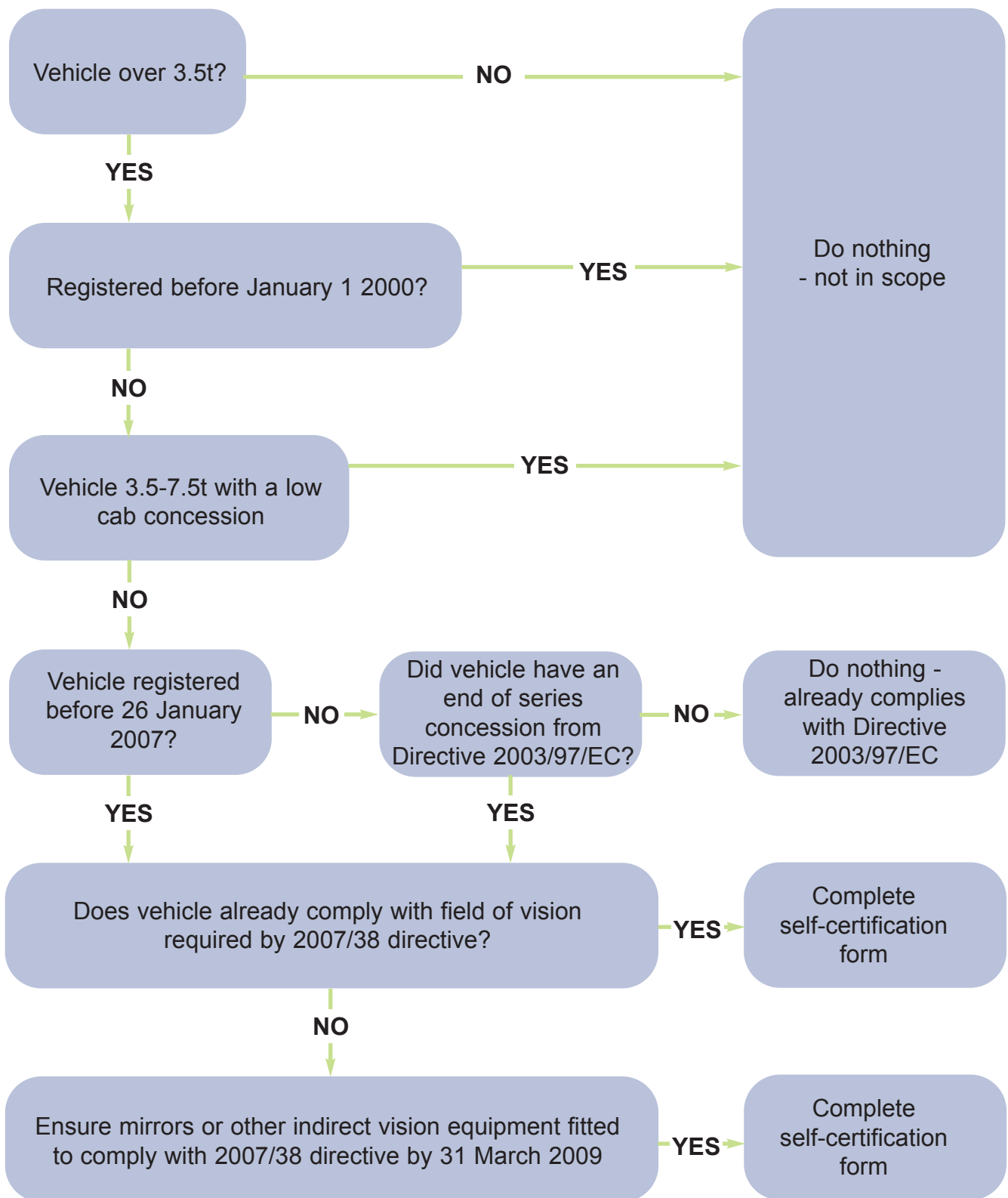


Most large goods vehicles above 3.5 tonnes, which were first used on, or after, 26 January 2007 are fitted with improved mirror systems conforming to the requirements of European Directive 2003/97/EC.

However, up to 4,500 vehicles may have been given a derogation which exempts from these requirements. They can sometimes be identified by the lack of a front mirror. These vehicles will also need to be modified to comply with the field of view required by Directive 2007/38/EC.

Vehicle presenters and operators should contact the vehicle manufacturer or supplier to clarify their position regarding compliance.

Retrofitting of Mirrors to HGVs Flowchart



Frequently Asked Questions

My lorry has its annual test in 2009 before 1 April. Will the mirrors be checked on its test?

No. VOSA will be checking for compliance on those lorries tested after 1 April 2009.

My lorry will not be used during 2009. When will I need to retrofit new devices?

You should ensure your vehicle is compliant by 31 March 2009. VOSA will be checking for compliance at your first annual test after 1 April 2009.

Will VOSA carry out a field of view check either at annual test or at the roadside?

VOSA will not be conducting specific field of view checks at annual test or road check sites, however it is a legal requirement to comply with the requirements of the directive and non-compliance will constitute an offence.

Where can I obtain a self-declaration certificate?

Self-declaration certificates will be available from suppliers, VOSA sites and can be downloaded from <http://www.transportoffice.gov.uk>

I have lost my certificate. Where can I get a replacement?

VOSA will not be issuing replacement self-declaration certificates. Following your first annual test after 1 April 2009, the data will be endorsed on the vehicle technical history file held by VOSA.

Will I fail my annual test if I do not have a correctly completed self-declaration certificate?

Yes.

Will I fail my annual test if my mirror profile is less than 300mm?

No. VOSA will conduct a visual check on the mirror to identify if you are compliant. Only if it is clear and obvious that you do not have the correct field of view will your vehicle be failed.

My lorry was registered after 26 January 2007. How can I tell if it has derogation/exemption from 2003/97/EC?

A 2003/97/EC compliant lorry should have 6 mirrors in total*: 2 main mirrors, 2 wide angle mirrors, 1 close proximity mirror above the passenger door and 1 front mirror above the windscreen. If it does not have all of these you should contact your vehicle manufacturer or supplier who can advise you on the options available.

* \geq 7500 MTPM

This leaflet has been produced by **VOSA** in partnership with **RHA, RMIF, SMMT** and **BVRLA**.

Further details on VOSA leaflets can be obtained from: www.transportoffice.gov.uk
or from VOSA's contact centre: **0300 123 9000**