

INFO DUTCH LEGISLATION AND MOT 2020

MobiLED occasionally receives questions about the legally permitted application of LED lighting on vehicles and about MOT inspection requirements. In this document we have collected a few articles from various Dutch regulations and requirements.

- Vehicle categories: because the regulations make a distinction between various types of vehicles;
- Vehicle Regulations: because it describes the implementation of the Road Traffic Act 1994;
- MOT: because it describes the annual inspection requirements for vehicles.

Vehicle categories

Vehicle	Category	Description	Directive
Passenger cars and buses	M	Motor vehicles on four or more wheels, designed and constructed for the carriage of passengers	RI. 2007/46/EC
Company cars	N	Motor vehicles with four or more wheels, designed and constructed for the carriage of goods	RI. 2007/46/EC
Trailers	O	Trailers (including semi-trailers)	RI. 2007/46/EC
Two- and three-wheeled vehicles	L	Mopeds, motorbikes, tricycles and quadricycles	RI. 2002/24/EC of Vo. (EU) Nr. 168/2013
Tractors on wheels	T	Tractors on wheels	RI. 2003/37/EC of Vo. (EU) Nr. 167/2013
Agricultural or forestry trailer	C	Agricultural or forestry trailer	RI. 2003/37/EC of Vo. (EU) Nr. 167/2013
Interchangeable towed machines	R	Interchangeable towed machines	RI. 2003/37/EC of Vo. (EU) Nr. 167/2013
Verwisselbare getrokken machines	S	Verwisselbare getrokken machines	RI. 2003/37/EC of Vo.(EU) Nr. 167/2013

Source: <https://www.rdw.nl/zakelijk/branches/fabrikanten-en-importeurs/typegoedkeuring-aanvragen/typegoedkeuren-voertuigen/voertuigcategorien>

Vehicle regulation

The 'Vehicles Regulation' contains regulations for the implementation of chapters 3 and 6 of the Road Traffic Act 1994.

According to the Regulation for vehicles dated 1-1-2020, vehicle components without EU type approval may not be used on public roads (Art. 4.2-1). This also applies to LED lighting. LED lighting without EU type approval may be used as work lighting.

Below is the text of Article 4 of the Vehicles Regulation dated 1-1-2020.

Article 4.1

The sale or entry into service of new vehicles of vehicle categories L, M, N, O, T, C, R and S which are required to be EU type-approved according to Directive 2007/46/EC, Regulation (EU) 167/2013 or Regulation (EU) 168/2013 shall be prohibited, if these vehicles are not EU type-approved.

Article 4.2

1. It is prohibited to sell or permit the entry into service of a new component or separate technical unit that is intended to be part of a vehicle in one of the categories referred to in Article 4.1 if
 - a. does not comply with the requirements of the relevant EU Directives and EU Regulations listed in Annex IV or XI to Directive 2007/46/EC, Annex I to Regulation (EU) 167/2013 and Annexes II and V to VIII to Regulation (EU) 168/2013, or the relevant UNECE Regulations; or
 - b. does not bear the type-approval mark required by the relevant EU directive or regulation, or UN/ECE Regulation.
2. The first paragraph does not apply to components or separate technical units which
 - a. are specifically constructed or designed for new vehicles which are not covered by the directives and regulations referred to in subsection 1;
 - b. are intended to be fitted to special-purpose vehicles of vehicle categories M, N and O for which type-approvals have been granted under Article 3.2, second paragraph, which concern the component or separate technical unit in question;
 - c. are intended to be fitted to vehicles of vehicle categories L, M, N, O, T, C, R and S for which type-approvals have been granted under Article 3.2(3), 3.3 and 3.4 respectively in respect of the relevant component or separate technical unit; or
 - d. are intended to be fitted to vehicles of vehicle categories L, M, N, O, T, C, R and S and vehicles with a maximum design speed exceeding 25 km/h of vehicle categories R and S which have been granted individual approvals under Article 3.7.

Article 4.3

It is not permitted to sell, offer for sale, or put into service the parts or equipment listed in Annex XIII of Directive 2007/46/EC unless permission has been granted in accordance with Article 31 of that Directive, unless the exceptions stated in the third paragraph of that Article apply.

For the Vehicles Regulation, see for example the website <https://wetten.overheid.nl/BWBR0025798/2020-01-01>

MOT

You risk being fined by the police if other road users are bothered by your lighting. Lighting is also examined during the MOT.

When LED lighting on a vehicle can be switched on and off separately, this is not a reason for disapproval during the MOT test of the vehicle.

The text of the Dutch MOT test requirements and the test method for passenger cars is given below.

Article 5.2.64

Prohibition of blinding lights

1. With the exception of main-beam headlamps, passenger cars may not be equipped with blinding lights.
Method of inspection: Visual inspection. This requirement is not checked during the periodic inspection for the issue of a test report.
2. Passenger cars may not be fitted with flashing lights, except for the direction indicators, the hazard warning flashers and the brake lights for the emergency stop signal.
Method of inspection: Visual inspection.
3. Paragraph 2 does not apply to passenger cars in use by the services referred to in Article 29(1) and Article 30b of the RVV 1990.
4. In deviation from subsection 2, the side-marker lamps of passenger cars may flash in sync with the direction indicator lamps on the same side of the vehicle.
Method of inspection: Visual inspection.

Article 5.2.65

Prohibition of lights other than mandatory or permitted

1. Passenger cars may not be equipped with:
 - a. more lamps and retro-reflective devices than those prescribed or permitted in Articles 5.2.51, 5.2.51a, 5.2.57 and 5.2.57a;
 - b. lights or objects in the vehicle that emit light towards the exterior of the vehicle.Method of inspection: Visual inspection. If light fittings are present which are not prescribed or permitted, their lamps may not work.
2. Passenger cars not in use by the services referred to in Articles 29(1) and 30b of the RVV 1990 may not be fitted with light fittings for blue revolving, flashing or blinking lights, or objects which give the impression that the vehicle is fitted with such light fittings.
Method of testing: visual inspection. This requirement is not checked during the periodic inspection for the issue of an inspection report.

For the most up-to-date inspection requirements and for inspection requirements of other vehicle categories, see the RDW website, for example: <https://handboek.rdw.nl/personenautos/lichten-lichtsignalen-en-retroreflecterende-voorzieningen>.

Replacement headlights

Replacement headlights must comply with European standards with regard to safety, watertightness and the prevention of short circuits (ECE-R37). These standards are based on the incandescent and halogen lamp of the past. LED replacement headlights cannot meet these standards because they do not contain a filament. For this reason, they do not receive the E-mark R37 and are therefore officially not allowed to be used on public roads. Motorists can be fined by the police in the event of an inspection even though the light pattern of the lamp passes the MOT.

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