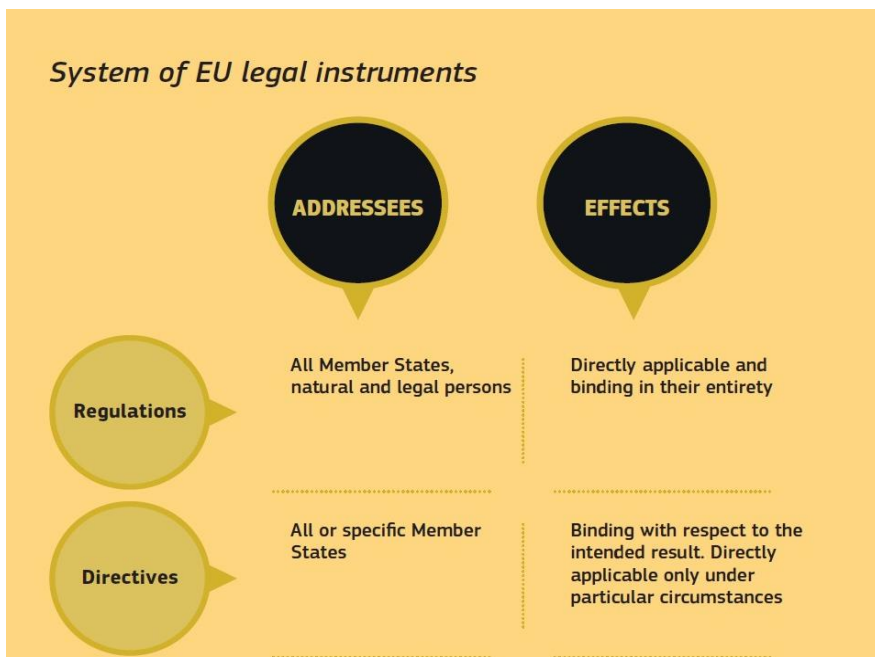


System of EU legal instruments



The legal acts that enable the Union institutions to impinge furthest on the domestic legal systems are the regulations. Two features highly unusual in international law mark them out.

The first is their Union nature, which means that they lay down the same law throughout the Union, regardless of international borders, and apply in full in all Member States. A Member State has no power to apply a regulation incompletely or to select only those provisions of which it approves as a means of ensuring that an instrument which it opposed at the time of its adoption or which runs counter to its perceived national interest is not given effect. Nor can it invoke provisions or practices of domestic law to preclude the mandatory application of a regulation.

The second is direct applicability, which means that the legal acts do not have to be

transposed into national law but confer rights or impose obligations on the Union citizen in the same way as national law. The Member States and their governing institutions and courts are bound directly by Union law and have to comply with it in the same way as with national law.

EU Regulation 540/2014:

On the sound level of motor vehicles and of replacement silencing systems, and amending Directive 2007/46/EC and repealing Directive 70/157/EEC.

Recital:

(3) Traffic noise harms health in numerous ways. Traffic noise is a potential risk factor for the development of medical conditions and incidents such as high blood pressure and heart attacks.

(21) Vehicle sound levels have a direct impact on the quality of life of Union citizens, in particular in urban areas in which there is little or no electric or underground public transport provision or cycling or walking infrastructure.

Annex II- Methods and Instruments for Measuring the Noise Made by Motor Vehicles

(21) 'replacement silencing system' means any part of the silencing system, or components thereof, intended for use on a vehicle, other than a part of the type fitted to the vehicle when submitted for EU type-approval pursuant to this Regulation;

Vehicles and replacement silencing systems shall meet the requirements of Annex VII.

5.2.2. The noise reduction performance of the replacement silencing system, or components thereof, shall be verified by means of the methods described in point 1 of Annex II. In particular, for the application of this point, reference shall be made to the amendment level of this Regulation which was in force at the time of type-approval of the new vehicle.

(b) Measurement with stationary vehicle

When the replacement silencing system, or components thereof, is mounted on the vehicle described in point 1.3.3, the sound levels obtained shall satisfy one of the following conditions: (i) the value measured (rounded to the nearest integer) **shall not exceed by more than 2 dB(A) the type- approval** value obtained under this Regulation with the type of vehicle concerned;

5.2.3. Further to the requirements of Annex II, any replacement silencing system, or components thereof, has to fulfil the applicable specifications of Annex VII.

Comment

What if the sound level of the replaced silencing system exceeds the type approval value by 20 dB(A) ?

- A. It would still pass the local VRT test (S.L. 65.15 Motor Vehicle Roadworthiness Regulations).
- B. The sound level limit for petrol driven vehicles is 100dB(A).
- C. In such a situation, wouldn't the local VRT Regulation be precluding the scope of the EU regulations. " The reduction of the exhaust sound level to safer levels?