

PROVIDING GUIDANCE TO MANUFACTURERS AND USER COMMUNITIES

GUIDANCE ON NON-HARMONISED STANDARDS IN THE UK AFFECTING PRODUCT TESTING AND CERTIFICATION FOR VMS TRAFFIC PRODUCTS

Introduction

Within the traffic products in the European Norms there are often cases where specifications have not yet been harmonised but which have become UK law by virtue of UK Regulations (Statutory Instruments).

This is specifically the case for **Continuous and Discontinuous Variable Message Signs (VMS)**. EN12966:2014+A1 2018, has yet to be harmonised but is called up in The Traffic Signs Regulations and General Directions 2016.

The rule of law is that products manufactured within the UK for UK roads must comply with UK law and when adopted by the UK the Directives from the EU which are cited in any EN standards. TSRGD specifically requires that **ALL types of VMS** (including Vehicle Activated Signs (VAS) mobile, temporary and permanent howsoever described) meet the requirements of Annex NA of 12966:2014 [as amended by 12966:2014+A1:2018]. This is irrespective of any CE requirements.

Sign faces must also comply with TSRGD unless DfT give express authorisation otherwise.

Currently you are advised to have your products tested to 12966:2014 as required by TSRGD 2016 but CE marked to the previous standard, now withdrawn, 12966:2007. You must have within your technical file evidence of compliance to 12966:2014 as required by UK law.

This requirement relates to products which have been manufactured since the issue of TSRGD and includes products which are retrofitted since that Regulation came into force.

Advice for manufacturers

ARTSM has spoken with DfT, BEIS, The CE Marking Association and other trade and industry professionals regarding the issue for designers on how to design and certify a product with a non-harmonised specification. At some point in the future EN12966:2014 will become harmonised through the normal standards update process but this will take time.

However, in the UK EN 12966:2014 forms part of UK legislation – TSRGD and you are required to test and comply with this standard and, where necessary, CE mark to the required standards under all appropriate EU Directives. Until such time as harmonisation takes place the UK will permit CE marking under EN 12966:2007 but not testing.

Note, even if you deem that your product does not fall within the CPR Directive, there is still a requirement under TSRGD that you must comply with the criteria set out in BS EN 12966:2014.

Advice for Procurers

You are advised that you should require of manufacturers evidence that the VMS products purchased, **permanent, portable and temporary**, comply with the requirements of 12966:2014 if they have been manufactured since TSRGD came into force.

If the products were manufactured earlier then they must have evidence of Type Approval from the Secretary of State which was required prior to TSRGD 2016 coming into force. Without such evidence the products are not lawful as fit for UK roads.

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