

Appendix 4

- I. The central competent authority shall conduct sample testing on motor vehicles that have already attained compliance certification. Motor vehicles shall be tested as to check whether or not they comply with motor vehicle noise control standards and related regulations pursuant to this law based on tests of mass produced motor vehicles.
- II. When giving notification of new vehicle sample testing, all matters pertaining to new vehicle sample testing times, sample testing and analysis methods shall be explained in detail by the central competent authority. Applicants who attain the compliance certification (herein referred to as “applicants”), shall immediately comply with all matters pertaining to new vehicle sample testing after receiving notification from the central competent authority.
- III. Selection of motor vehicle for sample testing:
 1. Sample testing motor vehicle models and configurations shall be designated by the central competent authority. Motor vehicles selected for sample testing shall be selected from samples of motor vehicle types; these samples shall represent motor vehicles on the market or already sold.
 2. Designated mass produced motor vehicles shall be provided by the applicants for the central competent authority to choose.
 3. Sampling locations of motor vehicle:
 - (1) Motor vehicle holding area for applicants who have completed the test.
 - (2) Motor vehicle holding areas for applicants at designated dealers, importers or distributors.
 - (3) Republic of China customs authority warehouse.
 - (4) Random sampling of bus chassis manufacturers and importers shall take place each month pursuant to engine numbers or vehicle body numbers reported in sales and manufacturing information. A vehicle body shall be included in sample testing once it has been manufactured.
 4. When applicants fail to provide the central competent authority with new vehicle models and configurations pursuant to designated quantity during sample testing, the central competent authority may await the applicant to prepare newly manufactured or imported vehicles of identical vehicle models. Sample testing may then be conducted.
 5. The applicant may not make any changes whatsoever, including quality control and assembling processes, after location and motor vehicle(s) have been chosen for sample testing by the central competent authority. This is to ensure sample testing is pursuant to motor vehicles manufactured from standard motor

vehicle manufacturing processes and to avoid influencing the outcome of the motor vehicle sample testing noise results.

6. Sample testing quantity: the sample testing quantity determined by the central competent authority may be pursuant to sample testing ratios, vehicle model noise testing values, and quality control analysis decisions.

- (1) For identical models of gasoline and diesel vehicles under 3.5 tons: sample testing shall be conducted on 10 vehicles when annual sales volume exceeds 10,000 vehicles; when under 10,000 vehicles, sample testing shall be conducted on 1 from every 1000 vehicles. When this figure fails to reach 1000 vehicles, sample testing shall be conducted on 1 vehicle.

- (2) For identical models of gasoline and diesel vehicles over 3.5 tons: sample testing shall be conducted on 1 vehicle when annual sales volume exceeds 200 vehicles; when this figure fails to reach 200 vehicles, sample testing shall be conducted on 1 vehicle.

- (3) For motorcycles of identical model: when annual sales volume exceeds 50,000 vehicles, sample testing shall be conducted on 10 vehicles; when this figure is between 10,000 and 50,000 vehicles, sample testing shall be conducted on 5 vehicles; when less than 10,000 vehicles, sample testing shall be conducted on 1 vehicle for increments of 2000 vehicles; when this figure fails to reach 2000 vehicles, sample testing shall be conducted on 1 vehicle.

7. If the central competent authority's audit assessment finds that a test record is nonconforming or may show a detrimental effect on quality consistency, the central competent authority may strengthen random testing of new vehicles. Relevant assessment factors shall include:

- (1) Some specifications at the time of representative vehicle certification application are not those initially specified by the original manufacturer.

- (2) If a vehicle's acceleration performance at the time of new vehicle certification acceleration noise testing is significantly lower than the average for the same grade of vehicle, a decision concerning whether confirmation is necessary should be made on technical grounds.

- (3) Inappropriate private adjustment of vehicles that have already been subjected to random testing

- (4) A representative vehicle obtained a nonconforming result during certification testing but obtained conforming results after improvement.

- (5) A vehicle type cannot achieve the QC test quantity, or a model that has achieved the QC test quantity, but for which testing has not been performed after a reminder.
- (6) A model applying for new model certification that has an European Union or UK approval certificate, but has no record of testing in Taiwan.
- (7) Vehicles of that type and year were imported from the country of manufacture in only small quantities, in which case the random testing schedule must be specially coordinated.
- (8) Other factors considered by the central competent authority to necessitate confirmation.

IV. Designated date, location and methods Applicants shall prepare the designated vehicle within 4 weeks and deliver it to the approved analysis and testing organization after the said vehicle(s) has been chosen for sample testing. The time shall be designated by the central competent authority, and the test will be implemented pursuant to regulations. Applicants bear full responsibility for testing fees and transportation costs.

V. Motor vehicle testing preparations:

1. Without examination and approval from the central competent authority, motor vehicles for sample testing shall not be adjusted, maintained or tested by the applicant.
2. Applicants shall fully prepare special equipment and facilities required for testing. Claims of inability to provide said equipment may not be used as a reason for invalidating the test.
3. Applicants with any objections with regard to sample testing of a motor vehicle or are unable to undergo testing due to an accident shall provide an explanation to the central competent authority before the test. The central competent authority may authorize adjustments and repairs to the motor vehicle which is to be tested in order to ensure reasonable testing conditions. When a motor vehicle taken for sample testing is deemed by the central competent authority to be an inappropriate representative, the central competent authority may revoke the credentials of the said vehicle from the sample quantity and choose another vehicle for replacement. The number of replacements is determined by the central competent authority.

VI. Determining and handling of testing results

1. All decisions pertaining to vehicles that have undergone sample testing are determined pursuant to motor vehicle noise control standards.
2. The applicant may request once retest in situ without adjusting or changing the condition of the vehicle. When a vehicle fails to comply with standards during prime tests, the applicant, within

two weeks of receiving notification from the central competent authority, may submit a letter to the central competent authority to request re-testing or to accept the results showing that the new vehicle selected for random testing has failed to comply with standards. When the applicant fails to submit a letter or submits an incomplete reply, the central competent authority may determine that the new vehicle selected for random testing has failed to comply with standards.

- (1) Applicants for re-testing may decide upon the sampling quantity to be provided, which may not be less than double the number of vehicles that failed the said prime tests.
 - (2) Motor vehicles selected, prepared, and adjusted for re-testing must be identical to those of the prime tests. Information on improvements and countermeasures towards noise control shall be provided when delivering the motor vehicle for testing, in order to allow for verification by an approved analysis and testing organization, or investigate by central competent authority according to relevant laws
 - (3) The test value of motor vehicles undergoing re-testing will be added to the prime test values; the average shall then be calculated. A motor vehicle model is determined to have failed to comply with standards if the said average value exceeds motor vehicle noise control standard values or if at least one motor vehicle undergoing re-testing exceeds motor noise control standard values.
 - (4) Applicants shall submit the explanations of root causes and improvements for all motor vehicles which do not be complied with noise control limits, and submit to the central competent authority the noise level testing report for each motor vehicle that has been improved and complied with the Noise Control Standards.
 - (5) The annual new vehicle sampling test has failed to pass the retest, thus the motor vehicle noise compliance certification shall not be continued to use next year.
3. The motor vehicle type configuration compliance certification that the final result of new vehicle sample testing judged by central competent authority does not be complied with the Noise Control Standards shall be revoked; furthermore new license plate and sale shall be banned.