

Appendix 4: Random Tests for New Motorcycles and Provisions for Recall and Correction Testing for In-Service Motorcycles

1. The central competent authority may require the new vehicle random testing for vehicles which have obtained the Certificate of Conformity, in order to check whether mass produced vehicles comply with emission standards and related laws and regulations.
2. The central competent authority shall provide detailed explanations of the time and tested items of new vehicle random tests. An applicant who has received a Certificate of Conformity shall respond to the new vehicle's random test operations immediately upon receipt of notice from the central competent authority. If the applicant fails to respond within 5 days upon receipt of the notice from the central competent authority, the central competent authority shall suspend the verification of the stamp for the family engine or vehicle configuration that is subject to the random test.
3. Vehicle Selection:
 - 3.1 The engine family vehicle configuration subject to random testing shall be designated by the central competent authority. The vehicles shall be selected at random from the engine family and shall represent those that are being sold or already sold on the market.
 - 3.2 The applicant shall make available for selection by the central competent authority the specified number of mass produced vehicles that have never been previously tested. The quantity thereof shall be at least three times that for the random test.
 - 3.3 Locations for selection of sample test vehicles:
 - 3.3.1 Storage areas for the vehicles that have completed the conformity of production test.
 - 3.3.2 An applicant's designated domestic agent, distributor or dealer's vehicle storage locations.
 - 3.3.3 Storage Warehouse of Republic of China Customs.
 - 3.4 Sampling ratio and testing types:
 - 3.4.1 Driving cycle testing and idle testing: for the same engine family, 10 vehicles shall be selected for the random test if the annual sales volume exceeds 50,000 units; 5 vehicles if the annual sales volume ranges from 10,000 units to 50,000 units; 1 vehicle per additional 2,000 units if the annual sales volume is less than 10,000 units; and 1 vehicle if the annual sales volume is less than 2,000 units.
 - 3.4.2 For the HC test for evaporative gases in fuel tanks and fuel supply systems, one vehicle may be selected for the random test for each engine family.
 - 3.4.3 For the OBD test, one vehicle may be selected for the random test for each OBD family.
 - 3.4.4 If the central competent authority considers that there is a likelihood of non-compliance with the emission standards, it may increase the quantity of new vehicles subject to the random test for that engine family.

4. Test schedule and location:

Upon selection of test vehicles, the applicant shall have the test vehicles in place within four weeks. Notwithstanding, the applicant may request for extra days for the OBD test if deemed necessary, and send the vehicles to the test laboratory designated by the central competent authority according to the designated schedule. The testing shall be conducted subject to the tested items required by the emission standards. The test and freight fees shall be borne solely by the applicant. If approved by the central competent authority, the OBD test may be conducted by the self-established laboratory designated by the applicant. Unless the central competent authority designates the schedule, the following submission schedule shall apply:

 - 4.1 1-5 vehicles: 15 working days
 - 4.2 6-15 vehicles: 20 working days
 - 4.3 16-25 vehicles: 24 working days
 - 4.4 More than 26 vehicles: 36 working days
5. Vehicle Preparation
 - 5.1 If necessary, the applicant may run-in the test vehicles to the required minimum mileage within the test period, to ensure stable emission test results for the test. Notwithstanding, the mileage shall be no more than 1,500 kilometers.
 - 5.2 The fuel used for the accumulation of mileage shall be the test fuel (gas) required by the central competent authority or purchased from domestic gas stations.
 - 5.3 During the run-in period, motorcycles subject to random testing shall not be adjusted, maintained or inspected voluntarily. Notwithstanding, upon prior approval by the central competent authority, the applicant may use instruments, equipment, or tools with the same functionalities as the service stations owned by distributors to perform the maintenance, inspection, or adjustments insofar as they are done under the supervision of personnel designated by the central competent authority.
 - 5.4 In the case of objections or inability to perform the testing due to a vehicle accident, the applicant should provide the central competent authority with an explanation prior to the test. The central competent authority may authorize adjustments or repairs to restore the vehicle back to normal operating condition and make it suitable for testing. The central competent authority may disqualify that vehicle if the seal is broken or it deems the motorcycle subject to the random test is no longer representative for the test, and select other vehicles as a replacement. The number of replacement vehicles is determined by the central competent authority, subject to the sampling ratio. The applicant shall not raise any objection against the test vehicles and test values.
6. Determination and handling of test results
 - 6.1 If the test results of all vehicles subject to the random check comply with the related emission standards, they shall be deemed as having passed the new vehicle random test successfully.

- 6.2 If any of the selected vehicles fail the random test, then the applicant may ask to conduct the retest once or may also ask the central competent authority to conclude that the vehicle has failed the initial test. The re-test shall be completed within the time limit instructed by the central competent authority upon the applicant's receipt of the notice. If failing to do so, the original test result shall be regarded as the final result in the preliminary test.
 - 6.2.1 The re-test may be requested only before the test vehicle is removed from the test laboratory.
 - 6.2.2 Any repairs, adjustments or tests to the vehicle are prohibited during the re-test.
 - 6.2.3 The re-test results in the preliminary test shall be treated as the final result of the preliminary test. It will be judged as qualified if it complies entirely with the emission standards.
- 6.3 When a preliminary test is determined as non-compliant, within 15 days from the day of receipt of notice from the central competent authority, the applicant may accept the determination of non-compliance, or submit a written request for repeat testing and act in accordance with the provisions to propose a Recall and Correction plan to the central competent authority.
 - 6.3.1 The number of samples taken for the re-test shall be decided by the applicant personally, provided that it shall be no less than double that of the unqualified ones found in the preliminary test.
 - 6.3.2 The selection, run-in and test of the re-test vehicles remain the same as those applicable to the preliminary test vehicles.
 - 6.3.3 Before the vehicle failing the re-test leaves the test laboratory, the applicant may ask again for one re-test. The re-test shall be completed within the time limit instructed by the central competent authority upon the applicant's receipt of the notice. If failing to do so, the original test result shall be regarded as the final result for the re-test. The re-test result shall be regarded as the final result of the re-test. In the meantime, the applicant shall not attempt to make any repairs, adjustment or other testing during the re-test.
- 6.4 If the arithmetic average of individual air pollutants of vehicles that fail the preliminary test and all vehicles undergoing the random re-test is lower than the emission standards, they will be deemed as having passed the new vehicle random test; otherwise, they shall be deemed as having failed the new vehicle random test.

If the test referred to in the preceding paragraph means the OBD test, and the sum of the vehicles failing the preliminary test and those failing the random test during the re-test divided by the sum of the vehicles failing the preliminary test and all of the vehicles undergoing the random test during the re-test is less than 0.4, and the sum of the vehicles failing the preliminary test and those failing the random test during the re-test is less than 4, they will be deemed as having passed the new vehicle random test; otherwise, they shall be deemed as having failed the new vehicle random

test. The determination may be made in the following manner:

Determination	Criterion
Formula 1	$(N_{fn}+N_{sn})/(N_{fn}+N_s) < 0.4$
Formula 2	$(N_{fn}+N_{sn}) < 4$
Remarks	<ol style="list-style-type: none"> 1. N_{fn}: Number of vehicles failing the preliminary test 2. N_{sn}: Number of vehicles that failed the re-test 3. N_s: Number of vehicles undergoing the random test during the re-test

- 6.5 Although they are deemed as having passed the new vehicle random test, for vehicles failing the preliminary test or re-test, the applicant still needs to provide the cause of failure and corrective action, attached with a test report showing that each vehicle meets the emission standards after the correction, which shall be submitted to the central competent authority for future reference.
- 6.6 For vehicles failing the new vehicle random test for which the Certificate of Conformity has been revoked or abandoned by the central competent authority, within 30 days upon receipt of the notification, the applicant shall submit a recall and correction plan for the unsold and already sold engine family vehicles. Upon review and approval by the central competent authority, the recall and correction plan shall be completed within 90 days upon receipt of the approval letter. If it is impossible to complete the plan by the deadline, within 30 days upon receipt of the approval letter, the applicant shall submit a specific improvement plan to apply for an extension with the central competent authority. Subject to the actual conditions, the central competent authority may approve the extension, which shall be no longer than one year. The central competent authority may immediately terminate the improvement deadline immediately if the improvement plan is proven to be not implemented precisely upon investigation.
- 6.7 The contents of the Recall and Correction plan include:
- 6.7.1 Engineering analysis of causes of non-compliance with the emission standards for each vehicle that does not meet the emission standards.
 - 6.7.2 An influence assessment for the cause of non-compliance.
 - 6.7.3 The brand, engine family, vehicle configuration and quantity of recalled and corrected vehicles, and vehicles to be recalled and corrected.
 - 6.7.4 The projected ratio between the quantity of recalled vehicles to that of sold vehicles.
 - 6.7.5 The corrective actions to be implemented for vehicles recalled for correction, such as component replacement, repair, inspection, calibration, adjustment or other summary of technical information for any other required changes, are sufficient to document improvements to air pollutant emissions and compliance with the standards herein.

- 6.7.6 The way to access the list of names and addresses of the recalled vehicle owners.
- 6.7.7 For vehicles to be recalled and corrected, without the consent of the central competent authority, the vehicle owner shall not be forced to respond to any requirements or conditions about the maintenance or conditions, e.g. requiring the vehicle owner to use spare parts other than those provided by the original manufacturer for his/her vehicle or have his/her vehicle maintained and repaired by any repair and service center without authorization from the vehicle manufacturer or importer.
- 6.7.8 The recall and correction process shall consist of the appointment of vehicle owners and start and finish dates for the recall and correction, the location where the work is performed, and the reasonable time limit required for the performance of the work.
- 6.7.9 The proof of technical capability and facilities for the organization and technicians responsible for the implementation of the recall and correction plan.
- 6.7.10 Send notices to the owners of recalled and corrected vehicles.
- 6.7.11 Provide replacement components and an appropriate supply system during recall and correction period.
- 6.7.12 The necessary guidance for the technicians involved in the recall and repair plan.
- 6.7.13 The impact that might be posed to the fuel consumption, noise, or other performance functionalities of the recalled and corrected vehicle, if any, shall be clarified.
- 6.7.14 The applicant may provide other technical data and test reports to prove the effectiveness of the recall and correction plan to the competent authority for evaluation.
- 6.8 The central competent authority shall perform verification tests for each remedy measure of the recall and correction plan implemented by the applicant.
- 6.9 Within 15 days after complete implementation of the recall and correction plan, the applicant shall submit a recall and correction implementation report to the central competent authority for review.
- 6.10 When the central competent authority notifies the applicant of the cancellation or revocation of the Certificate of Conformity, the Ministry of Transportation and Communications should also be notified simultaneously.
- 6.11 For unsold vehicles with a revoked Certificate of Conformity, once the applicant has completed the implementation of the recall and correction plan, after it is reviewed and approved by the central competent authority, the applicant may re-apply for the Certificate of Conformity for the engine family, in accordance with these provisions.