

Translation from German

Guidelines for the Assessment of Historic Vehicles under §23 of the German Road Traffic Licensing Regulation

Date: 6 April 2011 (German Traffic Law Gazette no. 7 dated 15 April 2011, p. 257)

On 25 April 2006, the Regulation reforming vehicle licensing and amending the rules of the road was published (German Federal Law Gazette Part I, p. 988) announcing the enactment of the German Vehicle Licensing Regulation and amendments to the German Road Traffic Licensing Regulation. For procedure requirements, the enactment of the German Vehicle Licensing Regulation was repeated on 10 February 2011 (German Federal Law Gazette Part I, p. 139).

Some changes under the German Vehicle Licensing Regulation and the German Road Traffic Licensing Regulation as amended relate to the assignment of historical registration plates (H plates). While so far specific vehicle approval has been required for licensing historic cars, for a historic registration plate¹ motorists now need to submit a proof of roadworthiness (since 1 March 2007) plus an Assessment Certificate issued by an accredited vehicle expert or inspector from a technical assessment agency or a certified assessor from an institute of automotive engineer assessors (vehicle expert/assessor). This laid the basis for permitting automotive engineer assessors from accredited institutes to take part in performing the relevant assessments.

In view of the above legislative amendments, it was necessary to revise the present Guidelines to ensure that the deregulation achieved would go hand in hand with easier administrative procedures. As a result, the new structure of the assessment is more transparent and straightforward.

However, adjusting the Guidelines has not warranted any changes to the current definition of historic vehicles (German Traffic Law Gazette 1997 p. 538), i.e. the required originality/authenticity and level of preservation and maintenance to discriminate historic vehicles against vehicles which are “just old”.

The rating scale was abolished to streamline procedures, since it is not relevant for assigning H plates. Licensing authorities now only need the affirmative Assessment Certificate, which reduces the involvement of authorised automotive experts to the minimum required.

The Guidelines below will enter into force on the first day of the seventh month following their publication and replace the existing Guidelines for Historic Vehicles Assessments (German Traffic Law Gazette of 21 July 1997, p. 515) including the catalogue of specifications.

Following approval by the relevant authorities, below we publish the Guidelines for the Assessment of Historic Vehicles and the Sample Assessment Certificate under 23 of the German Road Traffic Licensing Regulation.

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Building and Urban Development
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¹ §9(1) and §17 of the German Vehicle Licensing Regulation

Text of the Guidelines:

The vehicle expert/assessor shall start the assessment by verifying the preconditions below to identify the basis for the assessment.

1. The following preconditions are relevant for determining the scope of assessment:

a) Vehicle is licensed:

Assessment in line with the present Guidelines and general roadworthiness inspection under §29 of the German Road Traffic Licensing Regulation.

b) Vehicle has been kept off the road, renewal of licence is pending:

Assessment in line with the present Guidelines and equivalent general roadworthiness inspection under §29 of the German Road Traffic Licensing Regulation in accordance with the requirements laid down in §14(2) of the German Vehicle Licensing Regulation.

c) Vehicle is licensed in another country, licensing in Germany is pending:

Assessment in line with the present Guidelines and inspection under §29 of the German Road Traffic Licensing Regulation in accordance with the requirements laid down in §7 of the German Vehicle Licensing Regulation.

d) None of the above conditions a) through c):

Assessment in line with the present Guidelines and under §21 of the German Road Traffic Licensing Regulation.

e) Vehicle has never been licensed, licensing in the historic vehicle class is pending (red H plates – §17 of the German Vehicle Licensing Regulation):

The vehicle expert/assessor shall carry out an assessment in line with the present Guidelines and an equivalent general roadworthiness inspection under §29 of the German Road Traffic Licensing Regulation.

Important: Under the general roadworthiness inspection, all motor vehicles powered by external or internal combustion engine are subject to engine management or pollution control system checks, excepting motor vehicles listed under number 1.2.1.2 of Annex VIII to the German Road Traffic Licensing Regulation and motorcycles first put into circulation on or before 31 December 1988.

2. The Assessment Certificate shall cover the minimum details listed in the sample certificate below.

3. The vehicle expert/assessor in evaluating the vehicle's condition, accessories and alterations listed under number 4 and 5 of the sample certificate shall provide an answer to the following significant question: Can the vehicle under review be regarded as part of our automotive cultural heritage as understood by the Guidelines? All vehicles qualify which are visually correct as supplied by the maker to the public or which conform to documented modifications in their early period of operation.

4. The criteria for classification as historic cars under §2 no. 22 of the German Vehicle Licensing Regulation include:
 - Good level of preservation and maintenance (compared to vehicles that are "just old").
 - Main assemblies in original condition or replaced in the period.
 - Any options and accessories must not prejudice the vehicle's visual correctness.

Compliance with the above criteria may justify a positive assessment in number 5 of the Sample Assessment Certificate, even if main assemblies or parts were listed as not being original under number 3. In this case, the vehicle expert/assessor shall consult with the head of the technical assessment agency or the director of the institute of automotive engineer assessors or any experts they may choose to appoint (hereinafter referred to as "Technical Director").

5. For his assessment under the Guidelines, the vehicle expert/assessor shall use the Catalogue of Specifications for historic vehicles, taking due account of the relevant rules and regulations as amended.

**Catalogue of Specifications
for Historic Vehicle Classification
under §23 of the German Road Traffic Licensing Regulation**

Preamble

Assessment under §23 of the German Road Traffic Licensing Regulation may imply differences in the evaluation of a vehicle. Especially the term “automotive cultural heritage” used in the Guidelines for the assessment of historic vehicles, which is a condition precedent for H plate assignment, is open to interpretation.

In view of the above, a dedicated catalogue of specifications was formulated to serve as a basis for the assessment of vehicles in all classes under §23 of the German Road Traffic Licensing Regulation. The catalogue aims at defining uniform requirements and assessment criteria to ensure consistent findings.

While the catalogue of specifications cannot but serve as a general reference, details shall be agreed from time to time by the relevant Working Panel on the Technical Inspection of Vehicles of the Federal Transport Authority in Germany.

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1. **Eligibility for positive assessment under §23 of the German Road Traffic Licensing Regulation**

- Only vehicles first operated on the public road and registered at least 30 years ago and preserved in or close to the original condition and maintained accordingly for the purpose of preserving the automotive cultural heritage are eligible for classification as historic cars and assignment of the “0098” model code (§2 no. 22 of the German Vehicle Licensing Regulation). For vehicles first operated on the public road and not registered at least 30 years ago, the owner shall be required to provide adequate proof (i.e. certificate of exemption).
- All main assemblies must be maintained in a historically correct condition. If the vehicle expert/assessor is in doubt, the owner may be required to provide supporting documents or other proof. The vehicle expert/assessor will consult with the Technical Director on a case-by-case basis to consider exceptions, if any.
- Alterations made on a proven date, or likely to have been made, within the first 10 years after the date of first registration or manufacture and alterations to model range specifications will be accepted. Also, non-period alterations made on a proven date at least 30 years ago will be accepted.
- The vehicle under review must be worthy of preservation, i.e. comply with the legal requirements and conform to the conditions under number 2 below.

2. **Minimum prerequisites**

An affirmative assessment shall be subject to compliance with the conditions below:

- Vehicle without apparent technical defects as defined in the German Road Traffic Licensing Regulation reflecting the state of the art and legal requirements of the period;
- Minor signs of wear as are reasonable for automotive cultural heritage (patina, but vehicle not “deteriorated”);
- Complete of all essential parts;
- No apparent accident damage or signs of unprofessional repair; and
- Main assemblies basically as in period configuration, or in original or proven condition to period specifications.

Vehicles which do not comply with the above conditions will NOT be classified as historic cars preserving the automotive cultural heritage.

3. Assessment procedure

To establish whether or not a vehicle is in original condition, the expert/assessor will verify the mandatory characteristics below.

3.1 Vehicle identity

The vehicle must be identifiable beyond doubt.

- By original VIN or parts approval number.
- By electrically engraved VIN or riveted VIN plate for vehicles first registered on or before 1 October 1969.
If no identification is possible, the procedure under §59(3) of the German Road Traffic Licensing Regulation will apply.
- By vehicle plate in line with the provisions of §59 of the German Road Traffic Licensing Regulation or EU provisions. An original vehicle plate will be permitted.
- By original and legible engine number or engine type label (e.g. permanently stamped or cast numbers) or based on visual conformity including ancillary units, if applicable.

3.2 Requirements for the main assemblies of the vehicles

The overall appearance of the vehicle must be in line with the original condition of the period.

Further requirements include:

3.2.1. Coachwork/body

3.2.1.1. Body shell

- Only visual correctness or appearance to period specifications will be permitted.
- Original material or other approved material for add-on parts will be permitted.
- No modification of vehicle and body type will be permitted other than those to period specifications.

Exception: Modification approved for the model range, e.g. conversion of Coupé to convertible or passenger car to HGV, will be permitted.

3.2.1.2. Paintwork

Only colouring to period specifications will be permitted, i.e. pattern lacquer and/or motives (airbrush) are only permitted if they are period design variant, advertising or period business lettering.

3.2.1.3. Body

Repair work must not interfere with the vehicle's visual correctness and have been professionally performed.

3.2.2. Frame and chassis

3.2.2.1. Frame

Only original design, original replacement part or manufacturer-approved replica will be permitted.

3.2.2.2. Chassis

Only original design or original replacement part and factory-approved and/or certified retrofit(s) to period specifications will be permitted.

3.2.3. Engine and powertrain

3.2.3.1. Engine

- Only original design or engine from a vehicle of the same model will be permitted.
- Engine peripherals: only original assemblies (e.g. carburetion system) or factory-approved and/or certified alterations to period specifications will be permitted.
- To emission control retrofits the requirements defined in the 52nd Ordinance on Exemptions from the German Road Traffic Licensing Regulation will apply.
- Stainless steel aftermarket exhaust systems will be permitted unless they increase exhaust gas and noise emissions.
- LPG systems will be permitted only if retrofitted within the first 10 years of operation or true to period specifications.

3.2.3.2. Transmission

Only original design or transmission from a vehicle of the same model will be permitted.

3.2.4 Braking system

- Only original design or braking system from a vehicle of the same model will be permitted.
- Period conversion from mechanical to hydraulic operation.
- Conversion from single-line to dual-line system will be permitted.

3.2.5 Steering

- Only original design or steering system from a vehicle of the same model will be permitted.
- Special original or certified steering wheel will be permitted.

3.2.6 Tyres/wheels

- Only original design or tyre/wheel combination from a vehicle of the same model will be permitted.
- Certified or factory-approved retrofit to period specifications will be permitted.
- Retrofitting from diagonal to radial tyres of equivalent size will be permitted.

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3.2.7 Electrical system

3.2.7.1 Lighting system

- Only original design or lighting system from a vehicle of the same model will be permitted.
- Conversions or retrofits to period specifications only.

3.2.7.2 Radio and consumer/communication electronics

- Only professional installation without major changes to the visual appearance of the dashboard and interior will be permitted.

3.2.7.3 Options and accessories

Retrofitting 6V to 12V supply voltage kit will be permitted, if professionally performed.

3.2.8 Interior

Overall appearance of the interior trim as close as possible to the original condition or modified to period specifications.

3.2.8.1 Seats and seatbelts

- Only original design or period retrofit with authentic certification will be permitted. Optionally, seats from a vehicle of the same model will be permitted.
- Only original, similar or period upholstery will be permitted.
- Seatbelt retrofits will be permitted, if professionally installed.

3.2.8.2 Dashboard

Only dashboard from a vehicle of the same model or to period specifications will be permitted.

3.2.8.3 Disabled drivers

Only validly certified and professionally performed disabled conversions conforming to the driving licence will be permitted.

3.3 Specifics of motorcycles

To the main assemblies the provisions set forth for cars shall apply accordingly.

3.3.1. Fuel tank

Only original tank or aftermarket tank to original specifications or period accessories will be permitted.

3.3.2. Exhaust system

Only original system or aftermarket system to original specifications or period accessories will be permitted.

3.3.3. Seat/bench

Only original bench, seat/bench from the model range, aftermarket seat/bench to original specifications or accessory to period specifications will be permitted.

3.4 Specifics of commercial vehicles

To the main assemblies the provisions set forth for cars shall apply accordingly.

3.4.1 Coachwork

Only original coachwork or aftermarket coachwork to original or period specifications will be permitted.

3.4.2 Paintwork

Only advertising or business lettering of the period will be permitted.

<p>Sample Certificate</p>

Assessment Certificate-Number:
of assessing entity,

Name and address
logo if applicable

Assessment Certificate for the classification of a vehicle as a historic car under §23 of the German Road Traffic Licensing Regulation

Assessment based on no. 1(a)² of the Guidelines for the Assessment of Historic Vehicles.³

1. Name of applicant	
Name:	

2. Vehicle data	
Vehicle identification number or parts approval number	
Vehicle class and style	
Manufacturer – abbreviation/code	
Type/variant/version/code	
Trade name	
Year/date of manufacture (day or at least year)	
Date of first registration	
Licence number	

3. Technical description		
Condition of main assemblies	Approved	Declined
3.1. Coachwork/body		
3.1.1. Body shell		
Appearance to original or period specifications		
Original materials or permitted materials		
3.1.2. Paintwork		
Colouring to period specifications		
Advertising or business lettering to period specifications		

² Specify a), b) c), d) or e) as applicable

³ Attach evidence of additional (or potentially required) examination or assessment in line with applicable precondition

3.2. Frame and chassis		
3.2.1. Frame		
Original design/original replacement part/manufacturer-approved replica		
3.2.2. Chassis		
original design/original replacement part or permitted retrofit		
3.3. Engine and powertrain		
3.3.1. Engine		
Original design or engine from vehicle of the same model		
Original carburetion system or permitted retrofit		
Original exhaust system or permitted retrofit		
3.3.2. Transmission		
Original design or permitted retrofit		
3.4. Braking system		
Original design or permitted retrofit		
3.5. Steering		
Original design or permitted retrofit		
Original steering wheel or permitted special steering wheel		
3.6. Tyres/wheels		
Original design or permitted retrofit		
3.7. Electrical system		
3.7.1. Lighting system		
Original design or permitted retrofit		
3.7.2. Radio		
No radio/original design/permitted retrofit		
3.7.3. Options and accessories		
Original design/permitted retrofit		
3.8. Interior		
3.8.1. Seats/seatbelts		
Original design or permitted retrofit		
3.8.2. Dashboard		
Original design or permitted retrofit		
3.9. Level of preservation and maintenance		
Good levels of preservation and maintenance (compared to vehicles that are "just old")		

4. Alterations to original condition	
Reference *)	Description of actual condition, if different from original condition:
3.1. Coachwork/body	
3.2. Frame/chassis	
3.3. Engine/powertrain	
3.4. Braking system	
3.5. Steering	
3.6. Tyres/wheels	
3.7. Electrical system	
3.8. Interior	

5. Findings		YES	NO
The vehicle listed above is a historic car as defined in §23 of the German Road Traffic Licensing Regulation (where applicable, see comments below).			
General roadworthiness inspection carried out. *)			
Equivalent general roadworthiness inspection carried out. *)			
Inspection under §21 of the German Road Traffic Licensing Regulation carried out. *)			
If applicable, no. of roadworthiness inspection report or of inspection under §21 of the German Road Traffic Licensing Regulation, or evidence of single type approval. *)			
Place	Vehicle expert/assessor*)		
Date	signature	Stamp and file number	

*) Complete/delete as applicable

Comments

Reference notes:

The notes below are numbered to match the numbers in the assessment certificate:

2. Where date of manufacture and first registration of the vehicles differ, also indicate the year of manufacture.
3. Verify vehicle condition and authenticity of main assemblies.
4. The vehicle expert/assessor is required to specify and document the vehicle condition and detail any and all alterations made after the vehicle was manufactured or delivered.
5. In the findings, the vehicle expert/assessor certifies whether or not the vehicle can be classified as a historic car under §23 of the German Road Traffic Licensing Regulation and is part of the automotive cultural heritage.
In the event of alterations or modifications, the findings should reflect the vehicle condition in consideration of the findings under numbers 3 and 4 for the relevant components.
If the vehicle is classified as a historic car even with alterations or modifications, the vehicle expert/assessor should specify the reasons and confirm the findings referring to the consultation with the Technical Director.
If an equivalent general roadworthiness inspection was carried out, the confirmation of roadworthiness will be required. Alternatively, reference should be made to the general roadworthiness inspection under §29 of the German Road Traffic Licensing Regulation or the inspection under §21 of the German Road Traffic Licensing Regulation.
All findings of non-compliance should be explained in detail.

(Please indicate the Assessment Certificate-Number on the top left-hand side of all numbered pages of the Assessment Certificate.)