

**DECREE**

8 June 2011

**on the Manner of Laying down Separate Technical Conditions for the Purposes of the Act on Public Contracts**

Pursuant to § 159(3) of Act no.137/2006 Coll., on Public Contracts, as amended by Act no. 179/2010 Coll. (hereinafter referred to as “the Act”), the Ministry of Regional Development, to implement § 46a of the Act, lays down:

§ 1

**Scope**

This Decree provides for the manner of laying down separate technical conditions which are taking account of energy and ecological operational impacts in the case of public supply contracts, the subject-matter of which involves the vehicles of categories N1, N2, N3, M1, M2 and M3<sup>1</sup>.

§ 2

**Manner of Setting Separate Technical Conditions**

- (1) The contracting entity shall set forth in tender documentation separate technical conditions by reference to emission threshold limits as regards EURO exhaust gases. The vehicle shall fulfil at least the threshold limits indicated in Annex no. 1 to this Decree, unless the contracting entity lays down the requirement on the fulfilment of a higher standard of EURO emission threshold limits.
- (2) In the case of supplies of vehicles of category N1 and M1 the contracting entity shall, in addition, set forth in tender documentation maximum fuel consumption<sup>2</sup> for a combined operation<sup>3</sup>. Maximum fuel consumption in the case of fuel petrol and fuel diesel set forth by the contracting entity shall not exceed the values indicated in Annex no. 2 to this Decree.

§ 3

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<sup>1</sup> Act no. 56/2001 Coll., on Conditions of Road Traffic and on Amendments to Act no. 168/1999 Coll., on Motor Third-Party Liability Insurance and on Amendments to Related Acts (the Act on Motor Third-Party Liability Insurance), as amended by Act no. 307/1999 Coll., as amended.

Decree no. 341/2002 Coll., on Approval of Technical Eligibility and on Technical Conditions of Vehicles for Road Traffic, as amended

<sup>2</sup> § 2(a) of Act no. 311/2006 Coll., on Fuels and Fuel Filling Stations and on amendment to Certain Related Acts (the Fuels Act), as amended

<sup>3</sup> Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as amended by Commission Regulation (EC) No. 692/2008 of 18 July 2008

Council Directive 80/1268/EEC of 16 December 1980 on carbon dioxide emissions and the fuels consumption of motor vehicles, as amended by Commission Directive 1999/100/EC and Directive 2004/3/EC of the European Parliament and of the Council

## **Special Purpose Vehicles and Alternative Fuel Vehicles**

- (1) Maximum values indicated in Annex no. 2 to this Decree shall not be applicable in the case of public supply contracts for vehicles of categories N1 and M1, if the subject-matter involves:
- a) Special purpose vehicles<sup>4</sup>, or
  - b) Alternative fuel vehicles, where at least one alternative fuel involves liquefied petroleum gas (LPG), compressed natural gas (CNG), fuel blend with at least 50 % of bio-agent or clean bio-fuels.

§ 4

### **Transitional Provisions**

This Decree shall not apply to the award procedures initiated prior to the date of entry of this Decree into effect.

§ 5

### **Entry into Effect**

This Decree shall enter into effect on the fifteenth day following the date of promulgation thereof.

Minister:

**Ing. Jankovský**, autograph

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<sup>4</sup> Annex no. 1 to Decree no. 341/2002 Coll., on Approval of Technical Eligibility and on Technical Conditions of Vehicles for Road Traffic, as amended

**Annex no. 1 to Decree no. 162/2011 Coll.**

**Minimum EURO emission threshold limits for vehicle categories N and M**

<b>Vehicle Category</b>	<b>Minimum EURO emission threshold limits to be fulfilled by a vehicle</b>
<b>Category N</b> – Motor vehicles with at least four wheels designed and constructed for the carriage of goods	
<b>N1</b> – Vehicle having a maximum mass not exceeding 3,500 kgs	<b>EURO 5</b>
<b>N2</b> – Vehicle having a maximum mass exceeding 3,500 kgs but not exceeding 12,000 kgs	<b>EURO 4</b>
<b>N3</b> – Vehicle having a maximum mass exceeding 12,000 kgs	<b>EURO 4</b>
<b>Category M</b> – Motor vehicles with at least four wheels, designed and constructed for the carriage of passengers	
<b>M1</b> - Vehicles comprising no more than eight seats in addition to the driver’s seat, designed and constructed for the carriage of passengers, or multi-purpose vehicles	<b>EURO 5</b>
<b>M2</b> - Vehicles comprising more than eight seats in addition to the driver’s seat, designed and constructed for the carriage of passengers, with maximum admissible mass not exceeding 5,000 kgs	<b>EURO 4</b>
<b>M3</b> - Vehicles comprising more than eight seats in addition to the driver’s seat, designed and constructed for the carriage of passengers, with maximum admissible mass exceeding 5,000 kgs	<b>EURO 4</b>

**Annex no. 2 to Decree no. 162/2011 Coll.**

**Maximum fuel consumption over combined operation in respect of categories N1 and M1**

<b>Engine Power</b>	<b>Reference Vehicle Mass</b>	<b>Fuel Petrol Consumption (l/100 kms)</b>	<b>Fuel Diesel Consumption (l/100 kms)</b>
Vehicles with Power equal to or less than 60 kW		6	4,5
Vehicle with Power from 61 to 80 kW included	Not exceeding 1,800 kgs	7	5
	Exceeding 1,801 but not exceeding 3,000 kgs	10	8
	Exceeding 3,001 kgs	11	9
Vehicles with Power from 81 kW to 120 kW included	Not exceeding 1,800 kgs	7,5	6
	Exceeding 1,801 kgs but not exceeding 3,000 kgs	10,5	9
	Exceeding 3,001 kgs	11,5	10
Vehicles with Power equal to or more than 121 kW		12	11