



Traffic Open Products and Specifications

Principles of compliance

Process for determining acceptance of caveats

TOPAS standards are written with consultation across industry. All standards are determined by state of the art at the time of writing. Where technology progresses beyond any standard, TOPAS urges industry to propose reviews of those standards so that they can be future proofed as much as possible. They are intended to be technology agnostic and as such, technological progression and sophistication may result in a change as a prior action need no longer be undertaken.

Extensive discussion took place across industry with the introduction of Traffic Signs Manual (particularly Chapter 6) and the update of Traffic Signs Regulations & General Directions 2016 (TSRGD).

Certain safety elements are now prescribed in TSRGD, applying EN Standards, whilst other products are not covered at all. Those earlier requirements under the Type Approval process remained within the TR documents. DfT confirmed that a form of approval or registration process was still needed and the TR 25**series of technical specifications became TOPAS procurement standards. DfT Circular 01/2016

The first of the TOPAS published iterations were drawn from Highways Agency Type Approval TR25** series.

The functional requirements remain and are expected to be maintained, primarily to ensure interoperability, consistency between products, uniformity of road user experience; and safety beyond the scope of TSRGD and a means of independently validating claims made by manufacturers.

For this reason, applications for registration are required to identify any non-compliance to the standard to which they apply. Such non-compliances fall within a variety of rationales, such as (but not limited to):

A requirement is no longer relevant:

- Technological advancement means that the function is undertaken by different means
- Technological advancement means that the operation of equipment is now different

In these circumstances it may be appropriate for TOPAS to review the standard and update where necessary, subject to full consultation – eg when an above ground detector can act in place of a loop

A product may have multiple use types:

where a product is not required to meet a clause within a TOPAS standard an applicant should state N/A and the reason for the non exclusion eg – LVD so no requirement for *****

An applicant has failed to apply UK legislation

- A requirement has not been carried out which is required under UK legislation (and/or EN standards called up in legislation) or UK adopted Codes of Practice – eg IET Wiring Regulations, Code of Practice for Street Works

this may result in a non compliant product for the UK market and therefore a product may not be registered

An applicant appears to have misunderstood the requirements

- The terms of the requirement have been misunderstood – this may result in further clarification from the applicant to identify what the requirements are and further submission to determine if those requirements are met before any registration eg *dimming relates to a particular light source*

Determination of non-compliances by the TOPAS Board

The TOPAS Board is required to review non-compliances requested on the basis of the above criteria to determine whether a product should be registered or not.

The Board will consider firstly whether the non-compliance is as a result of an accepted change that requires the TOPAS standard to be reviewed and updated or whether it is a non-compliance claiming that in the particular case, a function is not required or misunderstood.

Where it is deemed that a non-compliance is as a result of a function in a TOPAS standard that is no longer necessary, then the TOPAS standard may be reviewed. In this circumstance, a product may be registered with this non-compliance and its rationale. This may then subsequently not apply following up-issue of the standard. An applicant can then request removal of the non-compliance to the new version. Eg. Where an EN standard has changed with an alternative test procedure.

When a non compliance is on the basis of a misinterpretation of the requirement, TOPAS will advise the applicant and ask them to review the application further before re-submission.

Where a non-compliance rejects the need for a specific TOPAS clause, then registration will be determined by the level of impact of such a registration and why such necessary requirement is not applied. If following discussion at the TOPAS Board and consultation with industry where necessary, the decision is made that the clause is not necessary both in relation to the application and generally, then it will be removed from the TOPAS standard. If it is necessary, then the product will be rejected.

It should be borne in mind that non registration does not prevent a manufacturer from selling the product in the UK. However a product that fails to meet the overarching legislations above TOPAS, will make the product unlawful.

Each decision is based on its merits and the application of reasonableness according to the definitions applied in UK law. It is not for TOPAS to determine a product safety but rather its role is to determine whether any such non-compliance of a standard is acceptable under the general principles above.

Appeals can be made to the Board on their decision, but justification must be given as to why such a clause should be deemed unnecessary and evidence that the impact has been considered with relevant stakeholders, including those in the supply chain.

TOPAS Board