

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 541 final.

Brussels, 5 October 1981

AMENDED  
PROPOSAL FOR  
A COUNCIL DIRECTIVE  
ON THE LIMITATION OF NOISE EMITTED BY HUDRAULIC AND ROPE-OPERATED  
EXCAVATORS AND BY DOZERS, LOADERS AN EXCAVATOR-LOADERS

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(submitted to the Council by the Commission, pursuant to the second  
paragraph of Article 149 of the EEC Treaty)

COM(81) 541 final.

EXPLANATORY MEMORANDUM

It was in the context of the work in implementation of the action programme of the European Communities on the environment<sup>1</sup> and of the general programme for the removal of technical barriers to trade, adopted by the Council on 28 May 1969<sup>2</sup>, as well as of its supplement of 21 May 1973<sup>3</sup>, that the Commission submitted on 28 November 1980 a proposal to the Council for a Directive on the limitation of noise emitted by hydraulic and rope-operated excavators and by dozers and loaders<sup>4</sup>.

The purpose of the proposal is to set permissible levels of sound emissions from these earth-moving machines and to lay down the method for measuring these emissions.

On 8 September 1980, the Government of the French Republic officially notified the Commission of its intention to bring excavator-loaders under regulation. This notification was examined at a meeting of Member States' experts held on 20 and 21 November 1980. The Commission is of the opinion that, for practical reasons and in a spirit of rationalization, it is necessary to extend the scope of the Directive on excavators, dozers and loaders to cover also combined excavator-loaders.

To that end, the Commission had decided to submit, in pursuance of the second paragraph of Article 149 of the Treaty, a proposal for an amendment to the original proposal for a Directive.

The proposal for an amendment affects mainly Article 1 (scope) and Article 2 (definition of an excavator-loader) and contains the necessary additions to Annex 1 for the application of the method of measurement to excavator-loaders.

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<sup>1</sup> OJ C 112, 20.12.1973, and C 139, 13.6.1977.  
<sup>2</sup> OJ C 76, 17.6.1969.  
<sup>3</sup> OJ C 38, 5.6.1973.  
<sup>4</sup> OJ C 356, 31.12.1980.

Original text

PROPOSAL FOR A COUNCIL DIRECTIVE ON THE LIMITATION OF NOISE EMITTED BY HYDRAULIC AND ROPE-OPERATED EXCAVATORS AND BY DOZERS AND LOADERS

Citations and the first two recitals remain unchanged.

Third recital :

Whereas the disparity between the provisions already applicable in the various Member States concerning the limitation of the sound emission level of hydraulic and rope-operated excavators and of dozers and loaders directly affects the functioning of the common market; whereas it is therefore appropriate to carry out in this field the approximation of laws for which Article 100 of the Treaty provides:

The fourth and fifth recitals  
Sixth and seventh recitals :

Whereas Council Directive 79/113/EEC of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment<sup>3</sup>, as amended by Directive .../.../EEC, laid down the method which should be used for establishing the acoustic criteria for hydraulic and rope-operated excavators and for dozers and loaders;

Whereas owing to the effect of the noise emitted by hydraulic and rope-operated excavators and by dozers and loaders on the environment and, more particularly, on human well-being and health, it is necessary to bring about a progressive and appreciable reduction in the permissible sound emission level of hydraulic and rope-operated excavators and of dozers and loaders;

New text

PROPOSAL FOR A COUNCIL DIRECTIVE ON THE LIMITATION OF NOISE EMITTED BY HYDRAULIC AND ROPE-OPERATED EXCAVATORS AND BY DOZERS, LOADERS AND EXCAVATOR-LOADERS.

Citations and the first two recitals remain unchanged.

Whereas the disparity between the provisions already applicable in the various Member States concerning the limitation of the sound emission level of hydraulic and rope-operated excavators and of dozers, loaders and excavator-loaders directly affects the functioning of the common market; whereas it is therefore appropriate to carry out in this field the approximation of laws for which Article 100 of the Treaty provides:

remain unchanged.

Whereas Council Directive 79/113/EEC of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment<sup>3</sup>, as amended by Directive.../.../EEC, laid down the method which should be used for establishing the acoustic criteria for hydraulic and rope-operated excavators and for dozers, loaders and excavator-loaders;

Whereas owing to the effect of the noise emitted by hydraulic and rope-operated excavators and by dozers, loaders and excavator-loaders on the environment and, more particularly, on human well-being and health, it is necessary to bring about a progressive and appreciable reduction in the permissible sound emission level of hydraulic and rope-operated excavators and of dozers, loaders and excavator-loaders;

The eighth recital remains unchanged.

Ninth recital :

Whereas the measures in this Directive relate only to noise emitted by hydraulic and rope-operated excavators and to dozers and loaders, and whereas any provisions relating to exposure of operators to sound pressure are not concerned by this Directive;

Whereas the measures in this Directive relate only to noise emitted by hydraulic and rope-operated excavators and to dozers, loaders and excavator-loaders, and whereas any provisions relating to exposure of operators to sound pressure are not concerned by this Directive;

The tenth recital remains unchanged.

Article 1 (1) :

1. This Directive applies to the permissible sound power level of hydraulic and rope-operated excavators and of dozers and loaders, hereinafter called 'earth-moving machines', used to perform work on civil engineering and building sites.

1. This Directive applies to the permissible sound power level of hydraulic and rope-operated excavators and of dozers, loaders and excavator-loaders, hereinafter called 'earth-moving machines', used to perform work on civil-engineering and building sites.

Article 1(2) remains unchanged.

Article 2 is amended by the addition of a new paragraph 4 :

For the purposes of this Directive:

2.1. Hydraulic or rope-operated excavators

are machines combining a self-propelled under-carriage with an upper structure which can swivel through more than 360°. The machine excavates, lifts, carries and dumps material by moving either a boom, an arm and bucket (as is the case with a face shovel or a backhoe) or a bucket controlled by the winding-gear (as is the case with a drag-line or a clamshell), the undercarriage remaining stationary during the machine's working cycle.

unchanged

2.2 Dozers

are self-propelled wheeled or crawler machines fitted in front with a blade which serves primarily to displace or spread materials.

unchanged

2.3 Loaders

are self-propelled wheeled or crawler machines fitted in front with a bucket. The machine loads, raises, transports and dumps material by combining its own movements and those of the bucket.

unchanged

2.4 Excavator-loaders

are self-propelled wheeled or crawler machines, designed to be fitted with a loading bucket at the front and an excavating arm at the rear as original equipment. The loading bucket loads, raises, transports and dumps material by combining its own movements with those of the machine. The excavating arm excavates, raises and dumps material by movements of the boom, arm and bucket.

Articles 3 to 9 remain unchanged.

ANNEX I

Title :

Method of determining the airborne noise emitted by hydraulic and rope-operated excavators, dozers and loaders

Method of determining the airborne noise emitted by hydraulic and rope-operated excavators, dozers, loaders and excavator-loaders.

Scope

This method of measurement is applicable to hydraulic and rope-operated excavators, dozers and loaders, hereinafter called earth-moving machines. It lays down the test procedures for determining the sound power level of such construction plant with a view to EEC type-approval, EEC verification and checking for conformity.

Scope

This method of measurement is applicable to hydraulic and rope-operated excavators, dozers, loaders and excavator-loaders, hereinafter called earth-moving machines. It lays down the test procedures for determining the sound power level of such construction plant with a view to EEC type-approval, EEC verification and checking for conformity.

Scope :

Scope, second paragraph, remains unchanged.

Point 4 and point 6.2. remain unchanged.

Point 6.2.1. :

6.2.1. The test shall be carried out with the earth-moving machine stationary and the engine running at its rated speed<sup>1</sup>, without operating the working equipment or travelling mechanism.

first paragraph remains unchanged

The rated speed shall be set by the manufacturer. The bucket of the excavator or loader, or the blade of the dozer, shall be positioned at a height of 300mm + 50 mm above the ground or at its maximum height if the former height cannot be attained. The plane formed by the edges of the bucket (excluding the teeth) or the blade must be more or less parallel to the ground (transport position).

The rated speed shall be set by the manufacturer. The working equipment (bucket or blade) on earth-moving machines shall be positioned at a height of 300 + 50 mm above the ground or at its maximum height if the former height cannot be attained. When measurements are being taken, the excavating arm shall be in the retracted position.

The rest of Annex I remains unchanged.

ANNEX II

Title :

Method of measuring the airborne noise generated by hydraulic and rope-operated excavators, dozers and loaders, at the operator's position.

Method of measuring the airborne noise generated by hydraulic and rope-operated excavators, dozers, loaders and excavator-loaders at the operator's position.

Scope :

Scope

This method of measurement applies to hydraulic and rope-operated excavators, dozers and loaders, hereinafter called earth-moving machines. It lays down the test procedures for determining the equivalent continuous sound pressure level at the operator's position.

Scope

This method of measurement applies to hydraulic and rope-operated excavators, dozers, loaders and excavator-loaders, hereinafter called earth-moving machines. It lays down the test procedures for determining the equivalent continuous sound pressure level at the operator's position.

The rest of the Annex remains unchanged.

Annexes III, IV and V remain unchanged.

Figure 1 - add the appended sketch.

Figure 1.

