

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 733 final.

Brussels, 1st December 1981

PROPOSAL FOR A COUNCIL DIRECTIVE
AMENDING 17 DIRECTIVES ON THE APPROXIMATION OF THE LAWS OF
THE MEMBER STATES RELATING TO WHEELED AGRICULTURAL
OR FORESTRY TRACTORS

(submitted to the Council by the Commission)

COM(81) 733 final.

EXPLANATORY MEMORANDUM

I. SIGNIFICANCE AND CONTENT OF THE PROPOSAL

I.1 Background

Framework Directive 74/150/EEC relating to the EEC type-approval of wheeled agricultural or forestry tractors, and the 19 separate directives concerning certain parts or characteristics of these tractors which have so far been adopted and are necessary for the implementation of the EEC type-approval procedure, apply to tractors having a maximum design speed of between 6 and 25 km/h.

At the time of the examination of the abovementioned framework Directive in the Council, the United Kingdom was concerned that a large number of tractors manufactured in the UK had a maximum design speed in excess of 25 km/h and therefore fell outside the scope of the Directive.

The United Kingdom was, however, able to approve the Directive as proposed, on condition that the question of faster tractors would be examined in the Working Party on Agricultural Tractors and Machinery with a view to establishing their eligibility for the EEC type-approval procedure.

I.2 Technical problems

The resultant discussions centred on the problem of whether the provisions laid down in respect of tractors with a maximum speed of 25 km/h could be applied to tractors with a higher maximum speed without contravening the road safety requirements.

Some experts thought that "fast" tractors should be subject to more stringent requirements, at least as regards certain parts or characteristics such as the brakes and the lighting and light-signalling devices.

Discussions have recently centred on a British proposal - supported by the manufacturers' organization CEMA (European Committee of Associations

of Manufacturers of Agricultural Machinery) - which seeks to increase the maximum design speed from 25 to 33 km/h. The British experts and the manufacturers believe that this increase would not impair "safety" if the requirements adopted in respect of tractors having a specified maximum speed of 25 km/h were applied to tractors capable of 33 km/h. The experts of certain other delegations have expressed doubts on this point. Nevertheless, a compromise proposal put forward by the Commission, seeking to increase the maximum design speed from 25 to 30 km/h, was favourably received by the great majority of experts.

This suggestion forms the basis for the present proposal for a directive.

I.3 Economic aspects

This proposal is intended to enable a greater number of tractors to benefit from the Community type-approval procedure, since it is certain that, as a result of developments which have taken place in the last ten years, agricultural tractors have become larger, faster and safer, are manufactured and used in most of the Member States and offer undeniable advantages from the point of view of their efficiency in agricultural holdings.

Some of grounds that justify such a proposal are set out belows :

- agricultural tractors which cannot exceed 25 km/h fall within a category of equipment that accounts for a declining proportion of the world market in agricultural tractors : more than 50 % of the agricultural tractors at present produced in Europe are capable of exceeding 25 km/h;

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The following table (source : EUROSTAT, 21.9.1981) provides an indication of the EEC's trade in 1980 :

UNIT : 1000 ECUS

PERIOD	AGRICULTURAL TRACTORS			
	IMPORTS		EXPORTS	
	INTRA (EUR-9)	EXTERNAL (EUR-9)	INTRA (EUR-9)	EXTERNAL (EUR-9)
January/December 1980	606.367	223.592	708.149	1.566.400

- an increase in maximum design speed can only produce advantages as regards the competitiveness of European enterprises and for Europe's economy as a whole. By contrast with the prevailing situation, substantial savings would result from the production of a single gearbox for the Community market and for exports to third countries. Moreover, since the increased vehicle speed would be attained at the same engine speed, a not inconsiderable fuel saving would be achieved in the course of a year.
- in view of the numerous on-road trips performed by agricultural vehicle trains, it seems advisable to adopt a higher speed, both to make it easier for such vehicle trains to join traffic streams and to reduce the length of time they spend in traffic.

I.4 Conclusion

It is therefore proposed that framework Directive 74/150/EEC and 16 of the 19 separate directives adopted to date be amended by replacing the figure of 25 km/h by 30 km/h wherever necessary.

II. CONSULTATION OF PARLIAMENT AND THE ECONOMIC AND SOCIAL COMMITTEE

In accordance with the second paragraph of Article 100 of the Treaty, the opinion of these two bodies must be obtained.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the Opinion of the European Parliament²,

Having regard to the Opinion of the Economic and Social Committee³,

Whereas Article 1 of Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁴, as amended by Directive 79/694/EEC⁵, limits the scope of the said Directive to tractors equipped with pneumatic tyres and having two axles and a maximum design speed of between 6 and 25 km/h;

Whereas the same Directive provides that, where necessary, tractors with a maximum design speed in excess of 25 km/h shall be subject to special requirements; whereas such tractors form part of the tractor fleet manufactured and used in the Community and offer advantages as regards the efficiency of agricultural holdings;

Whereas an increase of 20% of the maximum design speed which has hitherto been prescribed is reasonable considering road safety and safety of working conditions on the land,

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4 OJ No L 84, 28.3.1974, p. 10.

5 OJ No L 205, 13.8.1979, p. 17.

Whereas Member States may, nevertheless, restrict the speed at which a tractor may be driven on the road by imposing speed limits;

Whereas, moreover, tractors having more than two axles can be treated in the same way as those having two axles only, and can therefore be made subject to the same provisions;

Whereas it is therefore not necessary to lay down the specific rules envisaged by the framework Directive 74/150/EEC, and whereas it is sufficient that the field of application of that Directive be extended, together with that of the specific directives containing an express definition for their field of application in relation to tractors with more than two axles and a maximum design speed of between 25 and 30 km/h,

HAS ADOPTED THIS DIRECTIVE

Article 1

1. Article 1(2) of Directives 74/150/EEC, 74/151/EEC¹, 74/152/EEC², 74/346/EEC³, 74/347/EEC⁴, 75/321/EEC⁵, 75/322/EEC⁶, 75/323/EEC⁷, 76/432/EEC⁸, 76/763/EEC⁹, 77/311/EEC¹⁰, 77/537/EEC¹¹, 78/933/EEC¹², 79/532/EEC¹³, 79/533/EEC¹⁴ and Article 9(2) of Directive 78/764/EEC¹⁵ are replaced by the following :

"2. This Directive shall apply only to tractors defined in paragraph 1 which are equipped with pneumatic tyres and have at least two axles and a maximum design speed of between 6 and 30 km/h."

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¹ OJ No L 84, 28.3.1974, p. 25.

² OJ No L 84, 28.3.1974, p. 33.

³ OJ No L 191, 15.7.1974, p. 1.

⁴ OJ No L 191, 15.7.1974, p. 5.

⁵ OJ No L 147, 9.6.1975, p. 24.

⁶ OJ No L 147, 9.6.1975, p. 28.

⁷ OJ No L 147, 9.6.1975, p. 38.

⁸ OJ No L 122, 8.5.1976, p. 1.

⁹ OJ No L 262, 17.9.1976, p. 135.

¹⁰ OJ No L 105, 28.4.1977, p. 1.

¹¹ OJ No L 220, 29.8.1977, p. 38.

¹² OJ No L 325, 20.11.1978, p. 16

¹³ OJ No L 145, 13.6.1979, p. 16

¹⁴ OJ No L 145, 13.6.1979, p. 20

¹⁵ OJ No L 255, 18.9.1978, p. 1

2. Article 1(2) of Directive 80/720/EEC¹ is replaced by the following :

"2. This Directive shall apply only to tractors defined in paragraph 1 which are equipped with pneumatic tyres and have at least two axles, a maximum design speed of between 6 and 30 km/h and a minimum fixed or variable track width of 1,150 mm on one of the drive axles."

3. Item 1.5 of the Annex to Directive 74/152/EEC is replaced by the following :

"1.5 In order to take account of various inherent errors due, in particular, to the measuring technique and to the higher engine speed when operating at partial load, a result 10 % above the 30 km/h value shall be acceptable for the purpose of the type-approval test."

Article 2

1. Member States shall bring into force the provisions necessary to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.
2. As soon as this Directive has been notified, Member States shall also ensure that the Commission is informed, in sufficient time for it to submit its comments, of any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by this Directive.

Article 3

This Directive is addressed to the Member States.

¹ OJ No L 194, 28.7.1980, p. 1