

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 809 final

Brussels, 10 June 1974

Amendments

to the proposal for a directive on the approximation
of the laws of the Member States relating to road-
worthiness tests for motor vehicles and their trailers

(presented by the Commission to the Council under the
second paragraph of Article 149 of the EEC Treaty)



EXPLANATORY MEMORANDUM

As part of the implementation of the Programme of Community Action aimed at contributing to the improvement of road safety, presented to the Transport Committee of the European Parliament on 8 February 1971¹, the Commission forwarded to the Council on 17 August 1972 a proposal for a directive on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers.

This directive is intended to eliminate the difficulties arising from the deterioration of vehicles as a result of their conditions of use, their age and from negligent maintenance. These factors reduce their operational safety and thus cause accidents, or at least make the consequences of accidents more serious. Present national regulations differ, especially as regards the categories of vehicle undergoing compulsory tests, the frequency and extent of the tests; the age at which vehicles must be tested for the first time, etc.

The proposal for the directive in question envisages a basic approximation of the laws covering this field.

The European Parliament expressed its opinion of this proposal at its session on 14 February 1974², the Economic and Social Committee did so on 23 May 1973³.

¹OJ No C 119 of 16 November 1972, page 9.

²OJ No C 23 of 8 March 1974, page 54.

³OJ No C 60 of 26 July 1973, page 5.

After close study of the observations set out in these Opinions, the Commission has decided to act upon all these observations and for this purpose, under the second paragraph of Article 149 of the Treaty, to introduce proposals for amendments to the original proposal for a directive.

These proposals for amendments relate, specifically to:

Article 1 (Date of introduction of roadworthiness tests conforming to Community requirements)

1 January 1975, by which time the Member States should have complied with the provisions of the Directive, in the Opinion of the European Parliament, the formula "as soon as possible and at the latest one year after adoption of this Directive".

Article 2 (compulsory periodic testing and extent of application)
(second indent)

The Economic and Social Committee considers that exemption from roadworthiness tests of agricultural tractors with a design speed not exceeding 25 km/h should be extended to tractors designed for forestry work. It therefore wishes the words "forestry undertakings" to be added in the second indent of Article 2, which thus becomes "- vehicles specially designed for use on construction sites or on agricultural holdings and in forestry undertakings and having a maximum design speed not exceeding 25 km/h;"

.../...

Article 8 (Imported used vehicles) (second sentence)

In the Article concerned, the intention of the proposal for a directive was to facilitate the import and registration of used vehicles between the Member States, provided that a certificate was issued by the Member State exporting the vehicle in question. In order to preclude any possibility of fraud, the European Parliament envisages, by the deletion of the second sentence in question, testing before any registration of an imported used vehicle.

Article 10 (Time-limits for periodic tests) (paragraphs 2 and 3)

Article 10 stipulates in paragraphs 2 and 3 thereof that the time-limits for the tests shall be extended if a vehicle is out of use for long periods. For the sake of simplicity, the European Parliament wishes to eliminate, by removing the second and third paragraphs from Article 10, any possibility of derogating from the time-limits set for the tests.

Article 11 (Carrying-out of the test) (paragraph 4)

Paragraph 4 of Article 11 makes provision for laying down special procedures for vehicles belonging to the armed forces and to the police, on account of the special conditions under which these organizations work. While recognizing the right of

.../...

Member States to lay down special procedures for these vehicles, the European Parliament nonetheless holds the view that, for safety reasons, these vehicles should be subject to the same safety standards as other vehicles.

Annex I, A, Item 1 - Motorcycles

In order to improve the effectiveness of motorcycle testing, the European Parliament is of the opinion that it is preferable to set the frequency of the tests according to the following formula: "at the end of three years from the date of the first registration and annually thereafter" rather than "four years".

It also believes it is necessary to define motorcycles as follows: "Any two- or three-wheeled vehicle, with a maximum design speed greater than 45 km/hour or with a maximum permissible weight greater than 250 kg or, in the case of vehicles fitted with an internal-combustion engine, having a swept volume greater than 50 cc".

Annex I, A, Item 4

In order to reduce the tests on vehicles with a relatively low permissible weight covered by this item, and to include in it most vehicles which are used for distributive purposes and which consequently have a low annual mileage, the European Parliament wishes:

- (a) the time-limit for the first roadworthiness test to be extended from two to three years;

.../...

- (b) the weight limit for this vehicle category to be raised from 3500 to 5000 kg, which involves the same amendment in item paragraph 5 immediately following.

Annex I, A, item 7

For the sake of simplifying the tests, the European Parliament is of the opinion that the testing of trailers with a maximum permissible weight no greater than 1500 kg is superfluous where they are used exclusively for the carriage of luggage, camping equipment or boats.

Annex I, A, item 8

In accordance with the amendment to item 7, and for reasons of clarity, the European Parliament is of the opinion that in item 8 "Trailers and semi-trailers the maximum permissible weight of which is greater than 1500 kg" should be specified.

Annex I, A, item 9

In order to formulate the text of Annex I as precisely as possible, the European Parliament recommends eliminating point 9, which covers "vehicles not included in any of the foregoing categories".

Annex I, B, second paragraph

In order to improve the safety and comfort of public service vehicles, the European Parliament recommends that the compulsory inspection of the vehicles be extended to additional components such as ventilation and heating systems and seat layout. It therefore seems necessary to say "are required" rather than "may be required".

Annex I, B, fourth paragraph

In order to clarify the sentence the European Parliament wishes the fourth paragraph of section B of Annex I to be formulated as follows: "Where "visual" inspection is specified, it includes, where necessary, physical manipulation of the relevant parts, testing for certain noises, etc.".

Proposal amending
the proposal for a Directive on
the approximation of the laws of the
Member States relating to the roadworthiness
tests for motor vehicles and their trailers

The proposal for a Directive forwarded on 17 August 1972 is amended by:

- an amendment to Article 1;
- an amendment to Article 2, second indent;
- an amendment to Article 8, second sentence;
- two amendments to Article 10, second and third paragraphs;
- an amendment to Article 11, paragraph 4;
- two amendments to Annex I, A, item 1;
- two amendments to Annex I, A, item 4;
- an amendment to Annex I, A, item 5;
- an amendment to Annex I, A, item 7;
- an amendment to Annex I, A, item 8;
- an amendment to Annex I, A, item 9;
- an amendment to Annex I, B, second paragraph;
- an amendment to Annex I, B, fourth paragraph.

ORIGINAL TEXT

AMENDED TEXT

Article 1

Article 1

(Date of introduction of roadworthiness tests conforming to Community requirements)

Date of introduction of periodic roadworthiness tests conforming to Community requirements.

The Member States shall take the necessary steps to ensure that, as from 1 January 1975 at the latest, motor vehicles and their trailers registered in their territory shall be tested for roadworthiness in accordance with the provisions of this Directive and of its Annexes, which form an integral part thereof.

The Member States shall take the necessary steps to ensure that, as soon as possible and at the latest one year after adoption of this Directive, motor vehicles and their trailers registered in their territory shall be periodically tested for roadworthiness in accordance with the provisions of this Directive and of its Annexes, which form an integral part thereof.

Article 2

Article 2

(Compulsory periodic testing and extent of application)

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Motor vehicles and their trailers shall undergo compulsory periodic tests for roadworthiness. The frequency and scope of the tests shall be as shown in Annex I. The public authorities may delegate the

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.../...

ORIGINAL TEXT

AMENDED TEXT

Article 2 (continued)

Article 2 (continued)

task of carrying out the tests to one or more appointed agencies or to approved experts.

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The following vehicles are exempt from the periodic roadworthiness tests:

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- mopeds, but only where the national law distinguishes mopeds from motorcycles;
 - vehicles specially designed for use on construction sites or on agricultural holdings and having a maximum design speed not exceeding 25 km/h;
 - trailers with a permissible maximum laden weight not exceeding 500 kg or which are intended for use coupled to drawing vehicles having a maximum design speed not exceeding 25 km/h.
- mopeds, but only where the national law distinguishes mopeds from motorcycles;
 - vehicles specially designed for use on construction sites or on agricultural holdings and in forestry undertakings and having a maximum design speed not exceeding 25 km/h;
 - trailers with a permissible maximum laden weight not exceeding 500 kg or which are intended for use coupled to drawing vehicles having a maximum design speed not exceeding 25 km/h.

However, the Member States may extend the periodic test requirement

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.../...

ORIGINAL TEXT

AMENDED TEXT

Article 2 (continued)

Article 2 (continued)

to certain of the vehicles previously mentioned and registered in their territories.

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Article 8

Article 8

(Imported used vehicles)

Imported used vehicles.

Each Member State shall, before registering any imported used vehicle require it to undergo a roadworthiness test. Such a test shall not be required if it is proved, by a certificate issued in the Member State from which the vehicle is imported, that the vehicle was tested within two months immediately preceding the request for registration.

Each Member State shall, before registering any imported used vehicle, require it to undergo a roadworthiness test.

(Second sentence deleted)

Article 10

Article 10

(Time-limits for periodic tests)

Time-limits for periodic tests

1. For vehicles first put on the road, the time-limit for the first roadworthiness test is

1. unaltered

.../...

ORIGINAL TEXT

Article 10 (continued)

reckoned from the date of issue
of the registration plate.

2. For vehicles which are taken off the road for at least six months, either by the owner, who shall have duly informed the competent authority of the fact, or as a result of official action, the time-limit for the next road-worthiness test shall be extended by a period corresponding to the time the vehicle is off the road.

If, however, the date fixed for the test falls within the period when the vehicle is temporarily off the road, the vehicle shall not be readmitted on the road unless it has undergone the test.

3. Upon application by the holder of the certificate of registration or at the instance of the testing centre, the time-limit for presenting the vehicle for the test may be extended for a period not exceeding two months.

AMENDED TEXT

Article 10 (continued)

.../...

ORIGINAL TEXT

Article 11

(Carrying out of the test)

1. The tests to be carried out are described in Annex I. If the result of the test is described as provided in paragraph 3, a roadworthiness disc in form set out in Annex II shall be issued.
2. The roadworthiness disc shall be first affixed upon the vehicle when the vehicle is registered. After each periodic test a new disc shall be affixed.

The roadworthiness disc shall be firmly affixed and, if practicable, shall be affixed to the rear registration plate. If this is impracticable, it shall be affixed in some other place clearly visible from outside the vehicle.

AMENDED TEXT

Article 11

Carrying out of the test

1. unaltered

2. unaltered

.../...

ORIGINAL TEXT

Article 11 (continued)

A roadworthiness disc shall cease to be valid at the end of the second month following the month indicated on the disc.

3. When a vehicle is found to be in good running order, with no defects likely to affect the smooth flow or safety or road traffic, the testing centre shall issue and affix a roadworthiness disc.

When defects are found which do not constitute any immediate danger for traffic safety, but nevertheless make the continued use of the vehicle on the road unsafe, the testing centre shall fix a time-limit within which the vehicle shall be re-tested for the purpose of checking whether the defects have been eliminated.

AMENDED TEXT

Article 11 (continued)

3. unaltered

.../...

ORIGINAL TEXT

Article 11 (continued)

The defects found and the time-limit allowed for retesting shall be recorded on a document to be kept in the vehicle. The new roadworthiness disc shall not be issued until repair has been effected and duly verified.

If the defects represent an immediate danger for road traffic, the vehicle shall not be used on the road except for the purpose of driving the vehicle, without passengers or load, from the testing centre to the owner's home or to a garage for repair. In this case too, the defects shall be recorded on a document issued by the testing centre to be kept in the vehicle; the roadworthiness disc shall be withdrawn.

4. Special procedures may be laid down for vehicles belonging to the armed forces and to the police.

AMENDED TEXT

Article 11 (continued)

4. Special procedures may be laid down for vehicles belonging to the armed forces and to the police. These vehicles shall, however, meet the same safety standards as other vehicles.

ORIGINAL TEXT

AMENDED TEXT

3. Vehicles, other than those comprised in categories 1 and 2 above, for the carriage of passengers (including dual-purpose vehicles) with not more than eight seats, excluding the driving seat (e.g. hire-cars, whether chauffeur-driven or self-drive, taxis, ambulances, minibuses, etc.) - two years after first registration
- re-testing annually thereafter.
4. Vehicles for the carriage of goods, the maximum permissible weight of which does not exceed 3 500 kg: Every 2 years
5. Vehicles for the carriage of goods, the maximum permissible weight of which exceeds 3 500 kg: Annually

3. unaltered

4. Vehicles for the carriage of goods, the maximum permissible weight of which does not exceed 5 000 kg: Three years after first registration, re-testing annually thereafter
5. Vehicles for the carriage of goods, the maximum permissible weight of which exceeds 5 000 kg: Annually

ORIGINAL TEXT

AMENDED TEXT

6. Vehicles for the carriage of passengers with more than eight seats, excluding the driving seat: Every six months

6. unaltered

7. Trailers with a maximum permissible weight of 1 500 kg used exclusively for the carriage of luggage, camping equipment or boats. Caravans: Every two years

7. Caravans:

Every two years

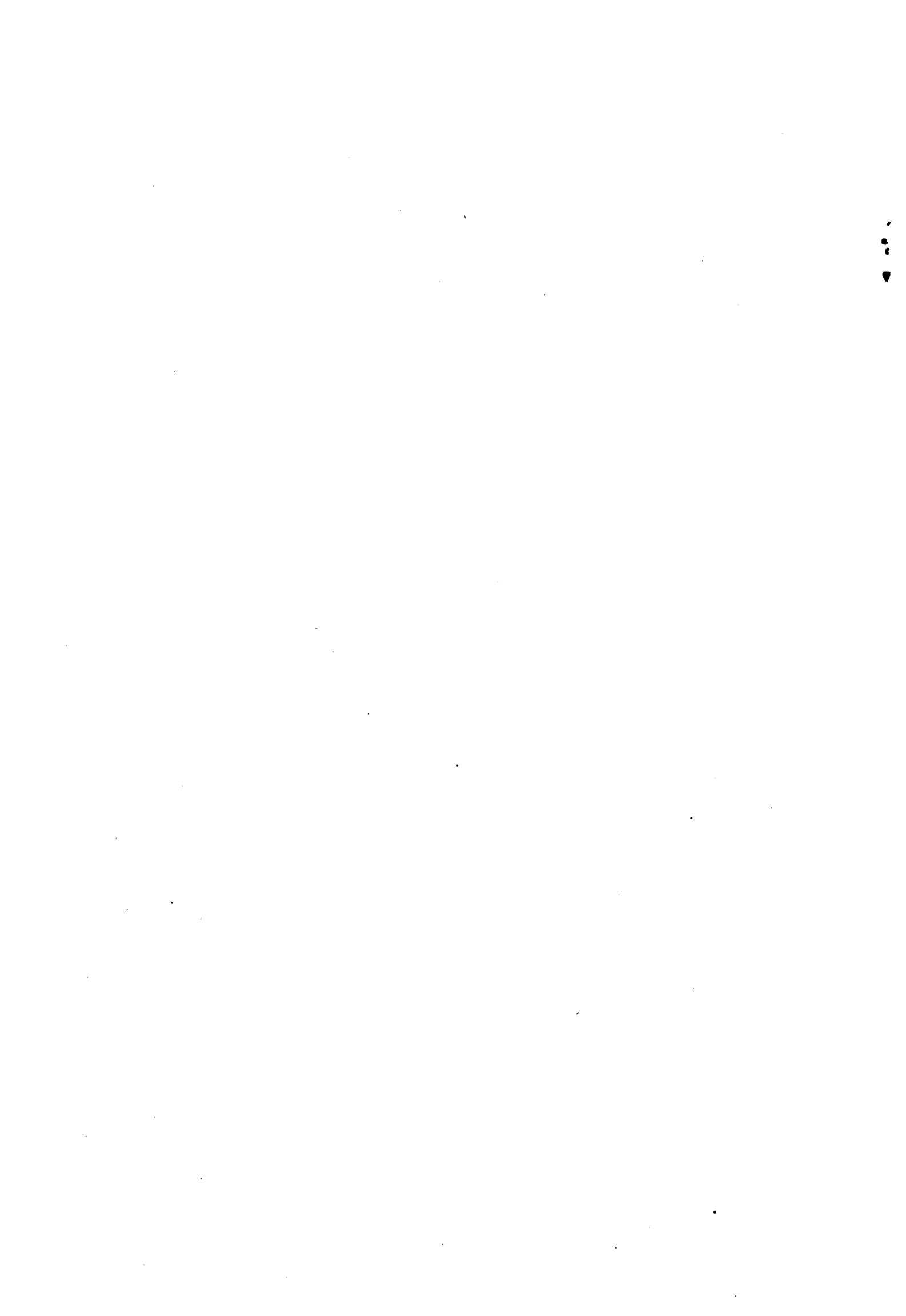
8. Trailers and semi-trailers other than those comprised in category 7: Annually

8. Trailers and semi-trailers, the maximum permissible weight of which exceeds 1 500 kg:

Annually

9. Vehicles not comprised in any of the foregoing categories: Every two years

9. deleted



ORIGINAL TEXT

AMENDED TEXT

ANNEX I

ANNEX I

B. ITEMS TO BE TESTED, METHODS AND
CONDITIONS OF TEST

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CONDITIONS OF TEST

The test must at least cover the items listed in the table below, where these form part, whether mandatory or not, of the vehicle.

Unaltered

This list must not be regarded as exhaustive and in the case of public service vehicles tests may be required on additional items affecting the safety and comfort of the passengers such as heating and ventilating systems, seat lay-out, etc.

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Depending on the item concerned and the state of the vehicle, the test may comprise visual inspections or operational tests or both.

Unaltered.

"Visual" inspection is specified wherever this is possible without dismantling a component. It may

Where "visual" inspection is specified it includes, where necessary, physical manipulation of the

.../...

ORIGINAL TEXT

AMENDED TEXT

ANNEX I

ANNEX I

B. ITEMS TO BE TESTED, METHODS AND
CONDITIONS OF TEST (continued)

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CONDITIONS OF TEST (continued)

where necessary include physical manipulation of the relevant parts testing for certain noises, etc.

relevant parts, testing for certain noises, etc.

It must include a check on any prescribed type-approval marks of vehicles and equipment. It must also be designed to detect the following:

Unaltered

- attachments and assemblies in a poor condition and any excessive play therein;
- deformation and/or cracking likely to affect adversely the proper functioning of certain components;
- signs of abnormal chaffing (on brake lines, for example);
- abnormal or excessive wear leading to rapid failure of a component;
- leaking hoses (brake lines, for example);

Unaltered

.../...

ORIGINAL TEXT

AMENDED TEXT

ANNEX I

ANNEX I

B. ITEMS TO BE TESTED, METHODS AND
CONDITIONS OF TEST (continued)

B. ITEMS TO BE TESTED, METHODS AND
CONDITIONS OF TEST (continued)

- oxidation or corrosion, where these may adversely affect the integrity or proper functioning of certain components;
- the absence of any mandatory safety devices;
- the presence of non-standard welds or signs of heating on certain particularly important components such as the steering linkage or the axles.

Unaltered

Basically, tests are to be carried out using conventional techniques and the equipment normally available in vehicle testing stations.

Unaltered

.../...

Items to be tested	Methods and conditions for testing		
	Visual inspection	Test of function	Particular conditions
<u>- ORIGINAL TEXT -</u>			
1. Condition of braking system		u n a l t e r e d	
2. Steering		u n a l t e r e d	
3. Visibility		u n a l t e r e d	
4. Lights and reflectors		u n a l t e r e d	
5. Axles, wheels, suspensions		u n a l t e r e d	
6. Chassis, elements fixed to the chassis		u n a l t e r e d	
7. Other equipment		u n a l t e r e d	
8. Damage		u n a l t e r e d	
9. Other tests		u n a l t e r e d	
<u>- AMENDED TEXT -</u>			
10. Supplementary tests for public transport vehicles			
10.1. Heating system		+	
10.2. Ventilating system		+	
10.3. Seat lay-out	+		