

EUROPEAN PARLIAMENT

Working Documents

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REPORT

drawn up on behalf of the Committee on Economic and Monetary Affairs

on the proposal from the Commission of the European Communities to the Council (Doc. 1-827/82) for a directive amending Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers

Rapporteur: Mr K. NYBORG

By letter of 29 October 1982 the Council requested the European Parliament to deliver an opinion on the proposal from the Commission to the Council for a directive amending Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers.

The European Parliament referred the proposal to the Committee on Economic and Monetary Affairs as the committee responsible and the the Committee on Transport for its opinion.

At its meeting of 24 November the Committee on Economic and Monetary Affairs appointed Mr K. NYBORG rapporteur.

The committee considered the Commission's proposal and the draft report at its meeting of 18 January 1983 and unanimously adopted an amendment to the proposal for a directive, the proposal for a directive thus amended and the motion for a resolution.

The committee also decided to request Parliament to adopt the report without debate pursuant to Rule 34(1) of the Rules of Procedure.

The following took part in the vote: Mr Hooper, acting chairman; Mr Macario, vice-chairman; Mr Nyborg, rapporteur; Mr Beazley, Mr Bismarck, Mr Carossino (deputizing for Mr Bonaccini), Mr Delorozoy, Mr de Ferranti, Mr Herman, Mr Leonardi, Mrs Nielsen (deputizing for Mr Nordmann), Mr Papantoniou, Mr Schinzel, Mr Van Rompuy, Mr Vergeer and Mr Wedekind (deputizing for Mr von Wogau).

The opinion of the Committee on Transport is attached.

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The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following amendment to the Commission's proposal and motion for a resolution, together with explanatory statement:

Amendment tabled by the Committee
on Economic and Monetary Affairs

Text proposed by the Commission of
the European Communities

Proposal from the Commission of the European Communities to the Council for a directive amending Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (Doc. 1-827/82)

Article 2

1. No Member State may:

- refuse, in respect of a type of vehicle; to grant EEC type approval or national type approval, or
- refuse or prohibit the sale, registration, entry into service or use of vehicles,

Article 2 (2) to read:

2. By way of derogation from paragraph 1, the installation of the devices referred to in item 4.2.6. of Annex I shall not be required. However, if such devices are installed, they must satisfy the requirements set out in that item of Annex I.

on grounds relating to the installation on the vehicles of the lighting and light-signalling devices, whether mandatory or optional, listed in items 1.5.7 to 1.5.7.0 of Annex I if these devices are installed in accordance with the requirements set out in Annex I.

2. By way of derogation from paragraph 1, the installation of the devices referred to in item 4.2.6 of Annex I shall be required only with effect from 1 October 1984. Nevertheless, where such devices are installed before that date, they must satisfy the requirements set out in that item. Where EEC type approval (or the issue of the document referred to in the last indent of Article 10(1) of Directive 70/156/EEC) or national type approval has been granted before that date in respect of a vehicle type that does not comply with the said requirements, Member States may prohibit the entry into service of vehicles of that type with effect from 1 October 1987.

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive amending Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers

The European Parliament

- having regard to the proposal from the Commission of the European Communities to the Council ,
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 1-827/82),
 - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Transport (Doc. 1-1176/82),
 - having regard to the result of the vote on the Commission's proposal,
- A. whereas not one of the Member States has yet laid down provisions making compulsory the installation of dipped-beam adjustment devices,
 - B. whereas Directive 76/756/EEC is not being applied in practice as the motor vehicle manufacturers have no desire to comply with the requirement it contains to install these devices,
1. Stresses the benefits that would result from the effective application of this directive, and does not believe that the requirement for the installation of dipped-beam adjustment devices should stand in their way;
 2. Instructs its President to forward to the Commission and Council, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

¹ OJ No C 279, 22.10.1982, p. 5

1. The Commission's reason for submitting this proposal is that one provision in the EEC directive on the installation of lighting and light-signalling devices on motor vehicles, namely the requirement to install dipped-beam adjustment devices, has meant that the directive is not being effectively applied. The procedure that has been adopted is that of optional harmonization and the manufacturers have preferred to comply with national provisions, as no Member State has yet made these devices mandatory.

2. According to the Commission's figures these dipped-beam adjustment devices would add between Bfrs 2,400 and Bfrs 4,000 to car prices, depending on whether they were manually operated or automatic. It also appears that the manufacturers are casting doubt on their usefulness.

The Commission is therefore now proposing to postpone the date of entry into force of the requirement to install these devices (Article 2(2)). The other amendments are changes to the wording of the 1976 directive in the light of the Commission's 1979 and 1982 directives.

3. The Committee on Economic and Monetary Affairs has concentrated on the fundamental issue of whether there is any general need for the mandatory installation of these dipped-beam adjustment devices, as it is convinced that most cases of dazzle are caused by incorrect initial adjustment, which these devices do nothing to alleviate.

In this connection, Commission officials have pointed out that the representatives of the Member States do not favour the deletion of this provision in the directive, and that Italy is about to amend its national provisions accordingly.

4. The Committee on Economic and Monetary Affairs notes that the dispute on this point has dragged on for years, and would be unlikely to abate even if the date of entry into force postponed. Deleting the requirement to install these devices will ensure that the other provisions in the directive, whose importance is not in doubt, are effectively applied.

OPINION OF THE COMMITTEE ON TRANSPORT

Letter from the chairman of the committee to Mr Jacques MOREAU, Chairman of the Committee on Economic and Monetary Affairs

Dear Mr Moreau,

At its meeting of 25 January 1983 the Committee on Transport considered the proposal for a Council directive amending Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers.

The committee wishes to point out first of all that although it has always given the fullest support to measures to approximate the laws of the Member States relating to the technical specifications of motor vehicles, it regrets that such proposals are merely seen in the framework of technical harmonization and are not integrated into a vast Community road safety programme.

The text under consideration, which deals with the installation of lighting and light-signalling devices on motor vehicles, is a particularly flagrant example of this. The safety aspects are very important since many accidents are caused by defects in such devices.

The Committee on Transport therefore insists once again that no measures affecting road safety should be taken in the framework of measures to eliminate technical barriers to trade or protect the environment.

As regards substance, this directive is needed to fill gaps caused by the use of the method of 'optional' harmonization which the former Committee on Regional Policy, Regional Planning and Transport frequently criticized because it allowed national specifications to exist alongside Community specifications.

The Committee on Transport therefore regrets that harmonization of the provisions requiring the installation of dipped beam adjustment devices has to be postponed for several years.

We do however endorse the conclusions reached by the Commission and appreciate its concern to ensure that failure by vehicle manufacturers to comply with one of the provisions of the basic directive on the installation of lighting and light-signalling devices should not prevent implementation of the other provisions of the directive.

The Committee on Transport therefore endorses the proposal for a directive submitted by the Commission and invites the Committee on Economic and Monetary Affairs to do likewise.

Yours sincerely,

(sgd) Horst SEEFELD

The following took part in the vote: Mr Seefeld, chairman; Dame Shelagh Roberts and Mr Carossino, vice-chairmen; Mr Albers, Mrs von Alemann, Mr Buttafuoco, Mr Veronesi (deputizing for Mr Cardia), Mr Gabert, Mr Gauthier, Mr Arndt (deputizing for Mr Key), Mr Klinkenborg, Mr Lagakos, Mr Moreland (deputizing for Mr Marshall), Mr Martin, Mr Moorhouse and Mr Ripa di Meana.

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