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Report

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

on the proposals from the Commission of the European Communities to the Council (doc. 435/76) for

- I. a directive on the approximation of the laws of the Member States relating to the window-wiper and washer systems of motor vehicles
- II. a directive on the approximation of the laws of the Member States relating to the defrosting and demisting systems of motor vehicles
- III. a directive on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)

Rapporteur: Mr K. NYBORG

PE 47.895/fin.

By letter of 23 November 1976 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council for directives on the window-wiper and washer systems, the defrosting and demisting systems and the interior fittings (identification of controls, tell-tales and indicators) of motor vehicles.

The President of the European Parliament referred these proposals to the Committee on Economic and Monetary Affairs as the committee responsible and to the Committee on Regional Policy, Regional Planning and Transport and the Committee on the Environment, Public Health and Consumer Protection for their opinion.

On 3 December 1976 the Committee on Economic and Monetary Affairs appointed Mr NYBORG rapporteur.

It considered these proposals at its meeting of 17 March 1977.

At the same meeting the committee unanimously adopted the motion for a resolution.

Present: Mr GLINNE, chairman; Mr NOTENBOOM, Sir Brandon RHYS WILLIAMS and Mr LEONARDI, vice-chairmen; Mr NYBORG rapporteur; Lord ARDWICK; Lord BRUCE OF DONINGTON, Mr CLERFAYT, Mr DELMOTTE (deputizing for Mr VAN DER HEK), Mr JAKOBSEN, Mr DE KEERSMAEKER and Mr NORMANTON.

The opinions of the Committee on Regional Policy, Regional Planning and Transport and of the Committee on the Environment, Public Health and Consumer Protection are attached.

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

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- a directive on the approximation of the laws of the Member States relating to the window-wiper and washer systems of motor vehicles
- a directive on the approximation of the laws of the Member States relating to the defrosting and demisting systems of motor vehicles
- a directive on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)

The European Parliament,

- having regard to the proposals from the Commission of the European Communities to the Council¹,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 435/76),
- having regard to its resolution of 12 December 1974 on the elimination of technical barriers to trade²,
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on the Environment, Public Health and Consumer Protection (Doc. 16/77).

1. Welcomes the fact that the Commission, in conformity with the wish expressed several times by Parliament for a package of proposals relating to the same sector, has submitted eleven proposals concerning the motor vehicle sector;

2. Also welcomes the fact that, with the adoption of this set of proposals, full EEC type-approval for motor vehicles will exist, with the result that the EEC type-approval of a motor vehicle in one Member State will enable it to be marketed in any Member State of the Community;

¹ OJ No. C 43, 21 February 1977, p.1

² OJ No. C 5, 8 January 1975, p.41

3. Considers that, in view of the safety implications, optional harmonization should only be regarded as a transitional arrangement and should be replaced in the long term by total harmonization;
4. Stresses once more the need to introduce a more streamlined procedure for the elimination of technical barriers to trade and reiterates, in this connection, its previous proposal for a procedure¹ requiring the Commission systematically to submit outline directives pursuant to Article 100 of the EEC Treaty for the individual sectors defined in action programmes and to issue on its own responsibility implementing provisions pursuant to Article 155 of the EEC Treaty;
5. Regrets that the binding directives approved by the Council on the elimination of technical barriers to trade are inadequately observed by the Member States and supports the Commission in its efforts to put an end to this situation;
6. Approves these directives, subject to the above reservations;
7. Instructs its President to forward this report to the Council and Commission of the European Communities.

¹OJ No. C 5, 8 January 1975, p.41

EXPLANATORY STATEMENT

1. As regards proposals for the elimination of technical barriers to trade, reference should again be made to the proposal for a simplified procedure which has already been put forward several times¹: the present lengthy procedure applied to all technical proposals pursuant to Article 100 should be limited to outline directives relating to the individual sectors defined in the action programmes. The issue of implementation provisions should, pursuant to Article 155, be the responsibility of the Commission.

The Commission has meanwhile started work on the drawing up of an outline directive for the building sector and the Committee on Economic and Monetary Affairs will shortly be consulted on this. The committee also expects the Commission to submit a proposal on the introduction of this new procedure before long.

2. In the supplementary memorandum to the Commission's policy statement for 1977, the introduction of full EEC type-approval for motor vehicles was given top priority in the field of the elimination of technical barriers to trade. To this end, the Commission has submitted a package of 11 proposals for directives, which are all required if full EEC type-approval is to be achieved. When this is the case, the approval of a motor vehicle in one Member State will allow the producer to market it in any other Member State. This therefore amounts to the realization of a Community market for motor vehicles. The Committee on Economic and Monetary Affairs consequently urges the Council to approve these remaining directives as rapidly as possible and warmly welcomes the prospect of full EEC type-approval.

3. The Committee on Economic and Monetary Affairs also appreciates the fact that the Commission, in conformity with the wish frequently expressed by the committee, has now submitted a package of proposals relating to this sector. The submission of a package of proposals makes for far more rational treatment of the Commission's proposals in the field of technical barriers to trade, unlike the practice adopted hitherto whereby the Commission, over a given period, put forward a succession of proposals each dealing with a specific aspect of harmonization in the most divergent sectors. It also enables the Committee on Economic and Monetary Affairs to adopt a political position on the most important aspects of harmonization in a given sector

¹OJ No. C 125, 8 June 1976, pp. 43 to 45 and
OJ No. C 5, 8 January 1975, p. 41

without going into the technical details. From this point of view, the committee does not consider it advisable to take up the recommendation of the Committee on the Environment, Public Health and Consumer Protection to establish whether an electric demisting system that can also serve as a defroster is not the best solution. Examination of such technical details does not come within the purview of the Committee on Economic and Monetary Affairs.

4. Efficient consideration of this package by Parliament is, however, hampered by the way these proposals have been referred to the parliamentary committees. On eight of these proposals the Committee on Economic and Monetary Affairs has been asked for its opinion while the Committee on Regional Policy, Regional Planning and Transport has been designated the committee responsible. For the remaining three proposals discussed in this report, the Committee on Economic and Monetary Affairs has been appointed committee responsible. However, all these proposals relate to the elimination of technical trade barriers to the realization of the common market, a subject for which the Committee on Economic and Monetary Affairs is indisputably the committee responsible. The proposals in question may, it is true, include specific technical details, which may require the opinion of the committee responsible for the technical field concerned, in which case the latter should be asked for its opinion.

The Commission also complains that its action is hampered by having to deal with one committee on certain proposals for the elimination of technical barriers to trade and with another on other proposals. In each case, different aspects of the proposals are stressed.

This practice makes it difficult for proposals on which Parliament's opinion is urgently required to be dealt with quickly. The Commission and the Committee on Economic and Monetary Affairs would therefore very much appreciate it if the same committee were always appointed the committee responsible for proposals relating to the elimination of technical barriers to trade.

5. Windscreen wipers and windscreen washers have already been the subject of a proposal for a directive from the Commission¹. The Council, however, never considered this proposal since it felt it desirable for the individual directives of a technical nature to fit in with the general type-approval procedure for motor vehicles and their trailers and, in addition, for account to be taken as far as possible in the individual directives of harmonization on a wider international scale. The attempt, in the three proposed directives,

¹OJ No. C 125, 28 November 1968

to lay down norms which go beyond the boundaries of the European Communities is fully endorsed by the Committee on Economic and Monetary Affairs: the establishment of European standards in line with those applied in a broader international context facilitates the export of EEC products to third countries, because producers are not then obliged to adapt their products to other standards in order to export them outside the EEC.

6. In its opinion on the earlier proposal¹ on windscreen wipers and windscreen washers and in its opinion¹ on the general directive since adopted by the Council - on the type-approval of motor vehicles and their trailers, Parliament had already advocated total harmonization rather than the proposed optional harmonization and, in addition, approved amendments to this effect. Your committee still adheres to this view. If equal conditions of competition are to be created, total harmonization is to be preferred to optional harmonization. The vehicle market is, furthermore, an international market: products are seldom intended for the national market alone, with the result that there is little sense in maintaining national standards alongside the EEC standards, since part of the output of most producers must meet EEC standards. Where a product intended for the national market is manufactured in accordance with national standards, it is probably because the national standards mean lower costs and thus offer national producers a competitive advantage, giving rise, in all likelihood, to a less safe product. This situation is unacceptable if free movement of goods and equal conditions of competition are to be achieved in the Community, and optional harmonization should therefore be replaced by total harmonization after a transitional period. Moreover, the proposed directives on windscreen wipers and windscreen washers and on demisters and defrosters have important safety implications, a field in which Parliament is an unconditional advocate of total harmonization. The Committee for Regional Policy, Regional Planning and Transport also refers to the need to achieve a single set of Community legislation in the long term.

¹OJ No. C 160, 18 December 1969

OPINION of the
COMMITTEE ON REGIONAL POLICY, REGIONAL

PLANNING AND TRANSPORT

Draftsman: Mr Seefeld

On 24 January 1977 the Committee on Regional Policy, Regional Planning and Transport appointed Mr Seefeld draftsman.

It considered the draft opinion at its meeting of 25 January 1977 and adopted it unanimously.

Present: Mr Evans, chairman; Mr Nyborg, vice-chairman; Mr Meintz, vice-chairman; Mr Seefeld, draftsman; Mr Albers, Mr Hamilton, Mrs Kellett-Bowman, Mr Osborn, Mr Starke.

1. The three proposed directives under consideration form part of the already large, and continually growing, volume of Community legislation, arising from the Council Directive of 6 February 1970¹, and are referred to the European Parliament under Article 100 (2) of the Treaty.

2. In connection with this legislation, attention should be drawn to the somewhat arbitrary way in which it is allocated to Committees of the European Parliament. Sometimes it is the Economic and Monetary Affairs Committee which is the committee responsible and the Committee on Regional Policy, Regional Planning and Transport which is asked for an opinion, and on other occasions vice versa. Your Draftsman does not, however, wish to raise any problem of competence in the present instance, and he is aware that occasionally it is hard to draw precise lines of demarkation concerning competence.

3. In the present case, of the first two proposals (which relate to window-wipers and -washers and defrosting and demisting systems), the main emphasis would appear to be on road safety since these are matters which concern the driver's field of vision, while the third proposal which covers the identification of controls, tell-tales and indicators, while obviously having an important safety element, would seem to be fundamentally concerned with the removal of obstacles to trade.

4. There would appear to be no need to offer detailed comments on any of the technical provisions of these proposals as set out in their annexes. Your draftsman welcomes, however, the fact that all three proposals are based on technical requirements which have been adopted by the United Nations Economic Commission for Europe. This is of course important as the Commission themselves point out, so that 'Community motor manufacturers are not obliged to substantially modify vehicles intended for sale in non-Member countries'.

¹ O.J. No. L 42, 23 February 1970

5. As far as the safety aspect is concerned, the Draftsman welcomes the first two proposals since great importance must be attached to problems of the driver's field of vision in motor vehicles. At the same time he deplors the fact that the Council still has to decide on the proposal concerning the safety glass used for windscreens.¹ The Committee on Regional Policy, Regional Planning and Transport are satisfied that the first two measures will represent a significant improvement in that they provide a minimum level which must be accepted by all Member States, though unfortunately not necessarily applied in respect of their own vehicles; therefore in accordance with previous recommendations from the Committee, the draftsman has felt it necessary to suggest that both the first two proposals should be amended by the addition of a new paragraph to Article 6 therein. The paragraph should read as follows:

"3. The Commission shall subsequently submit to the Council a further proposal for the adoption of a single Community system for all the Member States."

6. The adoption of such an amendment will mean that at a future date there will be a single compulsory minimum standard throughout the Community which is not, of course, the case under the proposals as originally drafted.

7. There would appear to be no necessity to apply this amendment to the third proposal.

8. Subject to these comments the Committee on Regional Policy, Regional Planning and Transport express a favourable opinion on the proposals.

¹ See Doc. 397/75

OPINION OF THE COMMITTEE ON THE ENVIRONMENT,
PUBLIC HEALTH AND CONSUMER PROTECTION

Letter from the chairman, Mr AJELLO, to the
chairman of the Committee on Economic and
Monetary Affairs

Luxembourg, 26 January 1977

Dear Mr Chairman,

At its meeting of 20 January 1977, the Committee on the Environment, Public Health and Consumer Protection considered the proposals for

- I. a directive on the approximation of the laws of the Member States relating to the window-wiper and -washer systems of motor vehicles;
- II. a directive on the approximation of the laws of the Member States relating to the defrosting and demisting systems of motor vehicles;
- III. a directive on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)

(Doc. 435/76)

It adopted the following opinion:

'The purpose of the proposals for a Council Directive on the approximation of the laws of the Member States relating to window-wiper and -washer systems, and defrosting and demisting systems of motor vehicles is to introduce a Community procedure for type approval in order to increase the safety of drivers in adverse atmospheric conditions.

The Committee on the Environment, Public Health and Consumer Protection warmly welcomes the submission of these proposals, which are based on the work carried out in this field by the UN Economic Commission for Europe.

However, in order to ensure an even greater degree of safety for motor vehicle drivers, the committee would draw attention to certain specific requirements set out in the annexes.

In Annex I it is stated that these directives apply to the 180° forward field of view of the drivers of vehicles of class M1. The committee takes the view that it should be proposed, under the specific requirements relating to window-wipers set out in 5.1.1, that the windscreen of every vehicle must be equipped with two automatic window-wipers instead of at least one. It is absolutely essential, especially in unfavourable weather conditions, that, in the interests of increased safety for all road users, not only 98% of vision area A be covered, as stated in 2.2. of Annex IV, but also a substantial proportion of vision area B by means of a second windscreen-wiper. As regards the defrosting of windscreens, it is implicitly assumed that this is effected by means of a defrosting and windscreen-wiper system (see point 2.16 of the second proposal) so the windscreen on the passenger's side, while taking into account the longer defrosting period required, can be compared with area A on the driver's side (see point 5.1.4.2.). In connection with demisting it is also stipulated that it must be possible to rapidly eliminate condensation from area B (Annex IV). It follows that vehicles with only one windscreen-wiper obviously do not meet the requirements. The committee would also point out that, by ensuring that the rear windscreens of motor cars are kept clear of condensation, drivers have a better view of traffic to their rear, especially in unfavourable weather conditions, and this too contributes to increased safety.

The committee feels that, in addition to a compulsory demister on the front windscreen, a minimal demisting system for the rear windscreen should be included in the specific requirements. It strongly recommends the committee responsible to investigate whether

an electric demisting system, which might also operate as a defrosting system, would not be the best solution here.

The committee has no specific comments on the third proposal for a directive on interior fittings. It is highly gratified by the efforts being made to establish clear symbols on the basis of the work done in this area by the Economic Commission for Europe in Geneva and the International Organization for Standardization. It is convinced that the proposed harmonization of identification of controls, etc. can only benefit the driver by making his vehicle easier for him to handle.¹

Yours sincerely,
for Aldo AJELLO

(sgd.) Pietro STAGNO d'ALCONTRES
Committee Secretary

¹ Present: Mr Ajello, chairman; Lord Bethell and Mrs Kruchow, vice-chairmen; Mr Aigner (deputizing for Mr Härzschel), Miss Boothroyd, Mr Didier, Mr Evans, Lady Fisher of Rednal, Sir Peter Kirk, Mr Molloy, Mr Ney, Mr Noè, Mr Radoux (deputizing for Mr Brégégère) and Mr Veronesi

