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Report

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drawn up on behalf of the Committee on Public Health and the Environment

on the proposal from the Commission of the European Communities to the Council (Doc. 113 /73) for a Directive on the approximation of Member States' laws on the interior fittings of motor vehicles (strength of seats and their anchorages)

Rapporteur : Mr W. MÜLLER

PE 34.136/final

By letter of 21 June 1973 the President of the Council of the European Communities consulted the European Parliament, pursuant to Article 100 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of Member States' laws on the interior fittings of motor vehicles (strength of seats and their anchorages).

On 3 July 1973 Parliament referred this proposal to the Committee on Public Health and the Environment as the committee responsible and to the Committee on Regional Policy and Transport for its opinion.

On 10 July 1973 the Committee on Public Health and the Environment appointed Mr MÜLLER rapporteur.

The committee considered the proposal at its meetings of 10 July and 8 October 1973. It adopted the motion for a resolution and explanatory statement unanimously, with one abstention at its meeting of 8 October 1973.

The following were present: Mr DELLA BRIOTTA, chairman; Mr JAHN and Mr SCOTT-HOPKINS, vice-chairmen; Mr MÜLLER, rapporteur; Mr MARTENS, Mr NOE', Mr SPRINGORUM, Mr VERNASCHI, Mr DUVAL, Mr PREMOLI, Mr LAGORCE, Mr EISMA, Mr BREGEGERE, Mr D'ANGELOSANTE and Mr BRO.

The opinion of the Committee on Regional Policy and Transport is attached to this report.

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The Committee on Public Health and the Environment 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 proposal from the Commission of the European Communities to the Council for a Directive on the approximation of Member States' laws on the interior fittings of motor vehicles (strength of seats and their anchorages)

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(73) 682 final);
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 113/73);
 - having regard to the report of the Committee on Public Health and the Environment and the opinion of the Committee on Regional Policy and Transport (Doc.194/73);
1. Welcomes the fact that account was taken of the work of the Geneva-based UN Economic Commission for Europe in the interests of even more far-reaching harmonization;
 2. Believes that the proposed Directive should replace existing national regulations;
 3. Requests the Commission to issue, as soon as possible, an equivalent EEC type approval for motor vehicles with a maximum speed of less than 25 km/h, agricultural tractors and machinery, and also public works vehicles since, as part of road traffic, such vehicles bear just as much responsibility and are just as much exposed to danger as other vehicles, and calls upon the Commission to submit proposals for directives covering these vehicles also;
 4. Cannot, in view of the priority which must be attached to safety, understand why folding (tip-up) seats, and side-facing or rearward-facing seats, and particularly seats with built-in seat-belt anchorages should be excluded from the scope of the proposed directive;

5. Requests that separate proposals should soon be made to take account of additional fittings, in particular children's car seats;
6. Again points out the lack of flexibility of the committee proposed in Article 13 of the Council Directive of 6 February 1970 on 'the type approval of motor vehicles and their trailers', which is also referred to in the present proposal for a Directive;
7. Insists that the national Governments should inform the Commission of all laws, regulations or administrative provisions (Article 6 paragraph 2);
8. Requests the Commission, on the basis that its individual proposals for directives, on the interior safety of motor vehicles are designed to cover different aspects of a single problem, to submit before the end of 1974 a general report on activities in this field;
9. With the above reservations, approves in principle the Commission's proposal, but nevertheless requests the Commission to make the following amendments to this proposal, pursuant to Article 149 (2) of the EEC Treaty;
10. Requests its appropriate committee to check carefully whether the Commission of the European Communities adopts the European Parliament's amendments to its proposal and, if necessary, to report on this matter;
11. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

Proposal for a Council Directive on the approximation of Member States' laws on the interior fittings of motor vehicles (strength of seats and their anchorages)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

unchanged

having regard to the proposal from the Commission;

having regard to the opinion of the European Parliament;

having regard to the opinion of the Economic and Social Committee;

1. whereas the technical requirements which motor vehicles must satisfy pursuant to national laws relate, inter alia, to the interior arrangements for the strength of seats and their anchorage;

1. unchanged

2. whereas these requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules, in order, in particular, that the EEC type approval procedure which was the subject of the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers may be applied in respect of each type of vehicle;

whereas these requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements (5 words deleted) in place of their existing rules, in order, in particular, that the EEC type approval procedure which was the subject of the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers may be applied in respect of each type of vehicle;

¹ see COM(73) 682 final for the full text.

Recitals 3 to 6 unchanged

Articles 1 to 5 unchanged

Article 6

1. The Member States shall adopt and publish the provisions necessary to ensure compliance with the present Directive before October 1, 1974 and inform the Commission immediately. They shall apply these provisions with effect from April 1, 1975.

2. As soon as this Directive has been notified, the Member States shall take care to inform the Commission, in sufficient time to enable it to submit its comments, of any subsequent important draft laws, regulations, or administrative provisions which they intend to adopt in the field covered by the Directive.

Article 6

1. unchanged.

2. As soon as this Directive has been notified, the Member States shall take care to inform the Commission, in sufficient time to enable it to submit its comments, of any (two words deleted) draft laws, regulations or administrative provisions which they intend to adopt in the field covered by this Directive.

Article 7 unchanged

Annexes I to IV unchanged

EXPLANATORY STATEMENT

1. The Commission's efforts at harmonization in this field of legislation are necessary from the point of view of road safety. The fact that it has based these efforts largely on the criteria and norms worked out by the UN Economic Commission for Europe in Geneva gives reason to hope that harmonization on this point might at the same time also be achieved with non-member States.

2. This proposal for a Directive, however, contains certain illogicalities such as the exclusion of certain vehicles mentioned in Article 1(1) which nevertheless form part of road traffic and therefore constitute a safety risk for themselves and others.

3. The exclusion of seats with built-in seat-belt anchorages also seems illogical, since this Directive will only be meaningful if the wearing of safety belts is made compulsory, while the only progress made in this direction so far is the announcement of a proposal for a Directive on safety belts.

4. It is also difficult to understand why reference has again been made to the setting up of a committee on technical approximation ('Council Directive of 6.2.1970 on the type approval of motor vehicles and their trailers'), since doubts have repeatedly been raised over the feasibility of such a committee.

5. Since the 'standard car', on which all Commission proposals have so far been based, is commonly equipped with additional fittings - sometimes, for example, with dangerous children's car seats - the necessary individual directives should be drafted with all speed, particularly in the interests of children.

Every year in the Federal Republic of Germany 20,000 children travelling inside a car are involved in accidents. In tests carried out by the Stiftung Warentest, a product-testing organization in Berlin, and by Birmingham University, many children's car seats were found to be quite unsuitable; out of 15 models tested by the Stiftung Warentest, 2 were rated good, 2 adequate, and 11 totally inadequate.¹

¹ STERN, 27.9.1973, No.40

6. Since motor-vehicle manufacturers in Germany and six other European countries are already working to specifications similar to those of this Directive, it must be insisted that the proposed timetable should at least be maintained.

7. Article 6(2) should specify that the Commission be informed of all new national laws, regulations or administrative provisions, since it should not be left to the individual Member States to decide on the importance of such measures.

8. In an opinion presented in the form of a letter, the Committee on Regional Policy and Transport approved the report of the Committee of Public Health and the Environment.

OPINION OF THE COMMITTEE ON REGIONAL POLICY AND TRANSPORT

Letter from Mr James HILL, chairman of the Committee on Regional Policy and Transport, to Mr DELLA BRIOTTA

Dear Mr Chairman,

On behalf of the Committee for Regional Policy and Transport, which was asked for its opinion on the proposal from the Commission to the Council (Doc.113/73) for:

- a directive on the approximation of Member States' laws on the interior fittings of motor vehicles (strength of seats and their anchorages),

I would inform you that at its meeting of 24 October 1973 the committee considered the proposal on the basis of an oral statement by Mr JARROT, who had been appointed draftsman for the opinion on 10 October 1973, in which statement reference was made to the report by Mr MÜLLER (PE 34.136).

At its abovementioned meeting the Committee on Regional Policy and Transport came to the conclusion that this proposal, as amended by Mr MÜLLER, did not give rise to any special problems and it therefore approved it on 24 October 1973 (1) unanimously. The Committee has requested me to forward this opinion in the form of a letter to the Committee on Public Health and the Environment.

Yours sincerely,

(sgd.) James Hill

(1) The following were present: Mr James Hill, chairman; Mr Jarrot, draftsman for opinion; Mr Gerlach, Mr Herbert, Mr Lenihan (deputizing for Mr Liogier), Mr Noé, Mr Pounder, Mr Radoux (deputizing for Mr Wohlfart), Lord Reay, Mr Thornley (deputizing for Mr Seefeld).

