Approval of motor vehicles and their trailers. Framework Directive

2003/0153(COD) - 14/07/2003 - Legislative proposal

PURPOSE : to present a proposal for a Directive of the European Parliament and of the Council on the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (recast version). CONTENT : this proposal for a Directive is the second stage of the recasting of a Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the approval of motor vehicles and their trailers. Once adopted, it will repeal and replace Directive 70/156/EEC. Over time, Directive 70/156/EEC has undergone more than 18 amendments necessary to adapt it to a sector which is in a permanent state of flux. Consequently, it needs to be made more readable by being recast, in light of the enlargement process and also the major global agreement on the establishing of international technical regulations has been concluded in Geneva. The first stage of the recasting entails consolidating the technical annexes to Directive 70/156/EEC in the form of a Commission directive; the second stage is a proposal for a directive of the European Parliament and of the Council which will recast the legislative provisions of that directive in their entirety. The technical annexes to Directive 70/156/EEC have just been consolidated into a single document, which not only provides a synopsis of all the administrative and technical provisions governing type-approval procedures, but also lays down a set of specific measures for commercial vehicles. The Commission now believes that the time has come to take a further step forward and extend the principles hitherto developed for other categories of vehicles to include commercial vehicles as well. This proposal incorporates most of the existing legislative provisions in a reworked form and puts in place the legislative instruments that are essential in order for the approval procedure to be extended to all categories of commercial vehicles; this procedure could be operational as early as 2007. Besides all the technical aspects mentioned above, the proposed directive would lay down the necessary provisions concerning the introduction of a new 'split-level' approach to the regulatory work. If this approach is introduced, it can be assumed that the adoption of very complex pieces of legislation would be facilitated. Recent experiences have indeed shown that the inclusion of detailed, advanced technical provisions alongside the essential features in a single directive risks slowing down the adoption procedures. Consequently, while it is for the European Parliament and the Council to decide on the essential requirements of a regulatory act, it is proposed that the Commission, assisted by a regulatory committee, be entrusted with establishing the detailed technical provisions and practical implementation measures. More specifically, the present proposal lays down new technical provisions for the automobile sector with a view to enhancing road safety. These measures mainly concern utility vehicles (vans, lorries, trailers, etc.) and coaches. Among the devises made obligatory which will have most impact on road safety are ABS (which prevents the wheels blocking during breaking), new and more effective rear mirrors, side protection devices, etc. While the main objective of the legislation enacted since 1970 has been to bring about the single market, the road safetyaspects have always been considered and the legislator has sought to guarantee, by means of construction standards based on sound scientific and technical knowledge, that all road users enjoy the highest possible level of safety, while ensuring protection of the environment. Quite naturally, the main lines of approach which were adopted in 1970 when drawing up the framework directive are still to be found in this draft. They coexist however with fully new concepts: - the directive is based on total harmonisation, which means that Community type-approval procedures will be compulsory and will replace the national requirements with which they have coexisted until now. There will be a long transitional period to enable all manufacturers in the new sectors concerned to adapt gradually to the new procedures; - as before, the Directive includes legal and administrative provisions for the type-approval of systems such as braking system, components such as tyres, and separate technical units such as lateral protection, in line with the separate directives; - the procedures will continue to authorise type-approval of a complete vehicle by combining the separate type-approvals issued for its constituent systems, components and technical units, even when partial type-approvals have been carried out in various Member States; - instead of using the separate directives, type-

approval of a complete vehicle can be based on the international regulations resulting from the 1958 Agreement, which are regarded as alternatives to the European Directives implementing Council Decision 97/836/EC 16 of 27 November 1997; - a new method of type-approval - known as multi-stage type-approval - has been introduced in order to bring the situation into line with the manufacture of commercial vehicles; - passenger cars built in small series, which were not previously subject to the harmonised Community type-approval procedure, will now be included in the Community system under a flexible procedure; - at the request of Member States wishing nevertheless to maintain a simplified procedure allowing the approval of very small quantities of passenger cars, the possibility still remains of approving small series of 50 vehicles a year on a purely national basis, i.e. restricted to the territory of the Member State granting the approval; - commercial vehicles will also be able to follow a European small-series procedure similar to that applied to passenger cars; - the Commission has endorsed the opinion of those Member States wishing to include in the directive the individual approval of vehicles, known as the individual approval procedure. The practical arrangements will be laid down in a separate annex after consultation with the usual partners. This procedure will be applicable to the approval of vehicles following the multi-stage system.