

Approval of motor vehicles and their trailers.

Framework Directive

2003/0153(COD) - 10/05/2007 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Malcolm **HARBOUR** (EPP-ED, UK) and made several amendments to the Council's common position. The amendments were the results of a compromise package between the Council and Parliament. The main ones are as follows:

-a compromise was struck on the Article relating to the sale and entry into service of parts or equipment which are capable of posing a significant risk to the correct functioning of essential systems. In particular, parts or equipment subject to authorisation must be inserted in the list to be established in Annex XIII. Such a decision must be preceded by an evaluation resulting in a report and strive for a fair balance between the existence of a serious risk to the safety or environmental performance of vehicles fitted with the parts or equipment under consideration; and the effect on consumers and manufacturers in the after-market of the imposition under this Article of a possible authorisation requirement on parts or equipment. As from the date of entry into force of the Directive, Member States shall not adopt new provisions dealing with parts and equipment which can affect the correct functioning of systems that are essential for the safety of the vehicle or its environmental performance.

-direct references may be made in the Directive or in the separate directives or regulations to international standards and regulations without reproducing them in the Community legal framework;

- it is important that manufacturers make information readily available to independent operators to ensure the servicing and repairing of vehicles in a fully competitive market. These information requirements have so far been incorporated in Community legislation, and in particular in the proposal for a regulation on type approval of motor vehicles with respect to emissions (Euro 5 and 6) and on access to vehicle repair and maintenance information, on the basis that the Commission will review, no later than four years after the date of entry into force of that Regulation, the effectiveness of these articles and may consequently consider whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within the Directive ;

- Parliament introduced new provisions allowing for EC type-approval of vehicles which are constructed or converted to accommodate wheelchair users. It introduced a new definition in Annex II - "Wheel-chair accessible vehicle" - together with a new Appendix to Annex XI of the Directive providing for a list of decisions to be applied for type-approving vehicles constructed or converted for the purposes of transporting wheel-chair users seated in their own wheel-chairs. The list would apply not only to specially constructed vehicles but also to converted vehicles which have been subject to an EC vehicle type-approval.

- Parliament amended Annex XIX (timetable for the enforcement of the directive in respect of type-approval), stipulating that the enforcement date for existing types of incomplete and complete vehicles of category M2 and M3 should be 36 months after the directive's entry into force, as opposed to 30 months as laid down in the common position. For completed vehicles of category M2 and M3, the enforcement date for existing types of vehicle should be 48 months rather than 60 months as proposed by Council, and for new types of vehicle it should be 30 months rather than 36 months.

Many of the amendments were designed to bring the Directive into line with Decision 2006/512/EC amending the 1999 Decision on comitology, introducing the new 'regulatory procedure with scrutiny' where necessary. Other amendments dealt with such issues as the marking of authorised parts, the

updating of approval requirements for certain categories of parts and the updating of the Annexes to take account of the accession of Bulgaria and Romania.