



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.1.2003
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2002/0017 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

common position of the Council on the adoption of a Directive of the European Parliament and of the Council on type-approval of agricultural and forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units

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1. BACKGROUND

Date of transmission of the proposal to the EP and the Council (document COM (2002) 6 final – 2002/0017 (COD):	17 January 2002
Date of the opinion of the Economic and Social Committee:	29 May 2002
Date of the opinion of the European Parliament, first reading:	9 April 2002
Date of adoption of the common position:	16 December 2002

2. OBJECTIVE OF THE COMMISSION PROPOSAL

The proposed Directive constitutes a recasting of Council Directive 74/150/EEC relating to the type-approval of wheeled agricultural and forestry tractors.

While the main objective of the recasting of that Directive is clarity, it will also extend the scope of the EC type-approval to new categories of agricultural and forestry tractors, notably to ‘high speed’ tractors, to trailers to be towed by agricultural tractors and to certain interchangeable towed equipment which can be assimilated to trailers.

The proposal for a Directive is based on total harmonisation, rather than Directive 74/150/EEC which had, to date, only an optional character. As soon as the Directive enters into force, not later than 1st January 2005, new types of agricultural and forestry vehicles will have to meet harmonised technical provisions listed in Annex II of the proposed Directive, so that Member States will have to abandon their national requirements.

3. COMMENTS ON THE COMMON POSITION

The discussions within the Council were concentrated on editorial questions with a view to aligning the proposal with Council Directive 70/156/EEC, which deals with type-approval of motor vehicles. The Commission is generally supporting the proposed amendments for the reason that they will facilitate the practical implementation of the Directive by approximating the required procedures with respect to the different categories of vehicles.

Besides those editorial changes, very few amendments on the substance have been made to the proposal of the Commission, these are :

- the deletion of any restriction on the number of vehicles to be approved in the frame of a single approval procedure;
- the increase by 50% of the number of vehicles to be put into service in the frame of the small-series type-approval procedure;
- the additional transitional time-period given to Manufacturers to adapt existing types of vehicles to the new technical requirements set out in Annex II (2009 instead of 2007).

The Commission acknowledges that flexibility in the application of restrictive procedures is necessary with a view to allowing national approval of very specific vehicles which are used for particular cultivation. For this reason, the Commission is supporting the proposed amendments subject to the condition that they are not a disguised means to obtain relief from the Directive.

The Council did not endorse a French proposal aiming to repeal 10 separate Directives which, according to the French delegation, relate to safety of workers and not to traffic safety. The Commission, while agreeing with the legitimacy of this proposal, is adopting the view of the Council.

4. CONCLUSION

The Commission considers that the amendments made by the Council do not modify substantially its proposal. Therefore the Commission can support the common position.