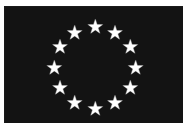


EUROPEAN PARLIAMENT

2004



2009

Committee on the Internal Market and Consumer Protection

2008/0100(COD)

29.10.2008

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles (COM(2008)0316 – C6-0210/2008 – 2008/0100(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: Andreas Schwab

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	31

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles (COM(2008)0316 – C6-0210/2008 – 2008/0100(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0316),
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0210/2008),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on Industry, Research and Energy (A6-0000/2008),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Therefore, this Regulation also aims at enhancing the competitiveness of the European automotive industry whilst enabling Member States to exercise effective market surveillance for compliance with the detailed type-approval requirement of this Regulation as regards the placing on the market of the products concerned.

Or. en

Justification

This Amendment aims to draw a link with IMCO's position in relation to the new approach and to underline the broader internal market benefit which this Regulations aims to achieve of greater competitiveness.

Amendment 2

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) In particular the Commission should be empowered to establish the specific procedures, tests and requirements for the type-approval of motor vehicles, components and separate technical units. In addition, the Commission should be empowered to define more precisely the characteristics a tyre must fulfill to be defined as “Off-road professional tyre”.

The Commission should also be empowered to define the precise scope of application of the requirements set out in this Regulation. In addition, the Commission should be empowered to set out additional safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States. Furthermore, subject to technical and economic feasibility, the Commission should be empowered to extend mandatory installation of Tyre Pressure Monitoring Systems and other advanced safety features to other categories of vehicles than those initially covered. The

Commission should also be empowered to establish specific procedures, tests ***and technical requirements*** for the type-approval of advanced vehicle systems other than those mentioned in this Regulation and to amend the limit values on rolling resistance and rolling noise for tyres as a result of changes in the test procedures, without lowering the existing ***ambition***

Amendment

(6) In particular the Commission should be empowered to establish the specific procedures, tests and requirements for the type-approval of motor vehicles, components and separate technical units. In addition, the Commission should be empowered to define more precisely the characteristics a tyre must fulfill to be defined as “Off-road professional tyre”. The Commission should also be empowered to establish specific procedures ***and*** tests for the type-approval of advanced vehicle systems other than those mentioned in this Regulation and to amend the limit values on rolling resistance and rolling noise for tyres as a result of changes in the test procedures, without lowering the existing ***targets*** with regard to the environment. Since those measures are of a general scope and are designed to amend this Regulation by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

level with regard to the environment. Since those measures are of a general scope and are designed to amend this Regulation by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Or. en

Justification

The statements in this Recital for which a deletion is proposed would depart from Comitology rules. The criteria for the exercise of the power delegated to the Commission, and the further extension to the scope, should be specified by the legislator, as should the additional safety requirements for vehicles intended for the transport of dangerous goods. Furthermore reference to "ambition level" is vague and should be clarified.

Amendment 3

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In addition to the ongoing Commission initiative which aims to define a road grading system, the Commission should, within 12 months of the entry into force of this Regulation, bring forward a proposal on the classification of EU roads according to noise generation that will complement noise mapping in motor vehicle transportation with a view to fixing appropriate priorities and road surface requirements and setting maximum road noise generation limits.

Or. en

Justification

The Commission should drive home the agenda of improving the quality of road surfaces in

Europe as a central factor in achieving the environmental noise reduction objectives of this proposal, which would also positively impact on CO2 emissions as driving on smoother road surfaces reduces fuel consumption.

Amendment 4

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The mandatory and consistent use of state-of-the art tyre manufacturing technologies and low rolling resistance tyres will be essential for reducing the share of greenhouse gas emissions of road traffic in the transport sector, while at the same time promoting innovation, employment and the competitiveness of the European automotive industry.

Or. en

Justification

As the number of motor vehicles in the world is predicted to double within the next 25 years, the Rapporteur believes that the consistent use of low rolling resistance tyres is an important step towards reducing CO2 emissions, promoting energy efficiency, and combating climate change. As European companies excel in advanced materials and leading-edge tyre manufacturing technologies, an ambitious EU Regulation will at the same time foster innovation, employment, and the competitiveness of Europe.

Amendment 5

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In its Action Plan for Energy Efficiency: Realising the Potential (COM(2006)0545), the Commission announced that it would consider proposing a labelling scheme for tyres in 2008 which would aim at encouraging market transformation towards low

rolling resistance tyres, on the grounds that significant fuel savings of 3 to 4% and therefore reductions in CO₂ emissions can be achieved through the increased use of such tyres, and which would contribute to the Community strategy on reducing road transport emissions. Considering in particular that promoting low rolling resistance tyres in the replacement market (75% of the tyre market) may be an effective way to contribute to the CO₂ reduction target set in the Community strategy to reduce CO₂ emissions from passenger cars and light duty vehicles, and having regard to the Commission's impact assessment launched to assess policy options on how to promote market transformation towards low rolling resistance tyres, in particular through the introduction of tyre energy labelling, this Regulation should be in line with the Commission's forthcoming legislative proposals on energy labelling of tyres, proposals which should however be carefully balanced against safety considerations and other parameters such as noise and durability and which should also take into account the regulatory package on Advanced Safety Features and Tyres.

Or. en

Justification

This amendment aims to draw a strong link between this Regulation and the forthcoming Commission proposals on Tyre Labelling, to ensure, for Better Regulation purposes that the balance in the measures proposed between these two instruments is sound.

Amendment 6

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) It is appropriate to implement the measures announced in the Communication from the Commission to the Council and the European Parliament “Results of the review of the Community Strategy to reduce CO₂ emissions from passenger cars and light commercial vehicles” aimed at reducing CO₂ emissions from tyres. This reduction should be achieved through a combination of low rolling resistance tyres and the use of Tyre Pressure Monitoring Systems. At the same time, it is also appropriate to ***set out requirements aimed at reducing tyre-road noise and ensuring*** that tyre safety levels are maintained through the introduction of wet grip requirements. The related implementation timetable should reflect the degree of challenge in meeting all of those requirements. In particular, due to the challenge in meeting the requirements on rolling noise and taking into account the time needed by industry for replacing existing lines of tyres, it is appropriate to ***provide for a longer period for implementation of rolling noise requirements with regard to new tyres of existing types.***

Amendment

(12) It is appropriate to implement the measures announced in the Communication from the Commission to the Council and the European Parliament “Results of the review of the Community Strategy to reduce CO₂ emissions from passenger cars and light commercial vehicles” aimed at reducing CO₂ emissions from tyres. This reduction should be achieved through a combination of low rolling resistance tyres and the use of Tyre Pressure Monitoring Systems. At the same time, it is also appropriate to ***ensure*** that tyre safety levels are maintained through the introduction of wet grip requirements. The related implementation timetable should reflect the degree of challenge in meeting all of those requirements ***while also recognising the need to preserve production and supply chain efficiencies and ensure effective enforcement.*** In particular, due to the challenge in meeting the requirements on rolling noise and taking into account the time needed by industry for replacing existing lines of tyres, it is appropriate to ***reformulate the implementation dates taking into account lead times relative to the adoption of implementing measures, market realities and type-approval constraints. With this objective in view, it is appropriate to consolidate the entry into force of implementing measures at one point in time, while introducing "the date of manufacture" as the reference point for market implementation.***

Or. en

Justification

The criteria for the exercise of the power delegated to the Commission should be specified by the legislator. Furthermore, as a separate point, tyres belonging to stocks prior to the dates of new requirements should still be permitted to be sold. The date of manufacture of tyres can easily be recognized due to existing mandatory marking of the manufacture date on all tyres placed on the market.

Amendment 7

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) It is not the purpose of this Regulation to restrict the placing on the market of tyres produced before the dates of entry into force of the new technical requirements and which can thus be sold off from stocks subsequent to those dates. The date of manufacture of tyres can easily be recognised by the existing mandatory marking of the "date of manufacture" on the tyre, as stipulated by Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting¹.

¹ OJ L 129, 14.5.1992, p. 95.

Or. en

Justification

Consolidation of the currently-proposed Phase 1 and Phase 2 technical requirements into a single comprehensive market requirement would considerably simplify and facilitate the EU's consumer information and regulatory enforcement objectives. The date of manufacture of tyres can easily be recognized due to existing mandatory marking of the manufacture date on all tyres placed on the market. Tyres belonging to stocks prior to the dates of new requirements should therefore still be permitted to be sold.

Amendment 8

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) With regard to retreaded tyres, the Commission should make a proper assessment of this business sector, involving all stakeholders, and evaluate if there is any need for an evolution of the actual regulatory regime.

Or. en

Justification

The regulation should envisage an exemption for retreaded tyres. In practice the application of these measures to retreaded tyres would be very difficult. A large number of retreaders are small and medium sized enterprises, who would face considerable difficulties coping with the costs and complexities associated with implementing these measures.

Amendment 9

Proposal for a regulation Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) This Regulation relates to Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information¹, as supplemented by the proposal for a regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (COM(2007)0856). In particular, the measures of this Regulation regarding

CO₂ emissions reductions should be linked as far as possible to the additional measures for achieving the further 10g CO₂ reductions on the base 130g CO₂ emissions target.

¹ OJ L 171, 29.6.2007, p. 1.

Or. en

Justification

This new Recital would address the need for consistency of this Regulation with the Regulation on setting emission performance standards for new passenger cars which is subject to an ongoing ENVI procedure (2007/0297(COD)), in view of Better Regulation objectives.

Amendment 10

Proposal for a regulation Recital 16 b (new)

Text proposed by the Commission

Amendment

(16b) The Commission should in due course propose, as a more integrated approach, further amendments to this Regulation, pursuant to a comprehensive impact assessment addressing all possible additional measures to achieve the desired CO₂ emissions targets and covering other available technologies on the market, including tyre pressure retention technologies, improving road surfaces and any other relevant new technology, as well as requirements regarding air conditioning efficiency which already do have or could have a clear effect on tyre rolling resistance and/or vehicle fuel economy and CO₂ emissions.

Or. en

Justification

The Commission's impact assessment and ensuing proposal falls short of giving due consideration to the breadth of available technologies which can effectively achieve CO2 emissions reductions on vehicles and which could also have formed a part of this proposal.

Amendment 11

Proposal for a regulation Recital 16 c (new)

Text proposed by the Commission

Amendment

(16c) A coherent and comprehensive approach should be implemented to address the problem of road noise. With respect to the significant contribution of road surfaces to road noise, ISO 10844 is currently being revised and should be considered in this context with the objective of further optimising road surfaces in the EU. Member States should invest more under the existing ISO standards to improve their road surfaces. Furthermore a comprehensive noise emissions policy covering all transport systems should be developed covering aviation and rail noise in addition to road transport noise.

Or. en

Justification

The Commission impact assessment does not address all factors contributing to road noise and furthermore does not address better regulation objectives of considering road noise in the broader context of general transport noise emissions

Amendment 12

Proposal for a regulation Article 1

Text proposed by the Commission

Amendment

This Regulation establishes requirements

This Regulation establishes requirements

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for the type-approval of motor vehicles, their trailers, and of systems, components and separate technical units *intended therefore*, with regard to their safety.

This Regulation also establishes requirements for the type-approval of tyres, with regard to their *CO₂* and noise emissions.

for the type-approval of motor vehicles, their trailers, and of systems, components and separate technical units with regard to their safety.

This Regulation also establishes requirements for the type-approval of *newly-manufactured* tyres, with regard to their *rolling resistance performance* and *rolling* noise emissions.

Or. en

Justification

This amendment clarifies the scope.

Amendment 13

Proposal for a regulation Article 3 – point 6

Text proposed by the Commission

(6) "*Off-road professional tyre*" means a tyre intended for mixed use both on- and off-road or for other special duty;

Amendment

(6) "*Special use tyres*" means a tyre intended for mixed use both on- and off-road or for other special duty;

Or. en

Justification

It is preferable to include this category of tyres in the Regulation. The definition of "special use tyres" makes reference to UNECE Regulation 54.

Amendment 14

Proposal for a regulation Article 3 – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) "Off-road professional tyres" is a sub-group of special use tyres primarily used for servicing in severe off-road

conditions;

Or. en

Justification

This category of tyres is designed to operate under very extreme off road servicing conditions, such as fire brigade and electrical line maintenance vehicles. The number of tyres concerned for C1 and C2 is less than 0.06% of all tyres sold. For C3, it would be less than 1%. Normally these vehicles and tyres operate on unpaved roads, where tyre-road noise is not a consideration

Amendment 15

**Proposal for a regulation
Article 3 – point 10 b (new)**

Text proposed by the Commission

Amendment

(10b) "Reinforced tyre" or "extra load tyre" means a C1 pneumatic-tyre structure in which the carcass is designed to carry more load than that of the corresponding standard tyre.

Or. en

Justification

This definition is required for Annex I, Part C; these are passenger car tyres that are designed to carry a heavier load than the normal version of the same size. Industry would otherwise be concerned that the allowance provided in previous directive 2001/43 would not be maintained. Extra Load tyres are reinforced so that they can carry more load at a higher pressure.

Amendment 16

**Proposal for a regulation
Article 5 – paragraph 2 – point c**

Text proposed by the Commission

Amendment

(c) systems to provide the driver with visibility and information on the state of the vehicle and the surrounding area,

(c) systems to provide the driver with visibility and information on the state of the vehicle and the surrounding area,

including glazing, mirrors **and driver information systems**;

including glazing **and** mirrors;

Or. en

Justification

Better regulation: Driver information systems are in any case covered by the 1st part of the sentence. The requirements of this paragraph 2 appear to be intended to reflect the existing requirements in Directive 2007/46/EC. Driver information systems are currently not defined or covered by regulation. If the intention is to establish new regulation this should be clearly opened up for debate.

Amendment 17

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

Amendment

The Commission shall determine to which categories of vehicles among those mentioned in Article 2 the requirements set out in paragraphs 1 and 2 of this Article shall apply. ***deleted***

Those measures, designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 40(2) of Directive 2007/46/EC.

Or. en

Justification

This wording appears to delegate the definition of the scope of the Regulation to the Commission. This is however an essential aspect of the Regulation which should be for the legislators to decide.

Amendment 18

Proposal for a regulation

Article 6 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Amendment

6. The Commission shall set out additional safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States.

deleted

Or. en

Justification

This is an essential aspect of the Regulation which is for the legislators to decide: either the Commission should set out exactly what additional safety requirements should be adopted through Comitology, or these should be determined through Co-decision.

Amendment 19

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. Vehicles in categories M₁ shall be equipped with a Tyre Pressure Monitoring System, capable of warning the driver **when any tyre is operating at a dangerously low pressure level, and advising the driver when any tyre is operating at a pressure level significantly below the optimum pressure for good** fuel consumption.

2. Vehicles in categories M₁ shall be equipped with **an accurate** Tyre Pressure Monitoring System, capable of **regularly** warning the driver **of any loss of pressure in all tyres individually, which is in the interests of optimum** fuel consumption efficiency and road safety. **Appropriate limits in the technical specifications shall be set to achieve this, which shall furthermore allow for a technology-neutral and cost-effective approach to the development of accurate Tyre Pressure Monitoring Systems, with no significant impact on costs for industry, and, consequently, consumers. As an absolute minimum level of performance, those systems shall be designed to emit a warning when any tyre of a total of up to four tyres is under-inflated at a pressure**

below 1.5 Bar (150kPa), and in such a manner that vehicle users or vehicle mechanics shall not be able to inhibit this minimum level of performance by system setting or manipulation, even if faulty.

Or. en

Justification

There are a number of TPMS systems which do not effectively contribute towards the achievement of the CO2 emissions targets of the proposal, because most of the efficiency savings occur between full tyre pressure and marginal (not significant) pressure loss, nor do these basic TPMS systems constitute effective driver warning systems in all circumstances, which has a safety implication. This redrafting is aimed at addressing this problem.

Amendment 20

Proposal for a regulation

Article 9 – paragraph 6 – point e a (new)

Text proposed by the Commission

Amendment

(ea) retreaded tyres

Or. en

Justification

The regulation should envisage an exemption for retreaded tyres. In practice the application of these measures to retreaded tyres would be very difficult. A large number of retreaders are small and medium sized enterprises, who would face considerable difficulties coping with the costs and complexities associated with implementing these measures.

Amendment 21

Proposal for a regulation

Article 10 – paragraph 1 - subparagraph 2

Text proposed by the Commission

Amendment

Any Advanced Emergency Braking System voluntarily fitted by the manufacturer to a vehicle in categories M₁ or N₁ shall meet the requirements of

deleted

this Regulation.

Or. en

Justification

Light and heavy vehicles should be treated separately in developing and tuning AEBS. Not all vehicle categories should be covered by identical requirements. Therefore, references to extending the heavy vehicle requirements to systems voluntarily fitted on light vehicles should be deleted. Furthermore not doing so could limit technological development and prevent the deployment of these systems.

Amendment 22

Proposal for a regulation

Article 10 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Any Lane Departure Warning System voluntarily fitted by the manufacturer to a vehicle in categories M₁ or N₁ shall meet the requirements of this Regulation.

deleted

Or. en

Justification

Light and heavy vehicles should be treated separately in developing and tuning LDWS. Not all vehicle categories should be covered by identical requirements. Therefore, references to extending the heavy vehicle requirements to systems voluntarily fitted on light vehicles should be deleted. Furthermore not doing so could limit technological development and prevent the deployment of these systems.

Amendment 23

Proposal for a regulation

Article 10 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission may establish specific procedures, tests ***and technical requirements*** for the type-approval of advanced vehicle systems ***other than those***

The Commission may establish specific procedures ***and*** tests for the type-approval of advanced vehicle systems.

mentioned in paragraphs 1 and 2.

Or. en

Justification

The Commission should detail the additional technical requirements to be adopted through Comitology, or these should be determined through Co-decision.

Amendment 24

**Proposal for a regulation
Article 11 – paragraph 1**

Text proposed by the Commission

1. With effect from **29 October 2012** national authorities shall refuse, on grounds relating to the areas of vehicle safety and tyres covered ***in Articles 5 to 9 and Annex I, with the exception of the rolling resistance limit values set out in table 2 of Part B of Annex I***, to grant EC type-approval or national type-approval in respect of new types of vehicle of the categories specified in those Articles and their implementing measures, and to grant EC component/separate technical unit type-approval ***with respect to new types of components or separate technical units intended therefor***, which do not comply with the relevant provisions of this Regulation.

Amendment

1. With effect from **1 November 2011**, national authorities shall refuse, on grounds relating to the areas of vehicle safety and tyres covered ***by Article 5 and Article 9(2)***, to grant EC type-approval or national type-approval in respect of new types of vehicle of the categories specified in those Articles and their implementing measures, and to grant EC component/separate technical unit type-approval which do not comply with the relevant provisions of this Regulation.

With effect from 1 November 2012, national authorities shall refuse, on grounds relating to the areas of vehicle safety and tyres covered by Articles 6, 7, 8, Article 9(1) and (3) to (7) and Annex I, with the exception of the rolling resistance limit values set out in Table 2 of Part B of Annex I, to grant EC component/separate technical unit type-approval which do not comply with the relevant provisions of this Regulation.

With effect from 1 November 2013, national authorities shall refuse, on grounds relating to the areas of vehicle safety and tyres covered by Articles 6, 7, 8, Article 9(1) and (3) to (7) and Annex I, with the exception of the rolling resistance limit values set out in Table 2 of Part B of Annex I, to grant EC type-approval or national type-approval in respect of new types of vehicle of the categories specified in those Articles and their implementing measures.

Or. en

Justification

Systems such as electronic stability control systems (ESC), ISOFIX child seat anchorages, seat belt reminders (SBR) and Tyre Pressure Monitoring Systems (TPMS) are currently in the market and have proven their efficiency towards improving road safety. They should be mandated as early as possible.

Amendment 25

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

2. With effect from **29 October 2014** national authorities shall, on grounds relating to the areas of vehicle safety and tyres covered **in Articles 5, 6, 7, 8, Article 9(1) to (4) and Parts A and B of Annex I, with the exception of the rolling resistance limit values for C3 tyres and the rolling resistance limit values set out in table 2 of Part B of Annex I**, in the case of new vehicles of the categories specified in those Articles which do not comply with the relevant provisions of this Regulation, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC and shall prohibit the registration, sale and entry into service of such vehicles and, in the case of new

Amendment

2. With effect from **1 November 2013**, national authorities shall, on grounds relating to the areas of vehicle safety and tyres covered **by Article 5 and Article 9(2)**, in the case of new vehicles of the categories specified in those Articles which do not comply with the relevant provisions of this Regulation, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC and shall prohibit the registration, sale and entry into service of such vehicles and, in the case of new components or separate technical units intended therefor which do not comply with the relevant provisions of this Regulation, shall prohibit their sale and

components or separate technical units intended therefor which do not comply with the relevant provisions of this Regulation, shall prohibit their sale and entry into service.

entry into service.

With effect from 1 November 2016, national authorities shall, on grounds relating to the areas of vehicle safety and tyres covered by Articles 6, 7, 8, Article 9(1), (3) and (4) and Parts A, B and C of Annex I, with the exception of the rolling resistance limit values for set out in Table 2 of Part B of Annex I, in the case of new vehicles of the categories specified in those Articles which do not comply with the relevant provisions of this Regulation, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC, prohibit the registration, sale and entry into service of such vehicles and, in the case of new tyres manufactured as from that date or separate technical units intended therefor which do not comply with the relevant provisions of this Regulation, prohibit their sale and entry into service.

Or. en

Justification

Systems such as electronic stability control systems (ESC), ISOFIX child seat anchorages, seat belt reminders (SBR) and Tyre Pressure Monitoring Systems (TPMS) are currently in the market and have proven their efficiency towards improving road safety. They should be mandated as early as possible.

Amendment 26

Proposal for a regulation Article 11 – paragraph 3

Text proposed by the Commission

Amendment

3. With effect from 29 October 2016 national authorities shall, on grounds relating to tyre rolling noise and, with

deleted

respect to C3 tyres, also on grounds relating to tyre rolling resistance, with the exception of the rolling resistance limit values set out in table 2 of Part B of Annex I, in the case of new vehicles of the categories M, N and O which do not comply with the relevant provisions of this Regulation, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC and shall prohibit the registration, sale and entry into service of such vehicles and, in the case of new tyres intended therefor which do not comply with the relevant provisions of this Regulation, shall prohibit their sale and entry into service.

Or. en

Justification

Deletion of this paragraph according to the introduction of its content in Art. 11, paragraph 2.

Amendment 27

Proposal for a regulation Article 11 – paragraph 4

Text proposed by the Commission

4. With effect from 29 October 2016 national authorities shall refuse, on grounds relating to tyre rolling resistance, to grant EC ***type-approval or national type-approval in respect of new types of vehicle of the categories M, N and O, and to grant EC*** component/separate technical unit type-approval with respect to new types of ***tyres intended therefor***, which do not comply with the rolling resistance limit values set out in *table 2* of Part B of Annex I.

Amendment

4. With effect from 29 October 2016 national authorities shall refuse, on grounds relating to tyre rolling resistance, to grant EC component/separate technical unit type-approval with respect to new types of *tyre* which do not comply with the rolling resistance limit values set out in *Table 2* of Part B of Annex I.

***With effect from 29 October 2017,
national authorities shall refuse, on***

grounds relating to tyre rolling resistance, to grant EC type-approval or national type-approval in respect of new types of vehicle of categories M, N and O.

Or. en

Justification

Simplification of the schedule for placing tyres on the market: For some obligations, technical requirement formulation is ongoing. The tyre industry can only develop solutions once requirements are known, therefore a 36 month lead in time for implementing new standards is proposed. Also, identical implementation dates for new type approvals on vehicles and tyres reduces the tyre industries' effective lead in time, which justifies the proposed 12 month gap between the two. Tyres manufactured within, or imported to, the EU are legally required to visibly bear the date of manufacture.

Amendment 28

Proposal for a regulation Article 11 – paragraph 5

Text proposed by the Commission

5. With effect from **29 October 2018** national authorities shall, on grounds relating to tyre rolling resistance of C1 and C2 tyres, in the case of new vehicles of the categories M, N and O which do not comply with the rolling resistance limit values set out in *table 2* of Part B of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC and shall prohibit the registration, sale and entry into service of such vehicles and, in the case of new tyres intended therefore which do not comply with the rolling resistance limit values set out in *table 2* of Part B of Annex I, shall prohibit their sale and entry into service.

Amendment

5. With effect from **29 October 2020**, national authorities shall, on grounds relating to tyre rolling resistance of C1, C2 tyres, in the case of new vehicles of the categories M, N and O which do not comply with the rolling resistance limit values set out in *Table 2* of Part B of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 26 of Directive 2007/46/EC and shall prohibit the registration, sale and entry into service of such vehicles and, in the case of new tyres intended therefore which ***are manufactured from that date and*** do not comply with the rolling resistance limit values set out in *Table 2* of Part B of Annex I, shall prohibit their sale and entry into service.

Or. en

Justification

Simplification of the schedule for placing tyres on the market: For some obligations, technical requirement formulation is ongoing. The tyre industry can only develop solutions once requirements are known, therefore a 36 month lead in time for implementing new standards is proposed. Also, identical implementation dates for new type approvals on vehicles and tyres reduces the tyre industries' effective lead in time, which justifies the proposed 12 month gap between the two. Tyres manufactured within, or imported to, the EU are legally required to visibly bear the date of manufacture.

Amendment 29

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

1. The measures designed to amend non-essential elements of this Regulation, by supplementing it, relating to the specific procedures, tests **and requirements** for type-approval relating to the provisions of Articles 5 to 10 and of Annex I shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 40(2) of Directive 2007/46/EC. ***These measures shall include a more precise definition of the characteristics a tyre must fulfil to be defined as “Off-road professional tyre.***

Amendment

1. Measures designed to amend non-essential elements of this Regulation by supplementing it *and* relating to the specific procedures **and** tests for type-approval relating to the provisions of Articles 5 to 10 and of Annex I shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 40(2) of Directive 2007/46/EC.

Or. en

Justification

The Commission should detail the additional technical requirements to be adopted through Comitology, or these should be determined through Co-decision. Furthermore, this Amendment is to bring the text of Article 13 in line with Art. 3, paragraph 11(new). Calls for a more precise definition of "Off-road professional tyre" is no longer required in Article 13.

Amendment 30

Proposal for a regulation Article 15 – paragraph 1

Text proposed by the Commission

1. Directives 70/221/EEC, 70/222/EEC, 70/311/EEC, 70/387/EEC, 70/388/EEC, 71/320/EEC, 72/245/EEC, 74/60/EEC, 74/61/EEC, 74/297/EEC, 74/408/EEC, 74/483/EEC, 75/443/EEC, 76/114/EEC, 76/115/EEC, 76/756/EEC, 76/757/EEC, 76/758/EEC, 76/759/EEC, 76/760/EEC, 76/761/EEC, 76/762/EEC, 77/389/EEC, 77/538/EEC, 77/539/EEC, 77/540/EEC, 77/541/EEC, 77/649/EEC, 78/316/EEC, 78/317/EEC, 78/318/EEC, 78/549/EEC, 78/932/EEC, **89/297/EEC, 91/226/EEC**, 92/21/EEC, 92/22/EEC, 92/24/EEC, 92/114/EEC, 94/20/EC, **95/28/EC**, 96/27/EC, 96/79/EC, **97/27/EC, 98/91/EC, 2000/40/EC**, 2001/56/EC, **2001/85/EC**, 2003/97/EC are repealed with effect from **29 October 2014. These measures shall include a more precise definition of the characteristics a tyre must fulfil to be defined as “Off-road professional tyre.**

Amendment

1. Directives 70/221/EEC, 70/222/EEC, 70/311/EEC, 70/387/EEC, 70/388/EEC, 71/320/EEC, 72/245/EEC, 74/60/EEC, 74/61/EEC, 74/297/EEC, 74/408/EEC, 74/483/EEC, 75/443/EEC, 76/114/EEC, 76/115/EEC, 76/756/EEC, 76/757/EEC, 76/758/EEC, 76/759/EEC, 76/760/EEC, 76/761/EEC, 76/762/EEC, 77/389/EEC, 77/538/EEC, 77/539/EEC, 77/540/EEC, 77/541/EEC, 77/649/EEC, 78/316/EEC, 78/317/EEC, 78/318/EEC, 78/549/EEC, 78/932/EEC, 92/21/EEC, 92/22/EEC, 92/24/EEC, 92/114/EEC, 94/20/EC, 96/27/EC, 96/79/EC, 2001/56/EC **and 2003/97/EC** are repealed with effect from **1 November 2013.**

Directives 89/297/EEC, 91/226/EEC, 95/28/EC, 97/27/EC, 98/91/EC, 2000/40/EC and 2001/85/EC are repealed with effect from 1 November 2014.

Or. en

Justification

The repeal of the different Directives needs to be amended in line with the amendment on Art. 11 paragraph 1.

Amendment 31

Proposal for a regulation Article 16 - paragraph 2

Text proposed by the Commission

It shall apply from **[29 October 2012]**.

Amendment

It shall apply from **1 November 2011**.

Or. en

Justification

The application date of this General Safety Regulation needs to be amended in line with the amendment on Art. 11 para 1.

Amendment 32

Proposal for a regulation Annex I – Part B – Table 2

Text proposed by the Commission

Tyre category	Max value (kg/tonne)
	<u>2nd stage</u>
C1	10.5
C2	9
C3	6.5

Amendment

Tyre category	Max value (kg/tonne)
	<u>2nd stage</u>
C1	10.5
C2	9
C3	7

For snow tyres, the above limits shall be increased by 1kg/t.

Or. en

Justification

The industry State Of the Art shows that C3-snow tyres with RRC below 6.5kg/t would be less than 20% of the tyre population, and C3-summer tyres would only be around 50%. Even with an extra allowance of +1kg/t, 45.3% of all snow tyres are above 7.5 kg/t and would be excluded.

Amendment 33

Proposal for a regulation

Annex I – Part C – point 1 - point 1.1 - table

<i>Text proposed by the Commission</i>			<i>Amendment</i>		
Tyre class	Nominal section width (mm)	Limit values in dB(A)	Tyre class	Nominal section width (mm)	Limit values in dB(A)
C1A	≤ 185	70	C1A	≤ 185	71
C1B	$> 185 \leq 215$	71	C1B	$> 185 \leq 215$	72
C1C	$> 215 \leq 245$	71	C1C	$> 215 \leq 245$	73
C1D	$> 245 \leq 275$	72	C1D	$> 245 \leq 275$	74
C1E	> 275	74	C1E	> 275	75

For snow tyres, extra load tyres and reinforced tyres, the above limits shall be increased by 1 dB(A).

Or. en

Justification

The limits proposed by the Commission are too low because they would put into question essential security requirements, moreover, the current limits proposed are not feasible for industry. In the C1 category, approximately 50% of all existing tyre families would have to be redesigned. The largest reduction in the proposed limits for C1 tyres is 5 dB(A) which is the same as removing almost 3 tyres from a vehicle. Such large reductions in noise will inevitably lead to trade-offs in other performance characteristics such as wet grip, aquaplaning, wear and handling.

Amendment 34

Proposal for a regulation

Annex I – Part C – point 1 - point 1.2 - table

<i>Text proposed by the Commission</i>			<i>Amendment</i>		
Tyre class	<i>Nominal section width (mm)</i>	Limit values in dB(A)	Tyre class	<i>Category of Use</i>	Limit values in dB(A)

C2	Normal	72	C2	Normal	72
	Traction <i>tyres</i>	73		Traction <i>Special</i>	75 76
C3	Normal	73	C3	Normal	73
	Traction <i>tyres</i>	75		Traction <i>Special</i>	76 77

Or. en

Justification

Large reductions in noise will inevitably lead to trade-offs in other performance characteristics such as wet grip, aquaplaning, wear and handling, which points to the need for the noise limits for C2 and C3 tyres to be revised upwards by 1 to 2 dB(A). "Special" tyres are currently given 2 dB(A) more than standard tyres because they are designed for applications such as industrial off-road usage, and therefore their tread patterns are intrinsically noisier. This amendment also corrects a mislabelling in the heading of the second column of the table.

EXPLANATORY STATEMENT

Introduction

The proposed Regulation lays down harmonised rules on type approval requirements for the general safety of motor vehicles with a view to ensuring the good functioning of the internal market while at the same time providing for a higher level of safety and environmental protection. These type approval requirements have been harmonised at Community level in order to avoid differing systems from one Member State to another, and to ensure a high level of road safety and environmental protection throughout the Community.

Background to the Simplification exercise and effects

The proposed Regulation aims to significantly simplify the type-approval legislation in the field of motor vehicle safety and tyres with one Council and Parliament Regulation.

At the international level, the EC acceded to the Revised UNECE Agreement on the adoption of uniform technical prescriptions for vehicles (the Revised 1958 Agreement) by Decision 97/836/EC of 27 November 1997¹. UNECE regulations are international instruments adopted in the framework of the Revised 1958 Agreement. Pursuant to Article 4(4) of Decision 97/836/EC, it may be decided (under the assent procedure) that an UNECE regulation applies for the purposes of vehicles type-approval in the EC.

At the EC level, the Framework Directive (FWD) on Type-Approval (Directive 2007/46/EC of 5 September 2007²) lays down the general rules and procedures for type-approval of vehicles but does not provide itself for the technical requirements on the basis of which type-approval must be granted. Those requirements are set in other instruments, which may be UNECE regulations or EC Directives or Regulations and implementing measures thereof³. An exhaustive list of those instruments features in Annex IV of the FWD.

The proposed new Regulation is intended to:

- a) replace the existing set of detailed technical requirements set out in the Directives and Regulations listed in Article 15 with a number of general requirements regarding safety;
- b) repeal those Directives and Regulations;
- c) empower the Commission to adopt through Comitology (RPS) the detailed technical rules intended to implement the general requirements referred to above (Articles 5(3), 6(3), 10(3) and 13).

So the existing detailed technical requirements relating to safety, which are laid down in a number of EC Directives or Regulations, will be replaced by a new set of rules, in which the general principles are established by the legislature (in the proposed Regulation) while the

¹ (OJ L 346 of 17.12.1997, p. 78)

² OJ L 263 of 5.10.2007, p. 1

³ See Article 1, third subparagraph, in conjunction with Article 3, points 1 and 2 of the FWD

technical details are defined by the Commission through RPS.

However, there are a number of provisions in the Commission proposal which give concern in terms of respect of Comitology rules. In particular, Article 5(3) appears to delegate the definition of the scope of the Regulation to the Commission. This is however an essential aspect of the Regulation which is for the legislature to decide. Furthermore, in Article 6(6), the criteria for setting out the "*additional safety requirements*" applicable to transport of dangerous goods are not specified, and the same applies in Articles 10(3) and 13(1) in so far as they refer to "*further technical requirements*" to be established by the Commission. These provisions are problematic in that the ambit of the powers conferred on the Commission is not clearly defined. Your Rapporteur therefore recommends making corresponding amendments to address these problems.

New measures

New technologies are available which can dramatically improve vehicle safety or reduce CO₂ emissions. Research indicates that there would be significant benefits if such technologies were introduced as standard systems on new vehicles. Setting common mandatory requirements would also prevent fragmentation of the internal market from varying product standards emerging across Member States.

The proposal requires mandatory fitting of Electronic Stability Control Systems on all vehicles, Tyre Pressure Monitoring Systems on passenger cars, and Advanced Emergency Braking Systems and Lane Departure Warning Systems on heavy-duty vehicles. Your Rapporteur is considering whether these are the only relevant advanced safety features available at present e.g. tyre pressure retention technologies, and air conditioning.

The proposal also aims, in the context of the proposed Regulation on setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light duty vehicles¹, at enhancing the environmental performance of vehicles by reducing the amount of vehicle CO₂ emissions and road noise from tyres. The proposal introduces new requirements on wet grip and tyre rolling resistance. Your Rapporteur is still investigating whether the proposed balance between security aspects and environmental benefits is appropriate. The proposed noise emission limit values for tyres are more stringent than those set out in existing legislation. In this regard your Rapporteur is of the view that these limits are ambitious in relation in particular to efforts which could be made on reducing road surface noise, which is not part of this proposal, and which would also positively impact on CO₂ emissions. Furthermore your Rapporteur believes that noise policy should perhaps be dealt with in a more cross-cutting proposal covering all transport noise.

Overall Rapporteur position and Better regulation objectives

Your Rapporteur strongly supports the CO₂ emissions goals of the proposal and considers that these objectives should perhaps be more visibly tied to the Parliaments ongoing work on the Regulation setting performance standards for new passenger cars. Your Rapporteur however considers that the market should be well prepared as a whole for clear and timely

¹ COM (2007)856 final; 2007/0297(COD) ENVI Committee lead.

implementation of the new prerogatives without significant disruption to industry and supply chains, which explains his amendments further harmonising the proposed implementation dates, and the corresponding marginal implementation delays. His overall concern is to see that the proposal as amended truly contributes to the competitiveness of the automotive industry by more effectively simplifying the existing vehicle safety type-approval legislation, improving transparency and easing administrative burdens