



EUROPEAN PARLIAMENT

2009 - 2014

---

Committee on the Internal Market and Consumer Protection

---

**2010/0212(COD)**

25.10.2011

# **AMENDMENTS**

## **294 - 426**

**Draft report**  
**Pier Antonio Panzeri**  
(PE464.774v01-00)

Approval of agricultural or forestry vehicles

Proposal for a regulation  
(COM(2010)0395 – C7-0204/2010 – 2010/0212(COD))

AM\881687EN.doc

PE475.768v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_LegReport

**Amendment 294**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) For the purposes of the establishment and operation of the internal market of the Union, it is appropriate to replace the approval systems of the Member States with a Union approval procedure based on the principle of total harmonisation, while at the same time taking due account of cost-benefit considerations, with special attention given to small and medium-sized enterprises.

*Amendment*

(2) For the purposes of the establishment and operation of the internal market of the Union, **and to contribute to the competitiveness of the industry**, it is appropriate to replace the approval systems of the Member States with a Union approval procedure based on the principle of total harmonisation, while at the same time taking due account of cost-benefit considerations, with special attention given to small and medium-sized enterprises.

Or. It

**Amendment 295**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) In order to ensure a high level of road safety, occupational safety **and** environmental protection, the technical requirements and environmental standards applicable to vehicles, systems, components and separate technical units with regard to type-approval should be harmonised.

*Amendment*

(5) In order to ensure a high level of road safety, occupational safety, environmental protection **and a harmonised EU type-approval system**, the technical requirements and environmental standards applicable to vehicles, systems, components and separate technical units with regard to type-approval should be harmonised.

Or. It

**Amendment 296**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

(13) It is appropriate to establish the principle that vehicles must be designed, constructed and assembled so as to minimise the risk of injury to the vehicle occupants and to other road users. For this purpose, it is necessary that manufacturers ensure that vehicles comply with the relevant requirements set out in this Regulation. Those provisions should include, but not be limited to, requirements relating to vehicle structural integrity, systems to aid the driver's control of the vehicle, systems to provide the driver with visibility and information on the state of the vehicle and the surrounding area, vehicle lighting systems, vehicle occupant protection systems, the vehicle exterior and accessories, vehicle masses and dimensions and vehicle tyres.

*Amendment*

(13) It is appropriate to establish the principle that vehicles must be designed, constructed and assembled so as to minimise the risk of injury to the vehicle occupants and to other road users, **and to protect the Union's internal market from poor quality agricultural and forestry vehicles that may endanger life, damage people's health and the environment.** For this purpose, it is necessary that manufacturers ensure that vehicles comply with the relevant requirements set out in this Regulation. Those provisions should include, but not be limited to, requirements relating to vehicle structural integrity, systems to aid the driver's control of the vehicle, systems to provide the driver with visibility and information on the state of the vehicle and the surrounding area, vehicle lighting systems, vehicle occupant protection systems, the vehicle exterior and accessories, vehicle masses and dimensions and vehicle tyres.

Or. It

**Amendment 297**  
**Toine Manders**

**Proposal for a regulation**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19 a) To prevent unfair competition with road construction vehicles, vehicles that fall within the scope of this Regulation***

*and are used for road construction must meet the same requirements as road construction vehicles.*

Or. nl

**Amendment 298**  
**Andreas Schwab**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

*(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical information, including drawings, required for the development of parts for the aftermarket.*

*deleted*

Or. en

**Amendment 299**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical

information, **including drawings**, required for the development of parts for the aftermarket.

information required for the development of parts for the aftermarket.

Or. en

*Justification*

*Manufacturers of components or of separate technical units should not have access to drawings. Drawings are intellectual property of the vehicle manufacturer and shall not be disclosed to third parties. According to Chapter XVI on RMI, information to be provided is listed in Art. 47 par. 3.*

**Amendment 300**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical information, **including drawings**, required for the development of parts for the aftermarket.

*Amendment*

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical information required for the development of parts for the aftermarket.

Or. en

**Amendment 301**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical information, including drawings, required for the development of parts for the aftermarket.

*Amendment*

(20) In order to allow manufacturers of components or separate technical units to apply for EU type-approval for components or separate technical units or authorisation, it is also important for these manufacturers to have access to certain information that is available only from the vehicle manufacturer, such as the technical information, including *non-proprietary* drawings, required for the development of parts for the aftermarket.

Or. en

**Amendment 302**  
**Andreas Schwab**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

***(21) Unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, along with targeted measures to ensure reasonable access for small and medium-sized enterprises.***

*Amendment*

*deleted*

**Amendment 303**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) **Unrestricted access** to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for **vehicle** repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, **along with targeted measures to ensure reasonable access for small and medium-sized enterprises**.

*Amendment*

(21) **Access** to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for **tractor** repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, **considering the principle of reasonableness and proportionality, both for sales volume of vehicle types and/or manufacturers dimension**.

Or. en

*Justification*

*To align Recital 21 with Chapter XVI and related proposed amendments. Independent operators shall receive in a standardised format the same information as given to authorized dealers and repairers in a non-discriminatory manner. Category R (trailers) and Category S (interchangeable towed equipment) vehicles should be exempted from RMI requirements. Specific attention should be paid to SMEs.*

**Amendment 304**  
**Malcolm Harbour, Amalia Sartori**



**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) **Unrestricted** access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for **vehicle** repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, **along** with **targeted measures** to **ensure reasonable access** for small and medium-sized **enterprises**.

*Amendment*

(21) **Appropriate** access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for **tractor** repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, with **due regard to the principle of proportionality, taking into account sales volumes, and the capabilities of** small and medium-sized **manufacturers**.

Or. en

**Amendment 305**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) Unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of

*Amendment*

(21) Unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of

establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, along with targeted measures to ensure reasonable access for small and medium-sized enterprises.

establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that the websites of the manufacturers should follow, along with targeted measures to ensure reasonable access for small and medium-sized enterprises ***in accordance with the principle of proportionality.***

Or. en

**Amendment 306**  
**Toine Manders**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) It is important for all stakeholders to establish a clear relation between this Regulation and Directive 2006/42/EC on the safety of machinery<sup>34</sup>, in order to clearly establish which requirements a specific product needs to fulfil.

*Amendment*

(27) It is important for all stakeholders to establish a clear relation between this Regulation and Directive 2006/42/EC on the safety of machinery<sup>34</sup>, in order to ***avoid overlapping and*** clearly establish which requirements a specific product needs to fulfil.

Or. nl

**Amendment 307**  
**Malcolm Harbour**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – subparagraph 2 – point d**

*Text proposed by the Commission*

***(d) mobile machinery (category U).***

*Amendment*

***deleted***

Or. en

**Amendment 308**  
**George Lyon**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – subparagraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) Utility All-Terrain Vehicles (ATVs)**  
**(Category T)**

Or. en

*Justification*

*To distinguish between functional agricultural and forestry vehicles and dual-purpose quadricycles. See amendment to Article 3 re: ATVs and SbS for further justification information.*

**Amendment 309**  
**George Lyon**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – subparagraph 2 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

**(db) Utility Side-by-Side (SbS) Vehicles**  
**(Category T)**

Or. en

*Justification*

*To distinguish between functional agricultural and forestry vehicles and dual-purpose quadricycles. See amendment to Article 3 re: ATVs and SbS for further justification information.*

**Amendment 310**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 2 – paragraph 2**

*Text proposed by the Commission*

2. This Regulation shall not apply to interchangeable machinery that is fully raised from the ground when the vehicle to which it is attached is in use on a road.

*Amendment*

2. This Regulation shall not apply to interchangeable machinery that is fully raised from the ground ***or that cannot articulate around a vertical axis*** when the vehicle to which it is attached is in use on a road.

Or. en

*Justification*

*Some interchangeable machinery are for reasons of weight distribution equipped with a supporting free turning wheel. The interchangeable machinery itself is fixed to the tractor and cannot articulate around the vertical axis. This extra wheel does not add any additional risk to the combination vehicle-interchangeable machinery. Therefore it makes sense that such machinery is also exempted from the regulation.*

**Amendment 311**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 2 – paragraph 2**

*Text proposed by the Commission*

2. This Regulation shall not apply to interchangeable machinery that is fully raised from the ground when the vehicle to which it is attached is in use on a road.

*Amendment*

2. This Regulation shall not apply to interchangeable machinery that is fully raised from the ground ***or cannot articulate around a vertical axis*** when the vehicle to which it is attached is in use on a road.

Or. en

**Amendment 312**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) mobile machinery;**

***deleted***

Or. en

*Justification*

*Mobile machinery (category U) should not be part of this Regulation as it includes products used in various sectors other than agriculture and forestry, subject to other existing legislations inconsistent with the structure of the proposed regulation.*

**Amendment 313**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) mobile machinery;**

***deleted***

Or. en

**Amendment 314**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) track-laying tractors (category C)***

Or. en

**Amendment 315**  
**Andreas Schwab**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) categories T with index b***

Or. en

**Amendment 316**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) track-laying tractors, category C;***

Or. en

**Amendment 317**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) special purpose wheeled tractors***  
***(categories T4.1 and T4.2)***

Or. en

**Amendment 318**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

**(cb) special purpose wheeled tractors :  
categories T4.1 and T4.2.**

Or. en

**Amendment 319  
Malcolm Harbour**

**Proposal for a regulation  
Article 3 – paragraph 1 – point 9**

*Text proposed by the Commission*

*Amendment*

9. ‘trailer’ means any towed agricultural or forestry vehicle intended mainly to carry loads and designed to be towed by a tractor for agricultural or forestry purposes **and which is not designed to process materials** [and where the ratio of the technically permissible gross mass to the unladen mass of that vehicle is equal to or greater than 3,0];

9. ‘trailer’ means any towed agricultural or forestry vehicle intended mainly to carry loads **or to process materials**, and designed to be towed by a tractor for agricultural or forestry purposes, where the ratio of the technically permissible gross mass to the unladen mass of that vehicle is equal to or greater than 2,0;

Or. en

**Amendment 320  
Malcolm Harbour**

**Proposal for a regulation  
Article 3 – paragraph 1 – point 10**

*Text proposed by the Commission*

*Amendment*

10. ‘interchangeable towed equipment’ means any **vehicle** used in agriculture or forestry which is designed to be towed by a tractor, **changes or adds to its functions, permanently incorporates an implement or is designed to process materials, which may include a load platform designed and constructed to receive any tools and**

10. ‘interchangeable towed equipment’ means any **implement or machine** used in agriculture or forestry which is designed to be towed by a tractor, where the ratio of the technically permissible gross mass to the unladen mass of that vehicle is less than 2,0. **However, if the maximum technically permissible gross mass**

*appliances needed for those purposes and to store temporarily any materials produced or needed during work and where the ratio of the technically permissible gross mass to the unladen mass of that vehicle is less than 3,0;*

*exceeds 14 000kg, the implement or machine shall in any case be categorised as a trailer.*

Or. en

#### **Amendment 321**

**Malcolm Harbour, Wim van de Camp, Andreas Schwab**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 43 a (new)**

*Text proposed by the Commission*

*Amendment*

*43a. ‘Utility All-Terrain Vehicle’ (ATV) means a vehicle having a seat designed to be straddled by the operator and handlebars for steering control.*

*A Utility ATV has the following additional characteristics:*

*Maximum speed by design 60 km/h Tire design pressure < 5 kPa (0.5 Bar) Tire pattern: terrain Thumb throttle control Load carrying structure(s) with minimum ratio between vehicle and carrying structure(s) surface area > 25% Mass in running order (MRO) < 400 kg Towing capacity of coupling device rear complies with strength test > 2 x MRO.*

Or. en

#### **Amendment 322**

**George Lyon**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 43 a (new)**



**43a. 'Utility All-Terrain Vehicle' (ATV) means a motorised vehicle designed to travel on four low pressure tyres, having a seat designed to be straddled by the operator and handlebars for steering control.**

**An ATV has the following additional characteristics:**

**Maximum speed by design 60 km/hr;**

**Tyre pressure design <0.5 Bar; Tyre pattern: terrain (non-road surface);**

**Thumb throttle control;**

**Shall meet at least 2 of the following load carrying requirements:**

**(i) Load carrying structure with minimum ratio between vehicle and carrying structure surface >25%;**

**(ii) Each individual load carrying structure to have at least a minimum surface area of 0.2m<sup>2</sup>;**

**(iii) Total load carrying structure to have a combined minimum surface area of 0.5 m<sup>2</sup> ;**

**(iv) Total load carrying capacity ratio (Curb vehicle mass versus load carrying mass) >25%;**

**Couple device rear: Towing weight > 2x own weight as strength test, not to be considered as permitted trailer weight.**

**Mass in running order <400kg**

**Ground clearance >180mm;**

**Wheelbase to ground clearance ratio <6.**

Or. en

*Justification*

*To distinguish between functional agricultural and forestry vehicles and dual-purpose*

*quadricycles. See amendment to Article 3 re: ATVs and SbS for further justification information.*

**Amendment 323**  
**George Lyon**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 43 b (new)**

*Text proposed by the Commission*

*Amendment*

***43b. ‘Utility Side-by-Side’ (SbS) means a motorized vehicle designed to transport persons and/or cargo and to push and pull equipment.***

***A SbS has following additional characteristics:***

***Maximum speed by design 60km/hr;***

***Operator and maximum two passengers;***

***Bucket or bench seats;***

***Steering wheel;***

***Tyre pattern: terrain (non-road surface);***

***Shall meet at least 2 of the following load carrying requirements:***

***(i) Load carrying structure with minimum ratio between vehicle and carrying structure surface >20%***

***(ii) Each individual load carrying structure to have at least a minimum surface area of 0.9m<sup>2</sup>***

***(iii) Total load carrying capacity ratio (Curb vehicle mass versus load carrying mass) >30%***

***Couple device rear: Towing weight > 1.5x own weight as strength test, not to be considered as permitted trailer weight;***

***Mass in running order <1100kg;***

***Ground clearance >200mm;***

***Wheelbase to ground clearance ratio <8.***

*Justification*

*Utility ATVs and SbS are intended for off-road use and should thus be included in this Regulation. The above definitions are proposed in order to allow ATVs and SbS vehicles to be regulated as utility vehicles and not to be confused with ‘dual use-quadricycles’, specifically designed for both on-road and off-road use. The latter are more appropriately considered in the Proposed Regulation on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (COM (2010)0542).*

**Amendment 324**

**Malcolm Harbour, Andreas Schwab, Wim van de Camp**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 1**

*Text proposed by the Commission*

1. ‘category T’ comprises all wheeled tractors;

*Amendment*

1. ‘category T’ comprises all wheeled tractors; ***each wheeled tractor category described in points 2 to 8 also includes an ‘a’ or ‘b’ index, according to its design speed:***

***– (a) ‘a’ for wheeled tractors with a maximum design speed below or equal to 40 km/h,***

***– (b) ‘b’ for wheeled tractors with a maximum design speed above 40 km/h;***

**Amendment 325**

**Malcolm Harbour, Andreas Schwab, Wim van de Camp**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 2**

*Text proposed by the Commission*

2. ‘category T1’ comprises wheeled tractors ***with a maximum design speed of not more than 40 km/h***, with the closest

*Amendment*

2. ‘category T1’ comprises wheeled tractors, with the closest axle to the driver having a minimum track width of not less

axle to the driver having a minimum track width of not less than 1 150 mm, with an unladen mass, in running order, of more than 600 kg, and with a ground clearance of not more than 1 000 mm;

than 1 150 mm, with an unladen mass, in running order, of more than 600 kg, and with a ground clearance of not more than 1 000 mm;

Or. en

### **Amendment 326**

**Malcolm Harbour, Andreas Schwab, Wim van de Camp**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point 3**

###### *Text proposed by the Commission*

3. ‘category T2’ comprises wheeled tractors with a minimum track width of less than 1 150 mm, with an unladen mass, in running order, of more than 600 kg, with a ground clearance of not more than 600 mm and ***with a maximum design speed of not more than 40 km/h, unless*** the height of the centre of gravity of the tractor (measured in relation to the ground) divided by the average minimum track for each axle exceeds 0,90, ***in which case*** the maximum design speed is restricted to 30 km/h;

###### *Amendment*

3. ‘category T2’ comprises wheeled tractors with a minimum track width of less than 1 150 mm, with an unladen mass, in running order, of more than 600 kg, with a ground clearance of not more than 600 mm, and ***in case*** the height of the centre of gravity of the tractor (measured in relation to the ground) divided by the average minimum track for each axle exceeds 0,90, the maximum design speed is restricted to 30 km/h;

Or. en

### **Amendment 327**

**Malcolm Harbour, Andreas Schwab, Wim van de Camp**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point 4**

###### *Text proposed by the Commission*

4. ‘category T3’ comprises wheeled tractors with ***a maximum design speed of not more than 40 km/h, and with*** an unladen mass, in running order, of not

###### *Amendment*

4. ‘category T3’ comprises wheeled tractors with an unladen mass, in running order, of not more than 600 kg; ***it comprises also tractors having a***

more than 600 kg;

*handlebar for steering as defined in Article 3, point 43 a;*

Or. en

**Amendment 328**

**Malcolm Harbour, Andreas Schwab, Wim van de Camp**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

5. ‘category T4’ comprises special purpose wheeled tractors *with a maximum design speed of not more than 40 km/h;*

5. ‘category T4’ comprises special purpose wheeled tractors;

Or. en

**Amendment 329**

**Malcolm Harbour**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 9**

*Text proposed by the Commission*

*Amendment*

9. ‘category T5’ comprises wheeled tractors with a maximum design speed of more than 40 km/h;

*deleted*

Or. en

**Amendment 330**

**Malcolm Harbour**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 19**

*Text proposed by the Commission*

*Amendment*

19. ‘category U’ comprises machinery as

*deleted*

*defined in Directive 2006/42/EC, which is self-propelled and intended for use in agriculture or forestry.*

Or. en

**Amendment 331**  
**George Lyon**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**19 a. ‘category T6’ comprises All-Terrain Vehicles (ATVs) and Utility Side-by-Side Vehicles (SbS);**

Or. en

*Justification*

*To distinguish between functional agricultural and forestry vehicles and dual-purpose quadricycles. See amendment to Article 3 re: ATVs and SbS for further justification information. Functional ATVs and SbS Vehicles are more appropriately considered as T-category vehicles and not L-category vehicles.*

**Amendment 332**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

*Amendment*

Requirements on road safety

Requirements on road **and functional** safety

Or. en

**Amendment 333**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point n**

*Text proposed by the Commission*

*Amendment*

**(n) rear protective structures;** **deleted**

Or. en

*Justification*

*Requirements on road safety: not applicable and not relevant for tractors.*

**Amendment 334**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point n**

*Text proposed by the Commission*

*Amendment*

**(n) rear protective structures;** **deleted**

Or. en

**Amendment 335**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point o**

*Text proposed by the Commission*

*Amendment*

**(o) lateral protection;** **deleted**

Or. en

*Justification*

*Requirements on road safety: not applicable and not relevant for tractors.*

**Amendment 336**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point o**

*Text proposed by the Commission*

*Amendment*

**(o) lateral protection;**

**deleted**

Or. en

**Amendment 337**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. **The** Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed technical requirements including test procedures and limit values, where applicable, for the subjects listed in paragraph 2 **in order to** ensure that a **high** level of road safety **will be obtained**.

4. **In order to ensure that a high level of functional safety is obtained, the** Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed technical requirements including test procedures and limit values, where applicable, for the subjects listed in paragraph 2. **The detailed technical requirements shall** ensure that, **when relevant, vehicles with a maximum speed of more than 40 km/h, with the exclusion of towed implements S, meet an equivalent** level of road safety **with regards to brake performance and anti-lock braking systems as motor vehicles and their trailers**.

Or. en

*Justification*

*ABS is a new technology for agricultural and forestry vehicles the detailed conditions and*



*introduction timing shall be part of the more detailed evaluation by the Commission in the frame of the development of the delegated act.*

**Amendment 338**

**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**

**Article 7 – paragraph 4**

*Text proposed by the Commission*

4. **The** Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed technical requirements including test procedures and limit values, where applicable, for the subjects listed in paragraph 2 **in order to** ensure that a **high** level of road safety **will be obtained**.

*Amendment*

4. **In order to ensure that a high level of functional safety is obtained, the** Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed technical requirements including test procedures and limit values, where applicable, for the subjects listed in paragraph 2. **The detailed technical requirements shall** ensure that, **when relevant, vehicles with a maximum speed of more than 40 km/h, with the exclusion of towed implements S, meet an equivalent** level of road safety **with regards to brake performance and anti-lock braking systems as motor vehicles and their trailers**.

Or. en

**Amendment 339**

**Pier Antonio Panzeri**

**Proposal for a regulation**

**Article 8 – paragraph 2 – point ba (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) operation and maintenance;**

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

**Amendment 340**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) safety and reliability of control systems including power take-offs to towed machinery;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 341**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point b c (new)**

*Text proposed by the Commission*

*Amendment*

***(bc) protection against mechanical hazards;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 342**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) Ergonomics (including foreseeable misuse, usability of control systems, accessibility of controls to avoid their unintentional activation, adaptation of the man/vehicle interface to the foreseeable characteristics of the driver, operator intervention)***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 343**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point k a (new)**

*Text proposed by the Commission*

*Amendment*

***(ka) guards and protective devices;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 344**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point k b (new)**

*Text proposed by the Commission*

*Amendment*

***(kb) risk of loss of stability;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

*categories)*

Or. en

**Amendment 345**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point m a (new)**

*Text proposed by the Commission*

*Amendment*

***(ma) materials and products;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 346**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point m b (new)**

*Text proposed by the Commission*

*Amendment*

***(mb) batteries;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 347**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – point m c (new)**

*Text proposed by the Commission*

*Amendment*

***(mc) braking including parking functions;***

*(It should be added to Annex I and become applicable to all relevant vehicle categories)*

Or. en

**Amendment 348**

**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**

**Article 24 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Unless a different agreement has been concluded with the buyer of the vehicle, the certificate of conformity shall be drawn up in ***an*** official ***language*** of the ***Member State where the vehicle is purchased.***

3. Unless a different agreement has been concluded with the buyer of the vehicle, the certificate of conformity shall be drawn up in ***one of the*** official ***languages*** of the ***Union, at the choice of the manufacturer.***

Or. en

**Amendment 349**

**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**

**Article 24 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. The certificate of conformity shall be designed to prevent forgery. To that end, the paper used shall be protected ***either*** by coloured graphics or ***by*** a watermark in the form of the manufacturer's identification mark.

4. The certificate of conformity shall be designed to prevent forgery. To that end, the paper used shall be protected by ***adequate means such as*** coloured graphics or a watermark in the form of the manufacturer's identification mark.

Or. en

*Justification*

*There are many more options to protect the Certificate of Conformity, such as holograms; the choice should be left to the manufacturer with the Regulation giving just some non-binding examples.*

**Amendment 350**

**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**

**Article 24 – paragraph 4**

*Text proposed by the Commission*

4. The certificate of conformity shall be designed to prevent forgery. To that end, the paper used shall be protected *either* by coloured graphics or *by* a watermark in the form of the manufacturer's identification mark.

*Amendment*

4. The certificate of conformity shall be designed to prevent forgery. To that end, the paper used shall be protected by *adequate means such as* coloured graphics or a watermark in the form of the manufacturer's identification mark.

Or. en

**Amendment 351**

**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**

**Article 34 – paragraph 2**

*Text proposed by the Commission*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of *twelve* months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of *eighteen* months from that date.

*Amendment*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of *24* months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of *30* months from that date.

Or. en

*Justification*

*End of series vehicles. Change introduced to align this Regulation with Art. 10 of Directive 2003/37 EU.*

**Amendment 352**  
**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**  
**Article 34 – paragraph 2**

*Text proposed by the Commission*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of *twelve* months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of *eighteen* months from that date.

*Amendment*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of **24** months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of **30** months from that date.

Or. en

**Amendment 353**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 34 – paragraph 2**

*Text proposed by the Commission*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of *twelve* months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of *eighteen* months from that date.

*Amendment*

2. Paragraph 1 shall apply, in the case of complete vehicles, for a period of **24** months from the date on which validity of the EU type-approval expired and, in the case of completed vehicles, for a period of **30** months from that date.

Or. en

**Amendment 354**  
**Toine Manders**

**Proposal for a regulation**  
**Chapter 12 a (new)**

*Text proposed by the Commission*

*Amendment*

**CHAPTER XII b**

**USE OF VEHICLES ON PUBLIC  
ROADS**

**Article 35 b**

**1. A vehicle may be used on public roads, if it meets the requirements concerning dimensions, weight, safety, lights and insurance laid down for use on public roads and if it is driven by a qualified person with a uniform European driving licence for driving a vehicle of that type.**

**2. If the vehicle does not meet the requirements for use on public roads, it is designated as ‘exceptional transport’ and transported or escorted accordingly.**

Or. nl

**Amendment 355**

**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**

**Article 36 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***A Member States shall, in addition its evaluations pursuant to Article 36(1), take utmost consideration of the Type Approval Authority’s findings;***

Or. en

**Amendment 356**

**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**

**Article 44 – paragraph 2**



*Text proposed by the Commission*

2. The **complete** test reports issued on the basis of the standardised OECD Codes listed in Annex I, **approved according to the general rules of OECD**, may be used as an alternative to the test reports drawn up under this Regulation or the separate Regulations.

*Amendment*

2. The test reports issued on the basis of the standardised OECD Codes listed in Annex I, **or equivalent standards**, may be used as an alternative to the test reports drawn up under this Regulation or the separate Regulations. **The specific type approval may be issued by the type approval authority or, when relevant, by OECD, at the choice of the manufacturer.**

Or. en

*Justification*

*The separate EC approval given by the type approval authority is already compulsory to obtain EC full type approval for the complete vehicle. If the OECD approval becomes compulsory, a double approval path, with high costs (a tractor family can have till 2-3 cabs), will be in place. OECD is a non EU organization and the coordination centre giving the final approval has nothing to do with the type approval authority. Manufacturers cannot be forced to allocate additional resources to OECD.*

**Amendment 357**

**Malcolm Harbour, Amalia Sartori, Andreas Schwab**

**Proposal for a regulation**

**Article 44 – paragraph 2**

*Text proposed by the Commission*

2. The **complete** test reports issued on the basis of the standardised OECD Codes listed in Annex I, **approved according to the general rules of OECD**, may be used as an alternative to the test reports drawn up under this Regulation or the separate Regulations.

*Amendment*

2. The test reports issued on the basis of the standardised OECD Codes listed in Annex I, **or its equivalent standard**, may be used as an alternative to the test reports drawn up under this Regulation or the separate Regulations. **The specific type approval may be issued by the type approval authority or, when relevant, by OECD, at the choice of the manufacturer.**

Or. en

**Amendment 358**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Chapter 16 – title**

*Text proposed by the Commission*

*Amendment*

Access to **vehicle** repair and maintenance information

Access to **tractor** repair and maintenance information

Or. en

*Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs.*

**Amendment 359**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Chapter 16 – title**

*Text proposed by the Commission*

*Amendment*

Access to **vehicle** repair and maintenance information

Access to **tractor** repair and maintenance information

Or. en

**Amendment 360**  
**Andreas Schwab**

**Proposal for a regulation**  
**Chapter 16 – title**

*Text proposed by the Commission*

*Amendment*

***Access to vehicle repair and maintenance***

***deleted***

*information*

Or. en

**Amendment 361**  
**Andreas Schwab**

**Proposal for a regulation**  
**Article 47**

*Text proposed by the Commission*

*Amendment*

*Article 47*

*deleted*

***Manufacturers' obligations***

***1. Manufacturers shall provide unrestricted and standardised access to vehicle repair and maintenance information to independent operators through websites in a readily accessible and prompt manner. In particular, this access should be granted in a manner which is non-discriminatory compared to the provision given or access granted to authorised dealers and repairers.***

***This information shall include information required for fitting parts or equipment on vehicles.***

***2. Manufacturers shall make training material available to independent operators and authorised dealers and repairers.***

***3. The information referred to in paragraph 1 shall include as a minimum all of the following:***

***(a) the unequivocal vehicle identification number;***

***(b) service handbooks including repair and maintenance records;***

***(c) technical manuals;***

***(d) component and diagnosis information (such as minimum and maximum theoretical values for measurements);***

- (e) wiring diagrams;*
- (f) diagnostic trouble codes, including manufacturer specific codes;*
- (g) the software calibration identification number applicable to a vehicle type;*
- (h) information provided concerning, and delivered by means of, proprietary tools and equipment;*
- (i) data record information and two-directional monitoring and test data;*
- (j) work units.*

*4. Authorised dealers or repairers within the distribution system of a given vehicle manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the vehicle manufacturer's distribution system.*

*5. The vehicle repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.*

***6. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.***

***7. For the purposes of the design and manufacture of automotive equipment for alternative fuel tractors, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel vehicles.***

***8. When applying for EU type approval or national type approval, the manufacturer shall provide the approval authority with proof of compliance with this Regulation relating to the information required in this article.***

***In the event that such information is not available, or does not conform to this Regulation and its implementing measures at that point in time, the manufacturer shall provide it within six months from the date of type approval.***

***9. If such proof of compliance is not provided within that period, the approval authority shall take appropriate measures to ensure compliance.***

***10. The manufacturer shall make subsequent amendments and supplements to vehicle repair and maintenance information available on its websites at the same time they are made available to authorised repairers.***

***11. Where repair and maintenance records of a vehicle are kept in a central database of the vehicle manufacturer or on its behalf, independent repairers shall have access free of charge to such records***

*and shall be able to enter information on repair and maintenance which they have performed.*

*12. The Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which vehicle repair and maintenance information shall be provided.*

Or. en

**Amendment 362**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Manufacturers shall provide ***unrestricted and standardised*** access to ***vehicle*** repair and maintenance information to independent operators through websites in a readily accessible and prompt manner. In particular, this access ***should*** be granted in a manner which is non-discriminatory compared to the ***provision given or*** access granted to authorised dealers and repairers.

*Amendment*

***Manufacturers shall provide similar*** access to ***tractor*** repair and maintenance information to ***authorized dealers and repairers and*** independent operators through websites ***using a standardised format*** in a readily accessible and prompt manner. In particular, this access ***shall*** be granted in a manner which is non-discriminatory compared to the access granted to authorised dealers and repairers.

Or. en

*Justification*

*Independent operators shall receive in a standardised format the same information as given to authorized dealers and repairers in a non-discriminatory manner. Changes are introduced to underline that all operators are equal for the manufacturer. Information provided is listed in article 47.3.*

**Amendment 363**  
**Malcolm Harbour**

**Proposal for a regulation**  
**Article 47 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Manufacturers shall provide ***unrestricted and standardised*** access to vehicle repair and maintenance information to independent operators through websites in a readily accessible and prompt manner. ***In particular, this access should be granted in a manner which is non-discriminatory compared to the provision given or access granted to authorised dealers and repairers.***

*Amendment*

Manufacturers shall provide ***equal*** access to vehicle repair and maintenance information to ***authorised dealers, repairers and*** independent operators through websites ***using a standardised format*** in a readily accessible and prompt manner. ***This access shall be granted in a non-discriminatory manner. Software critical to the correct functioning of safety and environmental control systems, shall be restricted to repair and maintenance, therefore excluding software for changing parameters and data sets.***

Or. en

**Amendment 364**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) Until the Commission has adopted a common standard for the information provided to independent operators, this shall be available in a consistent manner that can be processed with reasonable effort.***

Or. en

*Justification*

*Principles for transitional measures to be applied before a common standard is adopted by the Commission.*

**Amendment 365**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

This information shall include information required for fitting parts or equipment on **vehicles**.

*Amendment*

This information shall include information required for fitting parts or equipment on **tractors**.

Or. en

*Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs.*

**Amendment 366**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

This information shall include information required for fitting parts or equipment on **vehicles**.

*Amendment*

This information shall include information required for fitting parts or equipment on **tractors**.

Or. en

**Amendment 367**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 1 a (new)**



*Text proposed by the Commission*

*Amendment*

***1a. Until the Commission has adopted a common standard for the information provided to independent operators, this shall be available in a consistent manner that can be processed with reasonable effort.***

Or. en

*Justification*

*Principles for transitional measures to be applied before a common standard is adopted by the Commission.*

**Amendment 368**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. **Manufacturers** shall make training material available to independent operators and authorised dealers and repairers.

***2. To the exclusion of software for changing parameters and data sets, manufacturers shall make training material and related appropriate tools available to independent operators and authorised dealers and repairers. They shall also provide them with adequate training with regard to the download of software and the diagnostic trouble codes management***

Or. en

*Justification*

*Software can not be manipulated by any operator (authorized or independent). This is tampering. Only the manufacturer has the right and responsibility to work into the software. Operators can only download it on a tractor module.*

**Amendment 369**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 2**

*Text proposed by the Commission*

2. **Manufacturers** shall make training material available to independent operators and authorised dealers and repairers.

*Amendment*

2. **To the exclusion of software for changing parameters and data sets, manufacturers** shall make training material **and related appropriate tools** available to independent operators and authorised dealers and repairers. **They shall also provide them with adequate training with regard to the download of software and the diagnostic trouble codes management.**

Or. en

*Justification*

*Software can not be manipulated by any operator (authorized or independent). This is tampering. Only the manufacturer has the right and responsibility to work into the software. Operators can only download it on a tractor module.*

**Amendment 370**  
**Malcolm Harbour**

**Proposal for a regulation**  
**Article 47 – paragraph 2**

*Text proposed by the Commission*

2. Manufacturers shall make training material available to **independent operators and** authorised dealers and **repairers**.

*Amendment*

2. Manufacturers shall make training material **and the required tools (excluding software for changing parameters and data sets)** available to authorised dealers, **repairers and independent operators alike;**

Or. en

**Amendment 371**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In order to ensure vehicle functional safety and environment protection, a standard shall be defined and established by the relevant national authority to certify quality and capability of the repairers. Specific and adequate training shall be granted by manufacturers and subject to the payment of a reasonable fee.***

Or. en

*Justification*

*Tractor is a very complex and not standardised product; moreover thousands of different tractor models exist on the market. A manual or a website are not sufficient to repair tractors. Manufacturers are already checking technical skills of authorised repairers, providing them adequate training. Also the capability and quality of the independent operators have to be certified.*

**Amendment 372**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In order to ensure vehicle functional safety and environment protection, a standard shall be defined and established by the relevant national authority to certify quality and capability of the repairers. Specific and adequate training shall be granted by manufacturers and subject to the payment of a reasonable fee.***

*Justification*

*Tractor is a very complex and not standardized product; moreover thousands of different tractor models exist on the market. A manual or a website are not sufficient to repair tractors. Manufacturers are already checking technical skills of authorized repairers, providing them adequate training. Also the capability and quality of the independent operators have to be certified.*

**Amendment 373**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 47 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In order to ensure the safety of the vehicle and its environmental performance, a standard shall be established by the relevant national authority to certify quality and capability of the repairers. Specific and adequate training shall be granted by manufacturers subject to the payment of a reasonable fee.***

**Amendment 374**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

3. The information referred to *in paragraph 1* shall include ***as a minimum*** all *of* the following:

3. The information referred to ***paragraph 1*** shall include all the following:

### *Justification*

*The Impact Assessment accompanying the draft Regulation is not addressing the RMI issue. This is inconsistent with the Smart Regulation principles endorsed by the EP. A copy and paste with the RMI applicable to cars and commercial vehicles is inappropriate. As underlined in the conclusions of the Briefing Paper on access to repair and maintenance information requested by IMCO, a tailor-made legislation for access to RMI applicable to tractors is needed, consistent with tractors specificities.*

#### **Amendment 375**

**Amalia Sartori**

#### **Proposal for a regulation**

#### **Article 47 – paragraph 3 – introductory part**

##### *Text proposed by the Commission*

3. The information referred to in paragraph 1 shall include **as a minimum** all of the following:

##### *Amendment*

3. The information referred to in paragraph 1 shall include all of the following:

Or. en

### *Justification*

*The information listed is not based on a sound assessment. The Impact Assessment accompanying the draft Regulation is not addressing the RMI issue. This is inconsistent with the Smart Regulation principles recently endorsed by the EP. A copy and paste with the RMI applicable to passenger cars (Regulation 715/2007) and commercial vehicles (Regulation 595/2009) is therefore inappropriate. As underlined in the conclusions of the ‘ Briefing Paper ‘ on access to repair and maintenance information requested by IMCO, a tailor-made legislation for access to RMI applicable to tractors is needed, consistent with tractors specificities.*

#### **Amendment 376**

**Oreste Rossi, Matteo Salvini**

#### **Proposal for a regulation**

#### **Article 47 – paragraph 3 – point g**

##### *Text proposed by the Commission*

(g) the software **calibration identification**

##### *Amendment*

(g) the software **part** number applicable to

number applicable to a vehicle type;

a vehicle type;

Or. en

*Justification*

*Software is a component of the vehicle, same as a hardware part (i.e. gear or bolt). Software has a « part number» identifying characteristics and vehicle types where it can be downloaded. This is the information currently provided to authorised repairers.*

**Amendment 377**

**Amalia Sartori**

**Proposal for a regulation**

**Article 47 – paragraph 3 – point g**

*Text proposed by the Commission*

*Amendment*

(g) the software **calibration identification** number applicable to a vehicle type;

(g) the software **part** number applicable to a vehicle type;

Or. en

*Justification*

*Software is a component of the vehicle, same as a hardware part (i.e. gear or bolt). Software has a «part number» identifying characteristics and vehicle types where it can be downloaded. This is the information currently provided to authorised repairers.*

**Amendment 378**

**Pier Antonio Panzeri**

**Proposal for a regulation**

**Article 47 – paragraph 3 – point g**

*Text proposed by the Commission*

*Amendment*

(g) the software **calibration identification** number applicable to a vehicle type;

(g) the software **part** number applicable to a vehicle type;

Or. en

**Amendment 379**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***data record*** information ***and two-directional monitoring and test data***;

(i) ***technical*** information;

Or. en

*Justification*

*Two directional monitoring is not applicable in the tractors sector. This is mainly due to the fact that, contrary to cars, tractors have a high model variability with low volumes per model. It is clear that if such an investment is justified for cars, it would be excessive for tractors. General information is made available by manufacturers, to all repairers, independent or authorised.*

**Amendment 380**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***data record*** information ***and two-directional monitoring and test data***;

(i) ***technical*** information;

Or. en

*Justification*

*Two directional monitoring is not applicable in the tractors sector. This is mainly due to the fact that, contrary to cars, tractors have a high model variability with low volumes per model. It is clear that if such an investment is justified for cars, it would be excessive for tractors. General information is made available by manufacturers, to all repairers, independent or authorised.*

**Amendment 381**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – point i**

*Text proposed by the Commission*

(i) data record information *and two-directional monitoring and* test data;

*Amendment*

(i) data record information, test data *and technical information*;

Or. en

**Amendment 382**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – point j**

*Text proposed by the Commission*

*(j) work units.*

*Amendment*

*deleted*

Or. en

*Justification*

*This requirement is not present in Regulations 715/2007 and 595/2009 respectively for homologation and RMI of cars and trucks. Work units are typically used by manufacturers to manage warranty claims operations. Warranty is not related to independent operators, so there is no need to provide this information.*

**Amendment 383**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 3 – point j**

*Text proposed by the Commission*

*(j) work units.*

*Amendment*

*deleted*

Or. en



### *Justification*

*This requirement is not present in Regulations 715/2007 and 595/2009 respectively for homologation and RMI of cars and trucks. Work units are typically used by manufacturers to manage warranty claims operations. Warranty is not related to independent operators, so there is no need to provide this information.*

#### **Amendment 384**

**Oreste Rossi, Matteo Salvini**

#### **Proposal for a regulation**

##### **Article 47 – paragraph 4**

###### *Text proposed by the Commission*

4. Authorised dealers or repairers within the distribution system of a given **vehicle** manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the **vehicle** manufacturer's distribution system.

###### *Amendment*

4. Authorised dealers or repairers within the distribution system of a given **tractor** manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the **tractor** manufacturer's distribution system.

Or. en

#### **Amendment 385**

**Malcolm Harbour, Amalia Sartori**

#### **Proposal for a regulation**

##### **Article 47 – paragraph 4**

###### *Text proposed by the Commission*

4. Authorised dealers or repairers within the distribution system of a given **vehicle** manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the **vehicle** manufacturer's distribution system.

###### *Amendment*

4. Authorised dealers or repairers within the distribution system of a given **tractor** manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the **tractor** manufacturer's distribution system.

**Amendment 386**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 5**

*Text proposed by the Commission*

5. The **vehicle** repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

*Amendment*

5. The **tractor** repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

Or. en

**Amendment 387**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 5**

*Text proposed by the Commission*

5. The **vehicle** repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

*Amendment*

5. The **tractor** repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

Or. en

**Amendment 388**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 6**

*Text proposed by the Commission*

6. For the purposes of manufacture and servicing of OBD-compatible replacement

*Amendment*

6. For the purposes of manufacture and servicing of OBD-compatible replacement

or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

Or. en

### **Amendment 389**

**Amalia Sartori**

#### **Proposal for a regulation**

##### **Article 47 – paragraph 6**

###### *Text proposed by the Commission*

6. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

###### *Amendment*

6. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

Or. en

###### *Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs*

### **Amendment 390**

**Malcolm Harbour, Amalia Sartori**

#### **Proposal for a regulation**

##### **Article 47 – paragraph 6**

*Text proposed by the Commission*

6. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

*Amendment*

6. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

Or. en

**Amendment 391**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 7**

*Text proposed by the Commission*

7. For the purposes of the design and manufacture of automotive equipment for alternative fuel tractors, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **vehicles**.

*Amendment*

7. For the purposes of the design and manufacture of automotive equipment for alternative fuel tractors, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **tractors**.

Or. en

**Amendment 392**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 7**

*Text proposed by the Commission*

7. For the purposes of the design and manufacture of automotive equipment for

*Amendment*

7. For the purposes of the design and manufacture of automotive equipment for

alternative fuel tractors, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **vehicles**.

alternative fuel tractors, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **tractors**.

Or. en

#### *Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs*

#### **Amendment 393**

**Malcolm Harbour, Amalia Sartori**

#### **Proposal for a regulation**

**Article 47 – paragraph 7**

#### *Text proposed by the Commission*

7. For the purposes of the design and manufacture of automotive equipment for alternative fuel tractors, manufacturers shall provide the relevant OBD and **vehicle** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **vehicles**.

#### *Amendment*

7. For the purposes of the design and manufacture of automotive equipment for alternative fuel tractors, manufacturers shall provide the relevant OBD and **tractor** repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel **tractors**.

Or. en

#### **Amendment 394**

**Oreste Rossi, Matteo Salvini**

#### **Proposal for a regulation**

**Article 47 – paragraph 10**

*Text proposed by the Commission*

10. The manufacturer shall make subsequent amendments and supplements to **vehicle** repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

*Amendment*

10. The manufacturer shall make subsequent amendments and supplements to **tractor** repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

Or. en

**Amendment 395**

**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**

**Article 47 – paragraph 10**

*Text proposed by the Commission*

10. The manufacturer shall make subsequent amendments and supplements to **vehicle** repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

*Amendment*

10. The manufacturer shall make subsequent amendments and supplements to **tractor** repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

Or. en

**Amendment 396**

**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**

**Article 47 – paragraph 11**

*Text proposed by the Commission*

11. Where repair and maintenance records of a **vehicle** are kept in a central database of the **vehicle** manufacturer or on its behalf, independent repairers shall have access **free of charge** to such records and shall be able to enter information on repair and maintenance which they have

*Amendment*

11. Where repair and maintenance records of a **tractor** are kept in a central database of the **tractor** manufacturer or on its behalf, independent repairers shall have access, **when duly justified and for a reasonable fee**, to such records and shall be able to enter information on repair and

performed.

maintenance which they have performed.

Or. en

*Justification*

*For matter of coherence with Article 49, access to repair and maintenance information shall be subject to payment of a reasonable fee.*

**Amendment 397**

**Amalia Sartori**

**Proposal for a regulation**  
**Article 47 – paragraph 11**

*Text proposed by the Commission*

11. Where repair and maintenance records of a **vehicle** are kept in a central database of the **vehicle** manufacturer or on its behalf, independent repairers shall have access **free of charge** to such records and shall be able to enter information on repair and maintenance which they have performed.

*Amendment*

11. Where repair and maintenance records of a **tractor** are kept in a central database of the **tractor** manufacturer or on its behalf, independent repairers shall have access, **when duly justified and for a reasonable fee**, to such records and shall be able to enter information on repair and maintenance which they have performed.

Or. en

*Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs. For matter of coherence with Article 49, access to repair and maintenance information shall be subject to payment of a reasonable fee.*

**Amendment 398**

**Malcolm Harbour**

**Proposal for a regulation**  
**Article 47 – paragraph 11**

*Text proposed by the Commission*

11. Where repair and maintenance records of a **vehicle** are kept in a central database of the **vehicle** manufacturer or on its behalf, independent repairers shall have access **free of charge** to such records and shall be able to enter information on repair and maintenance which they have performed.

*Amendment*

11. Where repair and maintenance records of a **tractor** are kept in a central database of the **tractor** manufacturer or on its behalf, independent repairers shall have access to such records and shall be able to enter information on repair and maintenance which they have performed.

Or. en

**Amendment 399**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 47 – paragraph 12**

*Text proposed by the Commission*

12. The Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which **vehicle** repair and maintenance information shall be provided.

*Amendment*

12. The Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which **tractor** repair and maintenance information shall be provided.

***The Commission shall ensure that information provided and related procedures follow the principle of reasonableness and proportionality, both for sales volume of vehicle types and/or manufacturers dimension. Specific attention should be paid to the needs of SMEs.***

Or. en

*Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, the regulation has to consider*



*the specificity of tractors and agricultural machinery world (more than 50 European manufacturers, many of them SMEs, and thousands of models, often produced in small quantities). The principle of proportionality needs to be introduced to avoid that access to information applied to the tractor sector creates unreasonable obligations, taken into account the structure of the tractor sector, with unsustainable costs for the manufacturers.*

**Amendment 400**

**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**

**Article 47 – paragraph 12**

*Text proposed by the Commission*

12. The Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which vehicle repair and maintenance information shall be provided.

*Amendment*

12. The Commission shall be delegated powers to adopt in accordance with Article 57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which vehicle repair and maintenance information shall be provided.

***The Commission shall however ensure that the information to be provided and related procedures are proportionate to the objective and do not place disproportionate burdens on SMEs, the Commission shall ensure in particular due consideration is paid to the limited sales volumes of certain vehicle types and models covered.***

Or. en

**Amendment 401**

**Amalia Sartori**

**Proposal for a regulation**

**Article 47 – paragraph 12**

*Text proposed by the Commission*

12. The Commission shall be delegated powers to adopt in accordance with Article

*Amendment*

12. The Commission shall be delegated powers to adopt in accordance with Article

57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which **vehicle** repair and maintenance information shall be provided.

57 a delegated act laying down the detailed requirements with regard to access to repair and maintenance information, in particular technical specifications relating to the way in which **tractor** repair and maintenance information shall be provided.

Or. en

### *Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs.*

**Amendment 402**  
**Andreas Schwab**

**Proposal for a regulation**  
**Article 48**

*Text proposed by the Commission*

*Amendment*

***Division of obligations with regard to several holders of type-approval***

***deleted***

***In case of step-by-step type approval, including multistage type approval, the manufacturer responsible for the respective type approval shall also be responsible for communicating repair information relating to the particular system, component, separate technical unit or the particular stage to both the final manufacturer and independent operators.***

***The final manufacturer shall be responsible for communicating information about the whole vehicle to independent operators.***

Or. en

**Amendment 403**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Article 48 – paragraph 2**

*Text proposed by the Commission*

The final manufacturer shall be responsible for communicating information about the whole **vehicle** to independent operators.

*Amendment*

The final manufacturer shall be responsible for communicating information about the whole **tractor** to independent operators.

Or. en

**Amendment 404**  
**Andreas Schwab**

**Proposal for a regulation**  
**Article 49**

*Text proposed by the Commission*

***Fees for access to vehicle repair and maintenance information***

***1. Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information covered by this Regulation.***

***2. A fee shall not be reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it. Manufacturers shall make available vehicle repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.***

*Amendment*

***deleted***

Or. en

**Amendment 405**  
**Malcolm Harbour, Amalia Sartori**

**Proposal for a regulation**  
**Article 49 – title**

*Text proposed by the Commission*

Fees for access to **vehicle** repair and maintenance information

*Amendment*

Fees for access to **tractor** repair and maintenance information

Or. en

**Amendment 406**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 49 – paragraph 1**

*Text proposed by the Commission*

1. Manufacturers may charge reasonable and proportionate fees for access to **vehicle** repair and maintenance information covered by this Regulation.

*Amendment*

1. Manufacturers may charge reasonable and proportionate fees for access to **tractor** repair and maintenance information, **working tools, website access and training courses** covered by this Regulation.

Or. en

*Justification*

*The aim is to highlight what is necessary and what manufactures has to provide for repair and maintenance. For this « full pack » all operators have to pay a reasonable fee.*

**Amendment 407**  
**Malcolm Harbour**

**Proposal for a regulation**  
**Article 49 – paragraph 1**

*Text proposed by the Commission*

1. Manufacturers may charge reasonable and proportionate fees for **access to vehicle**

*Amendment*

1. Manufacturers may charge reasonable and proportionate fees for **tractor** repair

repair and maintenance information covered by this Regulation.

and maintenance information, **working tools and website access** covered by this Regulation.

Or. en

**Amendment 408**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 49 – paragraph 1**

*Text proposed by the Commission*

1. Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information covered by this Regulation.

*Amendment*

1. Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information, **working tools and training courses** covered by this Regulation.

Or. en

**Amendment 409**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 49 – paragraph 2**

*Text proposed by the Commission*

2. A fee shall not be reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it. Manufacturers shall make available **vehicle** repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

*Amendment*

2. A fee shall not be reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it. Manufacturers shall make available **tractor** repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

Or. en

### *Justification*

*In line with the EP study for IMCO requesting a tailor-made legislation on repair and maintenance information for agricultural and forestry vehicles, and, following the principle of proportionality, RMI obligations should apply to tractors only and not to categories R (trailers) and S (interchangeable towed equipment) as the latter are exclusively produced in small quantities, in numerous different models, and mainly by SMEs.*

#### **Amendment 410**

**Malcolm Harbour, Amalia Sartori**

#### **Proposal for a regulation**

#### **Article 49 – paragraph 2**

##### *Text proposed by the Commission*

2. A fee shall not be reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it. Manufacturers shall make available **vehicle** repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

##### *Amendment*

2. A fee shall not be reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it. Manufacturers shall make available **tractor** repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.

Or. en

#### **Amendment 411**

**Malcolm Harbour**

#### **Proposal for a regulation**

#### **Article 50 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall lay down the provisions on penalties applicable for infringement by manufacturers of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and

##### *Amendment*

1. Member States shall lay down the provisions on penalties applicable for infringement by manufacturers of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and

dissuasive. Member States shall notify those provisions to the Commission by [6 months after publication of this Regulation] and shall notify it without delay of any subsequent amendment affecting them.

dissuasive. Member States shall notify those provisions to the Commission by [24 months after publication of this Regulation] and shall notify it without delay of any subsequent amendment affecting them.

Or. en

**Amendment 412**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 57 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 57a (new)**

**Adoption of delegated acts**

**The Commission shall adopt the delegated acts referred to in Articles 7 (4), 8 (4), 9 (5), 18 (6), 38 (1), (2) and (3), 47 (10), 51 (8) and 56 by 30 June 2013.**

Or. en

**Amendment 413**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 60 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Approval authorities shall continue to grant extension of approvals to those vehicles, systems, components or separate technical units under the terms of Directive 2003/37/EC and any of the directives listed in Article 56 (2).

2. Approval authorities shall continue to grant extension of approvals to those vehicles, systems, components or separate technical units under the terms of Directive 2003/37/EC and any of the directives listed in Article 62 (1).

Or. en

*Justification*

*The single directives of 2003/37/EC shall be used to grant extensions to the existing type approvals. It would be very confusing to use the 'new' delegated acts under the 'old' framework directive, as there will be no one to one relation between the single directives and the delegated acts.*

**Amendment 414**

**Amalia Sartori**

**Proposal for a regulation**

**Article 60 – paragraph 2**

*Text proposed by the Commission*

2. Approval authorities shall continue to grant extension of approvals to those vehicles, systems, components or separate technical units under the terms of Directive 2003/37/EC and any of the directives listed in Article 56 (2).

*Amendment*

2. Approval authorities shall continue to grant extension of approvals to those vehicles, systems, components or separate technical units under the terms of Directive 2003/37/EC and any of the directives listed in Article 62 (1).

Or. en

*Justification*

*The single directives of 2003/37/EC shall be used to grant extensions to the existing type approvals. It would be very confusing to use the 'new' delegated acts under the 'old' framework directive, as there will be no one to one relation between the single directives and the delegated acts.*

**Amendment 415**

**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**

**Article 61 a (new)**

*Text proposed by the Commission*

*Amendment*

***Non-road mobile machinery***

***By [3 January 2013], the Commission shall submit to the European Parliament and to the Council a proposal to***



*harmonise the laws of the Member States as regards the technical requirements applicable to non-road mobile machinery, their systems and components in order to ensure a high level of on-road safety, taking into account existing applicable community legislation.*

Or. en

**Amendment 416**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 62 – paragraph 1**

*Text proposed by the Commission*

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **1 January 2014**.

*Amendment*

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **the date as referred in Article 64 paragraph 2**.

Or. en

*Justification*

*In line with modified Article 64.2 (amendment 22)*

**Amendment 417**  
**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**  
**Article 62 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **1 January 2014**.

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **the relevant dates defined in Article 64**.

Or. en

**Amendment 418**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 62 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **1 January 2014**.

1. Directive 2003/37/EC as well as Directives 74/347/EEC, 76/432/EEC, 76/763/EEC, 77/537/EEC, 78/764/EEC, 80/720/EEC, 86/297/EEC, 86/298/EEC, 86/415/EEC, 87/402/EEC, 2000/25/EC, 2009/57/EC, 2009/58/EC, 2009/59/EC, 2009/60/EC, 2009/61/EC, 2009/63/EC, 2009/64/EC, 2009/66/EC, 2009/68/EC; 2009/75/EC, 2009/76/EC, 2009/144/EC are repealed with effect from **the date as referred in Article 64 paragraph 2**.

Or. en

*Justification*

*In line with modified Article 64.2 (amendment 22)*

**Amendment 419**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

It shall apply *from 1 January 2014*.

*Amendment*

It shall apply *to*:

Or. en

**Amendment 420**  
**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*It shall apply from 1 January 2014.*

*Amendment*

*Member States shall, at the request of the manufacturer, apply this Regulation to new types of vehicles as from the date of entry into force of the last Delegated Act applicable to the vehicle category, but not earlier than 1 January 2014;*

Or. en

**Amendment 421**  
**Amalia Sartori**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

It shall apply from 1 January 2014.

*Amendment*

It shall apply *to*

a) new types of vehicles from 1 January 2014, *but not before two years after the date of entry into force of the last Delegated Act applicable to the vehicle category,*

b) to all new vehicles from 1 January 2018, but not earlier than four years after the date of entry into force of the last delegated act applicable to the vehicle category.

Or. en

*Justification*

*It is felt that a staggered approach as was planned for Directive 2003/37/EC splitting new type approvals from placing on the market would best suit the adaptation to the new procedures without introducing any real delay. This would further avoid interference with exhaust emissions legislation transition clauses. It is appropriated to introduce gradually this Regulation, at first to the new type approvals and secondly to the existing type approvals.*

**Amendment 422**  
**Pier Antonio Panzeri**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

It shall apply from 1 January **2014**.

It shall apply from 1 January **2015**.

Or. en

**Amendment 423**  
**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

***(a) New types of vehicles from 1 January 2014, but not before two years after the date of entry into force of the last Delegated Act applicable to the vehicle category;***

Or. en

*Justification*

*It is felt that a staggered approach as was planned for Directive 2003/37/EC splitting new type approvals from placing on the market would best suit the adaptation to the new procedures without introducing any real delay. This would further avoid interference with exhaust emissions legislation transition clauses. It is appropriated to introduce gradually this Regulation, at first to the new type approvals and secondly to the existing type approvals.*

**Amendment 424**

**Oreste Rossi, Matteo Salvini**

**Proposal for a regulation**

**Article 64 – paragraph 2 – subparagraph 1 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) To all new vehicles from 1 January 2018, but not earlier than four years after the date of entry into force of the last delegated act applicable to the vehicle category.***

Or. en

*Justification*

*It is felt that a staggered approach as was planned for Directive 2003/37/EC splitting new type approvals from placing on the market would best suit the adaptation to the new procedures without introducing any real delay. This would further avoid interference with exhaust emissions legislation transition clauses. It is appropriated to introduce gradually this Regulation, at first to the new type approvals and secondly to the existing type approvals.*

**Amendment 425**

**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**

**Article 64 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall apply this Regulation to new types of vehicles two years after the date of entry into force of the last Delegated Act applicable to the vehicle***

*category;*

Or. en

**Amendment 426**  
**Malcolm Harbour, Andreas Schwab**

**Proposal for a regulation**  
**Article 64 – paragraph 2 – subparagraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall apply this Regulation  
on all new vehicles four years after the  
date of entry into force of the last  
Delegated Act.***

Or. en