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**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the common position established by the Council with a view to the adoption of a European Parliament and Council Directive amending Council Directive 74/60/EEC on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or opening roof, the backrest and rear part of the seats)  
(9935/1/1999 – C5-0210/1999 – 1998/0089(COD))

Committee on Legal Affairs and the Internal Market

Rapporteur: Ana Palacio

### ***Symbols for procedures***

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

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

### ***Abbreviations for committees***

- I. AFET Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy
- II. BUDG Committee on Budgets
- III. CONT Committee on Budgetary Control
- IV. LIBE Committee on Citizens' Freedoms and Rights, Justice and Home Affairs
- V. ECON Committee on Economic and Monetary Affairs
- VI. JURI Committee on Legal Affairs and the Internal Market
- VII. INDU Committee on Industry, External Trade, Research and Energy
- VIII. EMPL Committee on Employment and Social Affairs
- IX. ENVI Committee on the Environment, Public Health and Consumer Policy
- X. AGRI Committee on Agriculture and Rural Development
- XI. PECH Committee on Fisheries
- XII. REGI Committee on Regional Policy, Transport and Tourism
- XIII. CULT Committee on Culture, Youth, Education, the Media and Sport
- XIV. DEVE Committee on Development and Cooperation
- XV. AFCO Committee on Constitutional Affairs
- XVI. FEMM Committee on Women's Rights and Equal Opportunities
- XVII. PETI Committee on Petitions

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## PROCEDURAL PAGE

At its sitting on 9 February 1999 Parliament delivered its opinion at first reading on the proposal for a European Parliament and Council Directive amending Council Directive 74/60/EEC on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or opening roof, the backrest and rear part of the seats).(COM(1998) 159 – C4-0224/1998).

At the sitting on 19 November 1999 the President of Parliament announced that the common position had been received and referred to the Committee on Legal Affairs and the Internal Market (9935/1/1999 – C5-0210/1999).

The committee had appointed Ana Palacio rapporteur at its meeting on 8 and 9 November 1999.

It considered the common position and the draft recommendation for second reading at its meetings on 22 and 23 November 1999 and 10 January 2000.

At the latter meeting it adopted unanimously the draft legislative resolution.

The following were present for the vote:

Willi Rothley (Chairman), Klaus-Heiner Lehne (substitute for Ana Palacio, rapporteur), Maria Berger, Evelyne Gebhardt, The Lord Inglewood, Ioannis Koukiadis, Donald Neil MacCormick, Véronique Mathieu, Hans-Peter Mayer, Manuel Medina Ortega, Bill Miller, Diana Paulette Wallis and Joachim Wuermeling. The recommendation for second reading was tabled on 12 January 2000.

The deadline for tabling amendments to the common position will be indicated in the draft agenda for the relevant part-session.

## DRAFT LEGISLATIVE RESOLUTION

**Legislative resolution of the European Parliament on the Council common position with a view to adopting a European Parliament and Council directive on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or opening roof, the backrest and rear part of the seats) (9935/1/1999 – C5-0210/1999 – 1998/0089(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (9935/1/1999 – C5-0210/1999),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(1998) 159<sup>2</sup>),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 78 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0005/2000),
1. Approves the common position;
  2. Notes that the act is adopted in accordance with the common position;
  3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
  5. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 150, 28.5.1999, p. 15.

<sup>2</sup> OJ C 149, 15.5.1998, p.10.

## EXPLANATORY STATEMENT

The Commission adopted the proposal for a directive on 2 April 1998 (COM(1998) 159). It is based on Article 95 of the EC Treaty and lays down standards for power-operated windows, roof panels and partitions of motor vehicles. It aims to ensure that the components in question satisfy specific safety standards with a view, among other things, to preventing children from being injured if they accidentally operate the controls. As a result of the Directive, the relevant criteria will be standardised throughout the Community and in line with similar US directives. The Directive further seeks to align the administrative provisions of Directive 74/60/EEC with those of Directive 70/156/EEC so that EC type-approval may be computerised.

At first reading on 9 February 1999, Parliament approved the Commission proposal on the basis of the report by Mr Sören Wibe, a member of the former Committee on Monetary Affairs and Industrial policy (A4-0448/98). Albeit approving the proposal, Mr Sören Wibe's report drew attention to certain deficiencies in its drafting. Mr Wibe's observations have been appropriately taken into account in the common position. In this context, it should be noted that the recitals do not take account of the fact that Directive 74/60 has been updated by Directive 77/649 because they refer, in accordance with standard drafting practice, to the most recent amending directive, namely Directive 78/632. It is further observed that the words "seat back angle" have not been replaced by "torso angle" because the former expression is used throughout the annex in question and "torso angle" would seem to be used in Community legislation only when the measurements are taken by reference to a crash-test dummy.

The common position, which was adopted on 28 October 1999, makes no changes of substance to the original Commission proposal.

In view of the laudable aims of the directive and bearing in mind its highly technical nature, your rapporteur endorses the view taken by Parliament at first reading and recommends that the proposed act be adopted without amendment.