

EUROPEAN PARLIAMENT

1999



2004

Session document

20 September 2000

FINAL
A5-0261/2000

RECOMMENDATION

on the proposal for a Council Decision on the accession by the European Community to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas (5991/99 - COM(99)0014 - C4-0185/99 - 99/0018(AVC))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Guido Bodrato

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)

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By letter of 3 April 2000 the Council requested Parliament's assent pursuant to Article 300(3), second subparagraph of the EC Treaty, on the proposal for a Council Decision on the accession by the European Community to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas (5991/1999 – COM(1999) 14 – 1999(0018 (AVC))).

At the sitting of 10 April 2000 the President of Parliament announced that she had referred this proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible and to the Committee on the Environment, Public Health and Consumer Protection and the Committee on Regional Policy, Transport and Tourism for their opinions (C5-0185/2000).

At its meeting of 1 September 2000 the Committee on Industry, External Trade, Research and Energy appointed Guido Bodrato rapporteur.

It considered the proposal for a Council decision and the draft recommendation at its meetings of 14 September and 19 September 2000.

At the last meeting it decided to apply the procedure without debate pursuant to Rule 114(1) of the Rules of Procedure.

At the last meeting it adopted the draft legislative resolution by 25 votes in favour and 2 abstentions.

The following were present for the vote: Carlos Westendorp y Cabeza, chairman; Nuala Ahern, vice-chairman; Peter Michael Mombaur, vice-chairman; Guido Bodrato, rapporteur; Konstantinos Alyssandrakis, Yves Butel, Felipe Camisón Asensio (for Ferrer); Giles Bryan Chichester, Glyn Ford, Jacqueline Foster (for Malcolm Harbour), Neena Gill (Erika Mann), Lisbeth Grönfeldt Bergman (for Anders Wijkman), Michel Hansenne, Philippe Herzog, Caroline Lucas, Eryl Margaret McNally, Marjo Tuulevi Matikainen-Kallström, Angelika Niebler, Reino Kalervo Paasilinna, Yves Piétrasanta, John Purvis, Imelda Mary Read, Paul Rübig, Esko Olavi Seppänen, Jaime Valdivielso de Cué, Alejo Vidal-Quadras Roca and Dominique Vlasto.

On 16 March 1999 the Committee on Regional Policy, Transport and Tourism decided not to deliver an opinion. On 17 March 1999 the Committee on the Environment, Public Health and Consumer Policy decided not to deliver an opinion.

The report was tabled on 20 September 2000.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council Decision on the accession by the European Community to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas (5991/99 - COM(99)0014 - C4-0185/99 - 99/0018(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council Decision on the accession by the European Community to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas, COM(99)0014¹,
 - having regard to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas, (5991/1999),
 - having regard to the Council's request for Parliament's assent pursuant to Article 300(3), second subparagraph of the EC Treaty (C5-0185/99),
 - having regard to Rule 86 and Rule 97(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Industry, External Trade, Research and Energy (A5-0261/99),
1. Gives its assent to the accession by the European Community to United Nations Economic Commission for Europe Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas;
 2. Instructs its President to forward this decision to the Council and Commission, and the governments and parliaments of the Member States.

¹ Not yet published in the Official Journal

EXPLANATORY STATEMENT

1. The European Community became a Contracting Party to the 1958 Revised Agreement of the United Nations Economic Commission for Europe (UN/ECE) on 24 March 1988. Through its accession to the Agreement, the Community wished to ensure harmonisation of technical standards for motor vehicles throughout Europe and reciprocal recognition of type-approvals by the Contracting Parties, thus making it possible to prevent the plethora of technical standards for motor vehicles from constituting barriers to trade, whilst ensuring a high level of safety and environmental protection.
2. Individual technical standards are drawn up by ECE working parties in cooperation with representatives of Contracting Party governments and are submitted to a vote in the appropriate ECE bodies. The standards are adopted if they secure the support of a qualified majority of the Contracting Parties. As the representative of the European Community, the Commission casts its vote in accordance with a special procedure. Article 4 of the Council Decision on accession to the ECE Agreement states that a draft Regulation on which a vote is to be taken in the ECE must be approved by the Council after having received the assent of the European Parliament, before the Community can vote in favour of adopting it in the ECE.
3. Regulation No 67 contains technical standards for special equipment for motor vehicles fuelled by liquefied petroleum gas. This Regulation, which is set out in detail in the Commission proposal, was not, at the time of the EC's accession to the Agreement, mentioned in the list of regulations recognised by the EC, as contained in Annex II to Council Decision 97/836/EC of 27 November 1997. In the meantime, Regulation No 67 has been revised by the Working Party on Vehicle Construction in order to ensure the highest possible level of safety and environmental protection. The Community now considers itself in a position to accede to the Regulation. After it has been adopted by the Community, it is intended that the Regulation will be incorporated in the EU type-approval system and thus supplement the Community legislation currently in force.
4. Article 3(3) of the Council Decision states that the Community may decide to apply an ECE Regulation to which it had not acceded at the time of its accession to the Revised ECE Agreement, in which case the regulation concerned must be adopted by the Council by a qualified majority after it has received the assent of the European Parliament. The Commission is currently examining whether accession to this Regulation also necessitates the adoption of a separate EC Directive with the same content as the ECE Regulation. It would appear sufficient, for the purposes of ensuring legal certainty, merely to amend the EC type-approval directive to include a reference to the ECE Regulation.
5. This issue is significant in terms of Parliament's participation in the drafting of Community legislation on vehicle standards, for, prior to accession to the ECE Agreement, Community Directives in this area were adopted as single market legislation under the codecision procedure, on the basis of Article 100a of the EC Treaty. Under that procedure, Parliament could table amendments to proposed standards at two readings. However, as part of the process of determining how the Commission is to cast its vote in ECE Working Parties, proposals are submitted to Parliament under the assent procedure, which does not provide any opportunity for tabling amendments.
6. In order to compensate for this reduction in Parliament's influence, the Commission undertook to inform Parliament in good time, via its competent standing committees, of plans to draw up new Regulations and, possibly, to incorporate Parliament's suggestions.

Accordingly, there was some contact between the Commission and the chairmen of the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on the Environment, Public Health and Consumer Protection during the second half of 1998. Since, as already mentioned, ECE Regulation No 67 was drawn up before the EC acceded to the ECE Agreement, it was not possible for Parliament to be informed in advance.

7. Regardless of these procedural issues, your rapporteur proposes that accession by the European Community to ECE Regulation No 67 on the approval of special equipment for motor vehicles fuelled by liquefied petroleum gas should be approved, and puts his trust in the Commission's observations on the technical aspects of the ECE Regulation.