

# EUROPEAN PARLIAMENT

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FINAL  
A5-0262/2000

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## RECOMMENDATION

on the proposal for a Council Decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps (5634/99 - COM(98)0797 - C4-0186/99 - 99/0001(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 29 March 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 position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps (5634/1999 – COM(1998) 797 – 1999/0001(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. (C5-0186/2000).

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 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 unanimously.

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 Concepció Ferrer), Giles Bryan Chichester, Glyn Ford, Jacqueline Foster (for Malcolm Harbour), Neena Gill (for 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 17 February 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 position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps (5634/99 - COM(98)0797 - C4-0186/2000 - 1999/0001(AVC))**

**(Assent procedure)**

The European Parliament,

- having regard to the proposal for a Council Decision (COM(98)0797<sup>1</sup>)
  - having regard to the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps (5634/1999),
  - having regard to the Council's request for Parliament's assent pursuant to Article 300(3), second subparagraph, of the EC Treaty (C5-0186/2000),
  - 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 (A5-0262/2000),
1. Gives its assent to the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps;
  2. Instructs its President to forward Parliaments' position to the Council and Commission, and the governments and parliaments of the Member States.

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<sup>1</sup> OJ C32, 6.2.1999

## 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. This Regulation concerns technical standards for motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps. It is intended that these standards, which are set out in detail in the Commission proposal, will be incorporated in the EU type-approval system after they have been adopted by the ECE and will thus supplement the Community legislation in force.
4. The content of the Regulation was established by the ECE Working party on Vehicle Construction before the EC's accession to the 1958 Revised Agreement. The Commission is convinced that incorporation of this Regulation in the Annex to the Revised Agreement would usefully supplement Community legislation. The Commission is currently examining whether its incorporation 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, the draft ECE Regulation 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 the European Community's position on the draft ECE Regulation concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps should be approved, and places his trust in the Commission's observations on the technical aspects of the ECE Regulation.