

# EUROPEAN PARLIAMENT

1999



2004

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*Session document*

FINAL  
**A5-0055/2001**

7 February 2001

**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the Council common position for adopting a European Parliament and Council directive on relating to heating systems for motor vehicles and their trailers, and amending Council Directive 70/156/EEC and repealing Council Directive 78/548/EEC  
(7074/1/2000 – C5-0615/2000 – 1998/0277(COD))

Committee on Legal Affairs and the Internal Market

Rapporteur: Bill Miller

### ***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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## PROCEDURAL PAGE

At the sitting of 13 April 1999 Parliament adopted its position at first reading on the proposal for a European Parliament and Council directive relating to heating systems for motor vehicles and their trailers, and amending Council Directive 70/156/EEC and repealing Council Directive 78/548/EEC (COM(1998) 526 - 1998/0277 (COD)).

At the sitting of 14 December 2000 the President of Parliament announced that the common position had been received and referred to the Committee on Legal Affairs and the Internal Market (7074/1/2000 - C5-0615/2000).

The committee had appointed Bill Miller rapporteur at its meeting of 23 September 1999.

The committee considered the common position and the draft recommendation for second reading at its meetings of 8 January 2001, 25 January 2001 and 6 February 2001.

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

The following were present for the vote: Ana Palacio Vallelersundi, chairman; Willi Rothley and Rainer Wieland,, vice-chairmen; Bill Miller, rapporteur; Jean-Maurice Dehousse, Janelly Fourtou, Marie-Françoise Garaud, Bruno Gollnisch, Gerhard Hager, The Lord Inglewood, Ioannis Koukiadis, Kurt Lechner, Klaus-Heiner Lehne, Toine Manders, Hans-Peter Mayer, Manuel Medina Ortega, Stefano Zappalà and François Zimeray.

The recommendation for second reading was tabled on 7 February 2001.

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

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive relating to heating systems for motor vehicles and their trailers, and amending Council Directive 70/156/EEC and repealing Council Directive 78/548/EEC (7074/1/2000 – C5-0615/2000 – 1998/0277(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position 7074/1/2000 – C5-0615/2000),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(1998) 526<sup>2</sup>),
  - having regard to the Commission's amended proposal (COM(1999) 370<sup>3</sup>),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 80 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0055/2001),
1. Amends the common position as follows;
  2. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 219, 30.07.1999, pp. 22 and 60.

<sup>2</sup> OJ C 326, 24.10.1998, p. 4.

<sup>3</sup> OJ C 116, 26.04.2000, p.2

(Amendment 1, )  
Annex VII, paragraph 1.3

13. The combustion chamber and the heat exchanger shall be capable of withstanding a pressure of twice the normal operating pressure or 2 bar (gauge), whichever is greater. The test pressure shall be noted in the information document.

1.3 The combustion chamber and the heat exchanger ***of heaters using water as a transfer medium*** shall be capable of withstanding a pressure of twice the normal operating pressure or 2 bar (gauge), whichever is greater. The test pressure shall be noted in the information document.

Or. en

*Justification:*

*This requirement applies only to heaters with water as the transfer medium. For heaters using air as the transfer medium, the corresponding test is the leakage test described in Annex IV, paragraph 2.2.*

(Amendment 2)  
Annex VII, paragraph 2.8

2.8. Automatic control of the heating system

The heating system must be switched off automatically within 5 seconds when the vehicle's engine stops running, ***unless a manual device is activated to keep the heating system in operation. This point does not apply to trailers.***

2.8 Automatic control of the heating system

The heating system must be switched off automatically ***and the supply of fuel must be stopped within 5 seconds*** when the vehicle's engine stops running. ***If a manual device is already activated, the heating system can stay in operation.***

Or. en

*Justification:*

*This constitutes better wording for this requirement, as its first part does not apply to heaters when switched on by a manual switch, a timer or a remote control. It applies to*

*supplementary heaters which can only run together with the vehicle's engine. In addition, if the heater must be totally switched off after 5 seconds, the requirement for delayed shut-off of the combustion air blower (Annex VII, paragraph 1.5) cannot be fulfilled.*

## EXPLANATORY STATEMENT

Combustion heaters are now fitted to many types of vehicles. They are usually fuelled by diesel, petrol or liquefied petroleum gas. The heat they provide can be used in a number of ways - for the passenger compartments of buses, the load area of trucks and trailers or the sleeping compartment of trucks and motor caravans. Combustion heaters are designed to provide heat efficiently without the noise and gaseous emissions associated with the running of the main propulsion engine of a parked vehicle. For reasons of safety the common position seeks to extend the scope of Directive 78/548/EEC, which the new directive is to repeal and replace, to include requirements for the design of combustion heaters and for their installation which ensure that such devices comply with the highest standards consistent with current technology.

Directive 78/548/EEC is one of the separate directives of the EC type-approval procedure which was established by Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles. The common position lays down requirements on the basis of Article 95 of the EC Treaty and provides for total harmonisation of the relevant technical provisions for heating systems of the passenger compartments of motor vehicles. It also creates the possibility that in the future a type-approval may be granted for the heating device as a component which then can be fitted to any vehicle without any further technical testing.

Your rapporteur endorses the common position and considers that Parliament's concerns at first reading have been taken into account, even though two of its amendments were not adopted. The amendments put forward in this recommendation are designed to deal with a number of technical concerns.