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A5-0085/2001

1 March 2001

RECOMMENDATION

on the proposal for a Council Decision on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 13-H on the component approval of passenger cars in respect of their braking (10143/2000 – COM(1999) 660 – C5-0672/2000 – 1999/0263(AVC))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Marjo Tuulevi Matikainen-Kallström

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

By letter of 30 November 2000 the Council requested Parliament's assent pursuant to Article 300(3), second subparagraph, in conjunction with Article 310 of the EC Treaty on the proposal for a Council Decision on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 13-H on the component approval of passenger cars in respect of their braking (10143/2000 – COM(1999) 660 – 1999/0263(AVC)).

At the sitting of 11 December 2000 the President of Parliament announced that she had referred the proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy and Committee on Regional Policy, Transport and Tourism for their opinions (C5-0672/2000).

The Committee on Industry, External Trade, Research and Energy had appointed Marjo Tuulevi Matikainen-Kallström rapporteur at its meeting of 27 January 2000.

It considered the proposal for a Council decision and the draft recommendation at its meetings of 27 February 2001.

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

The following were present for the vote: Carlos Westendorp y Cabeza, chairman; Renato Brunetta, vice-chairman; Marjo Tuulevi Matikainen-Kallström, rapporteur; Gordon J. Adam (for Glyn Ford), Guido Bodrato, David Robert Bowe (for François Zimeray), Massimo Carraro, Giles Bryan Chichester, Nicholas Clegg, Gérard M.J. Deprez (for Christos Folias pursuant to Rule 153 (2)), Harlem Désir, Concepció Ferrer, Norbert Glante, Lisbeth Grönfeldt Bergman (for Anders Wijkman), Cristina Gutiérrez Cortines (for Christian Foldberg Roving), Malcolm Harbour (for W.G. van Velzen), Roger Helmer, Werner Langen, Peter Liese (for Peter Michael Mombaur), Rolf Linkohr, Caroline Lucas, Eryl Margaret McNally, Nelly Maes, Erika Mann, Angelika Niebler, Giuseppe Nisticò (for Jaime Valdivielso de Cué), Reino Kalervo Paasilinna, Yves Piétrasanta, Samuli Pohjamo (for Astrid Thors), John Purvis, Imelda Mary Read, Paul Rübig, Ilka Schröder, Konrad K. Schwaiger, Elena Valenciano Martínez-Orozco, Alejo Vidal-Quadras Roca.

On 26 January 2000 the Committee on Regional Policy, Transport and Tourism decided not to deliver an opinion. On 23 February 2001 the Committee on the Environment, Public Health and Consumer Policy decided not to deliver an opinion.

The recommendation was tabled on 1st March 2001.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council Decision on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 13-H on the component approval of passenger cars in respect of their braking (10143/2000 – COM(1999) 660 – C5-0672/2000 – 1999/0263(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council Decision (COM(1999) 660¹),
 - having regard to the draft Council Decision on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 13-H on the component approval of passenger cars in respect of their braking (10143/2000),
 - having regard to the Council's request for Parliament's assent pursuant to Article 300(3), second subparagraph, in conjunction with Article 310 of the EC Treaty (C5-0672/2000),
 - having regard to Rules 86 and 97(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Industry, External Trade, Research and Energy (A5-0085/2001),
1. Gives its assent to the proposal for a Council Decision on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 13-H on the component approval of passenger cars in respect of their braking;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States.

¹ OJ C 212 of 25.7.2000, p. 46

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 1998 and acceded to 78 existing regulations, not including Regulation No. 13-H. 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 technical barriers to trade, whilst ensuring a high level of safety and environmental protection.
2. Regulation No. 13-H concerns the component approval of passenger cars in respect of their braking. 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.
3. 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 now 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.
4. 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 95 (ex 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. 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.
5. Regardless of these procedural issues, your rapporteur after having consulted with representatives from the European car industry proposes that the European Community's accession to Regulation No. 13-H of the United Nations Economic Commission for Europe concerning the component approval of passenger cars in respect of their braking should be approved, and places her trust in the Commission's observations on the technical aspects of the ECE Regulation.