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29 August 2001

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 an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type and a replacement airbag system other than that installed in a steering wheel (10148/2000 – COM(2000) 25 – C5-0670/2000 – 2000/0029(AVC))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Malcolm Harbour

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 position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type and a replacement airbag system other than that installed in a steering wheel (10148/2000 – COM(2000) 25 – 2000/0029(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 to the Committee on Regional Policy, Transport and Tourism for their opinions (C5-0670/2000).

The Committee on Industry, External Trade, Research and Energy had appointed Malcolm Harbour rapporteur at its meeting of 5 December 2000.

It considered the proposal for a Council decision and the draft recommendation at its meeting of 27 February, 24 April, 12 July and 28 August 2001.

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

The following were present for the vote: Carlos Westendorp y Cabeza, chairman ; Renato Brunetta, vice-chairman; Malcolm Harbour, rapporteur; Gordon J. Adam (for Glyn Ford), Ward Beysen (for Colette Flesch), Guido Bodrato, Gérard Caudron, Giles Bryan Chichester, Willy C.E.H. De Clercq, Harlem Désir, Concepció Ferrer, Christos Folias, Per Gahrton (for Yves Piétrasanta), Norbert Glante, Michel Hansenne, Roger Helmer, Hans Karlsson, Werner Langen, Peter Liese (for Peter Michael Mombaur), Rolf Linkohr, Caroline Lucas, Eryl Margaret McNally, Albert Jan Maat (for Godelieve Quisthoudt-Rowohl), Hans-Peter Martin (for Erika Mann), Elizabeth Montfort, Angelika Niebler, Reino Kalervo Paasilinna, Elly Plooij-van Gorsel, Samuli Pohjamo (for Astrid Thors), John Purvis, Daniela Raschhofer, Imelda Mary Read, Mechtild Rothe, Christian Foldberg Rovsing, Paul Rübig, Umberto Scapagnini, Konrad K. Schwaiger, Esko Olavi Seppänen, Helle Thorning-Schmidt (for Olga Zrihen), Claude Turmes (for Nelly Maes), Jaime Valdivielso de Cué, W.G. van Velzen, Alejo Vidal-Quadras Roca, Dominique Vlasto, Anders Wijkman, Myrsini Zorba .

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

The recommendation was tabled on 29 August 2001.

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 an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type and a replacement airbag system other than that installed in a steering wheel (10148/2000 – COM(2000) 25 – C5-0670/2000 – 2000/0029(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council Decision (COM(2000) 25¹),
 - having regard to the Draft 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 an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type and a replacement airbag system other than that installed in a steering wheel (10148/2000),
 - 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 (C5-0670/2000),
 - 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 (A5-0289/2001),
1. Gives its assent to the proposal for the Council Decision;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States.

¹ OJ C337, 28.11.2000, p.4.

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. 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. 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 new regulation concerns replacement equipment for airbags and steering wheels with an airbag equipment for motor vehicles.. 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. 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. Your rapporteur had consulted with representatives from the European car industry. Initially, some concerns have been voiced by this representatives on the need for such a regulation. They argued that for replacement parts of airbag systems did no longer exist a market in the EU. On the other hand, the Commission pointed out that without such a regulation there would not been any technical norm for airbags replacement parts which had already caused problems in some EU members states. After carefully evaluation of these arguments the rapporteur proposes now that the European Community's position on the draft ECE Regulation concerning the approval of an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type and a replacement airbag system other than that installed in a steering wheel should be

approved, and places his trust in the Commission's observations on the technical aspects of the ECE Regulation.