



EUROPEAN PARLIAMENT

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*Plenary sitting*

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**A7-0005/2012**

4.1.2012

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## **RECOMMENDATION**

on the draft Council decision on the accession of the Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle (13894/2011 – C7-0303/2011 – 2011/0191(NLE))

Committee on International Trade

Rapporteur: Vital Moreira

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the draft Council decision on the accession of the Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle**

**(13894/2011 – C7-0303/2011 – 2011/0191(NLE))**

**(Consent)**

*The European Parliament,*

- having regard to the draft Council decision (13894/2011),
  - having regard to the request for consent submitted by the Council in accordance with the second indent of Article 4(2) of Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions (Revised 1958 Agreement)<sup>1</sup> (C7-0303/2011),
  - having regard to Rule 81 of its Rules of Procedure,
  - having regard to the recommendation of the Committee on International Trade (A7-0005/2012),
1. Consents to the draft Council decision;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States.

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<sup>1</sup> OJ L 346, 17.12.1997, p.78.

## EXPLANATORY STATEMENT

The World Forum for Harmonization of Vehicle Regulations (WP.29) of the United Nations Economic Commission for Europe (UNECE) offers a unique framework for globally harmonized regulations on vehicles with participants coming from all over the world, especially the main motor vehicle producing countries. The benefits of such harmonized regulations are tangible in road safety, environmental protection and trade.

WP.29 is a permanent working party in the institutional framework of the United Nations with a specific mandate and rules of procedure. It works as a global forum allowing open discussions on motor vehicle regulations. Any member country of the United Nations and any regional economic integration organization, set up by country members of the United Nations, may participate fully in the activities of the World Forum and may become a Contracting Party to the Agreements on vehicles administered by the World Forum.

The World Forum convenes officially three times per year and entrusts informal groups with specific problems that need to be solved urgently or that require special expertise. More than 120 representatives participate at the sessions of the World Forum.

Currently 126 Regulations have been agreed within the UNECE framework. The European Union has currently acceded to 106 UNECE Regulations of which it has decided to compulsorily apply 62 in the EU.<sup>1</sup> The European Commission annually sends a Commission Staff Working Paper on the Activities of the World Forum of Vehicle Regulations to the Council and Parliament.<sup>2</sup>

Directive 2007/46/EC provides for the possibility to apply UNECE Regulations for the purpose of EC vehicle type-approval on a compulsory basis.<sup>3</sup>

Regulation (EC) No 661/2009 repeals several Directives concerning the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor. The requirements set out in those Directives should be replaced, where appropriate, with references to the corresponding UNECE Regulations.

According to Article 4(2) of Regulation (EC) No 661/2009 type-approval in accordance with the UNECE Regulations which have been made mandatory shall be considered as EC type-approval in accordance with that Regulation and its implementing measures.

Type-approvals issued under the UNECE Regulations will be considered as EC type-approvals, thus avoiding duplication not only in technical requirements but also in certification and administrative procedures, to the benefit of both industry and national authorities.

These technical requirements will not only apply in many countries located notably in the EU, non-EU Western and Eastern Europe, South-East Europe, the Commonwealth of Independent

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<sup>1</sup> All UNECE Regulations can be found on the website of the United Nations Economic Commission for Europe <http://www.unece.org/trans/main/wp29/wp29regs.html>

<sup>2</sup> On 27 May 2011 the European Commission sent the 2010 report to Council and Parliament (SEC (2011) 689)

<sup>3</sup> List of UNECE Regulations which apply on a compulsory basis can be found in Annex IV of Directive 2007/46/EC

States, Japan and North America which are Contracting Parties to the UNECE 1958 Agreement. In addition, type-approval that is directly based on internationally agreed standards and is being applied in so many countries will be followed in other third countries and thus further improve market access and enhance EU industry's competitiveness.

Article 1.5 of the Revised 1958 Agreement said that when depositing its instrument of accession any new Contracting Party may declare that it is not bound by certain UNECE Regulations.

So far the EU had not yet acceded to UNECE Regulation No 29 on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle. Following the adoption of Regulation (EC) No 661/2009, prescribing that the EU shall take into account UNECE Regulation No 29, it is considered that UNECE Regulation No 29 should now become part of the EU type-approval system for motor vehicles.

Article 1.7 of the Revised 1958 Agreement states that any Contracting Party not applying a UNECE Regulation may at any time notify the Secretary-General that it intends henceforth to apply it, and the UNECE Regulation will then enter into force for this Party on the 60th day after this notification.

Your rapporteur proposes Parliament to give its consent to the draft Council Decision on the accession of the Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle, because this UNECE Regulation will allow for the application of the same standards in many countries, taking away red tape and allowing European industry to compete more widely and easily.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	20.12.2011
<b>Result of final vote</b>	+: 25 -: 0 0: 0
<b>Members present for the final vote</b>	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, David Campbell Bannerman, Daniel Caspary, Christofer Fjellner, Yannick Jadot, Metin Kazak, Bernd Lange, David Martin, Emilio Menéndez del Valle, Vital Moreira, Paul Murphy, Franck Proust, Helmut Scholz, Peter Šťastný, Robert Sturdy, Gianluca Susta, Keith Taylor, Iuliu Winkler, Pablo Zalba Bidegain
<b>Substitute(s) present for the final vote</b>	Josefa Andrés Barea, George Sabin Cutaş, Silvana Koch-Mehrin, Elisabeth Köstinger, Marietje Schaake