



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.3.2003  
COM(2003) 147 final

2003/0059 (COD)

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on stands for two-wheel motor vehicles**

**(Codified Version)**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make use of the specific rights it gives him.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent.

2. On 1 April 1987 the Commission therefore decided<sup>1</sup> to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules were clear and readily understandable.

3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this<sup>2</sup>, stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal Community legislative procedure.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codified instruments.

4. The purpose of this proposal is to undertake codification of Council Directive 93/31/EEC of 14 June 1993 on stands for two-wheel motor vehicles<sup>3</sup>. The new Directive will supersede the acts incorporated in it<sup>4</sup>; this proposal fully preserves, the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

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<sup>1</sup> COM(1987) 868 PV

<sup>2</sup> See Annex 3 to Part A of the Conclusions.

<sup>3</sup> Entered in the legislative programme for 2002.

<sup>4</sup> Annex II, Part A of this proposal.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 93/31/EEC and the instrument amending it, carried out by the Office for Official Publications of the European Communities, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex III to the codified Directive.

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**of [...]**

**on stands for two-wheel motor vehicles**

**(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article  $\boxtimes$  95  $\boxtimes$  thereof,

Having regard to Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two- or three-wheel motor vehicles<sup>1</sup>,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee<sup>2</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>3</sup>,

Whereas:



- (1) Council Directive 93/31/EEC of 14 June 1993 on stands for two-wheel motor vehicles<sup>4</sup>, has been substantially amended<sup>5</sup>. In the interests of clarity and rationality the said Directive should be codified.

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<sup>1</sup> OJ L 225, 10.8.1992, p. 72. Directive as last amended by Directive 2000/7/EC of the European Parliament and of the Council (OJ L 106, 3.5.2000, p. 1).

<sup>2</sup> OJ C [...], [...], p. [...].

<sup>3</sup> OJ C [...], [...], p. [...].

<sup>4</sup> OJ L 188, 29.7.1993, p. 19. Directive amended by Commission Directive 2000/72/EC (OJ L 300, 29.11.2000, p. 18).

<sup>5</sup> See Annex II, Part A.

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↓ 93/31/EEC Recital 1

- (2) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured. The measures required for that purpose need to be adopted.

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↓ 93/31/EEC Recital 2

- (3) With regard to their stands, in each Member State two-wheel motor vehicles must display certain technical characteristics laid down by mandatory provisions which differ from one Member State to another. As a result of their differences, such provisions constitute a barrier to trade within the Community.

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↓ 93/31/EEC Recital 3

- (4) These obstacles to the operation of the internal market may be removed if the same requirements are adopted by all Member States in place of their national rules.

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↓ 93/31/EEC Recital 4 (adapted)

- (5) It is necessary to draw up harmonised requirements relating to stands for two-wheel motor vehicles in order to enable the type-approval and component type-approval procedures laid down in Directive 92/61/EEC to be applied for each type of such vehicle. ☒ That Directive will be replaced by Directive 2002/24/EC of the European Parliament and of the Council<sup>6</sup> with effect from 9 November 2003. ☒

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↓ 93/31/EEC Recital 5

- (6) Given the scale and impact of the action proposed in the sector in question, the Community measures covered by this Directive are necessary, indeed essential, to achieve the aim in view, which is to establish Community vehicle type-approval. That aim cannot be adequately achieved by the Member States individually.

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- (7) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex II, Part B,

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<sup>6</sup> OJ L 124, 9.5.2002, p. 1

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↓ 93/31/EEC

HAVE ADOPTED THIS DIRECTIVE:

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*Article 1*

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↓ 93/31/EEC (adapted)

This Directive ☒ shall apply ☐ to stands for all types of two-wheel vehicle as defined in Article 1 of Directive [92/61/EEC.]

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↓ 93/31/EEC

*Article 2*

The procedure for the granting of component type-approval in respect of the stand for a type of two-wheel motor vehicle and the conditions governing the free movement of such vehicles shall be as laid down in [Chapters II and III of Directive 92/61/EEC].

*Article 3*

Any amendments necessary to adapt the requirements of Annex I to technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Council Directive 70/156/EEC<sup>7</sup>.

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↓ 93/31/EEC (adapted)

*Article 4*

Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

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*Article 5*

Directive 93/31/EEC, as amended by the Directive specified in Annex II, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex II, Part B.

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<sup>7</sup> OJ L 42, 23.2.1970, p. 1.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table set out in Annex III.

#### *Article 6*

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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↓ 93/31/EEC Article 5
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#### *Article 7*

This Directive is addressed to the Member States.

Done at Brussels, [...]

*For the European Parliament*  
*The President*  
[...]

*For the Council*  
*The President*  
[...]

## **ANNEX I**

### **1. DEFINITIONS**

For the purposes of this Directive:

- 1.1. «stand» means a device that is firmly attached to the vehicle and is able to maintain the vehicle in its vertical (or almost vertical) parking position when left unattended by its driver;
- 1.2. «prop stand» means a stand which, when extended or swung into the open position, supports the vehicle on one side only, while leaving both wheels in contact with the supporting surface;
- 1.3. «centre stand» means a stand which, when swung into the open position supports the vehicle by providing one or several areas of contact between the vehicle and the supporting surface either side of the median longitudinal plane of the vehicle;
- 1.4. «transverse tilt (tt)» means the gradient, expressed as a percentage, of the actual supporting surface, the intersection of the median longitudinal plane of the vehicle and the supporting surface being perpendicular to the line of maximum gradient (figure 1);
- 1.5. «longitudinal tilt (lt)» means the gradient, expressed as a percentage, of the actual supporting surface, the median longitudinal plane of the vehicle being parallel to the line of maximum gradient (figure 2);
- 1.6. «median longitudinal plane of the vehicle» means the longitudinal plane of symmetry of the rear wheel of the vehicle.

### **2. GENERAL**

- 2.1. All two-wheel vehicles shall be fitted with at least one stand in order to keep them steady when stationary (e.g. when parked) but not held in a static position by a person or external means. Twin-wheel vehicles need not be fitted with stands but must meet the requirements set out in 6.2.2 when in a parking position (parking brake applied).
- 2.2. The stand must be of either a prop or a centre type, or both.
- 2.3. Where the stand swivels about the lower part of or below the vehicle the outer edge(s) of that stand must swing to the rear of the vehicle in order to attain the closed or travelling position.



### **3. GENERAL SPECIFICATIONS**

#### **3.1. Prop stands**

##### **3.1.1. Prop stands must:**

- 3.1.1.1. be able to support the vehicle in such a way as to provide its lateral stability whether the vehicle is on a horizontal supporting surface or on a slope in order to prevent its leaning further too easily (and in so doing does not rotate about the point of support provided by the prop stand) or is moved too easily into a vertical position and beyond (and in so doing does not swing over to the side opposite the prop stand);
- 3.1.1.2. be able to support the vehicle in such a way as to maintain stability when the vehicle is parked on a slope in accordance with section 6.2.2;
- 3.1.1.3. be able to swing back automatically into the retracted or travelling position:
  - 3.1.1.3.1. when the vehicle returns to its normal (vertical) driving position; or
  - 3.1.1.3.2. when the vehicle moves forward as a result of deliberate action by the driver following the first contact of the prop stand with the ground;
- 3.1.1.4. notwithstanding the requirements set out in section 3.1.1.3, be designed and constructed in such a way that they do not close automatically if the angle of lean is altered unexpectedly (for example, if the vehicle is pushed lightly by a third party or by a gust of wind arising from the passage of a vehicle):
  - 3.1.1.4.1. once in the extended or parking position;
  - 3.1.1.4.2. the vehicle being leaned in order to bring the outer extremity of the prop stand into contact with the ground;
  - 3.1.1.4.3. the vehicle being left unattended in its parking position.
- 3.1.2. The requirements set out in section 3.1.1.3 do not apply if the vehicle is designed in such a way that it cannot be propelled by its engine when the prop stand is extended.

#### **3.2. Centre stands**

##### **3.2.1. Centre stands must:**

- 3.2.1.1. be able to support the vehicle with either one or both wheels in contact with the supporting surface or without any of the wheels being in contact with that surface in such a way as to confer stability on that vehicle:
  - 3.2.1.1.1. on a horizontal supporting surface;
  - 3.2.1.1.2. in a leaning position;
  - 3.2.1.1.3. on a slope in accordance with section 6.2.2;
- 3.2.1.2. be able to fold backwards automatically into its retracted or travelling position:

3.2.1.2.1. when the vehicle moves forward in such a way as to raise the centre stand from the supporting surface.

3.2.2. The requirements set out in section 3.2.1.2 do not apply if the vehicle is designed in such a way that it cannot be propelled by its engine when the centre stand is extended.

#### **4. OTHER REQUIREMENTS**

4.1. Moreover, vehicles may be fitted with a tell-tale that is clearly visible to the rider when seated in the driving position and which, when the ignition is switched on, lights up and remains so until the stand is in its retracted or travelling position.

4.2. All stands shall be provided with a retention system which holds them in the retracted or travelling position. That system may consist of either:

- two independent devices such as two separate springs or one spring and one retaining device such as a clip,  
or
- a single device which must be able to operate without failing for at least
  - 10 000 normal-use cycles if the vehicle has been fitted with two stands,  
or
  - 15 000 normal-use cycles if the vehicle is fitted with only one stand.

#### **5. STABILITY TESTS**

5.1. The following tests must be carried out in order to determine the capacity for holding the vehicle in a stable condition as specified in sections 3 and 4:

##### **5.2. State of the vehicle**

5.2.1. The vehicle must be submitted at its kerb mass.

5.2.2. The tyres must be inflated to a pressure recommended by their manufacturer for that state.

5.2.3. The transmission must be in neutral or, in the case of an automatic transmission, in the «parking» position where such exists.

5.2.4. If the vehicle is fitted with a parking brake, it must be applied.

5.2.5. The steering shall be locked in position. If the steering is able to be locked when it is turned to either the left or the right the tests must be carried out in both positions.

### **5.3. Test pad**

- 5.3.1. A flat, horizontal pad having a hard surface that is dry and free from grains of sand may be used for the tests referred to in section 6.1.

### **5.4. Test equipment**

- 5.4.1. A parking platform must be used for the tests referred to in section 6.2.
- 5.4.2. The parking platform must have a rigid, flat, rectangular surface which is able to support the vehicle without perceptible flexing.
- 5.4.3. The surface of the parking platform must possess sufficient anti-skid properties to prevent the vehicle from sliding across the supporting surface during the tilt or lean tests.
- 5.4.4. The parking platform shall be designed in such a way as to be able to assume at least the transverse tilt (tt) and the longitudinal tilt (lt) required by section 6.2.2.

## **6. TEST PROCEDURES**

### **6.1. Stability on a horizontal supporting surface (test for section 3.1.1.4).**

- 6.1.1. With the vehicle on the test pad the prop stand is extended or moved into the parking position and the vehicle is brought to rest upon it.
- 6.1.2. The vehicle is moved in order to increase by three degrees the angle formed by the median longitudinal plane and the supporting surface (by moving the vehicle towards the vertical).
- 6.1.3. This movement must not cause the prop stand to return automatically to its retracted or travelling position.

### **6.2. Stability on an inclined surface (tests associated with sections 3.1.1.1, 3.1.1.2, 3.2.1.1.2, 3.2.1.1.3).**

- 6.2.1. The vehicle is placed on the parking platform with the prop stand and, separately, the centre stand in the extended or parking position and the vehicle is allowed to rest on the stand.

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↓ 2000/72/EC Art. 1
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- 6.2.2. The parking platform is shifted to its minimum transverse tilt (tt) and then, separately, to its minimum longitudinal tilt (lt) in accordance with the following table:

Tilt	Prop stand		Centre stand	
	Moped	Motorcycle	Moped	Motorcycle
tt (left and right)	5 %	6 %	6 %	8 %
Downstream lt	5 %	6 %	6 %	8 %
Upstream lt	6 %	8 %	12 %	14 %

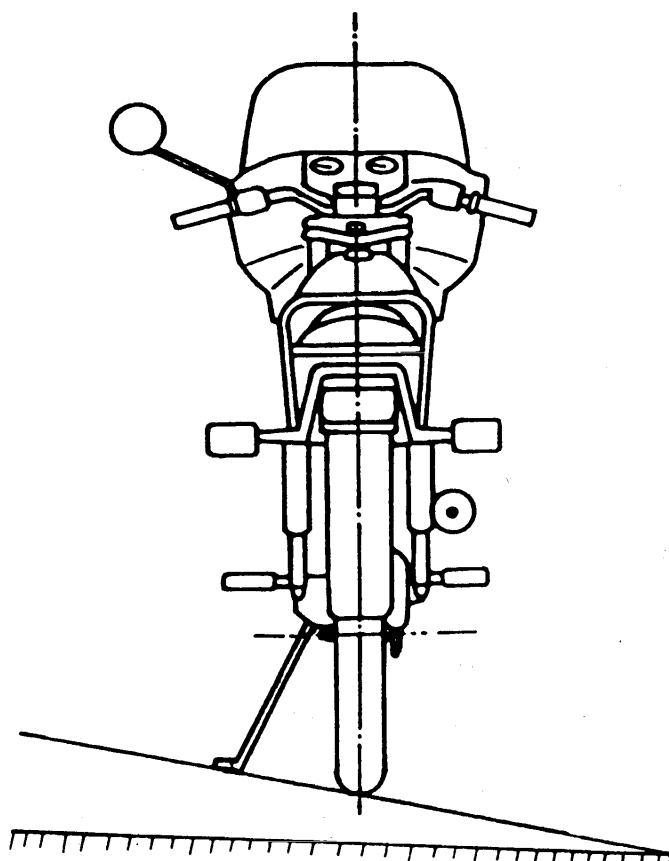
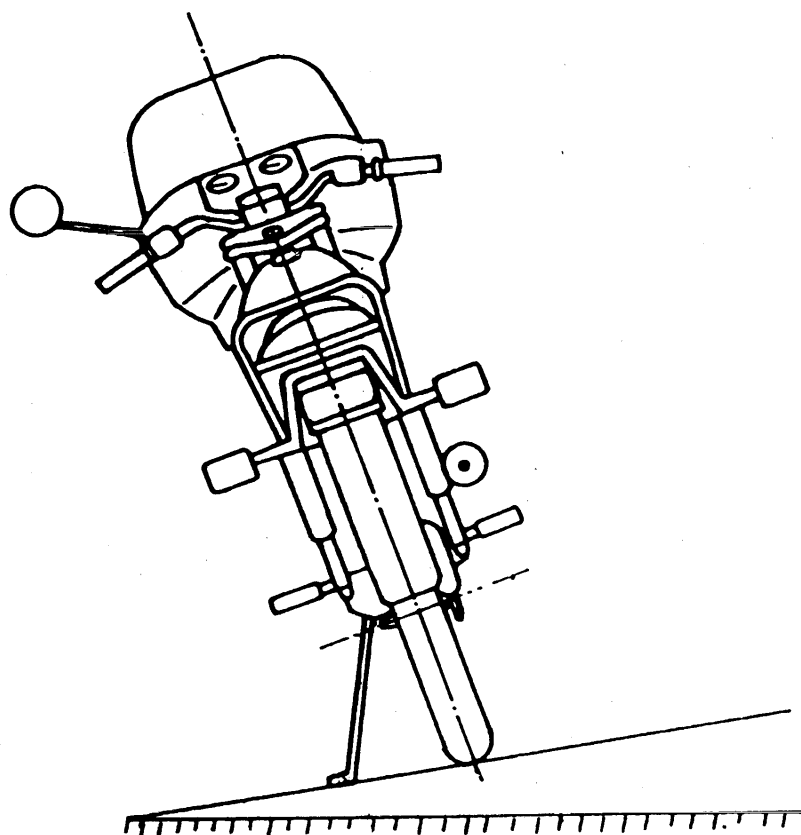
See figures 1a, 1b and 2 below.

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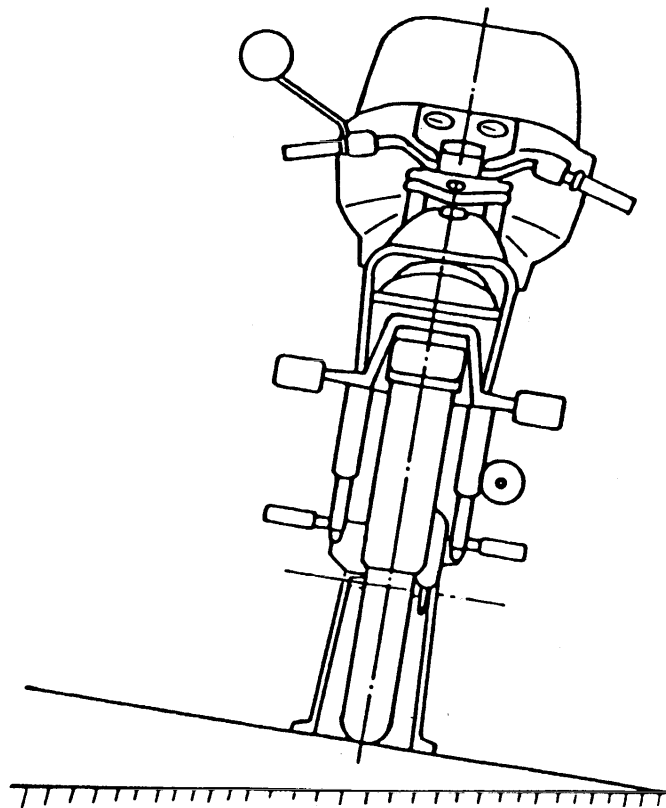
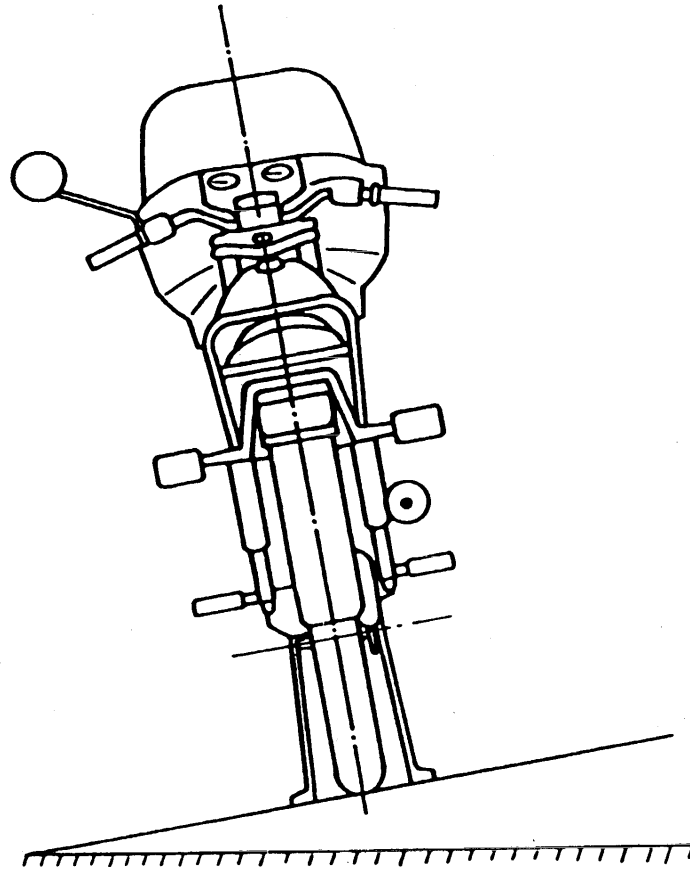
↓ 93/31/EEC
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- 6.2.3. Where a vehicle on a tilted parking platform rests on the centre stand and just one wheel and may be maintained in that position with the centre stand and either the front or the rear wheel in contact with the supporting surface, the tests described above must be conducted solely with the vehicle resting on the centre stand and rear wheel provided that the other requirements set out in this section are met.
- 6.2.4. The vehicle must remain stable when the parking platform is tilted by each of the required amounts and the above requirements have duly been met.
- 6.2.5. Alternatively the parking platform may be tilted by the required amounts before the vehicle is moved into position.

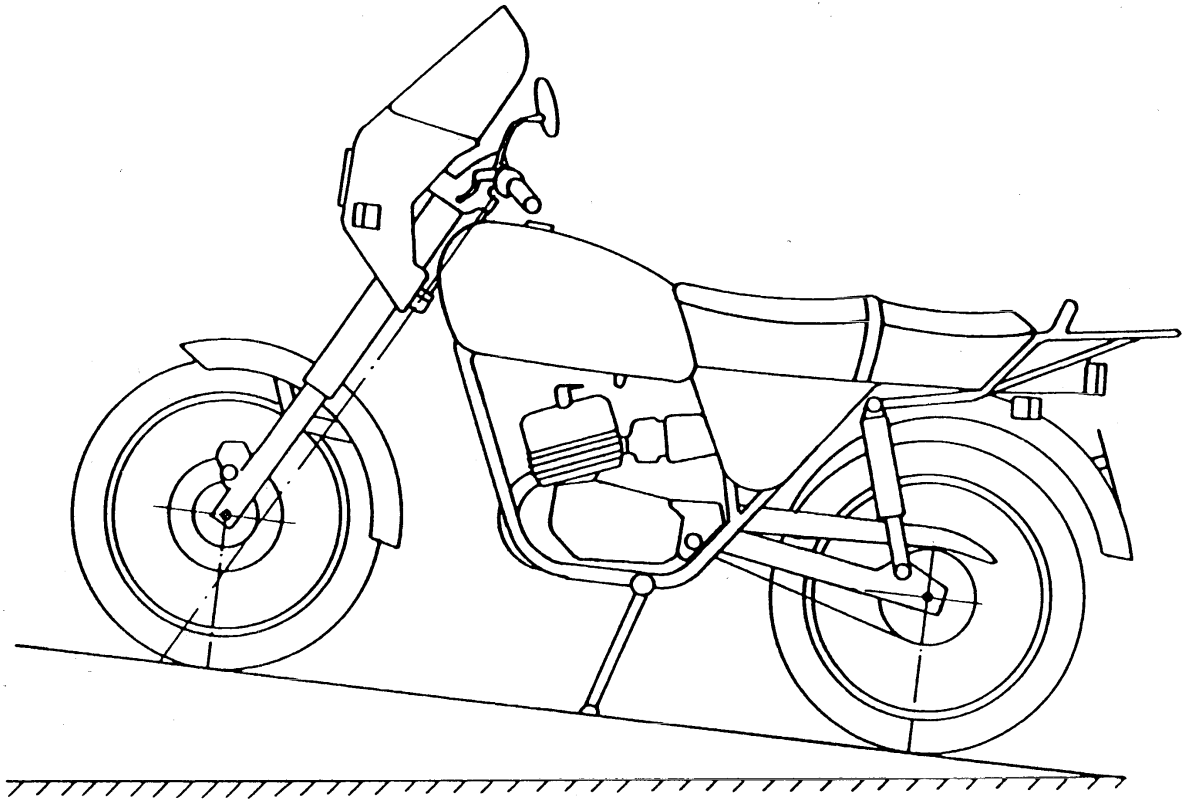
*Figure 1a*  
**Traverse tilt**



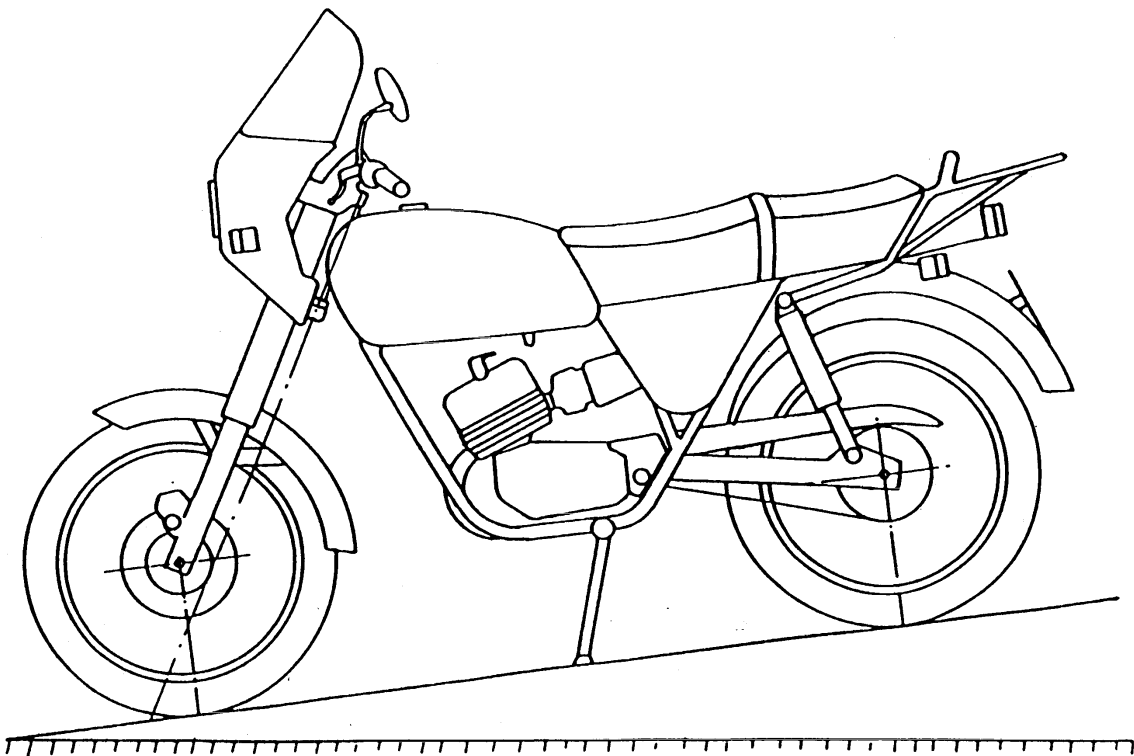
*Figure 1b*  
**Traverse tilt**



*Figure 2*  
**Longitudinal tilt upstream**



**Longitudinal tilt downstream**



*Appendix I*

**Information document in respect of stands for a type of two-wheel motor vehicle**

(to be attached to the application for component type-approval where this is submitted independently of the application for vehicle type-approval)

Order No (assigned by the applicant): .....

The application for component type-approval in respect of stands for a type of two-wheel motor vehicle must contain the information set out under the following points in Annex II to Council Directive 92/61/EEC

- Part A, sections:
  - 0.1
  - 0.2
  - 0.4 to 0.6
  - 2.1
  - 2.1.1;
- Part B, sections:
  - 1.3.1



## Appendix 2

Name of administration
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### Component type-approval certificate in respect of stands for a type of two-wheel motor vehicle

#### MODEL

Report No ..... by technical service ..... date .....

Component type-approval No: ..... Extension No: .....

1. Trade mark or name of vehicle: .....

2. Type of vehicle: .....

3. Name and address of manufacturer: .....

4. Name and address of manufacturer's representative (if any): .....

5. Date vehicle submitted for test: .....

6. Component type-approval granted/refused <sup>(1)</sup>:

7. Place: .....

8. Date: .....

9. Signature: .....

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<sup>(1)</sup> Delete as appropriate.

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## **ANNEX II**

### **Part A**

#### **Repealed Directive with its successive amendment** (referred to in Article 5)

Council Directive 93/31/EEC

(OJ L 188 of 29.7.1993, p.19)

Commission Directive 2000/72/EC

(OJ L 300 of 29.11.2000, p. 18)

### **Part B**

#### **List of time-limits for transposition into national law and application** (referred to in Article 5)

Directive	Time-limit for transposition	Date of application
93/31/EEC	14 December 1994	14 June 1995 <sup>1</sup>
2000/72/EC	31 December 2001	1 January 2002 <sup>2</sup>

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<sup>1</sup> In conformity with the third subparagraph of Article 4(1) of Directive 93/31/EEC:  
"From the date mentioned in the first subparagraph Member States may not, for reasons connected with the stands, prohibit the initial entry into service of vehicles which conform to this Directive".

<sup>2</sup> In conformity with Article 2 of Directive 2000/72/EC:

- "1. With effect from 1 January 2002, Member States may not, on grounds relating to stands:
  - refuse to grant EC type-approval for a type of two-wheel motor vehicle; or
  - prohibit the registration, sale or entry into service of two-wheel motor vehicles;if the stands of those vehicles comply with the requirements of Directive 93/31/EEC, as amended by this Directive.
2. With effect from 1 July 2002, Member States shall refuse to grant EC type-approval for any new type of two-wheel motor vehicle on grounds relating to stands if the requirements of Directive 93/31/EEC, as amended by this Directive, are not fulfilled."

### **ANNEX III**

#### **CORRELATION TABLE**

Directive 93/31/EEC	This Directive
Articles 1 – 3	Articles 1 – 3
Article 4(1)	–
Article 4(2)	Article 4
–	Article 5
–	Article 6
Article 5	Article 7
Annex	Annex I
Appendix 1	Appendix 1
Appendix 2	Appendix 2
–	Annex II
–	Annex III