
(2000/C 274 E/05)

(Text with EEA relevance)

COM(2000) 137 final — 2000/0060(COD)

(Submitted by the Commission on 23 March 2000)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:


(2) There is a need for harmonised maximum vehicle dimensions for the circulation of road vehicles transporting passengers. Differences between standards in force in the Member States with regard to the dimensions of passenger road vehicles could have an adverse effect on the conditions of competition and constitute an obstacle to traffic between Member States.

(3) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the harmonisation of maximum vehicle dimensions for the circulation of road vehicles transporting passengers cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community. This Directive confines itself to the minimum required in order to achieve that objective and does not go beyond what is necessary for that purpose.

(4) In implementation of the internal market, the scope of Directive 96/53/EC should be extended to national transport in so far as it concerns characteristics that significantly affect the conditions of competition in the transport sector and in particular the values relating to the maximum authorised length and width of vehicles and intended for the carriage of passengers.

(5) For reasons of road safety, buses should meet performance criteria as regards their manouvrability.

(6) Buses which entered into service before the date of implementation of this Directive and which do not comply with the dimension characteristics laid down in this Directive, owing to previously differing national provisions or methods of measurement, should be allowed for a transitional period to continue to provide transport services within the Member State in which the vehicle is registered or put into circulation.

(7) Directive 96/53/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 96/53/EC is hereby amended as follows:

1. In Article 3(1), the second indent is replaced by the following:

‘— in national traffic, of vehicles registered or put into circulation in any other Member State for reasons relating to their dimensions,’

2. Article 4 is amended as follows:

(a) Paragraphs 1 and 2 are replaced by the following:

‘1. Member States shall not allow the normal circulation of vehicles or vehicle combinations in their territory which are not in conformity with the characteristics set out in points 1.1, 1.2, 1.4, 1.4a, 1.5, 1.5a, 1.6, 1.7, 1.8, 4.2 and 4.4 of Annex I.

2. Member States may nonetheless allow circulation in their territory of vehicles or vehicle combinations which are not in conformity with the characteristics set out in 1.3, 2, 3, 4.1 and 4.3 of Annex I.

(b) The following paragraph 7 is added:

‘7. Member States may allow buses that are registered or put into circulation before the implementation of this Directive to circulate in their territory until 31 December 2009 with dimensions exceeding those laid down in points 1.1, 1.2, 1.5 and 1.5a of Annex I.’

3. Annex I is hereby amended as follows:

(a) Point 1.1 is amended as follows:

(i) The first indent is replaced by the following:

‘— motor vehicle other than a bus: 12.00 m’

(ii) The following indents are added as the sixth, seventh and eighth indents:

‘— bus with 2 axles: 12.00 m
— bus with > 2 axles: 15.00 m
— bus + trailer: 18.75 m’

(b) The following points 1.4a and 1.5a are inserted:

‘1.4a If any removable attachments such as skiboards are fitted to a bus its maximum length, including the attachments, shall not exceed 15.00 m.

1.5a Additional requirements for buses

When the bus is stationary and has its steered wheels so directed that if the vehicle moved, its outermost forward point would describe a circle of 12.50 m radius, a vertical plane tangential to the side of the vehicle which faces outwards from the circle must be established by marking a line on the ground. In the case of an articulated bus the two rigid portions must be aligned with the plane.

When the bus moves forward on either side following the circle of 12.50 m radius, no part of it may move outside the vertical plane by more than 0.80 m in the case of a rigid bus of up to 12 m length or by 1.20 m in the case of either a rigid bus of over 12 m length or an articulated bus.’

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.