OPINION OF THE COMMISSION

pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

relating to tyres for motor vehicles and their trailers and to their fitting,
amending Directive 92/23/EEC
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1. PROCEDURE


The European Parliament gave its opinion at first reading under the co-decision procedure, approving the proposal without amendment at the plenary session of 18 February 1998 (OJ C 80 of 16.3.1998, p.90).

The Council's common position was adopted unanimously on 13 April 2000 pursuant to Article 251 of the Treaty (OJ C 195 of 11.7.2000, p.16). The Commission accepted the common position.

On 7 September 2000, the European Parliament adopted at second reading two amendments to the Council's common position.

In this opinion, the Commission adopts its position on the two amendments presented by the European Parliament pursuant to Article 251 (2c) of the EC Treaty.

2. AIM OF THE PROPOSAL FOR A DIRECTIVE

The proposal for a directive aims to limit the rolling noise of tyres on road surfaces. In parallel with the measures already taken to limit other sources of noise caused by the mechanical parts of vehicles, these new requirements, whilst not sacrificing the tyres’ grip, will help to reduce the noise emission of road traffic. The proposal is based on the provisions of Article 4 (2) of Directive 92/97/EEC amending Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles.
3. **THE COMMISSION'S OPINION ON THE AMENDMENTS PROPOSED BY THE PARLIAMENT**

3.1. **Summary of the Commission's opinion**

The Commission's opinion: The two amendments proposed by the Parliament at second reading cannot be accepted.

3.2. **Amendment N°1 of the Parliament at second reading**

**Amendment of the subsequent introduction of requirements regarding grip and rolling resistance and new, more severe requirements regarding rolling noise (Article 3)**

This five-point amendment changes several aspects of Article 3, which deals with the correlation between rolling noise, tyre grip and fuel consumption. Article 3 in the wording of the common position makes provision for amending - under committee procedure and when the data are available - the present directive to incorporate in it requirements regarding grip and rolling resistance.

Consensus is currently being sought on this question of grip by a working party of the Economic Commission for Europe of the United Nations. This working party is monitored by the European Commission departments.

This subject has also been discussed under the Trans-Atlantic Business Dialogue for promoting the emergence of a world standard - Global Tyre Standard (GTS 2000). However, in view of the complexity of the task, especially with regard to grip ("safety"), it has been decided that the TABD initiative for GTS 2000 should proceed step by step and that discussions on grip and rolling resistance should be left to the United Nations working party.

As soon as this work on grip is completed by the United Nations working party, the Commission will be in a position to transpose the results into Directive 92/23/EEC in order to establish the right balance between

- grip on a dry and wet surface (safety),
- noise (noise pollution) and
- rolling resistance (fuel consumption).

Amendment N° 1 currently sets an application date of 1 October 2003 for requirements regarding grip and rolling resistance. The overall complexity of the problem (especially regarding wet grip and rolling resistance) and the broad range of products covered (over 12 000 references to tyres for private cars) must be taken into consideration.

Article 3 in its wording in the common position stipulates that subsequent amendments 24 and 48 months after the coming-into-force of the present directive will be adopted dealing with grip and rolling resistance. Realistic requirements and application dates can only be specified at these points in time.
Furthermore, amendment N° 1 asks the Commission to propose to Parliament and the Council within a very short period (12 and 30 months after the coming-into-force) the inclusion of these requirements on grip and rolling resistance and new requirements regarding rolling noise.

The Commission considers that these deadlines are too short to allow threshold values to be set in these areas and that this subject of road safety is so important that reliable verification is necessary.

3.3 Amendment N°2 of the Parliament at second reading

Amendment aiming to reduce the admissible thresholds by 2 decibels for all tyre classes intended for private cars

The proposal for a directive aims at limiting the rolling noise of tyres on the road without sacrificing grip and hence safety for road holding and braking.

Following a broad-based advance consultation of experts, the Member States approved the level of severity chosen in the proposal unanimously in a common position. The European Parliament itself expressed satisfaction with the proposal's level of severity and did not introduce any amendment at first reading.

It should be noted that the quality of the road surfacing is very largely responsible (for up to 6 decibels) for the noise generated when the tyre is in contact with it. It should also be pointed out that the Commission is in the middle of a programme which was launched two years ago and will be the subject of a communication on the combating of different noise sources, covering all the EU’s sectors of activities and especially that of transport.

The Commission considers that whilst requirements regarding tyre grip on dry and wet surfaces are not included in the current directive together with thresholds for rolling noise, there would be risks in reducing the latter.

4. CONCLUSION

In view of the foregoing, the Commission is not amending its proposal.