

## COMMISSION DECISION

of 19 June 1996

concerning a request for exemption made by Italy pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Italian text is authentic)

(96/399/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers <sup>(1)</sup>, as last amended by Commission Directive 95/54/EC <sup>(2)</sup>, and in particular Article 8 (2) (c) thereof,

Whereas on 23 February 1996 Italy lodged a request, received by the Commission on 27 February 1996, which contained the information required by Article 8 (2) (c); whereas the request concerns the fitting of a certain type of vehicle and 28 versions of it with a third stop lamp, falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 and fitted in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers <sup>(3)</sup>, as last amended by Commission Directive 89/516/EEC <sup>(4)</sup>, or of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers <sup>(5)</sup>, as last amended by Commission Directive 91/663/EEC <sup>(6)</sup>, are well founded; whereas the

descriptions of the tests, the results thereof and their compliance with ECE Regulations Nos 7 and 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to authorize the production and fitting of such stop lamps;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on the Adaptation to Technical Progress, set up by Directive 70/156/EEC,

HAS ADOPTED THIS REGULATION:

*Article 1*

The request for exemption made by Italy concerning the production and fitting of a third stop lamp, falling within category ECE S3 by virtue of ECE Regulation No 7 and fitted in accordance with ECE Regulation No 48 on the type of vehicle and the 28 versions of it for which it is intended, is approved.

*Article 2*

This Decision is addressed to the Italian Republic.

Done at Brussels, 19 June 1996.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 42, 23. 2. 1970, p. 1.

<sup>(2)</sup> OJ No L 266, 8. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 262, 27. 9. 1976, p. 54.

<sup>(4)</sup> OJ No L 265, 12. 9. 1989, p. 1.

<sup>(5)</sup> OJ No L 262, 27. 9. 1976, p. 1.

<sup>(6)</sup> OJ No L 366, 31. 12. 1991, p. 17.