

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(92) 78 final - SYN 349

Brussels, 27 March 1992

Amendment to the proposal for a

COUNCIL DIRECTIVE

APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO
SPEED LIMITING DEVICES OR SIMILAR SPEED LIMITING SYSTEMS
FITTED TO CERTAIN CATEGORIES OF MOTOR VEHICLE

(presented by the Commission pursuant to Article 149(3)
of the EEC-Treaty)

EXPLANATORY MEMORANDUM

On 24 July 1991 the Commission sent the Council a proposal for a directive on speed limiting devices or similar speed limiting systems for certain categories of motor vehicle [COM(91) 240 final].

The proposal for a Council directive is based on Article 100a and takes the form of a separate directive under framework Directive 70/156/EEC in line with Annex II(12)(2)(4).

On 13 December 1991 the European Parliament delivered its opinion on first reading and invited the Commission to adopt the amendments that had been proposed in pursuance of Article 149(3) of the EEC Treaty.

The Commission accepted three of the amendments proposed by the European Parliament. Those amendments concern the dates of entry into force of the Directive and the deletion of speed limits from the Directive. The dates of entry into force of the Directive have been postponed by three months in order to make them more realistic. The speed limits are set out in another draft directive on the fitting and use of speed limiting devices by certain categories of vehicle.

The Commission has not adopted an amendment put forward in the form of an article on research into any such device incorporating an intelligent cruise control. However, it has been in fundamental agreement and a new recital has been added in order to conduct research activities as part of the Commission's DRIVE programme.

Amendment of the proposal for a Council Directive on the approximation of the laws of the Member States relating to speed limiting devices or similar speed limiting systems fitted to certain categories of motor vehicle.

New recital:

- the following new recital should be inserted after the sixth recital:
"whereas it is reasonable and useful, as part of the DRIVE programme, to conduct research activities on an intelligent cruise control;"

Article 5:

- becomes Article 4.
The date of 1 October 1992 becomes "1 January 1993"

Article 6:

- becomes Article 5.
The date of 1 October 1993 becomes "1 January 1994"

New paragraph to be added to the end of Article 5:

- "from 1 October 1994 Member States may prohibit the first placing in service of vehicles the speed limiting devices of which do not meet the requirements of this Directive".

Annex I:

- Item 1.1, second paragraph becomes:
"motor vehicles the maximum design speed of which is less than the speed laid down in Directive .../.../EEC on the fitting and use of speed limiting devices by certain categories of motor vehicle within the Community are not required to be fitted with a speed limiting device or system".
- Item 7.2.1 becomes:
"for the various categories of motor vehicle restricted speed V shall be established in accordance with Directive .../.../EEC*".

* 8046/91 COM(91) 291 final.

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DOCUMENTS

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