

**Opinion on:**

- the proposal for a Council Directive on the masses and dimensions of two- and three-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on the identification of controls, telltales and indicators for two- or three-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on audible warning devices for two- or three-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on stands for two-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on protective devices intended to prevent the unauthorized use of two- or three-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on the mounting of the rear registration plate of two- or three-wheel motor vehicles<sup>(1)</sup>,
- the proposal for a Council Directive on statutory markings for two- or three-wheel motor vehicles<sup>(1)</sup>, and
- the proposal for a Council Directive on passenger hand-holds on two-wheel motor vehicles<sup>(1)</sup>

(93/C 73/06)

On 12 October 1992 and on 19 October 1992 the Council decided to consult the Economic and Social Committee, under Article 100a of the Treaty establishing the European Economic Community, on the abovementioned proposals.

The Section for Industry, Commerce, Crafts and Services, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 6 January 1993. The Rapporteur was Mr Bagliano.

At its 302nd Plenary Session (meeting of 27 January 1993) the Economic and Social Committee unanimously adopted the following Opinion.

**1. General comments**

1.1. The Committee welcomes the present package of eight draft Directives implementing the framework Directive 92/61/EEC of 30 June 1992 relating to the type approval of two- or three-wheel motor vehicles.

1.2. In particular, the Committee stresses that the abiding concern of these rules is the safety of people and transport, together with the need to harmonize technical standards and procedures in order to eliminate barriers to trade between Member States. This is vital if there is to be a real internal market.

1.3. While noting that the Council has opted for the legal instrument of a Directive, the Committee still thinks that a Regulation would have been more appropriate, so as to avoid discrepancies in implementation dates and methods.

1.3.1. However, to ensure that the rules are applied concurrently and uniformly in all Member States, the Committee recommends that each Directive in implementation of the framework Directive specify:

- a deadline by which it must be transposed into national legislation (e.g. 18 months from the date of the Directive itself);
- another date for 'entry into force': for example, at least six months after the transposition deadline. During these six months, type approval could obviously be in accordance either with existing legislation or with the new EEC Directives.

1.3.2. This will prevent different implementing dates in the Member States from distorting the market or at least creating confusion about type-approval procedures.

1.3.3. The minimum period of six months mentioned in 1.3.1 is needed in order to allow vehicle and com-

<sup>(1)</sup> OJ No C 293, 9. 11. 1992, p. 1, 5, 15, 23, 32, 38, 43 and 49.

ponent manufacturers to adapt their production to the new rules and to design vehicles and components that meet the new specifications.

1.4. As regards the procedure for adapting the Annexes to technical progress, the Committee notes that Article 16 of the framework Directive approved by the Council on 30 June 1992 refers to Article 13 of Directive 70/156/EEC.

1.5. The Committee also favours the definition of appropriate rules—as laid down in the framework Directive—to make it more difficult to 'soup up' both mopeds and motorcycles.

## 2. Draft Directive on masses and dimensions of two- and three-wheel motor vehicles

2.1. The proposal is designed to prevent the marketing of vehicles which are excessively large or heavy in relation to their power unit, since such vehicles could impede the flow of traffic and thus be a source of danger. The proposal lays down definitions and procedures for calculating the main dimensions of the vehicle.

### 2.2. Specific comments

2.2.1. As regards the 'maximum authorized kerb mass' (Point 3.2.1 of the Annex to the proposal), the Committee considers that Point 3.2.1.2 ('three-wheel motor vehicles') should make a distinction between three-wheel mopeds and tricycles<sup>(1)</sup>. A separate limit, considerably less than the 1 000 kg generally proposed for three-wheel vehicles, should be set for three-wheel mopeds (perhaps 250-270 kg).

2.2.2. In Point 3.2.2 of the Annex, the Committee proposes that two-wheel mopeds be permitted a towable mass of 80 kg (as under Swiss legislation) rather than the proposed 50% of the kerb mass (which in some cases would only be 50 or 60 kg). For motor cycles and three-wheel vehicles, however, the Committee agrees with the criterion of 50% of kerb mass.

<sup>(1)</sup> Tricycles: vehicles with three symmetrically arranged wheels, a cylinder capacity of more than 50 cm<sup>3</sup> and/or a maximum design speed of more than 45 km/h [Article 1(2) of Directive 92/61/EEC, in OJ No L 225, 10. 8. 1992].

2.2.3. Turning to the 'maximum masses which may be carried' (Point 3.2.3 of the Annex), the Committee considers that the 800 kg maximum for three-wheel mopeds (Point 3.2.3.1) is much too high. In view of traffic problems and the reliability of this type of vehicle, the Committee thinks that a 300 kg limit would be safer.

## 3. Draft Directive on the identification of controls, telltales and indicators for two- or three-wheel motor vehicles

3.1. This proposal concerns identification of the vehicle's main controls, telltales and indicators, which are important for both active and passive safety. For obvious safety reasons, identification of these features must be standardized on all types of motor vehicle, including low speed models.

### 3.2. Specific comments

— The symbols shown in Figures 13 and 14 should be reserved as an option for diesel-engine vehicles, to be consistent with the parallel Directive on vehicles.

— The telltale light shown in Figure 17 should be green, again to be consistent with the vehicles Directive.

## 4. Draft Directive on audible warning devices for two- or three-wheel motor vehicles

4.1. This proposal could improve traffic safety as its aim is to draw attention to the presence of a vehicle or to the need to carry out a manoeuvre in a dangerous situation, without causing unacceptable noise levels.

4.2. To take account of the different types of vehicle, the way the warning device is likely to be used, and the limited technical and practical capacities of mopeds, the proposal lays down three categories of sound level for the device, depending on the type of vehicle on which it is to be fitted.

### 4.3. Specific comments

4.3.1. As three categories of audible warning device are to be permitted, and each type can only be fitted to one category of vehicle, it might be worth devising

a different identifying mark to distinguish clearly the three types of device.

4.3.2. The Committee considers that a derogation should be provided for mopeds with a power of under 0,5 kW, which should be authorized to have only a hand-operated mechanical bell.

#### 5. Draft Directive on stands for two-wheel motor vehicles

5.1. The proposal sets out construction requirements for stands on two-wheel motor vehicles and specifications for their use. These will ensure the stability of the vehicle when it is stationary on both flat and sloping surfaces. The requirements should ensure that the parked vehicle cannot tip over as a result of external pressure (such as a light knock from another vehicle or a gust of wind caused by passing traffic).

##### 5.2. *Specific comments*

5.2.1. In paragraph 3.1.1.3, it should be specified that stands which retract automatically on contact with the road surface are authorized.

5.2.2. For safety reasons, the following sentence should be inserted in the first indent of paragraph 4.2 after the word 'clip': 'Each spring should allow the stand to return to the retracted position even if the other spring is broken'.

#### 6. Draft Directive on protection devices to prevent the unauthorized use of two- or three-wheel motor vehicles

6.1. The proposed requirements are intended to prevent (when the vehicle is in motion and its engine running) any accidental locking of the device or any deterioration in the steering gear or transmission on which the device acts, as this could impair vehicle safety.

##### 6.2. *Specific comments*

6.2.1. The Committee proposes that the following be added to chapter 3 to cater for low speed mopeds:

'If for construction-related reasons the steering head of the moped makes it impossible to comply with

the requirements of the present Directive, other solutions are permissible provided they respect the aims of the Directive and are acceptable to the technical authorities responsible for testing.'

#### 7. Draft Directive on the mounting of the rear registration plate of two- or three-wheel motor vehicles

7.1. The proposal lays down technical requirements, which the manufacturer of the vehicle must meet at the design stage, relating to the mounting for the registration plate on vehicles where such a plate is mandatory.

7.2. The proposed requirements focus on the dimensions, inclination and height off the ground of the plate mounting, and the angles of visibility of the plate mounted thereon.

7.3. The specifications proposed by the Commission cover the mounting of the plate but not the plate itself. The Committee suggests that thought be given to the profile of the installed plate, and that the case be considered for recommending or requiring appropriately rounded edges, since sharp edges could cause injuries not only to the vehicle user.

#### 8. Draft Directive on statutory markings for two- or three-wheel motor vehicles

8.1. These markings, which must be indelible, are to be permanently affixed to an accessible but protected part of the vehicle, so that in the event of a roadside check it is easy to ascertain whether a given vehicle belongs to a type-approved production run and thus meets both safety and environmental protection requirements.

8.2. The requirements are in line with other international rules and should ensure standardized vehicle identification worldwide.

8.3. The other indications which must be included on the plate are the name of the manufacturer, the type-approval mark, the make and reference of the silencer, and the authorized sound level for the type of vehicle. This last detail should make it easy, even in a roadside check (and regardless of the technical requirements

which will be laid down in a separate Directive), to detect any tampering with the original exhaust system.

### 9. Draft Directive on passenger hand-holds on two-wheel motor vehicles

9.1. For obvious safety reasons, this device (a strap and/or a hand-grip) must give a firm anchorage so that the passenger can remain seated on the vehicle despite any jolts caused by the road surface, driving manoeuvres, or traffic conditions.

### 9.2. Specific comments

9.2.1. With reference to the mechanical tests on the resistance of the hand-holds, the requirement for the hand-holds not to snap when the specified vertical traction force is applied could suffice.

9.2.2. However, since permanent deformation will always occur in non-elastic materials (such as leather or synthetic straps), paragraph 1.1 should specify 'without ... suffering permanent deformation of more than 15-20% of the initial length'.

Done at Brussels, 27 January 1993.

*The Chairman  
of the Economic and Social Committee*

Susanne TIEMANN

## Opinion on the proposal for a Council Regulation (EEC) on feedingstuffs intended for particular nutritional purposes<sup>(1)</sup>

(93/C 73/07)

On 28 August 1992 the Council decided to consult the Economic and Social Committee, under Article 198 of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Agriculture and Fisheries, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 7 January 1993. The Rapporteur was Mr Pricolo.

At its 302nd Plenary Session (meeting of 27 January 1993), the Economic and Social Committee unanimously adopted the following Opinion.

### 1. Introduction

1.1. The proposal comes in response to the Council's invitation to the Commission, on 22 January 1990, to present specific proposals to regulate the production, marketing and inspection of compound feedingstuffs for particular nutritional purposes, commonly known as dietetic feedingstuffs.

1.2. Such products are gaining a growing share of the market, and are not yet regulated at EC level.

Specific rules are therefore necessary in order to reassure users as to their special properties and quality.

1.3. The main provisions of the proposal concern the information to be included on the label, the type of packaging, the list of intended uses, and any other information which helps to clarify the dietetic features of the product, so that it cannot be confused either with ordinary feedingstuffs (simple or compound), which are already regulated by Directive 79/373/EEC, or with 'medicinal' feedingstuffs (i.e. ones used for strictly therapeutic purposes).

1.4. The proposal is completely new in terms of both legal basis (Regulation rather than Directive) and content.

<sup>(1)</sup> OJ No C 231, 9. 9. 1992, p. 6.