

Proposal for a Council Regulation (EC) on the recognition in intra-Community traffic of the distinguishing sign of the Member State in which motor vehicles and their trailers are registered

(97/C 290/02)

(Text with EEA relevance)

COM(97) 366 final — 97/0199 (SYN)

(submitted by the Commission on 15 July 1997)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 (1) (d) thereof,

Having regard to the proposal from the Commission, acting in accordance with the procedure laid down in Article 189c of the Treaty, in cooperation with the European Parliament,

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

Whereas the Community has adopted a certain number of measures that are intended to create an internal market consisting of an area without frontiers within which the free movement of goods, persons, services and capital is guaranteed in accordance with the provisions of the Treaty;

Whereas several Member States are contracting parties to the Vienna Convention of 1968 on road traffic, whose Article 37 provides that every motor vehicle in international traffic shall display at the rear, in addition to its registration number, a distinguishing sign of the State in which it is registered; whereas the composition and positioning of the distinguishing sign must conform to the provisions of Annex 3 to the Convention;

Whereas the Community is not a contracting party to the Convention and whereas some of its Member States which are parties to it have recourse to the provisions of Article 37 of the Convention; whereas these Member States thus require vehicles from other Member States to display the distinguishing sign provided for by Annex 3 to the Vienna Convention; whereas these Member States do not recognize other distinguishing signs such as those displayed on numberplates which, while indicating the Member State in which the vehicle is registered, do not conform to Annex 3 to the Vienna Convention;

Whereas several Member States have introduced a numberplate model which to the left of the registration number display a blue area containing the 12 yellow stars taken over from the European flag plus the distinguishing sign of the Member State of registration; whereas for the purposes of intra-Community transport this distinguishing sign meets the objective of identifying the State of registration provided for in Article 37 of the Vienna Convention;

Whereas Member States requiring that vehicles from other Member States display the distinguishing sign of the State of registration should also recognize the signs as provided for in the annex to the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

1. 'distinguishing registration sign' means a set composed of one to three letters in Latin capitals indicating the Member State in which the vehicle is registered, as specified in the annex;
2. 'vehicle' means any power-driven vehicle as defined in
 - 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, as amended⁽¹⁾,
 - Council Directive 92/61/EEC⁽²⁾ of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles.

Article 2

This Regulation shall apply to vehicles registered in the Member States that are driven in the Community.

Article 3

Member States requiring vehicles registered in another Member State to display a distinguishing registration sign when they are being driven on their territory shall recognize the distinguishing registration sign displayed in accordance with the specifications in the annex to this Regulation.

⁽¹⁾ Council Directive 96/79/EC of 16 December 1996, OJ L 18, 21. 1. 1997, p. 7.

⁽²⁾ OJ L 225, 10. 8. 1992, p. 72.

Article 4

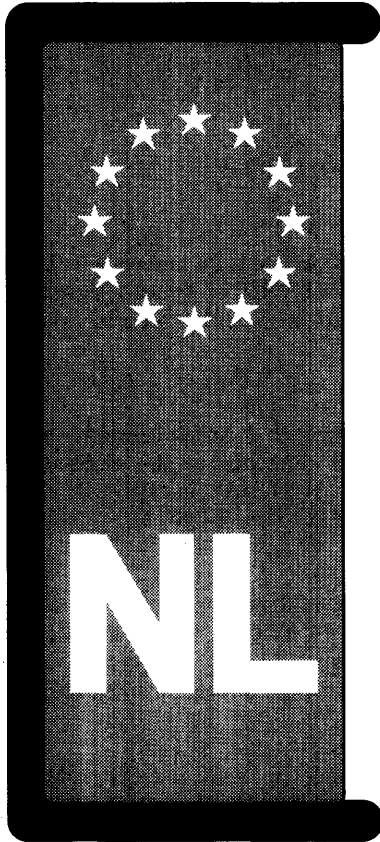
Member States shall lay down the system of penalties for breaching the provisions of this Regulation and shall take all the measures necessary to ensure that those penalties are applied. The penalties thus provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of the relevant provision not later than [...] and shall notify any subsequent changes as soon as possible.

Article 5

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

PRESCRIPTIONS FOR THE DISTINGUISHING SIGN OF THE MEMBER STATE OF REGISTRATION
TO BE AFFIXED AT THE EXTREME LEFT OF THE NUMBERPLATE**Colours:**

- 1) Retro-reflecting blue background (Munsell reference 5,9 pb 3,4/15,1).
- 2) Twelve retro-reflecting yellow stars
- 3) Retro-reflecting distinguishing sign of the Member State of registration, of a white or yellow colour similar to the background of the numberplate to which it is affixed.

Composition and dimensions

- 1) Blue background: height = minimum 100 mm
width = minimum 40 mm,
maximum 50 mm
- 2) The centres of the twelve stars to be arranged in a 15 mm radius circle; distance between two opposing peaks of any star = 4 to 5 mm
- 3) Distinguishing sign of the Member State of registration
Height = 20 mm;
Width of character stroke = 4 to 5 mm

The above dimensions may be proportionately reduced for motorcycle numberplates.