

Opinion of the Economic and Social Committee on the 'Proposal for a European Parliament and Council Directive amending Council Directive 78/548/EEC on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles'

(1999/C 101/04)

On 23 October 1998 the Council decided to consult the Economic and Social Committee, under Article 100a of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 9 December 1998. The rapporteur was Mr Bagliano.

At its 360th plenary session (meeting of 27 January 1999) the Economic and Social Committee adopted the following opinion by 114 votes to three with two abstentions.

1. Introduction

1.1. Directive 78/548/EEC of 12 June 1978 concerns heating systems for the passenger compartments of motor vehicles (category M1), particularly systems using the heat from exhaust gases or engine cooling air.

1.2. The aim of the directive was to protect vehicle occupants from two hazards of these systems: firstly, the possibility of coming into contact with parts which could cause burns, and secondly, the entry into the passenger compartment of air more polluted than the outside air.

1.3. Independent combustion heaters, usually fuelled by diesel, petrol or liquefied petroleum gas (LPG) are now used in some types of vehicle.

1.4. These devices could give rise to the same problems as those mentioned in point 1.2 above. The purpose of the Commission's draft directive is to introduce specifications for these devices and their attachment to vehicles, in order to protect consumers.

2. Summary of the proposal

2.1. With reference to framework Directive 70/156/EEC on the approximation of the laws of the Member States concerning vehicles systems, components and separate technical units, and the successive amendments to it, the Commission proposes to extend the scope of Directive 78/548/EEC to all motor vehicles to which the framework directive applies. This would extend it beyond cars to apply to buses, motor caravans and light and heavy commercial vehicles and their trailers.

2.2. It goes on to divide vehicles into five classes according to whether water, oil or air is used as the transfer medium for engine waste heat, or whether a liquid or gaseous fuel heater is used.

2.3. The Commission proposal lays down technical prescriptions for the production and fitting of these heating systems which are specific to each of the five classes referred to in point 2.2 above, with the aim of ensuring that:

- while the vehicle is in use, occupants may not come into contact with parts of the vehicle or heated air liable to cause burns;
- the heated air is no more polluted than that outside the vehicle; and
- the exhaust emissions from combustion heaters are kept within acceptable limits.

2.4. The Commission specifies the data which vehicle and combustion heater manufacturers must provide on the information document and the EC approval document.

2.5. From 1 October 2000 all new vehicle types must be approved with regard to their internal heating systems, in accordance with the prescriptions of the draft directive. From 1 October 2001 this obligation will apply to all vehicles and combustion heaters placed on the market.

3. Comments

3.1. The Commission proposal alters the scope of Directive 78/548/EEC: it is therefore appropriate that it be submitted for approval by the European Parliament and Council, although the issues involved are essentially technical and procedural.

3.2. The Committee notes the increasing use of devices to enhance the comfort of vehicle users, both passengers and drivers, and agrees with the Commission on the need to harmonize legislation, taking account of the different types of vehicle to which such devices are fitted. Heating systems are in fact used for applications ranging from the passenger compartments of cars, buses and trucks, to the sleeping compartments of trucks and

motor caravans, and the load areas of trucks and trailers used for carrying goods sensitive to excessive falls in temperature.

3.3. The Committee would recall, concerning load areas of trucks and trailers, that precise prescriptions exist for the transport of perishable goods and animals based on the international ATP agreement⁽¹⁾ and therefore proposes that the draft directive make appropriate reference to them.

3.4. The Committee emphasizes the importance of heating systems to the well-being and comfort of passengers, and consequently proposes that the following be added to the end of the third recital:

‘... whereas these requirements should be designed to increase the well-being of vehicle occupants and to ensure optimum driving conditions, thereby enhancing safety.’

3.5. In the Committee’s view, Annex II ‘Scope’ and ‘Definitions’ should become Annex I, coming before all

⁽¹⁾ Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (Geneva, 1.9.1970).

the other annexes: this would make the directive easier to read and understand.

3.6. Instructions on how to use, operate and maintain heating devices should also be available to users in clear and readily comprehensible form. The Committee therefore proposes the following modifications to Annex VII:

— point 1.1

‘Clear, straightforward and readily understood operating and maintenance instructions, which must remain legible, shall be supplied with every heater...’

— point 2.1.4 (new)

‘Clear, straightforward and readily understood instructions for the use, operation and maintenance of combustion heaters shall be supplied with all vehicles fitted with such heaters.’

3.7. The Committee would have preferred the Commission to have kept the approval procedures and prescriptions for heating devices clearly separate from those for the fitting of such devices to vehicles. This would have made the proposal clearer and more precise.

Brussels, 27 January 1999.

The President
of the Economic and Social Committee
Beatrice RANGONI MACHIAVELLI
