Opinion on the proposal for a Council Directive relating to the masses and dimensions of certain categories of motor vehicles and their trailers [1]

(92/C 49/03)

On 14 August 1991 the Council decided to consult the Economic and Social Committee, under Article 100 A of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Industry, Commerce, Crafts and Services, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 4 December 1991. The Rapporteur was Mr Marvier.

At its 292nd plenary session (meeting of 18 December 1991) the Economic and Social Committee adopted the following Opinion unanimously.

1. Introduction

1.1. A Community Directive on the masses and dimensions of vehicles other than those of category M1 is considered necessary for the purpose of overall EEC type-approval.

1.2. Annex II (EEC type-approval certificate) to framework Directive 70/156/EEC provides (point 2—Weights and dimensions) for the drawing-up of one or more separate Directives on this topic (abbreviation 'SD').

1.3. Overall EEC type-approval of non-M1 vehicles must therefore take account of the existence of more or less detailed provisions on this subject, or the references in question must be deleted from the framework Directive.

1.4. The provisions of the Directive under discussion should in future also be recognized and adopted by non-EEC countries belonging to the ECTM [2], as was the case (the Committee is happy to report) with Directive 85/3/EEC and its subsequent amendments.

2. General comments

2.1. Whilst to some extent filling the abovementioned gap, the proposed Directive is only a first step, since it does not lay down mandatory numerical values for most of the weights and dimensions listed in point 2 of Annex II to framework Directive 70/156/EEC, but simply provides definitions. A second stage can be expected in the near future in which numerical values will be fixed so that the masses and dimensions of non-M1 vehicles are also standardized for type-approval purposes and not merely for international transport.

2.2. Precise numerical values are, however, laid down in other cases, for example:

a) towing vehicle/trailer mass ratio (Annex I, point 7.1); this value can also be calculated indirectly by reference to Directive 85/3/EEC;

b) engine power/maximum mass ratio (Annex I, point 9); this value was fixed not only to encourage basic engine power increases but also to improve road transport safety (goods and persons).

2.3. The foregoing provides a general yardstick for the interpretation of the draft Directive which, if examined in greater detail, reveals certain imprecisions, certain 'encroachments' into areas not strictly relevant to such a Directive, and such irrelevant and dangerous 'redundancies' as the repetition of all the technical requirements relating to air or equivalent suspension systems which now, rightly or wrongly, come within the scope of the future Directive amending Directive 85/3/EEC.

3. Specific comments

3.1. *Article 4*

3.1.1. This should be reworded.

3.1.2. It is the now customary Article withdrawing powers from the Committee on Adaptation to Technical Progress and making it an advisory rather than a regulatory body.

3.2. *Article 6*

3.2.1. First indent—The phrase 'no longer' should be replaced by 'not'. The draft Directive is the first to appear on the 'masses and dimensions of vehicles other than those of category M1' and the phrase 'no longer' is used in Directives amending existing Directives.

[1] OJ No C 230, 4. 9. 1991, p. 46.
[2] ECTM: European Conference of Transport Ministers.

3.3. *Annex I*

3.3.1. A vehicle equipped with air or equivalent suspension systems must obviously be eligible, on request, for certification on the basis of harmonized requirements and EEC type-approval must therefore also extend to such components. At the same time, the technical requirements regarding the equivalence of mechanical and air suspension systems must appear in a single EEC Directive so as to avoid the danger of unaligned texts.

3.3.2. At present, the draft Directive primarily concerned would appear to be that amending Directive 85/3/EEC [doc. COM(90) 486 final] [1]. The proposed Directive now under consideration should therefore make explicit reference to this draft amending Directive which has already been commented upon by the Committee [2]. The Committee hopes that its earlier views will once more be taken on board.

3.3.3. Point 10

3.3.3.1. It is proposed that this point be worded as follows:

'Conditions for establishing the equivalence of a suspension system to an air suspension system for a drive-axle.'

3.3.4. Point 10.1

3.3.4.1. It is proposed that this paragraph be worded as follows:

'Where national road traffic regulations make it necessary to establish the equivalence of a suspension system to an air suspension system for a drive-axle, the relevant provisions of Annex III to Directive .../.../EEC shall apply for the purpose of establishing such equivalence.'

3.3.5. Point 10.2

3.3.5.1. Whilst most drive-axles are now fitted with twin tyres, this paragraph would make their mounting compulsory.

3.3.5.2. This is extremely unsatisfactory from the user standpoint, since it automatically precludes the fitting of single tyres, a practice which is becoming increasingly widespread in the case of load-bearing axles. Single tyres are economical (lower fuel consumption, ease of mounting and maintenance, etc.) and such a decision would slow research aimed at improving their performance and adaptation to this type of axle.

3.3.5.3. Lastly, it would create a design problem owing to the need for a second spare wheel if the drive-axle alone is fitted with twin tyres (different dimensions of load-bearing axles). This would complicate the task of vehicles manufacturers and hauliers by entailing a loss of volume/carrying capacity equivalent to that of the extra wheel.

3.3.6. Point 5.2

3.3.6.1. Since all requirements relating to the calculation of passenger, baggage and other weight come within the scope of the future EC Directive on passenger vehicles now being discussed by the Commission, the second and third sentences are unacceptable in their present form.

3.3.6.2. It should also be noted that the provisions of these sentences are not in conformity with Regulation No 36 of the Economic Commission for Europe (ECE) which should serve as a point of reference.

3.3.7. Point 6.1.4

3.3.7.1. In view of the fact that:

— the present proposal for a Directive is not concerned with the international movement of vehicles, but with their national type-approval (this being a type-approval, not a traffic, directive),

— all previous Community vehicle type-approval directives have been concerned solely with individual vehicles, i.e. drive units and trailers taken as a single unit, and not road trains,

— it is hard not to reach the conclusion, even leaving aside the above comments, that the provision contained in this paragraph is a futile constraint on the design of coupling devices between drive units and trailers, bearing in mind the recent specifications concerning the distance between the two units, as laid down in Directive 91/60/EEC [3] (0,35m),

the Committee considers it essential to remove this paragraph; it also urges that the relevant provision be removed from Directive 85/3/EEC.

3.3.8. Point 7.2

3.3.8.1. The provisions of the last sentence are misplaced since they come within the scope of Directive 71/320/EEC on braking devices and should be examined in that context. This sencence should therefore be deleted.

(1) OJ No C 292, 22. 11. 1990.
(2) OJ No C 159, 17. 6. 1991.
(3) OJ No L 37, 9. 2. 1991.

3.3.8.2. In this connection, it should be pointed out that the Rapporteurs' Group on braking devices (GRRF) of ECE Working Party 29 in Geneva is considering this very topic at present.

Done at Brussels, 18 December 1991.

The Chairman

of the Economic and Social Committee

François STAEDELIN

Opinion on the proposal for a Council Directive amending Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles

(92/C 49/04)

On 7 August 1991 the Council decided to consult the Economic and Social Committee, under Article 100 A of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Industry, Commerce, Crafts and Services, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 4 December 1991, in the light of the Report by Mr Pearson.

At its 292nd plenary session (meeting of 18 December 1991) the Economic and Social Committee adopted the following Opinion unanimously.

1. Introduction

1.1. The Section fully supports the concern of the Commission to reduce further the noise level attributable to motor vehicle traffic, the ever increasing volume of which aggravates the situation, and it thus endorses the proposals subject to the following points.

2. General comments

2.1. The position has been reached in the technical capability of the European motor industry whereby factors other than the noise level of the engine, gearbox, axle drive and exhaust system are of equal priority to be resolved: the contact noise level of tyres on the road surface is one.

2.2. In Article 4, the Committee notes that the Commission intends to table proposals concerning the noise level arising from the contact of tyres with the road surface by 31 March 1994 and it regrets that the date is so far away. The Committee also recognizes the importance of the type of road surface in relation to vehicle noise and urges the Commission to address this issue.

2.3. Constraints applicable to the permissible sound level of motor vehicles should equally be of concern in relation to two-wheel and to three-wheel vehicles.

2.4. Due to the foresight of the Commission and with the cooperation of the automobile industry, very substantial noise level reductions have been achieved in recent years: the proposed reductions are already possible in a number of passenger car models but may be difficult to attain in a full model range. In view of the intended operation of the European Economic Area it is important that there is equal application within the countries of the European Free Trade Association (EFTA).