Article 3

This Directive shall not affect the right of Member States to specify, with due observance of the Treaty, the requirements they deem necessary to ensure that workers are protected when using the tractors in question, provided this does not mean that the tractors are modified in a way unspecified in this Directive.

Article 4

Any amendments necessary to adapt Annexes I to V to technical progress shall be adopted in accordance with the procedure referred to in Article 20(3) of Directive 2003/37/EC.

Article 5

Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 6

Directive 86/415/EEC, as amended by the Directives listed in Annex VI, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex VI, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VII.

Article 7

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 8

This Directive is addressed to the Member States.

Done at …,

For the European Parliament	*For the Council*
The President	*The President*

Braking devices of wheeled agricultural or forestry tractors ***I

P7_TA(2011)0213

European Parliament legislative resolution of 11 May 2011 on the proposal for a directive of the European Parliament and of the Council on braking devices of wheeled agricultural or forestry tractors (codified text) (COM(2010)0729 – C7-0421/2010 – 2010/0349(COD))

(2012/C 377 E/40)

(Ordinary legislative procedure – codification)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2010)0729),

Wednesday 11 May 2011

— having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0421/2010),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the opinion of the European Economic and Social Committee of 16 February 2011 ([1]),

— having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ([2]),

— having regard to Rules 86 and 55 of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs (A7-0092/2011),

A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,

1. Adopts its position at first reading hereinafter set out;

2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

([1]) OJ C 107, 6.4.2011, p. 75.
([2]) OJ C 102, 4.4.1996, p. 2.

P7_TC1-COD(2010)0349

Position of the European Parliament adopted at first reading on 11 May 2011 with a view to the adoption of Directive 2011/…/EU of the European Parliament and of the Council on braking devices of wheeled agricultural or forestry tractors (Codification)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee ([1]),

Acting in accordance with the ordinary legislative procedure ([2]),

Whereas:

(1) Council Directive 76/432/EEC of 6 April 1976 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors ([3]) has been substantially amended several times ([4]). In the interests of clarity and rationality, the said Directive should be codified.

([1]) OJ C 107, 6.4.2011, p. 75.
([2]) Position of the European Parliament of 11 May 2011.
([3]) OJ L 122, 8.5.1976, p. 1.
([4]) See Annex VI, Part A.

(2) Directive 76/432/EEC is one of the separate Directives of the EC type-approval system provided for in Council Directive 74/150/EEC, as replaced by Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC ([1]), and lays down technical prescriptions concerning braking devices. Those technical prescriptions concern the approximation of the laws of the Member States to enable the EC type-approval procedure provided for in Directive 2003/37/EC to be applied in respect of each type of tractor. Consequently, the provisions laid down in Directive 2003/37/EC relating to agricultural and forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units, apply to this Directive.

(3) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex VI, Part B,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. "Agricultural or forestry tractor" means any motor vehicle fitted with wheels or 1 endless tracks and having at least two axles, the main function of which lies in its tractive power and which is specially designed to tow, push, carry or power certain tools, machinery or trailers intended for agricultural or forestry use. It may be equipped to carry a load and passengers.

2. This Directive shall apply only to tractors defined in paragraph 1 which are equipped with pneumatic tyres and have a maximum design speed of between 6 and 40 km/h.

Article 2

1. With respect to tractors which comply with the requirements laid down in this Directive, Member States may not, on grounds relating to braking devices:

(a) refuse, in respect of a type of tractor, to grant EC type-approval or to grant national type-approval; or

(b) refuse the registration or prohibit the sale or entry into service of tractors.

2. Member States may refuse to grant national type-approval for a type of tractor on grounds relating to braking devices, if the requirements laid down in this Directive are not complied with.

Article 3

Member States may not prohibit the use of tractors on grounds relating to their braking devices if those tractors are fitted with the devices specified in Annexes I to IV and if those devices satisfy the requirements set out therein.

Article 4

A Member State which has granted EC type-approval of a tractor shall take the necessary measures to ensure that it is informed of any modification to a component or characteristic mentioned in point 1.1 of Annex I. The competent authorities of that Member State shall decide whether fresh tests should be carried out on the modified type of tractor and a fresh report drawn up. If such tests reveal failure to comply with the requirements of this Directive, the modification shall not be approved.

([1]) OJ L 171, 9.7.2003, p. 1.

Article 5

The amendments necessary for adapting the requirements of Annexes I to V to take account of technical progress shall be adopted in accordance with the procedure referred to in Article 20(3) of Directive 2003/37/EC.

Article 6

Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 7

Directive 76/432/EEC, as amended by the Directives listed in Annex VI, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex VI, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VII.

Article 8

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from […].

Article 9

This Directive is addressed to the Member States.

Done at …

For the European Parliament	*For the Council*
The President	*The President*

Driving position and the doors and windows of wheeled agricultural or forestry tractors ***I

P7_TA(2011)0214

European Parliament legislative resolution of 11 May 2011 on the proposal for a directive of the European Parliament and of the Council on the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors (codified text) (COM(2010)0746 – C7-0428/2010 – 2010/0358(COD))

(2012/C 377 E/41)

(Ordinary legislative procedure – codification)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2010)0746),

— having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0428/2010),