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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.10.2003
COM(2003) 635 final

2003/0254 (AVC)

Proposal for a

COUNCIL DECISION

on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform prescriptions concerning the type approval of tyres with respect to tyre rolling noise

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. GENERAL

By Council Decision 97/836/EC of 27 November 1997, the European Community became a Contracting Party to the 1958 Revised Agreement of the United Nations Economic Commission for Europe (UN/ECE). That Decision took effect on 24 March 1998.

Article 4 of that Decision stipulates, *inter alia*, that where a draft Regulation of the UN/ECE is submitted to a vote within the appropriate UN/ECE bodies, the draft in question must be approved by the Council, after obtaining assent from the European Parliament, before the Community can declare itself in favour of adopting the draft.

The agenda of a forthcoming meeting of the World Forum for Harmonisation of Vehicle Regulations of the UN/ECE includes, in particular, a vote on a (new) draft Regulation on uniform prescriptions concerning the type approval of tyres with respect to tyre rolling noise.

The main purpose of the Regulation is to establish harmonised technical prescriptions, thereby avoiding the creation of technical barriers to trade in motor vehicles between the Contracting Parties, while ensuring a high level of safety and environmental protection.

It should be stressed that the EC's position at the time of the vote will be based on documents available in the official languages of the UN/ECE (French and English). As the EC has become party to the 1958 UN/ECE agreement, it is required to observe the procedures provided for in that agreement.

In conformity with the provisions of Article 4(5) of Decision 97/836/EC, the Regulation will be published in all the official languages of the Communities in the *Official Journal of the European Union* before coming into force.

2. CONTENT OF THE PROPOSAL FOR A DECISION

The purpose of the proposal is to enable the Commission representative to vote on the draft Regulation on behalf of the Community at a forthcoming meeting of the UN/ECE World Forum for Harmonisation of Vehicle Regulations.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions[1], particularly Article 4(2), second indent, thereof,

Having regard to the proposal of the Commission[2],

Having regard to the favourable opinion of the European Parliament[3],

Whereas:

(1) The draft Regulation of the United Nations Economic Commission for Europe concerning the approval of uniform prescriptions for the type approval of tyres with respect to tyre rolling noise will abolish the technical barriers to the trade of motor vehicles between the Contracting Parties with respect to these components, while ensuring a high level of safety and environmental protection.

(2) It is appropriate to define the Community's position with regard to the said draft Regulation.

(3) The said Regulation will not be incorporated into the Community system for the type-approval of motor vehicles,

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1 OJ L 346 of 17.12.1997, p. 78.
2 OJ C. .of. ., p. .
3 OJ C. .of. ., p. .

HAS DECIDED AS FOLLOWS:

Article 1

The draft Regulation of the United Nations Economic Commission for Europe (UN/ECE) on the approval of uniform technical prescriptions for the type approval of tyres with respect to tyre rolling noise, as contained in document TRANS/WP.29/2002/7/Rev.1, is hereby approved.

Article 2

The Community, represented by the Commission, shall vote in favour of the draft UN/ECE Regulation referred to in Article 1 in the vote which will take place during a meeting of the Administrative Committee at a forthcoming meeting of the UN/ECE World Forum for Harmonisation of Vehicle Regulations.

Article 3

Regulation UN/ECE concerning the approval of uniform technical prescriptions for the type approval of tyres with respect to tyre rolling noise, will not be incorporated into the Community type-approval system for motor vehicles.

Done at Brussels,

For the Council
The President