COMMISSION OF THE EUROPEAN COMMUNITIES

COM(92) 88 final - SYN 349

Brussels, 13 March 1992

Re-examined proposal for a

COUNCIL DIRECTIVE

ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES

RELATING TO SPEED LIMITATION DEVICES

OR SIMILAR SPEED LIMITATION SYSTEMS

FITTED TO CERTAIN CATEGORIES OF MOTOR VEHICLE

(presented by the Commission pursuant to Article 149.2(d)
of the EEC treaty)

EXPLANATORY MEMORANDUM

On 12 February 1992 the European Parliament adopted, by an absolute majority, amendments to the common position adopted by the Council on 19 December 1991 relating to speed limitation devices or similar speed limitation systems fitted to certain categories of goods and passenger vehicle.

Pursuant to Article 149 § 2 d) of the EEC Treaty, the Commission has re-examined the proposal and decided to accept these amendments for the following reasons:

The Commission accepts the amendment proposed by Parliament on first reading in the form of a recital on the development of speed limitation devices and agrees to research into these systems based on the prevailing road and traffic conditions.

In addition, introduction of the advisory committee procedure proposed by the Commission plays a leading part in the speed and efficiency of the decision-making process for adapting to technical progress the Directives on road vehicles.

Re-examined proposal for a Council Directive on the approximation of the laws of the Member States relating to speed limitation devices or similar speed limitation systems fitted to certain categories of motor vehicle

Final recital:

- After the sixth recital, insert a new recital reading:
  "Whereas it is reasonable and useful to undertake research activities relating to the development of variable speed limitation devices activated in conformity with the speed limits warranted by the prevailing road and traffic conditions within the framework of the DRIVE programme,"

Article 3 is replaced by a new Article 3 reading:

- "The Commission shall be assisted by the Committee established under Article 12 of Directive 70/156/EEC.
  The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall give its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.
  The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.
  The Commission shall take the utmost account of the opinion given by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account."

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