



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.12.2007
COM(2007) 840 final

2007/0284 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on the component type-approval of lighting and light-signalling devices on wheeled
agricultural or forestry tractors**

(Codified version)

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make use of the specific rights it gives him.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent.

2. On 1 April 1987 the Commission therefore decided¹ to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules are clear and readily understandable.

3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this², stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal Community legislative procedure.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Directive 79/532/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors³. The new Directive will supersede the various acts incorporated in it⁴; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

¹ COM(87) 868 PV.

² See Annex 3 to Part A of the Conclusions.

³ Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

⁴ See Annex II, Part A of this proposal.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 79/532/EEC and the instruments amending it, carried out by the Office for Official Publications of the European Communities, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex III to the codified Directive.

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 of thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the procedure laid down in Article 251 of the Treaty²,

Whereas:



- (1) Council Directive 79/532/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors³ has been substantially amended several times⁴. In the interests of clarity and rationality the said Directive should be codified.
- (2) Directive 79/532/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

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

³ OJ L 145, 13.6.1979, p. 16. Directive as last amended by Directive 97/54/EC of the European Parliament and of the Council (OJ L 277, 10.10.1997, p. 24).

⁴ See Annex II, Part A.

and repealing Directive 74/150/EEC⁵, and lays down technical prescriptions concerning the design and construction of agricultural or forestry tractors as regards the lighting and light-signalling 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 or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units apply to this Directive.

↓ 79/532/EEC Recital 3 and Recital 4 (adapted)

- (3) In Directive 78/933/EEC⁶ the Council laid down common requirements for the installation of lighting and light-signalling devices on wheeled agricultural or forestry tractors. Such lighting and light-signalling devices possess the same characteristics as those fitted to motor vehicles. Therefore, devices having received an EC component type-approval mark in accordance with the Directives already adopted on this subject in connection with the ☒ EC ☒ type-approval of motor vehicles and their trailers may also be used on tractors.

↓

- (4) 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 II, Part B,

↓ 79/532/EEC (adapted)

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. ☒ For the purposes of this Directive, ☒ ‘agricultural or forestry tractor’ means any motor vehicle, fitted with wheels or 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.

⁵ OJ L 171, 9.7.2003, p. 1. Directive as last amended by Council Directive 2006/96/EC (OJ L 363, 20.12.2006, p. 81).

⁶ OJ L 325, 20.11.1978, p. 16. Directive as last amended by Commission Directive 2006/26/EC (OJ L 65, 7.3.2006, p. 22).

↓ 82/890/EEC Art. 1 (adapted) → ₁ 97/54/EC Art. 1

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 →₁ 40 km/h ←.

↓ 79/532/EEC (adapted)

Article 2

No Member State may refuse to grant EC type-approval or national type-approval of a tractor on grounds relating to ☒ the following lamps or reflectors, if these bear the EC component type-approval mark as provided for in Annex I and are installed in accordance with the requirements laid down in Directive 78/933/EEC ☒:

- (a) headlamps which function as main-beam and/or dipped-beam headlamps or to incandescent electric filament lamps for such headlamps;
- (b) end-outline marker lamps;
- (c) front position (side) lamps;
- (d) rear position (side) lamps;
- (e) stop lamps;
- (f) direction indicator lamps;
- (g) reflex reflectors;
- (h) rear registration plate lamps;
- (i) front fog lamps and filament lamps for such lamps;
- (j) rear fog lamps;
- (k) reversing lamps;
- (l) parking lamps.

Article 3

No Member State may refuse the registration, or prohibit the sale, entry into service or use of a tractor on grounds relating to ☒ the following lamps or reflectors, if these bear the EC component type-approval mark as provided for in Annex I and are installed in accordance with the requirements laid down in Directive 78/933/EEC ☒:

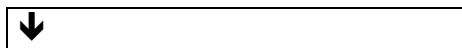
- (a) headlamps which function as main-beam and/or dipped-beam headlamps or to incandescent electric filament lamps for such headlamps;
- (b) end-outline marker lamps;
- (c) front position (side) lamps;
- (d) rear position (side) lamps;
- (e) stop lamps;
- (f) direction indicator lamps;
- (g) reflex reflectors;
- (h) rear registration plate lamps;
- (i) front fog lamps and filament lamps for such lamps;
- (j) rear fog lamps;
- (k) reversing lamps;
- (l) parking lamps.

Article 4

Any amendments necessary to adapt the requirements of Annex I to technical progress shall be adopted in accordance with the procedure referred to in Article 20(2) of Directive 2003/37/EC .

Article 5

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 6

Directive 79/532/EEC, as amended by the Directives listed in Annex II, 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 II, 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 set out in Annex III.

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*.

It shall apply from [...].

↓ 79/532/EEC

Article 8

This Directive is addressed to the Member States.

Done at Brussels, [...]

For the European Parliament
The President
[...]

For the Council
The President
[...]

ANNEX I

1. Headlamps which function as main-beam and/or dipped-beam headlamps and incandescent electric filament lamps for such headlamps:

The EC component type-approval mark is that laid down in [Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to light sources (filament lamps and others) for use in approved lamp units of motor vehicles and of their trailers¹].

The provisions of Directive [76/761/EEC] also apply to the component type-approval of special headlamps for agricultural or forestry tractors designed to provide both a main beam and a dipped beam of less than 160 mm, diameter D, with the following amendments:

- (a) the minimum illumination values fixed in point 6.3 of [Annex I to Directive 76/761/EEC] are reduced according to the ratio

$$((D - 45)/(160 - 45))^2$$

subject to the following absolute lower limits:

- 3 lux, either at point 75 R or at point 75 L,
- 5 lux, either at point 50 R or at point 50 L,
- 1.5 lux, in Zone IV.

Note: If the apparent surface of the reflector is not circular, the diameter is that of a circle with the same area as the apparent useful surface of the reflector.

- (b) the symbol M inside an inverted triangle is affixed on the headlamp instead of the symbol CR provided for in [point 4.3.5 of Annex VI to Directive 76/761/EEC];
- (c) Heading 1 of the component type-approval certificate ([Annex II to Directive 76/761/EEC]) reads ‘headlamp for wheeled agricultural or forestry tractors’.

¹ [OJ L 262, 27.9.1976, p. 96.]

2. **End-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps:**

The EC component type-approval mark is that laid down in [Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps, stop lamps, daytime running lamps and side marker lamps for motor vehicles and their trailers²].

3. **Direction indicator lamps:**

The EC component type-approval mark is that laid down in [Council Directive 76/759/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers³].

4. **Reflex reflectors:**

The EC component type-approval mark is that laid down in [Council Directive 76/757/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to reflex reflectors for motor vehicles and their trailers⁴].

5. **Rear registration plate lamps:**

The EC component type-approval mark is that laid down in [Council Directive 76/760/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to rear registration plate lamps for motor vehicles and their trailers⁵].

6. **Front fog lamps:**

The EC component type-approval mark is that laid down in [Council Directive 76/762/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles⁶].

7. **Rear fog lamps:**

The EC component type-approval mark is that laid down in [Council Directive 77/538/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers⁷].

² [OJ L 262, 27.9.1976, p. 54.]

³ [OJ L 262, 27.9.1976, p. 71.]

⁴ [OJ L 262, 27.9.1976, p. 32.]

⁵ [OJ L 262, 27.9.1976, p. 85.]

⁶ [OJ L 262, 27.9.1976, p. 122.]

⁷ [OJ L 220, 29.8.1977, p. 60.]

8. **Reversing lamps:**

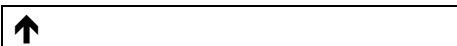
The EC component type-approval mark is that laid down in [Council Directive 77/539/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers⁸].

9. **Parking lamps:**

The EC component type-approval mark is that laid down in [Council Directive 77/540/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to parking lamps for motor vehicles⁹].

⁸ [OJ L 220, 29.8.1977, p. 72.]

⁹ [OJ L 220, 29.8.1977, p. 83.]



ANNEX II

Part A

Repealed Directive with list of its successive amendments (referred to in Article 6)

Council Directive 79/532/EEC
(OJ L 145, 13.6.1979, p. 16)

Council Directive 82/890/EEC
(OJ L 378, 31.12.1982, p. 45)

only as regards the reference to
Directive 79/532/EEC in Article 1(1)

Directive 97/54/EC of the European Parliament
and of the Council
(OJ L 277, 10.10.1997, p. 24)

only as regards the reference to
Directive 79/532/EEC in Article 1,
first indent

Part B

List of time-limits for transposition into national law and application (referred to in Article 6)

Directive	Time-limit for transposition	Date of application
79/532/EEC	21 November 1980	
82/890/EEC	21 June 1984	
97/54/EC	22 September 1998	23 September 1998

ANNEX III

CORRELATION TABLE

Directive 79/532/EEC	This Directive
Article 1	Article 1
Article 2, introductory sentence and final wording	Article 2, introductory sentence
Article 2, indents	Article 2(a) – (l)
Article 3, introductory sentence and final wording	Article 3, introductory sentence
Article 3, indents	Article 3(a) – (l)
Article 4	Article 4
Article 5(1)	-
Article 5(2)	Article 5
-	Article 6
-	Article 7
Article 6	Article 8
Annex	Annex I
-	Annex II
-	Annex III