

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 701 final.

Brussels, 23 December 1976.

## PROPOSAL FOR A COUNCIL DIRECTIVE

on the approximation of the laws  
of the Member States relating to  
the weights and dimensions  
of certain motor vehicles

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(submitted to the Council by the Commission)

COM(76) 701 final.

EXPLANATORY MEMORANDUM

I. General

The procedure for the Community type approval of motor vehicles and their trailers, covered by Council Directive 70/156/EEC of 6 February 1970 (1) concerns, inter alia, the weights and dimensions of such vehicles for which it makes reference to a particular directive. The Commission has already submitted to the Council a proposal for a Directive on the harmonisation of national legislations relating to the weights and dimensions of road vehicles in general. The examination of this proposal by the competent authorities of the Council has not hitherto produced any results which would have enabled this directive to be adopted by the Member States.

Some of the requirements contained in the legislation of the Member States concern moreover vehicles of category M<sub>1</sub> (private cars and other vehicles used for the carriage of persons and having no more than 9 seats). For this reason the Commission in agreement with the experts of the Member States, considered it advisable to elaborate a proposal for a directive which is confined to requirements concerning the weights and dimensions of vehicles of this category. This measure will complete the type approval procedure and ensure its implementation in the near future, at least for vehicles of this category.

When the Council Directive for the weights and dimensions of road vehicles of every category is enforced, its provisions will replace or complete those of this proposal for a directive.

II. Comments on the proposal for a Directive

Its scope is restricted to motor vehicles falling within category M<sub>1</sub> (private motor vehicles and any other vehicle intended to transport persons and having no more than 9 seats) intended for use on the road.

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Of N° L 73 of 27 March 1972 "Documents concerning the accession to the European Communities of the Kingdom of Denmark, Ireland, the United Kingdom and Northern Ireland".  
Act concerning the conditions of accession and the adjustments to the Treaties - Annex I, Title X.

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having at least four wheels and a maximum design speed in excess of 25 km/h and a permissible maximum laden weight of no more than 3 500 kg (Article 1).

Article 2 incorporates in the EEC procedure for type approval the requirements relating to the heating of interior and wheel guards for vehicles specified in Article 1.

Since at the moment some new Member States do not operate their own type approval procedure it is necessary to lay down provisions enabling vehicles complying with the requirements of the Directive (Article 3) (1) to be used in those Member States.

Article 4 lays down the procedure for adapting the requirements set out in the annexes to technical progress. This procedure is set out in Article 13 of the Council Directive of 6 February 1970 on the type approval of motor vehicles and of their trailers.

Article 5 provides for two deadlines : before expiry of the first deadline the Member States have to adopt and publish the measures necessary in order to comply with the Directive. The second deadline determines the date on which all of the Member States must simultaneously implement the common rules (Article 6, (1)).

Finally, the Commission must be informed, within reasonable time, of any draft provision drawn up by the Member States in the field covered by the Directive, since such information will enable the Commission to prepare any comments on the draft considered necessary (Article 5, (2)).

The technical Annex defines the permissible maximum dimensions of the vehicles concerned in relation to their length, width and height. It provides, moreover, for requirements relations to the determination of the permissible maximum laden weight and for the distribution of this weight between the axles of the vehicles in order to ensure proper control of this weight, even in the most adverse loading conditions.

III. CONSULTATION OF THE EUROPEAN PARLIAMENT AND OF THE ECONOMIC  
AND SOCIAL COMMITTEE

The opinion of both these bodies is required as laid down in the provisions of Article 100, (2).

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas the technical requirements which motor vehicles must satisfy pursuant to national laws relate inter alia to their weights and dimensions;

Whereas those requirements differ from one Member State to another;  
Whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules in order, in particular, to allow the EEC type-approval procedure which was the subject of Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (1), to be applied in respect of each type of vehicle;

Whereas the approximation of national laws relating to motor vehicles involves the mutual recognition of Member States of the inspections carried out by each of them on the basis of common provisions; whereas for it to operate effectively, such a system calls for the implementation of these requirements by all Member States with effect from the same date;

Whereas the provisions of this Directive, which is limited to motor vehicles of category M<sub>1</sub>, are adopted in anticipation of the implementation of the provisions relating to weights and dimensions of all

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(1) OJ No L 42, 23.2.1970 p. 1.

categories of motor vehicles,

HAS ADOPTED THIS DIRECTIVE

Article 1

For the purposes of this Directive, "vehicle" means any motor vehicle in category M1 (defined in Annex I of Directive 70/156/EEC) designed for use on the road, having at least four wheels, a maximum design speed exceeding 25 km/h, and a permissible maximum laden weight of not more than 3 500 kg with the exception of vehicles which run on rails, agricultural or forestry tractors and machinery, and public works vehicles.

Article 2

No Member State may refuse to grant EEC type-approval or national type-approval of a vehicle on grounds relating to its weights and dimensions, if they satisfy the requirements set out in the Annex I hereto.

Article 3

No Member State may refuse to register or may prohibit the sale, entry into service or use of a vehicle on grounds relating to its weights and dimensions, if they satisfy the requirements set out in the Annex I hereto.

Article 4

Any amendments necessary to adapt the requirements of the Annexes to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.

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Article 5

1. Member States shall adopt and publish the provisions necessary to comply with this Directive by 1 June 1978 and shall forthwith inform the Commission thereof.

They shall implement these provisions with effect from 1 January 1979.

2. After notification of this Directive, Member States shall take steps to inform the Commission, in sufficient time for it to submit its comments, of any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by the Directive.

Article 6

This Directive is addressed to the Member States.

ANNEX I

1. DIMENSIONS

1.1. The permissible maximum dimensions of vehicles, as defined in Annex I of Directive 70/156/EEC of 6 February 1970, are the following :

- 1.1.1. Length : 11,000 mm
- Width : 2,500 mm
- Height : 4,000 mm

2. WEIGHTS

2.1. The permissible maximum laden weight is the technical permissible maximum laden weight.

2.2. The technical permissible maximum laden weight shall not exceed 3,500 kg. It must meet the following requirements :

2.2.1. The technically permissible maximum weight of the vehicle and of its individual axles shall not be less than that which is the appropriate such weight relative to the seating and luggage carrying capacity of the vehicle. These weights shall be determined under the following conditions :

2.2.1.1 a mass of 68 kg is placed on each seating position,

2.2.1.2 a mass of 7 kg for each seating position is placed centrally in the boot, (or, if there are two boots, distributed between them as specified by the manufacturer).

2.2.1.3 if any seat is adjustable in forward/rearward direction, it shall be placed in the middle of the adjustment range of normal use.

2.2.2 When the vehicle and the rear axle are both loaded to their technically permissible maximum laden weight, then the load on the steered wheels must be at least 30 % of the total technically permissible maximum laden weight of the vehicle.

3. APPLICATION FOR EEC TYPE-APPROVAL

3.1. Applications for EEC type-approval in respect of vehicle weights and dimensions are to be submitted by the vehicle manufacturer or his authorised representative.

3.2. Applications should be accompanied by a sketch of the vehicle (in triplicate), showing the weights and dimensions.

3.3. A vehicle representative of the type of vehicle for which type-approval is sought should be delivered to the technical service responsible for carrying out the approval tests.



ANNEX II

(Maximum format : A4 (210 x 297 mm))

Name of administration

Annex to the EEC vehicle type-approval certificate with regard to the weights and dimensions (Article 4 (2) and Article 10 of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers).

Type-approval N°

1. Trade name or mark of the vehicle .....
2. Vehicle type .....
3. Manufacturer's name and address .....
4. Where applicable, name and address of manufacturer's authorized representative .....
5. Description of the type of vehicle concerning the weights and dimensions .....
6. Date on which vehicle presented for type-approval .....
7. Technical service conducting type-approval examination .....
8. Date of test report issued by that service .....
9. Number of test report issued by that service .....
10. Type-approval in respect of the weights and dimensions granted/refused (\*)
11. Place .....
12. Date .....
13. Signature .....
14. A sketch of the entire vehicle showing the weights and dimensions which are dealt with in this Directive, is annexed to this communication.

(\*) Delete as appropriate