



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.01.1997
COM(97)5 final

96/0129 (COD)

Amended proposal for a
EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE
relating to the maximum design speed
of wheeled agricultural or forestry tractors

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

Following the opinion of the European Parliament¹ of 10 December 1996 on the proposal for a European Parliament and Council Directive on the maximum design speed of wheeled agricultural or forestry tractors² and in accordance with Article 189(a)(2) of the EC Treaty, the Commission has decided to amend the abovementioned proposal.

The Commission accepts the substance of the amendments to introduce:

- a new recital 5a regarding improvement and harmonization of all safety aspects such as the installation of safety belts (amendment 1);
- a new recital 5c to the effect that pollution from tractors should be the subject of future Community legislation (amendment 3).

The Commission rejects the amendments to introduce:

- a new recital 5b to the effect that Member States should examine the need for the introduction of technical controls for tractors at regular intervals (amendment 2).

The Commission prefers to abide by Article 100a of the Treaty, which forms the basis of this proposal which is concerned only with design standards for new tractors. Once tractors are in use, their regular technical control comes under Article 75 on transport. The Commission can therefore only take due note of Parliament's wish to provide for regular controls of this kind and will consider, in the framework of the appropriate procedures, what proposals should be drafted;

- a new Article 1a dealing with both Community and national type-approval requirements for tractors (amendment 4).

The Commission cannot accept the first three sentences of this amendment, since their content is already included in the Directives to be amended by this proposal for a Directive, or the fourth sentence, which concerns tractors with speeds in excess of 40 km/h, which by definition are not covered by that Directive and are the subject of national legislation in accordance with Article 10 of framework Directive 74/150/EEC. Furthermore, the specifications in the Community Directives do not relate to tractors with speeds in excess of 40 km/h.

¹ Doc. PE 254.439.

² OJ C 186, 26.6.1996.

**Amended proposal for a European Parliament and Council Directive
on the maximum design speed of wheeled agricultural or forestry tractors**

Initial text

Amended text

(Amendment 1)

New recital 5(a)

whereas it is necessary to improve and
harmonize all safety aspects such as the
installation of safety belts;

(Amendment 3)

New recital 5(c)

whereas pollution from tractors should be
the subject of future Community
legislation;

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