

European Communities

EUROPEAN PARLIAMENT

Working Documents

1984-1985

4 March 1985

DOCUMENT 2-1778/84

Report

drawn up on behalf of the Committee on the Environment,
Public Health and Consumer Protection

on the proposal from the Commission of the European
Communities to the Council (COM(84) 438 final -
Doc. 2-641/84) for a directive amending Directive
78/1015/EEC on the approximation of the laws of the
Member States relating to the permissible sound level
and exhaust system of motorcycles

Rapporteur: Mr B. van der LEK

PE 95.154/fin.
Or. Ne.

By letter of 1 October 1984, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Article 100 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a directive amending Directive 78/1015/EEC on the approximation of the laws of the Member States relating to the permissible sound level and exhaust system of motorcycles.

On 9 October 1984, the President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on Transport for their opinions.

At its meeting of 17 October 1984 the Committee on the Environment, Public Health and Consumer Protection appointed Mr van der Lek rapporteur.

It considered the proposal and the draft report at its meetings of 20 November 1984, 30 January 1985 and 27 February 1985.

At the last meeting it was unanimously decided to recommend to Parliament that it approve the Commission's proposal subject to the following amendments.

The motion for a resolution as a whole was unanimously adopted.

The following took part in the vote: Mrs Weber, chairman; Mrs Schleicher, Mrs Bloch von Blottnitz, vice-chairmen; Mr van der Lek, rapporteur; Mr Avgerinos (deputizing for Mr Muntingh), Mrs Banotti, Mr Bombard, Mrs Dupuy, Mr Hughes, Mrs Caroline Jackson, Mr Lambrias (deputizing for Mr Michelini), Mrs Lentz-Cornette, Mr Nordmann, Mr Roelants du Vivier, Mr Schmid and Mr Vernier.

The opinions of the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on Transport are attached.

The report was tabled on 28 February 1985.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution together with explanatory statement:

Proposal from the Commission for a Council directive amending Directive 78/1015/EEC on the approximation of the laws of the Member States relating to the permissible sound level and exhaust system of motorcycles

Text proposed by the Commission of
the European Communities

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

Preamble and first recital unchanged

Amendment No. 1

Whereas, when Directive 78/1015/EEC was adopted, emphasis was given to the fact that it constituted an initial step towards the improvement of the environment, that the technical development of less noisy motorcycles should be further encouraged, that the prescribed limit values should be reduced before 1985, particularly in the case of more powerful motorcycles, and that the levels to be fixed should take account of the technical resources which would be available at that date;

Whereas, when Directive 78/1015/EEC was adopted, emphasis was given to the fact that it constituted an initial step towards the improvement of the environment, that the technical development of less noisy motorcycles should be further encouraged, that the prescribed limit values should be reduced to approximately 80 dB(A) before 1985, particularly in the case of more powerful motorcycles, and that the levels to be fixed should take account of the technical resources which would be available at that date;

Remaining recitals unchanged

Text proposed by the Commission of
the European Communities

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

Article 1 unchanged

Article 2

1. However, before 1 October 1992, the Council, acting on a proposal from the Commission, shall review the sound level limit values to be applied from 1 October 1995 and/or the latter date itself as set out in Item 2.1.1 of Annex I to Directive 78/1015/EEC, in order to determine the need for possible amendments in the light of any new technical and/or economic factors which come to light after the adoption of the present Directive.

2. Annex I to Directive 78/1015/EEC shall be amended in accordance with the Annex hereto, with the exception of Item 2.1.1.

Article 3

1. From 1 October 1986:

Article 2

Amendment no. 2

1. However, before 1 October 1988, the Council, acting on a proposal from the Commission, shall review the sound level limit values to be applied from 1 October 1990 (6 words deleted), as set out in Item 2.1.1 of Annex I to Directive 78/1015/EEC, as amended by the present Directive, in order to determine the need for possible amendments in the light of any new technical and/or economic factors which come to light after the adoption of the present Directive.

Amendment No. 3

2. Delete
(N.B. Does not apply to English version)

Article 3

Amendment No. 4

1. From 1 October 1985:

Text proposed by the Commission of
the European Communities

- Member States in which motorcycles or certain categories of motorcycles are the subject of national type-approval shall, at the request of the manufacturer or his authorized representative and as the basis for national type-approval, apply the harmonized provisions of Directive 78/1105/EEC instead of the corresponding national provisions;

- Member States in which motorcycles or certain categories of motorcycles are not subject to national type-approval shall not refuse to register, nor prohibit the sale, entry into service or use of such motorcycles on the grounds that the harmonized technical provisions of Directive 78/1105/EEC have been conformed to instead of the corresponding national requirements.

2. From 1 October 1987:

-

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

- Member States in which motorcycles or certain categories of motorcycles are the subject of national type-approval shall, at the request of the manufacturer or his authorized representative and as the basis for national type-approval, apply the harmonized provisions of Directive 78/1105/EEC, as amended by the present Directive, instead of the corresponding national provisions;

- Member States in which motorcycles or certain categories of motorcycles are not subject to national type-approval shall not refuse to register, nor prohibit the sale, entry into service or use of such motorcycles on the grounds that the harmonized technical provisions of Directive 79/1105/EEC, as amended by the present Directive, have been conformed to instead of the corresponding national requirements.

Amendment No. 5

2. From 1 October 1987:

- unchanged

Text proposed by the Commission of
the European Communities

- Member States may refuse to grant national type-approval or prohibit the registration, sale, entry into service and use of a type of motorcycle the sound level and exhaust system of which do not conform to the provisions of Directive 78/1015/EEC.

3. Three years after the dates on which the limit values defined in Item 2.1.1. of Annex I to Directive 78/1015/EEC, the Member States may prohibit the entry into service for the first time of motorcycles the sound level and exhaust system of which do not conform to the provisions of the said Directive.

Article 4

Before 1 October 1986, Member States shall adopt and publish the provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply such provisions with effect from 1 October 1986.

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

- Member States may refuse to grant national type-approval (13 words deleted) in respect of a motorcycle the sound level and exhaust system of which do not conform to the provisions of Directive 78/1015/EEC, as amended by the present Directive.

Amendment No. 6

3. One year after the dates on which the limit values defined in Item 2.1.1 of Annex I of Directive 78/1015/EEC, as amended by the present Directive, the Member States shall prohibit the entry into service for the first time of motorcycles the sound level and exhaust system of which do not conform to the provisions of the said Directive.

Article 4

Amendment No. 7

Before 1 October 1985, Member States shall adopt and publish the provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply such provisions with effect from 1 October 1985.

Article 5 unchanged

Text proposed by the Commission of
the European Communities

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

Annex

Annex

Amendment No. 8

| Categories by cubic capacity in cm ³ | Maximum permissible sound level in dB(A) | |
|--|--|---------------------------------------|
| | with effect from the implementa- tion of the Directive | with effect from 1 October 1995 |
| ≤ 80 | 77 | 75 |
| > 80 ≤ 175 | 80 | 78 |
| > 175 | 82 | 80 |

| With effect from the implementation of the Directive | | With effect from 1 October 1990 | |
|--|---|--|--|
| Categories by cubic capacity in cm ³ | Maximum permissible sound level in dB(A) | Categories by cubic capacity in cm ³ | Maximum permissible sound level in dB(A) |
| ≤ 80 | 75 | ≤ 80 | 73 |
| ≤ 125 | 77 | ≤ 175 | 76 |
| ≤ 350 | 80 | > 175 | 78 |
| ≤ 500 | 81 | | |
| > 500 | 82 | | |

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive amending Directive 78/1015/EEC on the approximation of the laws of the Member States relating to the permissible sound level and exhaust system of motorcycles

The European Parliament,

- having regard to the proposal from the Commission to the Council¹,
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 2-641/84),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on Transport (Doc. 2-1778/84),
 - having regard to the result of the vote on the Commission's proposal,
- A. whereas it is important to limit the noise nuisance caused by traffic of all types in the interests of both the environment and public health,
 - B. whereas when Directive 78/1015/EEC was adopted in 1978 it was agreed that the technical development of less noisy motorcycles should continue to be encouraged and that, particularly in the case of more powerful motorcycles, an endeavour should be made to lower the limit values to around 80 dB(A) by 1985,
 - C. whereas manufacturers have therefore had at least six years in which to prepare for these more stringent requirements,
 - D. whereas various studies have shown that motorcycles that more than satisfy the more stringent sound level limits announced in 1978 are already being produced and marketed in each of the major categories except the most powerful,
 - E. whereas these quieter motorcycles are generally also more acceptable in environmental terms in that they cause less air pollution and are more economical as regards fuel consumption.

¹0J No. C 263, 2.10.1984, p. 5

- F. whereas the less powerful motorcycles (up to approximately 500 cc), which in fact account for most of those on the market, require only fairly simple adjustments to comply with the new provisions, whereas in the case of more powerful motorcycles more far-reaching adjustments may be necessary for a number of makes, whose manufacturers failed to anticipate the stricter standards in time and consequently it is advisable that the old five-category classification should continue to exist for a transitional period,
- G. whereas a new method of measurement is being proposed which, although more laborious, offers a number of advantages in terms of comparability,
- H. whereas, when measuring the same noise this new method gives values that are some 2 dB(A) lower for motorcycles with a cubic capacity of more than 350 cc and values that are 1 to 2 dB(A) higher for motorcycles with a capacity of between 175 and 350 cc,
- I. whereas a considerable proportion of the excess noise nuisance caused by motorcycles is the result of modifications made by users, i.e. through the use of components not complying with type-approval, and whereas there is therefore an urgent need to draw up provisions governing the manufacture of motorcycles which would make such modifications more difficult or impossible and would also lay down type-approval for spare parts,
- 'I.a whereas until motorcycle design precludes modifications being made, checks on those parts tested in the type-approval procedure are particularly important for the reduction of noise nuisance,'
- J. whereas on 8 June 1976¹ the European Parliament expressed the view that the optional system provided for in Directive 78/1015/EEC should apply only for a limited period and that subsequently directives clearly applying to all the Member States should be adopted,
1. Approves the Commission's proposal;
 2. Considers, however, that the limit value of 80 dB(A) for the most powerful motorcycles and correspondingly lower values for the other categories can be introduced sooner than proposed by the Commission;
- '2.a Notes that smaller-capacity machines (up to 125 cc) on the one hand account for the greater part of sales of new motorcycles and on the other create the greatest noise nuisance, particularly in urban areas;
- 2.b Considers therefore the Commission's very modest proposals for reducing noise emissions from these smaller machines to be totally inadequate;'
3. Regards the introduction of a new method of measurement as acceptable;
 4. Considers, however, that in establishing the new limit values account should be taken of the differences between the old and new measuring methods which means that for motorcycles with a capacity of more than 350 cc the limit value should be set at 78 dB(A) instead of 80 dB(A);

¹OJ No. C 125, 8 June 1976, p. 48

5. Endorses the proposal for a simplified type-classification consisting of three categories;
6. Takes the view, however, that to allow adjustment to the new limit values for sound levels it would be preferable to retain the existing five-categories classification for a transitional period;
7. Takes the view that the period for clearing old stocks of motorcycles, as in the case of motor vehicles with more than two wheels, need not be longer than one year;
8. Calls on the Commission to draw up, in addition to type-approval for motorcycles, regulations for the testing and entry into service of spare parts such as exhaust systems and air filters;
9. Requests the Commission to examine whether type-approval might not also include specific technical provisions to prevent or discourage people from 'tinkering' with vehicles which could be incorporated into the present directive at a later stage;
10. Would also like to see the drafting of a directive to limit the sound level of smaller motorcycles designed for speeds of less than 50 km/h and for cycles with auxiliary motors; care should be taken to ensure that such a directive would not entail Member States which have already adopted such legislation being required to relax their provisions unnecessarily;
 - '10.a Takes the view that the permissible exhaust emission levels for motorcycle engines should also be reduced and calls on the Commission to submit a directive to this end;
 - 10.b Believes that, if its amendments are adopted, adequate account will have been taken of the objections expressed by the committees asked for opinions to the proposals amending the directives;
11. Calls on the Council to incorporate the above amendments into its decision;
 - '11.a Reserves the right to apply Rule 39 of its Rules of Procedure if its amendments are not adopted;'
12. Instructs its President to forward to the Council and Commission, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

EXPLANATORY STATEMENT

1. The Commission's proposal implements Article 8 of the existing Directive 78/1015/EEC, which requires the Council to take a decision before 31 December 1984, on a proposal from the Commission, to lower the maximum permissible sound levels laid down in the Annex. The preamble to the directive also announces a similar intention, stating that the limit values should be lowered to 'around 80 dB(A)' by 1985, particularly for more powerful motorcycles.

2. The Commission's proposal in fact contains three separate changes:

- (a) a lowering of the limit values for the sound level;
- (b) the replacement of the existing classification into five size categories based on engine capacity in cc with a classification into three categories;
- (c) a new method of measurement.

These three changes, which are inter-related, are dealt with separately below, after a brief review of the state of the art.

Technical possibilities

3. Motorcycles are produced in a surprisingly large variety of types and models. Sometimes a manufacturer carries more than 40 different models. Motorcycles have a number of special features, which play a large part in determining users' preferences. The most important of these are: a powerful engine relative to the weight of the machine, good manoeuvrability, very fast acceleration, an exhaust system which is not only designed to reduce noise, since its external and noise characteristics are also important. This last feature, in particular, is considered by some motorcycle manufacturers as a very important selling point. If users do indeed attach great importance to the 'noise' their vehicle makes, measures aimed at reducing this noise will conflict with this special selling point. However, there is no convincing technical reason why a 'noisy' motorcycle should be superior to a less noisy motorcycle¹.

All other features, such as power-to-weight ratio, manoeuvrability, rapid acceleration, are unlikely to be affected very much, if at all, on a properly designed less noisy model. On the contrary, rather than sacrificing any of these particular features, the introduction of lower engine speeds and larger engine capacities will result not only in a less noisy machine with no loss of real power, but also one which has additional advantages for the user: lower fuel consumption, better reliability and therefore lower repair costs^{1,2}.

4. Various studies show that in almost all size categories, except for the most powerful, motorcycles which satisfy the more stringent noise requirements proposed are already being manufactured and sold. Hence, the technical capability is already available. It is most regrettable that many manufacturers seem to have disregarded the intention expressed in 1978 to lower the permissible sound level further in 1985. The industry⁴ argues that the European directive has not been incorporated into the legislation of most Member States until quite recently. It is difficult, however, to accept this as a valid argument, because the Council's intention to make further reductions in 1985 was, after all, known well in advance.

5. The problem which now arises is therefore not technical but economic. Allowance has to be made for the existing situation, in which a number of manufacturers are not prepared for the immediate introduction of more stringent limit values, by providing for a transitional period. For this purpose, the Commission proposes a transitional period of ten years. We make a case below for considering a five-year transitional period sufficient.

6. The suggestion by the Commission in its explanatory memorandum that limiting noise might conceivably have adverse effects in areas such as fuel consumption and atmospheric pollution by exhaust gases, is unfounded in the view of the Committee on the Environment, Public Health and Consumer Protection. All the available data^{2,3} suggest that, on the contrary, the designs which are already less noisy also have more favourable fuel consumption and air pollution characteristics.

7. Similarly, it is not clear why illegal modifications by users should be more likely on motorcycles with severely reduced noise levels, because this will depend on the way in which the noise reductions are achieved. Such modifications of the engine design are unlikely, if not impossible. The possibility of modifications to the induction/exhaust systems will depend on the way in which the systems have been designed. If it is feared that the manufacturers will not, of their own volition, fit systems which are designed so as to make such modifications difficult or impossible, the addition of type-approval provisions for these designs in future could be considered. The proposed resolution therefore calls on the Commission to draw up rules to this end.

8. The same issue arises in the case of spare parts, particularly complete exhaust systems. As long as there are many different types of exhaust system on the market which are not part of the original design and therefore are not subject to type-approval, there is always the risk that an approved system may be subsequently replaced by another system. The only way in which this can be prevented is by introducing a requirement that such spare parts should also be made subject to type-approval. The resolution therefore calls for such a requirement to be introduced.

Limit values and stages

9. The Commission proposes that the limit values should be lowered in two stages. This seems to be correct in the circumstances. However, the Commission proposes that these stages should take effect on 1 October 1987 and 1 October 1995 respectively. The Committee on the Environment, Public Health and Consumer Protection considers that these deadlines can be shortened.

10. To make the less powerful motorcycles (with an engine capacity of up to and including 500 cc) less noisy, it is sufficient to improve the induction/exhaust systems². These improvements could be made to existing models in a short time. Consequently, there is no reason why the first stage should not be introduced rapidly for these categories. It is therefore proposed that the first stage should take effect on 1 October 1986.

11. The Commission argues that in the case of the most powerful motorcycles, existing techniques combined with economic factors make it impossible to achieve reductions of 5-6 dB(A) before the nineties. This is correct given that, for motorcycles with an engine capacity of more than 500 cc, particularly those with an engine capacity of over 750 cc, it is not possible to achieve such reductions simply by improving the induction/exhaust systems; engine design modifications will also be necessary. This means that in the more powerful categories, at least in the majority of cases, new designs will have to be developed and produced. For this purpose the Commission proposes a ten year period of adjustment. Various experts, however, take the view that an adjustment period of five years provides ample opportunity to make the necessary modifications and to introduce new models onto the market¹. It is therefore proposed that the second stage should take effect on 1 October 1990.

12. Generally speaking, the limit values proposed by the Commission have been approved, on the understanding that account has been taken of the impact of introducing a new method of measurement (see below); the difference is that values of 2 dB(A) lower than the Commission's have been proposed for the least powerful categories (up to 125 cc) which, firstly, account for the bulk of motorcycle sales and, secondly, are responsible for most of the noise nuisance. Given that types which satisfy these requirements^{2,3} are already being manufactured and sold, these values may be assumed to be feasible for other makes and types within the deadlines we are proposing.

Categories

13. The new classification into three size categories simplifies matters and is no doubt justified in the somewhat longer term. The problem, however, is that it overlaps with the existing classification; as a result, the requirements for some types will be too low and for others too strict during the transitional period. Moreover, with the new classification it is not possible to apply less stringent requirements provisionally to the more powerful categories without having to apply them also to a large number of less powerful categories which do not need a five-year transitional period. It would seem sensible, therefore, to maintain the existing subdivision into five categories for the period between the first stage and the second stage.

New method of measurement

14. The proposed new method of measurement is based on the new directive of the UN Economic Commission for Europe, No. 41.01. It is also the method which was already used for other motor vehicles with more than two wheels. The advantage of this method is that it relates more closely to the actual situation in city traffic and thus gives a more objective picture of actual noise levels. A disadvantage is that the method is more time-consuming, but that is not a major drawback as far as type-approval is concerned.

15. However, a fact which must not be overlooked is that the new method gives different results for the same motorcycles which are, in fact, 2 dB(A) lower on average for motorcycles with an engine capacity of over 350 cc, which up to now have only been tested in second gear and are now to be tested in second and third gears, and 1-2 dB(A) higher for motorcycles with an engine capacity of between 175 and 350 cc, which up to now have only been tested in third gear^{1,2}.

This means that in order to achieve the same results in terms of actual noise levels, the limit values must be adjusted accordingly. Thus, in order to limit the sound level of the most powerful motorcycles to 80 dB(A) as suggested in 1978, the maximum permissible sound level using the new method of measurement must be fixed at 78 dB(A).

Timetable of the directive

16. Article 3 refers to three dates. One is the date by which the new directive must be applied at the request of the manufacturer or his authorized representative. One year after that date, only certificates based on the new directive are to be issued, even if no application is submitted. Governments are therefore free to refuse to grant national type-approval in respect of types which do not conform to the provisions of the new directive.

17. Article 3(2) of the Commission's proposal also refers to prohibiting the registration, sale, entry into service and use of a type of motorcycle. This is presumably an oversight since, in such a case, there would be no need for the third date laid down in paragraph 3. Hence the committee's proposal to delete these words. This would also bring the directive into line with the corresponding directive on motor vehicles with more than two wheels (cars and lorries), No. 84/424/EEC.

18. Finally, the third date, referred to in Article 3(3), is that on which the Member States may also prohibit the first entry into service and thus the sale, etc., of motorcycles. The period between the second and third dates is the period allowed to the trade to clear old stock. The Commission proposes a period of three years. We propose that this be reduced to one year by analogy with the above-mentioned directive on other motor vehicles.

Binding or optional

19. As long ago as 1976 the European Parliament expressed the desire that Directive 78/1015/EEC should be changed as soon as possible from an optional to a binding directive. This wish is understandable. As long as a directive like this one is optional, it effectively prevents the Member States from applying or introducing stricter standards of its own but offers no guarantee whatsoever that environmentally desirable upper limits will actually be introduced. It is therefore proposed that the wording of Article 3(3) be amended to make it binding instead of optional.

Problems of the second stage

20. The Committee on Economic and Monetary Affairs and Industrial Policy rightly points out in its opinion that there is little point in proposing a second stage for 1995, when it is still far from certain whether stricter standards will be technically feasible by that time, and to go on to specify in Article 2 that two years beforehand both the limit values and the date of entry into force are to be reviewed once again. The committee therefore proposes that the second stage be dropped and that the Commission be instructed to evaluate the results of the directive's operation after one year and, on the basis of that evaluation, to propose a further lowering of the limit values. The proposal made in this report is very similar. By bringing forward the second stage by five years, it can be coordinated with what is known about the technical possibilities. The Commission's proposal to leave some room for adding

further requirements for this second stage is thereby maintained in part, in the sense that in 1988 the Commission is to review to what extent the limit values now proposed for 1990 actually fit in with what is technically and economically possible by that time. The Committee on the Environment has not endorsed the proposal to put back the date of the second stage in the light of the results of this evaluation.

REFERENCES

- 1 Dr ing. A. von Meier, 'Noise reduction on motorcycles', report GB-HR-25-03, Ministry of Housing, Regional Planning and the Environment, Netherlands, 1984.
- 2 H. Steven, 'Noise studies on two-wheeled motor vehicles', FIGE-GmbH, Research Report No. 105 05 115/01, Federal Environment Ministry, FRG, 1982.
- 3 Publication concerning vehicle emissions, Federal Police Office, Type Approval Department, situation 1.1.1980 - 31.7.1984, Switzerland.
- 4 BPICM, Progress Report, European Legislation in the 1980s, Noise, EEC 111/1360/83, ERGA, No. 1.

O P I N I O N

(Rule 101 of the Rules of Procedure)

of the Committee on Economic and Monetary Affairs
and Industrial Policy

Draftsman: Mr Chanterie

On 20 November 1984 the Committee on Economic and Monetary Affairs and Industrial Policy appointed Mr Chanterie draftsman of an opinion.

It considered the draft opinion at its meeting of 30 January/1 February 1985 and, on 31 January 1985, approved its conclusions with two votes against.

The following took part in the vote: Mr Seal, chairman; Mr P. Beazley, vice-chairman; Mr Chanterie, draftsman; Mr Beumer, Mr Bonaccini, Mr de Camaret (deputizing for Mrs Chaboche), Mr Cassidy, Mr Christodoulou (deputizing for Mr Ercini), Mr Cryer (deputizing for Ms Quin), Mr Falconer, Mr Franz, Mr I. Friedrich, Mr Gautier, Mr Kilby (deputizing for Mr de Ferranti), Mr Mühlen (deputizing for Mr von Bismarck), Mr Patterson, Mr Rogalla, Mrs van Rooy (deputizing for Mr Raftery), Mr Starita, Mr Tuckman (deputizing for Mrs Oppenheim), Mr Visser (deputizing for Mr Besse), Mr de Vries, Mr Wagner and Mr von Wogau.

The Committee on Economic and Monetary Affairs and Industrial Policy

1. stresses the need to harmonize national legislation relating to motorcycles at Community level, since national provisions lead to technical barriers to trade;
2. considers it useful, however, bearing in mind the Community's international competitive position, to take account of the international standards currently in force; therefore requests the Commission to incorporate the necessary information on this subject in the explanatory memorandum to its harmonization proposals;
3. views the reduction of the permissible sound level for motorcycles as a necessary addition to the reduction in the sound levels of motor vehicles proposed last year, since the sound level of all categories of motor vehicles must be made subject to regulations if the desired result, namely the reduction of the noise nuisance caused by urban traffic, is to be achieved;
4. notes the Commission's analyses of the method of measurement used hitherto, which is not appropriate to the actual conditions of use of motorcycles; therefore questions to what extent the existing regulations, based on this method, have been at all effective in reducing urban traffic noise;
5. consequently believes that the method of measurement needs to be adapted so that it corresponds more closely to the actual situation, and therefore approves the proposed changes to the method of measurement; emphatically rejects harmonization which serves no useful purpose;
6. stresses that in order to give a considered opinion of the Commission proposal, it is necessary to be able to weigh up the results obtained against the additional costs involved; points out that the Commission has not provided the necessary information for this purpose; no estimate has been made of the actual effect in terms of reducing urban traffic noise; the cost estimates are confined to production costs, while other costs, such as fuel consumption, are not mentioned;

7. requests the Commission to provide information on the effect the proposed reduction in the sound level of new motorcycles will have in reducing total urban traffic noise, which is caused in the main by motorcycles which have already been in circulation for some time;
8. considers the Commission's approach to the various environmental problems raised by motorcycles to be too piecemeal; draws attention in this context to the comment that 'it was not possible to consider the effects on pollutant emissions and fuel consumption'¹; advocates a more comprehensive approach to harmonization in this area, whereby the various environmental aspects, in particular the reduction of sound levels, the reduction of pollutant emissions in exhaust gases and so on would be tackled simultaneously and effectively;
9. doubts the usefulness, at this stage, of fixing a second phase which does not begin until 1995, since by the time the possibilities afforded by technology will probably be more extensive; therefore considers that the directive should confine itself to the first phase, and that the Commission should evaluate the results of the directive's operation after one year and, on the basis of its evaluation, submit a proposal for a further step towards reduction of the sound level of motorcycles.
10. Requests the Committee on the Environment, Public Health and Consumer Protection to incorporate the above points into its resolution.

¹ see page 3 of the explanatory memorandum to the Commission's proposal

COMMITTEE ON TRANSPORT

OPINION OF THE COMMITTEE ON TRANSPORT

Letter from the chairman of the committee to Mrs WEBER, chairman
of the Committee on the Environment, Public Health and
Consumer Protection

Date: 21 February 1985

Subject: Proposal for a directive amending Directive 78/1015/EEC on the
approximation of the laws of the Member States relating to the
permissible sound level and exhaust system of motorcycles
(COM(84) 438 final - Doc. 2-641/84)

Dear Mrs Weber,

The Committee on Transport considered the above-mentioned Commission
proposal at its meeting of 20 and 21 February 1985.

The objective of the proposal is two-fold: firstly, to change the
permissible sound level limits for motorcycles as provided for in Article 8 of
Directive 78/1015/EEC¹, and secondly, radically to modify the method of
measurement hitherto used.

The new method is based on more realistic and sounder criteria than the
previous one, which was based on environmental concepts that are now outdated.

The Committee on Transport welcomes any change in the method of measure-
ment that will take greater account of the nuisance actually caused.

¹ OJ No. L 349, 13.12.1978, p. 21

On the other hand, our committee has some reservations about subdividing motorcycles into three categories instead of five on the basis of engine capacity. The arguments put forward by the Commission for this are not conclusive.

As regards the new sound level limits to be put into effect in two stages, we cannot but approve any reduction of the noise nuisance caused by motorcycles, which the public finds particularly annoying.

Although the limits proposed by the Commission are significant, more could be done.

Figures given in a document published by the Swiss Federal Police Office show that a high proportion of motorcycles (of all makes) already have noise levels below those proposed by the Commission.

The Committee on Transport does not have the technical expertise to state exactly what sound level limit values should be recommended, and leaves it to your committee to decide.

Particular importance should also be attached to motorcycle controls to reduce the noise nuisance caused. There is no point in having strict rules if in practice they can be circumvented by illegally modifying or incorrectly using motorcycles. Wherever possible, therefore, this regulation should be accompanied by binding national punitive provisions.

Please consider this letter as the opinion adopted by the Committee on Transport¹.

Yours sincerely,

(sgd.) Georgios ANASTASSOPOULOS

¹ The following took part in the vote: Mr ANASTASSOPOULOS, chairman; Mr KLINKENBORG, vice-chairman; Mr ADAMOU (deputizing for Mr ROSSETTI), Mrs BRAUN-MOSER, Mr CAROSSINO, Mr CORNELISSEN (deputizing for Mr BAUDIS), Mr EBEL, Mrs FAITH, Mr K.-H. HOFFMANN, Mr LALOR (deputizing for Mr ROUX), Mr MARSHALL, Mr MERTENS (deputizing for Mr STARITA), Mr NEWTON-DUNN, Mr REMACLE, Mr STEVENSON, Mr STEWART (deputizing for Mr CRYER), Mr TOPMANN, Mr VISSER, Mr van der WAAL, Mr WEST (deputizing for Mr HUCKFIELD) and Mr WIJSENBEEK.