



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.9.2006
COM(2006) 556 final

2006/0175 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles

(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 93/29/EEC of 14 June 1993 on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles³. The new Directive will supersede the various Directives incorporated in it⁴; their content is fully preserved, and they are brought together with only such formal amendments as are required by the codification exercise itself.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 93/29/EEC and the instrument 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

¹ COM(1987) 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 Annex III, Part A of this proposal.

numbers, the correlation between the old and the new numbers is shown in a table contained in Annex IV to the codified Directive.



Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles

(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  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 93/29/EEC of 14 June 1993 on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles³ has been substantially amended⁴. In the interests of clarity and rationality the said Directive should be codified.

↓ 2000/74/EC Recital 1 (adapted)

- (2)  Directive 93/29/EEC is one of the separate Directives of the EC type-approval system provided for in Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ L 188, 29.7.1993, p. 1. Directive as amended by Commission Directive 2000/74/EC (OJ L 300, 29.11.2000, p. 24).

⁴ See Annex III, Part A.

vehicles and repealing Council Directive 92/61/EEC⁵ and lays down technical prescriptions concerning the design and construction of two- or three-wheel motor vehicles as regards the identification of controls, tell-tales and indicators. These technical prescriptions concern the approximation of the laws of the Member States to allow for the EC type-approval procedure provided for in Directive 2002/24/EC to be applied in respect of each type of vehicle. Consequently the provisions laid down in Directive 2002/24/EC relating to vehicle systems, components and separate technical units apply to this Directive. ☒

↓ 93/29/EEC Recital 6 (adapted)

- (3) In order to facilitate access to the markets of non-Community countries an equivalence ☒ should exist ☒ between the requirements of this Directive and those of Regulation No 60 of the United Nations Economic Commission for Europe.

↓

- (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 III, Part B,

↓ 93/29/EEC

HAVE ADOPTED THIS DIRECTIVE:

↓ 93/29/EEC (adapted)

Article 1

This Directive applies to the identification of controls, tell-tales and indicators for all types of vehicle as defined in Article 1 of Directive 2002/24/EC .

Article 2

The procedure for the granting of EC component type-approval in respect of the identification of controls, tell-tales and indicators for a type of two- or three-wheel motor vehicle and the conditions governing the free movement of such vehicles shall be as laid down in Chapters II and III of Directive 2002/24/EC .

⁵ OJ L 124, 9.5.2002, p. 1. Directive as last amended by Commission Directive 2005/30/EC (OJ L 106, 27.4.2005, p. 17)

Article 3

1. In accordance with the provisions of Article 11 of Directive 2002/24/EC , equivalence between the requirements laid down in this Directive and those laid down in UN/ECE Regulation No 60 (E/ECE/TRANS/505 — Add. 59) is hereby acknowledged.

2. The authorities of the Member States which grant EC component type-approval shall accept approvals granted in accordance with the requirements of the ☐ UN/ECE ☐ Regulation ☐ referred to in paragraph 1 ☐ as well as component type-approval marks as an alternative to the corresponding approvals granted in accordance with the requirements of this Directive.

Article 4

This Directive may be amended in accordance with ☐ the procedure referred to in Article 13(3) ☐ of [Council] Directive [70/156/EEC]⁶ in order to:

☐ (a) ☐ take into account any amendments to the UN/ECE Regulation referred to in Article 3 ☐ ; ☐

☐ (b) ☐ adapt ☐ Annexes I and II ☐ to technical progress.

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 93/29/EEC, as amended by the Directive listed in Annex III, 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 III, 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 IV.

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 [...]

⁶ OJ L 42, 23.2.1970, p. 1.

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

REQUIREMENTS CONCERNING THE EC COMPONENT TYPE-APPROVAL OF TWO- OR THREE-WHEEL VEHICLES IN RESPECT OF THE IDENTIFICATION OF THEIR CONTROLS, TELL-TALES AND INDICATORS

1. DEFINITIONS

For the purposes of this Directive the following definitions shall apply:

- 1.1. 'control' means any part of the vehicle or component directly actuated by the driver which causes a change in the state or operation of the vehicle or one of the parts thereof;
- 1.2. 'tell-tale' means a signal indicating the triggering of a device, an operation or a suspect or faulty state or an absence of operation;
- 1.3. 'indicator' means a device providing information on the proper functioning or state of a system or part of a system such as the level of a fluid;
- 1.4. 'symbol' means an outline enabling a control, tell-tale or indicator to be identified.

2. REQUIREMENTS

2.1. Identification

The controls, tell-tales and indicators referred to in point 2.1.5 shall be identified in accordance with the following requirements when they are fitted to a vehicle.

↓ 2000/74/EC Art. 1 and
Annex pt. I(1)

- 2.1.1. These symbols shall stand out clearly against the background.

↓ 93/29/EEC
→₁ 2000/74/EC Art. 1 and
Annex pt. I(2)

- 2.1.2. The symbols shall be placed on the control or control tell-tale to be identified or in immediate proximity thereof. Where this is not possible the symbol and control, or tell-tale, shall be joined by a continuous dash that is as short as possible.
- 2.1.3. Main-beam headlights shall be represented by parallel horizontal rays of light and dipped-beam headlamps by parallel rays of light angled downwards.

2.1.4. When used for optical tell-tales the following colours listed below have the meanings indicated:

— red: danger,

— amber: caution,

— green: safety.

Blue shall be reserved exclusively for the main beam headlamp tell-tales.

2.1.5. Designation and identification of symbols

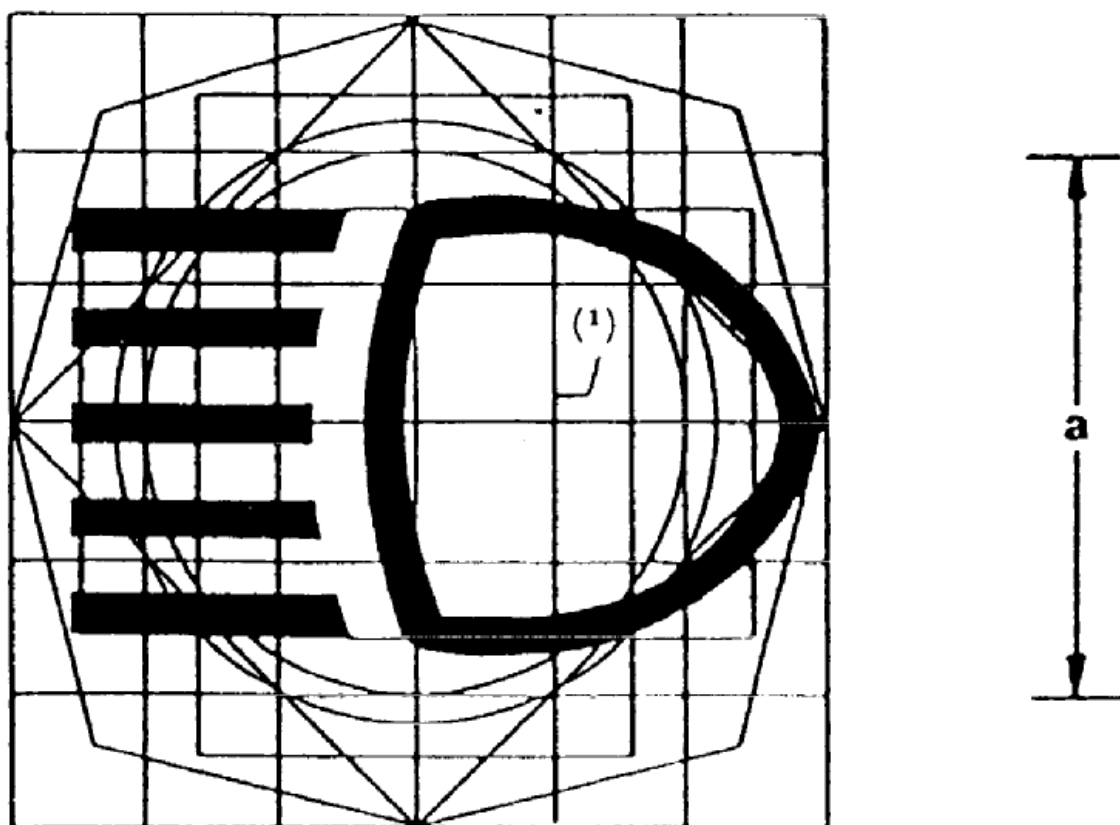


Figure 1

Headlamp control — Main-beam headlamp

Tell-tale colour: blue.

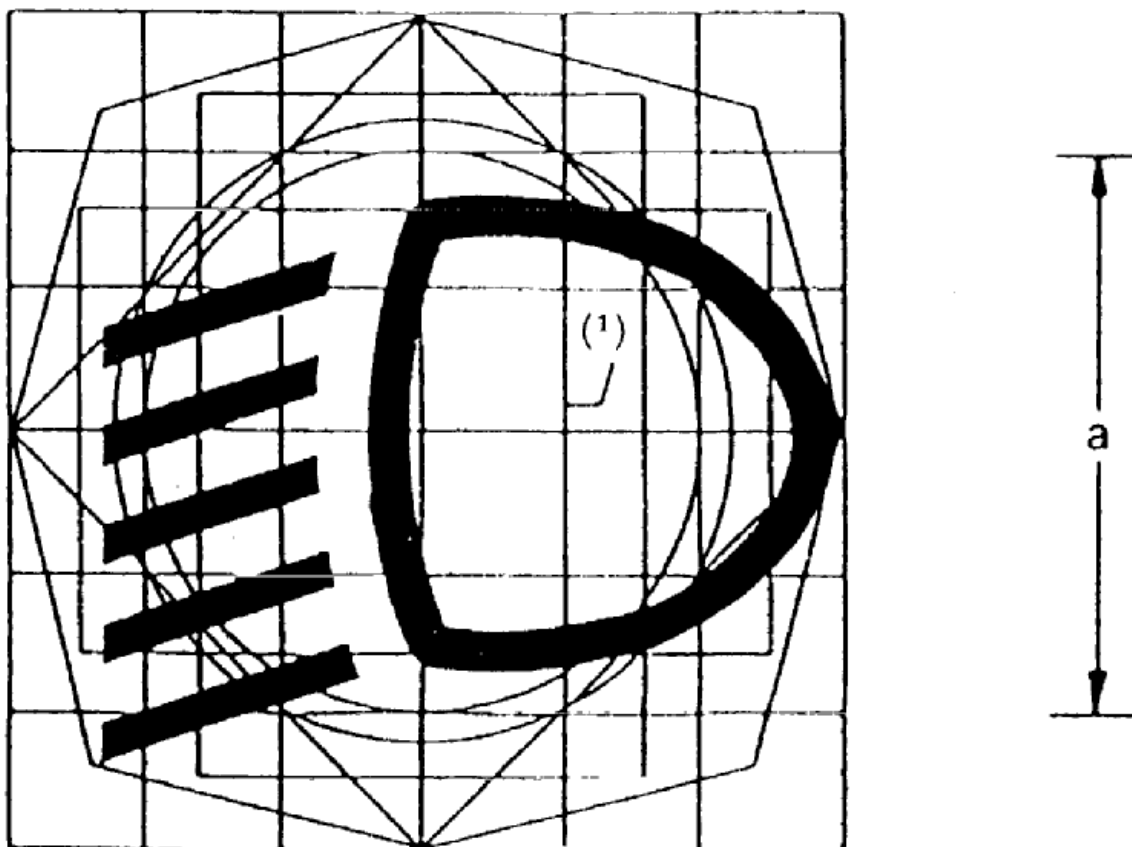


Figure 2

Headlamp control — Dipped-beam headlamp

Tell-tale colour: green.

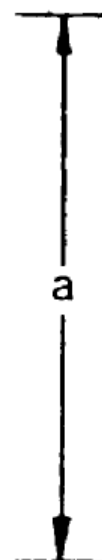
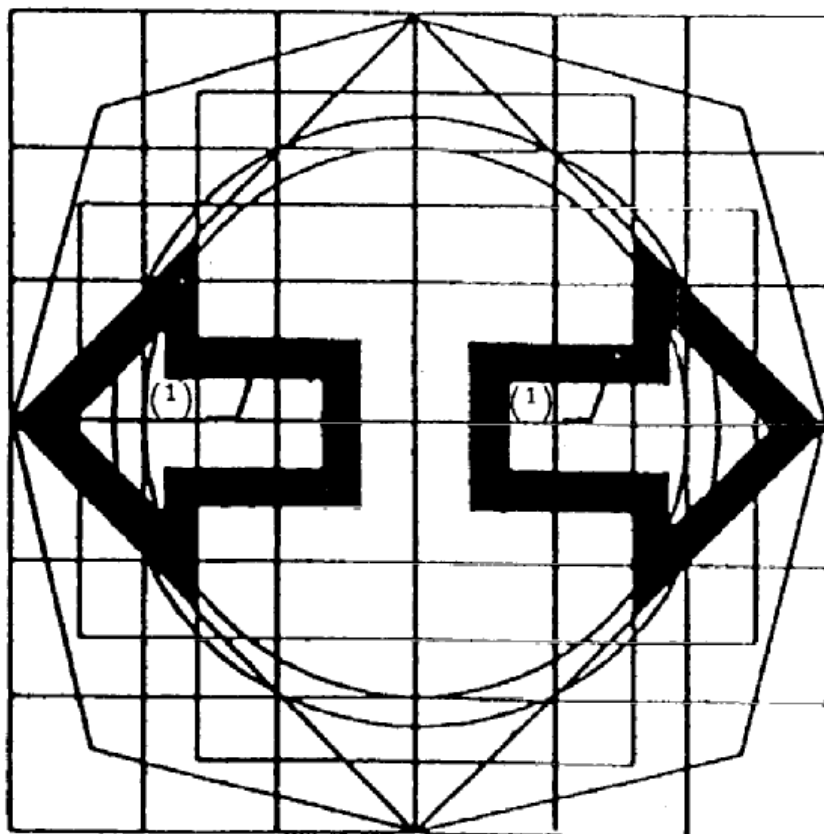


Figure 3

Direction indicator

➔₁ Note: if there are separate tell-tales for the left and right direction indicators, the two arrows may also be used separately ➔ ➜

Tell-tale colour: green.

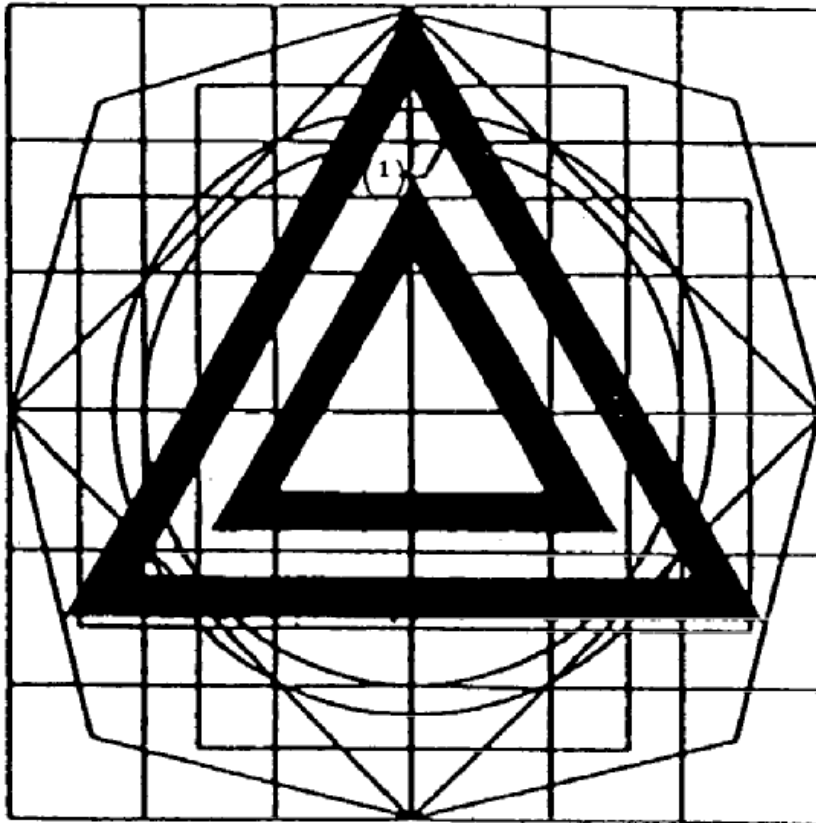


Figure 4

Hazard warning device

Two possibilities:

- identifying signal placed alongside
tell-tale colour: red
or
- simultaneous operation of direction indicators (both arrows in Figure 3).

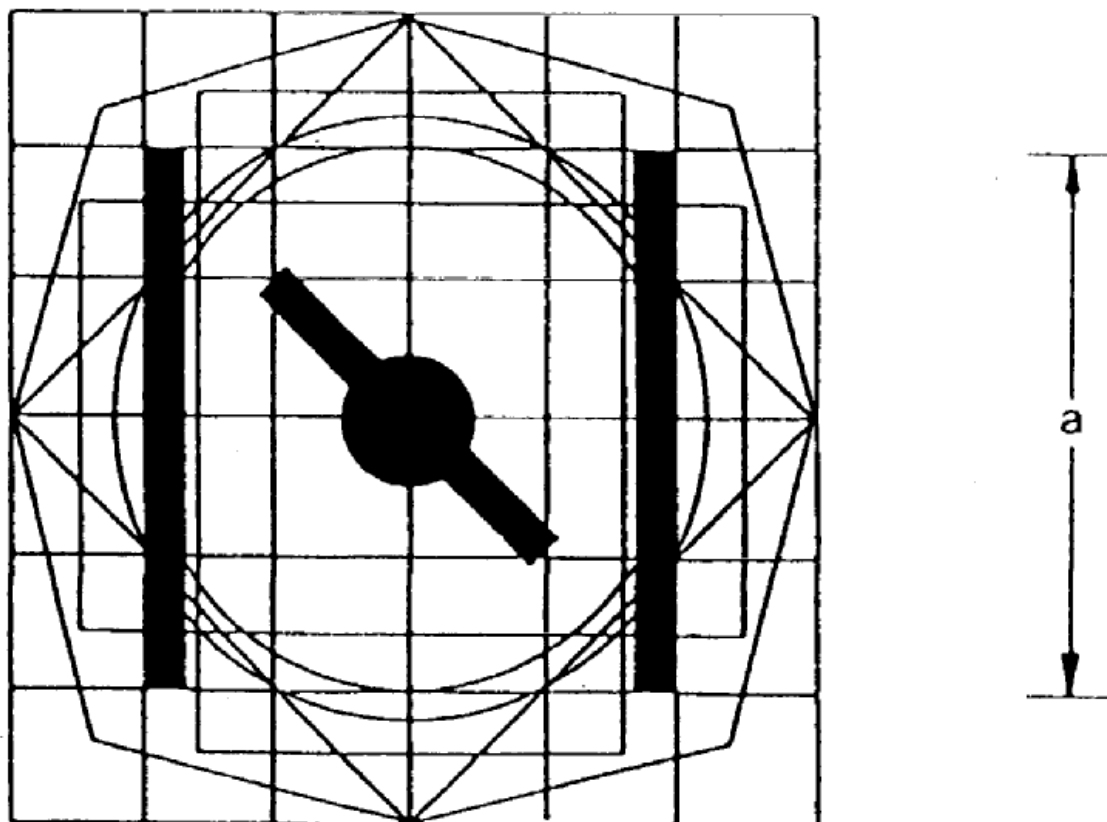


Figure 5

Manual choke

Tell-tale colour: amber.

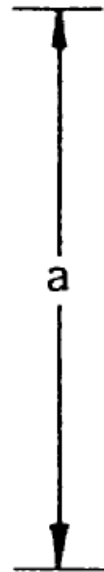
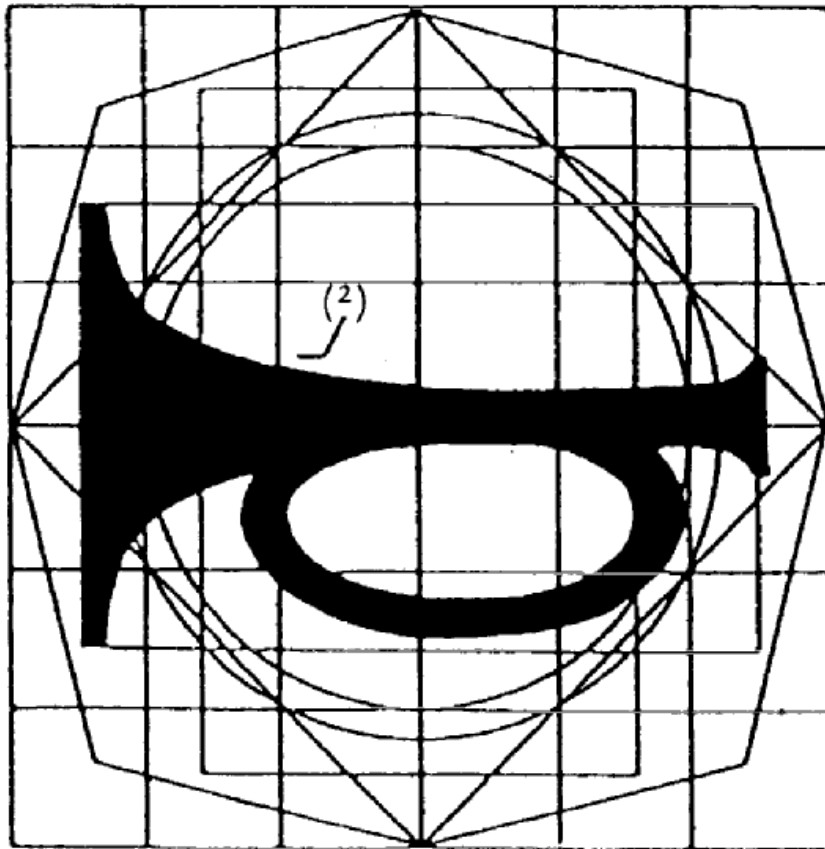


Figure 6
Audible warning device

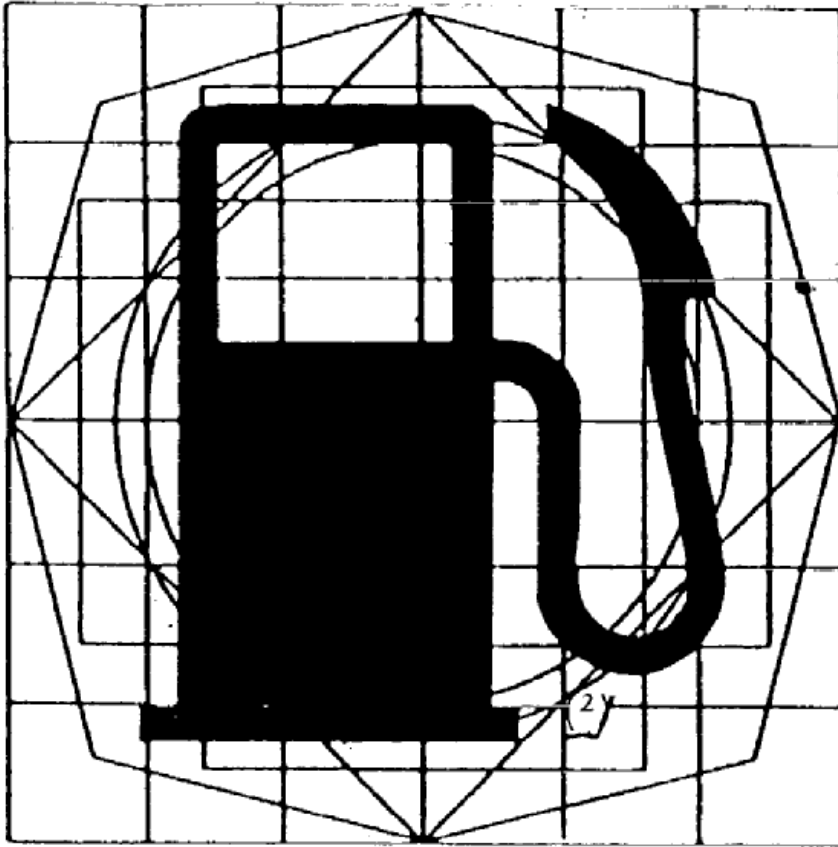


Figure 7

Fuel level

Tell-tale colour: amber.

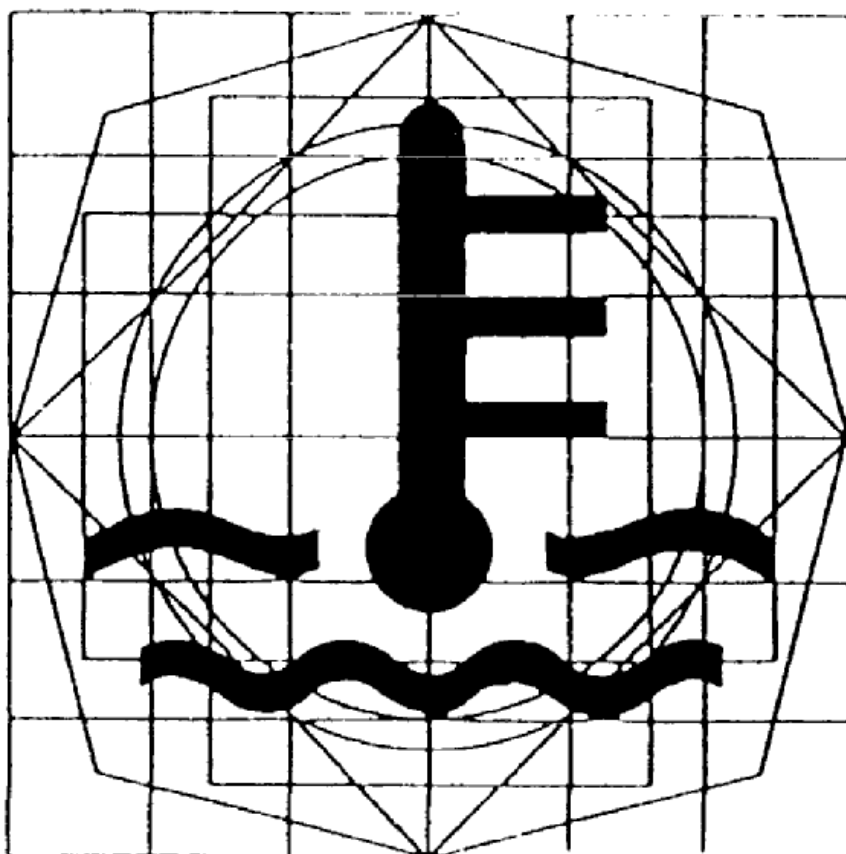


Figure 8

Engine coolant temperature

Tell-tale colour: red.

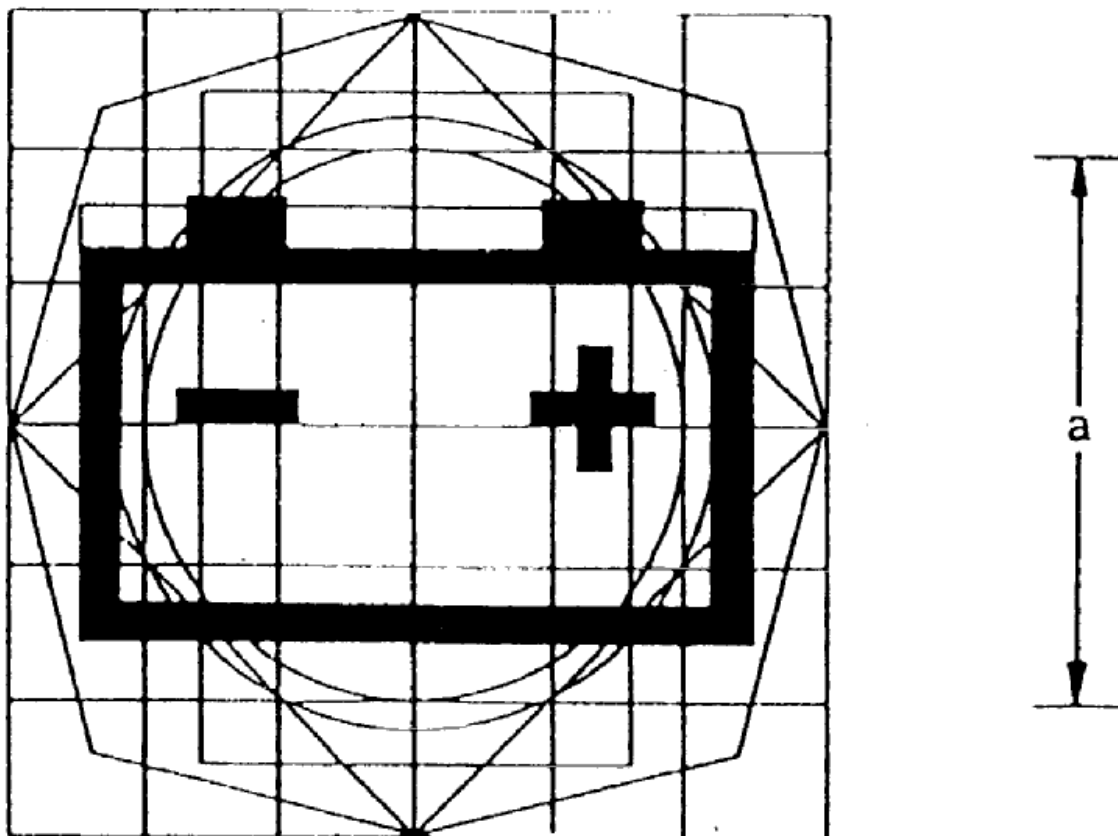


Figure 9

Battery charge

Tell-tale colour: red.

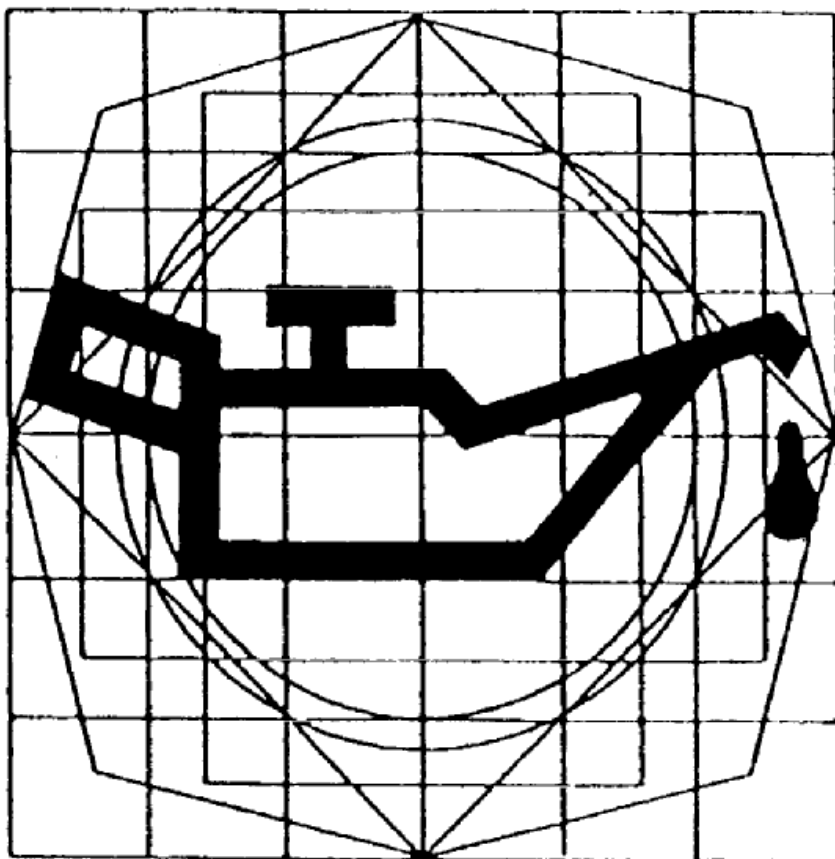


Figure 10

Engine oil

Tell-tale colour: red.

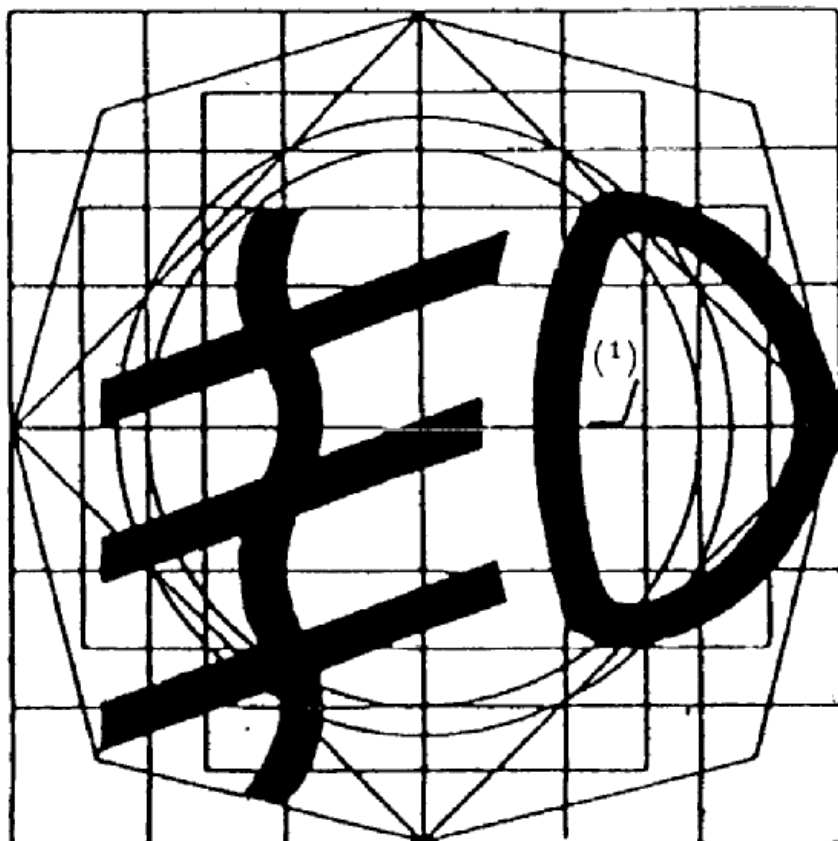


Figure 11

Front fog lamp⁽³⁾

Tell-tale colour: green.

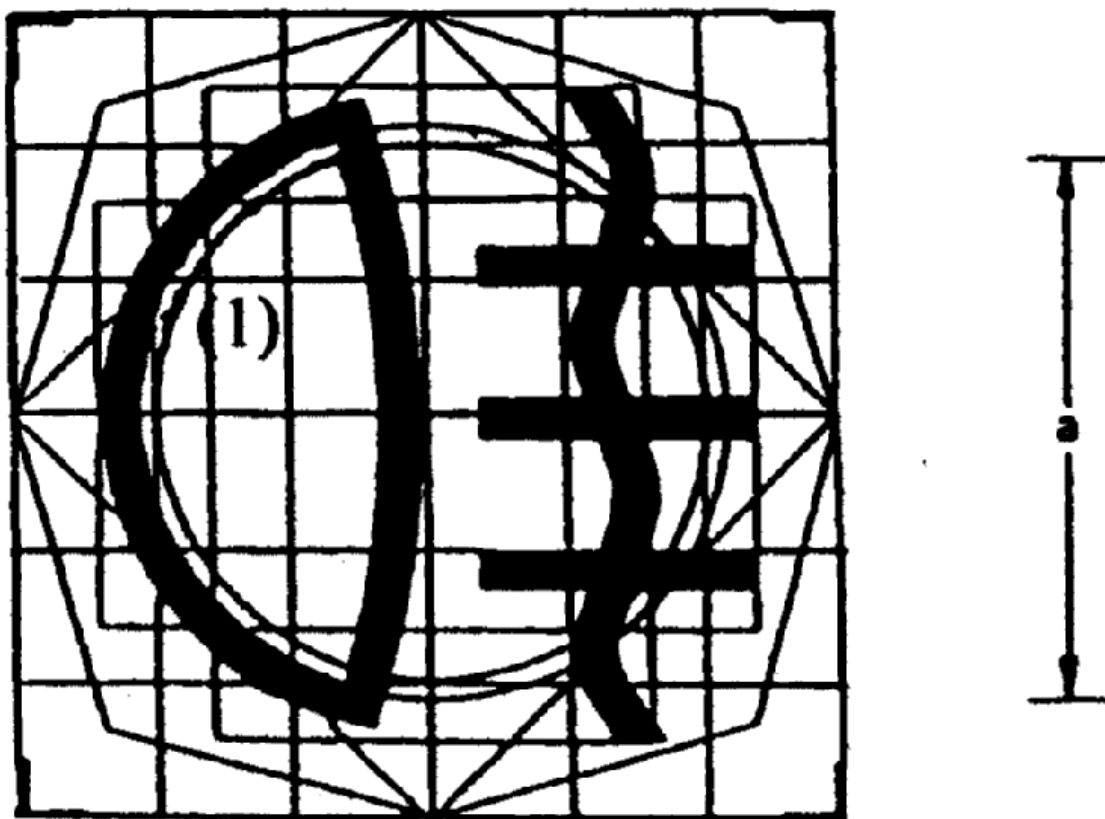
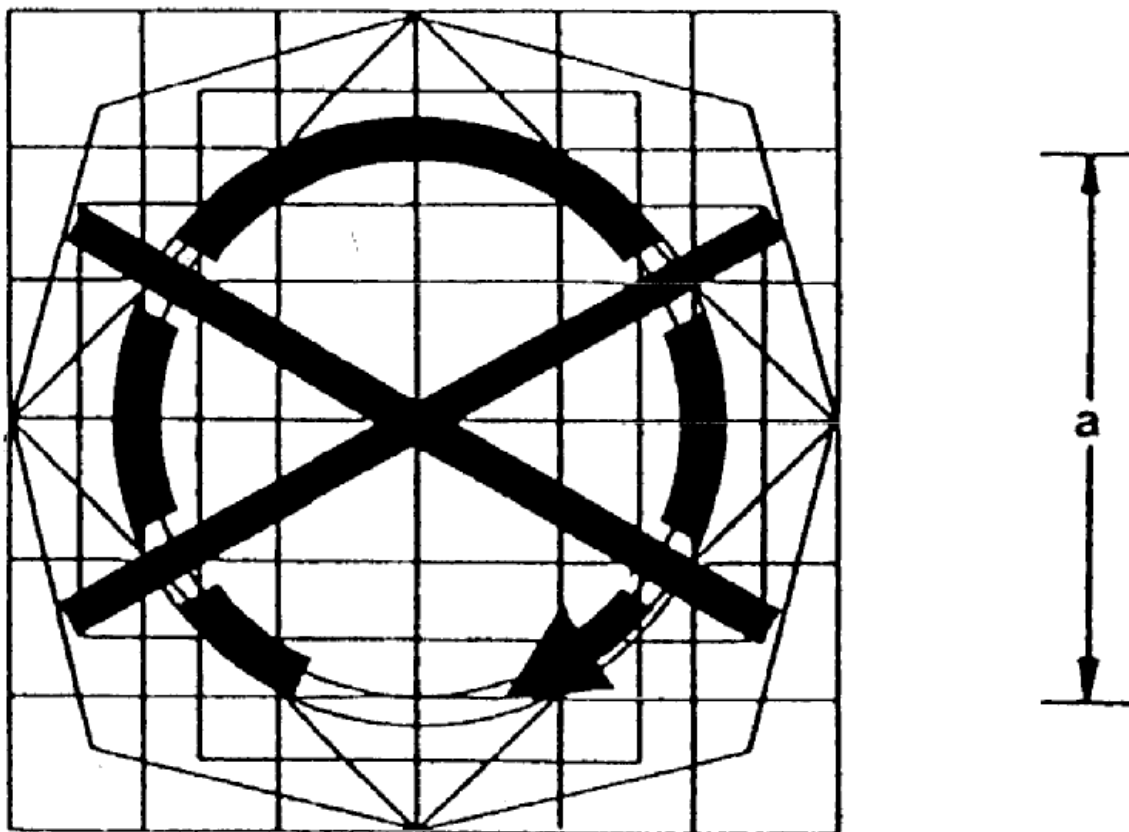


Figure 12

Rear fog lamp⁽³⁾

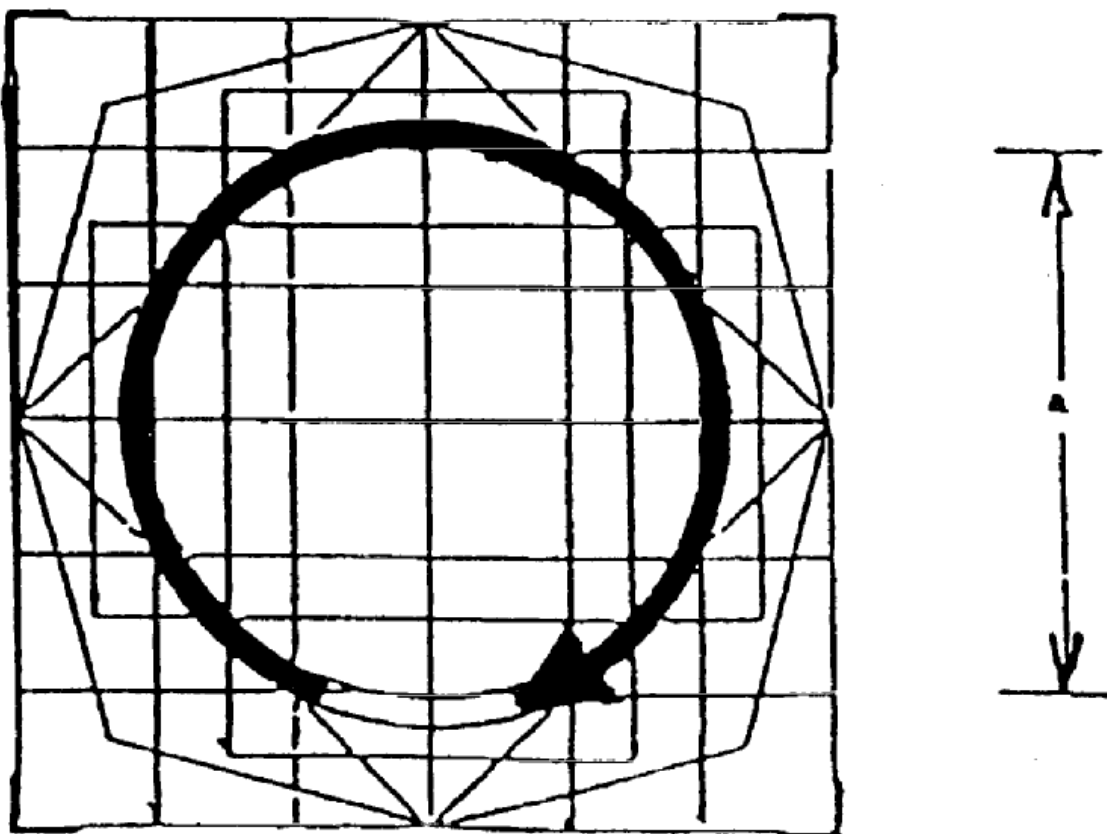
Tell-tale colour: amber.

↓ 93/29/EEC
→₁ 2000/74/EC Art. 1 and
Annex pt. I(2)



→₁ Figure 13

Engine ignition or cut-off control in 'out of use' position ←



→₁ Figure 14

Engine ignition or cut-off control in the 'operating' position ←

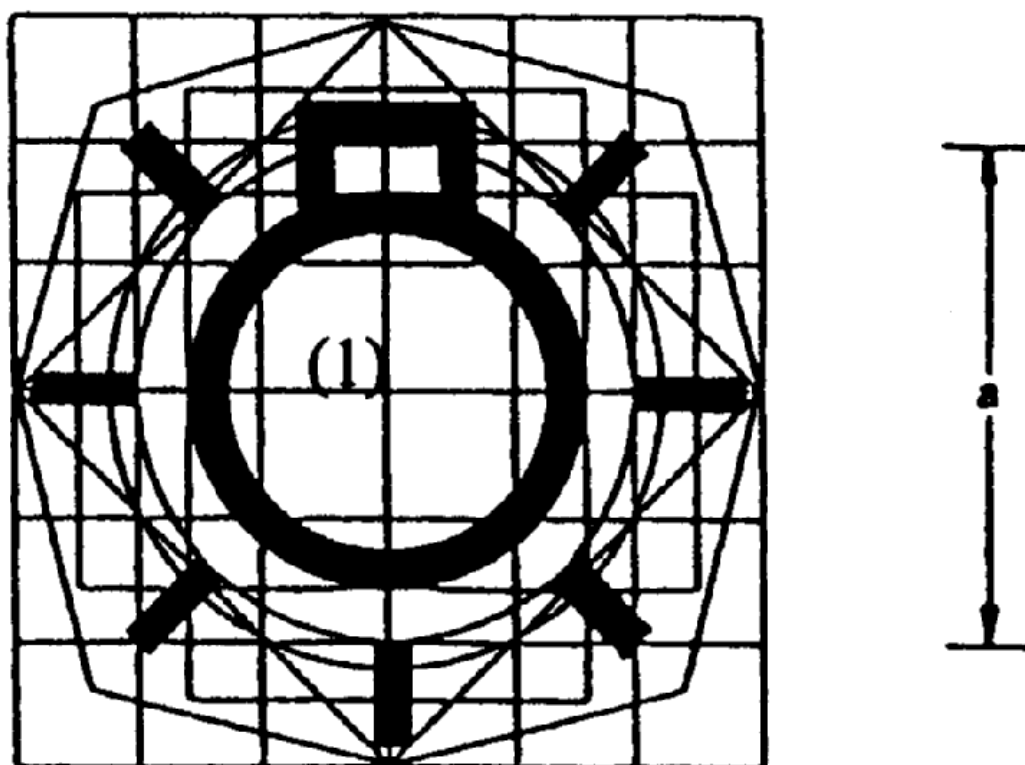
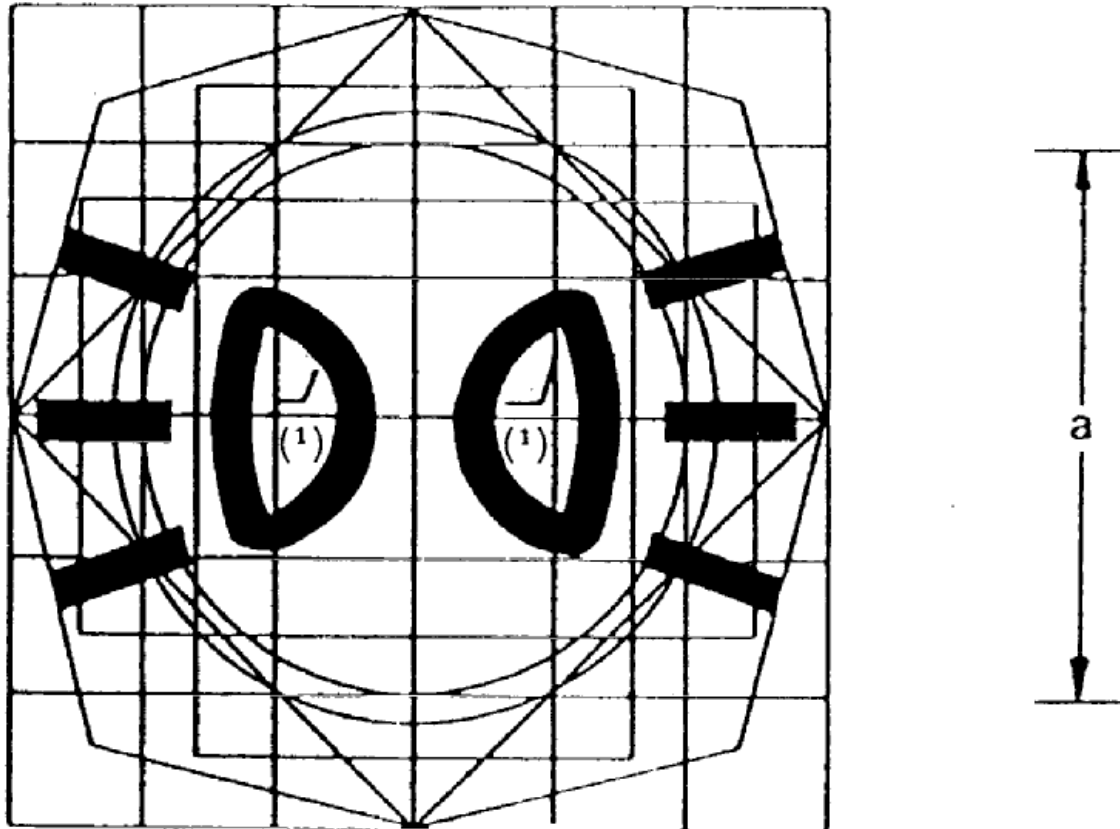


Figure 15

Lighting switch

Tell-tale colour: green.

↓ 93/29/EEC
→₁ 2000/74/EC Art. 1 and
Annex pt. I(2)



→₁ Figure 16

Position (side) lamps

(if the control is not separate, it may be identified by the symbol shown in figure 15)

Tell-tale colour: green. ←

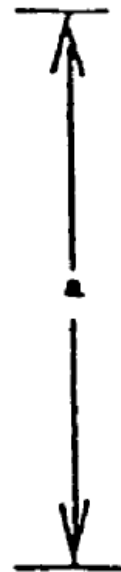
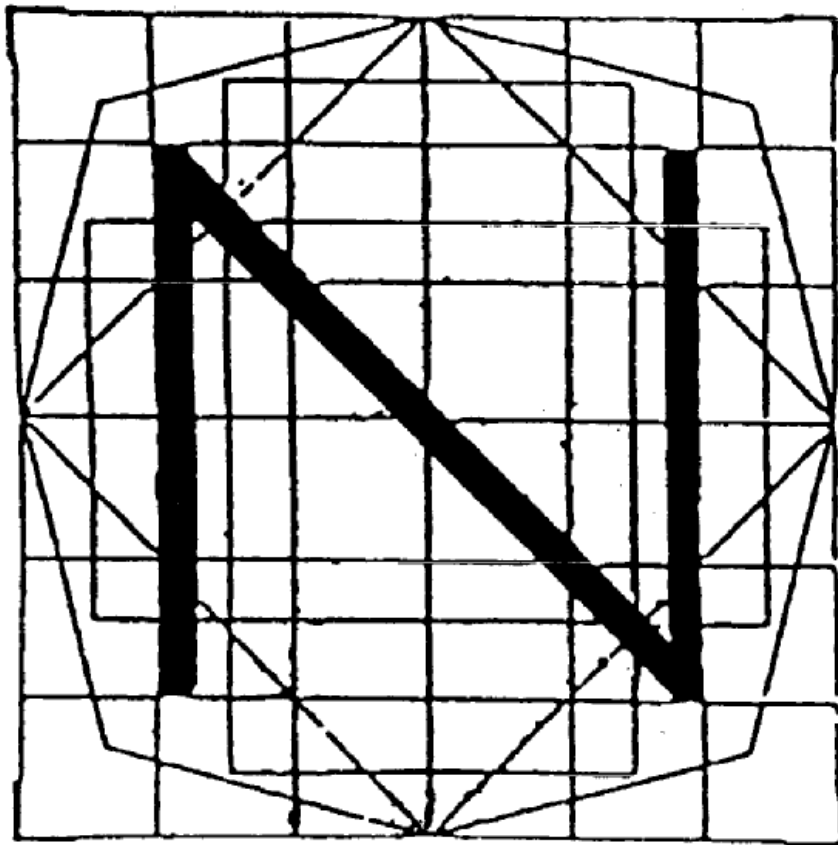


Figure →₁ 17 ←

‘Gear box in neutral’ indicator

Tell-tale colour: green.

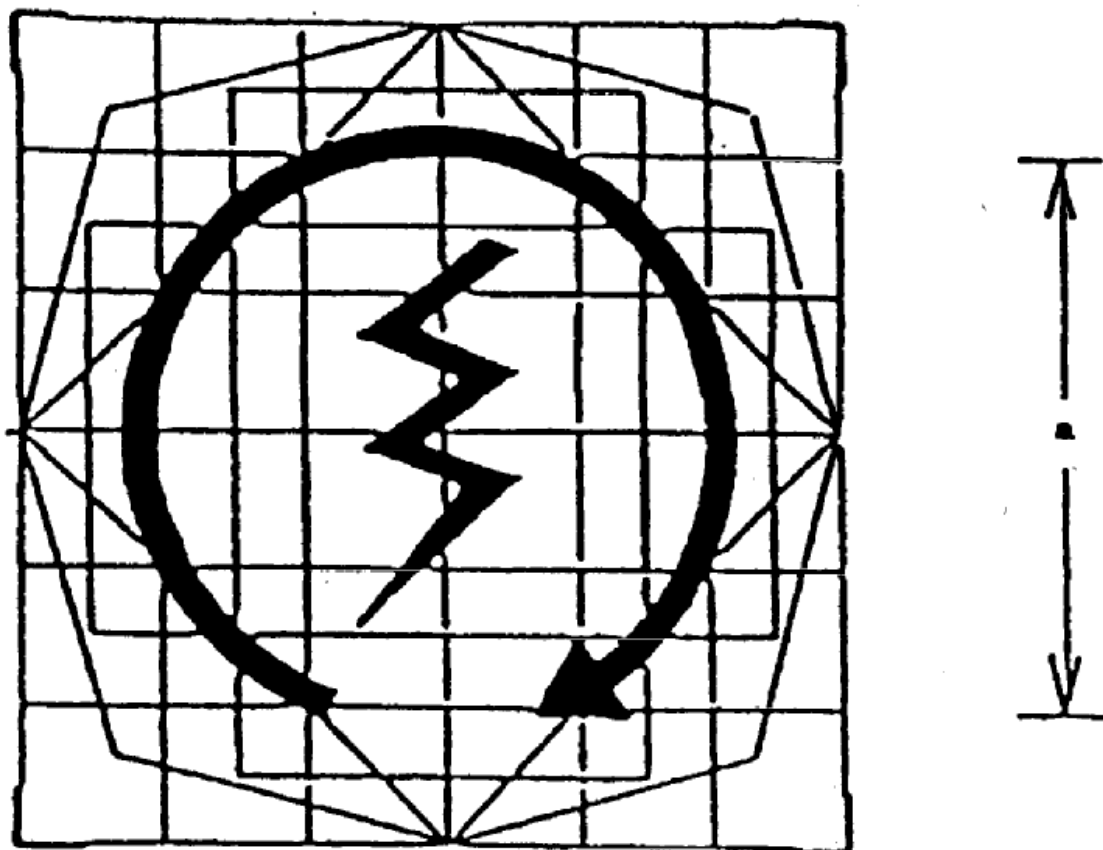


Figure →₁ 18 ←

Electric starter

Notes:

↓ 2000/74/EC Art. 1 and
Annex pt. I(2)

- (1) The framed areas may be solid.

↓ 93/29/EEC (adapted)

- (2) The dark part of this symbol may be replaced by its silhouette; the white part in this diagram may then be entirely in a dark colour.
- (3) If a single control is used for the front and rear fog lamps the symbol used ☒ shall ☒ be that for 'front fog lamp'.

Appendix

Structure of the model base for the symbols referred to in section 2.1.5

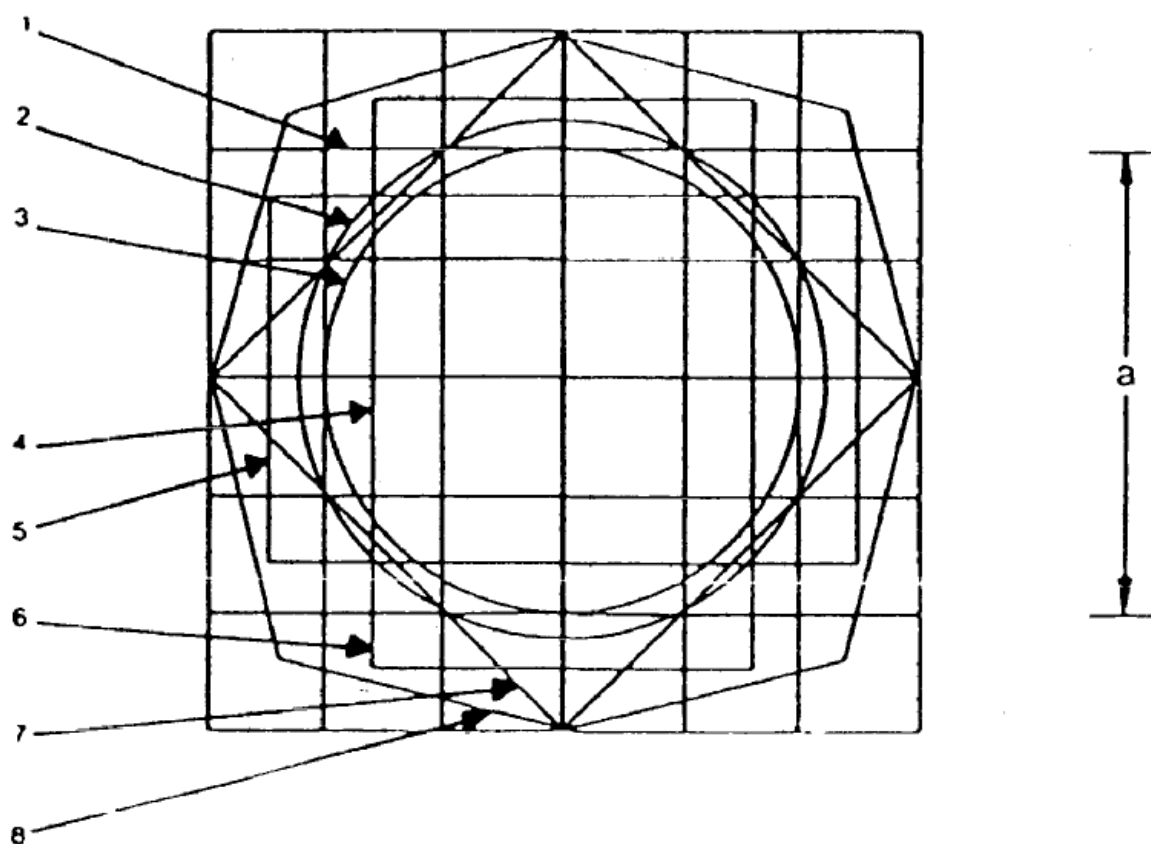


Figure 1

Model base

The model base consists of:

1. a base 50 mm square, this dimension being equal to nominal dimension 'a' in the original;
2. a base circle 56 mm in diameter having approximately the same area as the base square (1);
3. a second 50 mm-diameter circle is drawn within the base square (1);
4. a second square the tips of which lie on the base circle (2) \boxtimes and \boxtimes the sides of which are parallel to those of the base square (1);
5. and 6. two rectangles having the same area as the base square (1), their sides being at right angles to each other and each of them devised so as to divide the opposite sides of the base square into symmetrical points;

7. a third square the sides of which pass through the points of intersection of the base square (1) and the base circle (2) and are inclined at 45° , thus providing the greatest horizontal and vertical dimensions of the model base;
8. an irregular octagon formed by lines inclined at 30° to the sides of the square (7).

The base model is laid upon a grid the lower side of which measures 12.5 mm and coincides with the base square (1).



ANNEX II

↓ 2000/74/EC Art. 1 and
Annex pt. II (adapted)

Appendix I

Information document in respect of the identification of controls, tell-tales and indicators for a type of two or three-wheel motor vehicle

(to be attached to the application for EC component type-approval if this is submitted separately from the application for a vehicle type-approval)

Order number (assigned by the applicant):

The application for a EC component type-approval in respect of the identification of controls, tell-tales and indicators of a type of two or three-wheel motor vehicle shall contain the information set out under the following points in Part I, Section A of Annex II to Directive ☒ 2002/24/EC of the European Parliament and of the Council ☒ :

- 0.1,
- 0.2,
- 0.4 to 0.6,
- 9.2.1.

Appendix 2

Name of administration

EC component type-approval certificate in respect of the identification of controls, tell-tales and indicators for a type of two- or three-wheel motor vehicles

MODEL

Report Noby technical servicedate

EC component type-approval No:Extension No:

1. Make of vehicle:
2. Type of vehicle and any versions and variants:
3. Manufacturer's name and address:
.....
4. Name and address of manufacturer's representative (if any):
.....
5. Date vehicle submitted for test:
6. EC component type-approval granted/refused¹:
7. Place:
8. Date:
9. Signature:

¹ Delete as appropriate.



ANNEX III

Part A

Repealed Directive with its amendment (referred to in Article 6)

Council Directive 93/29/EEC (OJ L 188, 29.7.1993, p. 1)

Commission Directive 2000/74/EC (OJ L 300, 29.11.2000, p. 24)

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
93/29/EEC	14 December 1994	14 June 1995 ^(*)
2000/74/EC	31 December 2001	1 January 2002 ^(**)

^(*) In conformity with Article 5(1), third subparagraph of Directive 93/29/EEC:

“From the date mentioned in the first subparagraph Member States may not, for reasons connected with the identification of controls, tell-tales and indicators, prohibit the initial entry into service of vehicles which conform to this Directive.”

The said date is 14 December 1994; see first subparagraph of Article 5(1) of Directive 93/29/EEC.

^(**) In conformity with Article 2 of Directive 2000/74/EC:

“1. With effect from 1 January 2002, Member States may not, on grounds relating to the identification of controls, tell-tales and indicators:

- refuse to grant EC type-approval for a type of two- or three-wheel motor vehicle, or
- prohibit the registration, sale or entry into service of two- or three-wheel motor vehicles,

if the identification of controls, tell-tales and indicators complies with the requirements of Directive 93/29/EEC, as amended by this Directive.

2. With effect from 1 July 2002, Member States shall refuse to grant EC type-approval for any new type of two- or three-wheel motor vehicle on grounds relating to the identification of controls, tell-tales and indicators if the requirements of Directive 93/29/EEC, as amended by this Directive, are not fulfilled.”

ANNEX IV

CORRELATION TABLE

Directive 93/29/EEC	This Directive
Articles 1 and 2	Articles 1 and 2
Article 3, first paragraph	Article 3(1)
Article 3, second paragraph	Article 3(2)
Article 4, introductory phrase	Article 4, introductory phrase
Article 4, first indent	Article 4 point (a)
Article 4, second indent	Article 4 point (b)
Article 5(1)	—
Article 5(2)	—
—	Article 5
Article 6	Articles 6 and 7
Annexes I and II	Article 8
—	Annexes I and II
—	Annex III
—	Annex IV