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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 2172 final

Brussels, 20 December 1974

Proposal for a

COUNCIL DIRECTIVE

on the approximation of the laws of the Member
States relating to towing hooks on motor vehicles

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

This proposal for a Directive is to form part of the Community type-approval procedure provided for in Council Directive 70/156/EEC⁽¹⁾ of 6 February 1970.

It concerns the requirements as to towing hooks on motor vehicles.

The Commission has decided that vehicles must be fitted with a device for the attachment of a towing bar or cable since such a device has proved not only useful but necessary for the removal of vehicles which have broken down on the public highway. Where such a device is absent at the front, the towing of vehicles is delayed and complicated, and their safety may be impaired since an improvised fitting (on the bumper bar or some other part of the vehicle) can damage the steering mechanism.

The Commission has examined with particular attention the objections raised as regards the desirability of fitting such devices to the rear of vehicles. The following objections have been noted in respect in particular of vehicles in category M₁:

1. A large number of vehicles are not able to tow by reason of their relatively low engine power and the lightness of their construction.
2. In the case of vehicles of integral construction it is in general difficult, for reasons of construction, to adapt the towing devices to the bodywork in a manner enabling alternating forces to be absorbed.
3. Certain vehicles equipped with automatic transmission are not able to be towed, or only in certain circumstances.

(1) O.J. NO 42, 23 February 1970.

Article 3 specifies the procedure to be followed for the adaptation to technical progress of the requirements laid down in the Annex, which is the procedure set out in Article 13 of the Council Directive of 6 February 1970 on the type-approval of motor vehicles and their trailers.

Article 4 sets two time limits ; before expiry of the first, the Member States must adopt and publish the measures necessary for compliance with the directive. The second determines the date on which all the Member States must simultaneously apply the common rules (Article 4 (1)).

The Commission must be notified of all provisions which the Member States propose to adopt in the field covered by the Directive in sufficient time to enable it to submit comments on such draft provisions (Article 4 (2)).

CONSULTATION OF THE EUROPEAN PARLIAMENT AND THE ECONOMIC AND SOCIAL COMMITTEE

The opinion of these two institutions is required under the second paragraph of Article 100.

.../...

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 towing hooks ;

Whereas those requirements differ from one Member State to another, and whereas it is therefore necessary that all of the Member States adopt the same requirements either in addition to or in place of their existing requirements in order, in particular, to allow the EEC type-approval procedure, which was the subject of the Council Directive 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 the laws of the Member States relating to motor vehicles implies recognition in all Member States of the inspections carried out by each of them on the basis of common requirements ; whereas, in order to function properly, such a system must be applied by all Member States with effect from the same date ;

HAS ADOPTED THIS DIRECTIVE :

(1) O.J. NO L 42, 23 February 1970, p. 1.

Article 1

For the purposes of this Directive, "vehicle" means any motor vehicle intended for use on the road, with or without bodywork, having at least four wheels and a maximum design speed exceeding 25 km/h, with the exception of vehicles which run on rails, agricultural tractors and machinery and engineering plant.

Article 2

1. No Member State may refuse to grant EEC type-approval of a vehicle on grounds relating to towing hooks if its towing hooks satisfy the requirements set out in the Annex.

2. Similarly, no Member State may refuse to grant national type-approval or, where no such approval exists, refuse the registration or prohibit the sale, putting into circulation or use of a vehicle on the grounds or in the circumstances specified in paragraph 1.

Article 3

Any adjustment of the provisions contained in this Directive needed to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of the Council Directive 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.

Article 4

1. The Member States shall adopt and publish provisions containing the requirements needed to comply with this Directive before 1 April 1976 and shall forthwith inform the Commission thereof.

They shall apply these provisions with effect from 1 October 1976.

2. Once notification of this Directive has been effected, the Member States shall, in sufficient time to enable it to submit its comments, inform the Commission of all draft laws, regulations or administrative provisions which they intend to adopt in the field covered by this Directive.

Article 5

This Directive is addressed to the Member States.

ANNEX

I. Towing hooks

- I.1. A device of adequate size and ease of access for the attachment of a towing bar or rod shall be fitted to the front of all vehicles.
- I.2. Vehicles in category M_1 (as defined in Annex I to Directive No 70/156/EEC of 6 February 1970 on type-approval) must, with the exception of those vehicles not authorized to tow a load, also be fitted at the rear with a towing device as stipulated in item I.1. above.
- I.3. No towing device must project beyond the forward, rear and side extremities of the vehicle.