



COMMISSION OF THE EUROPEAN COMMUNITIES

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2006/0041 (AVC)

Proposal for a

COUNCIL DECISION

on the position of the Community in relation to the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicles with regard to the forward field of vision of the motor vehicle driver

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. GENERAL

By Council Decision 97/836/EC of 27 November 1997, the European Community became a Contracting Party to the 1958 Revised Agreement of the United Nations Economic Commission for Europe (UN/ECE). That Decision took effect on 24 March 1998.

Article 4 of that Decision stipulates, *inter alia*, that where a draft Regulation of the UN/ECE is submitted to a vote within the appropriate UN/ECE bodies, the draft in question must be approved by the Council, after obtaining assent from the European Parliament, before the Community can declare itself in favour of adopting the draft.

The agenda of a forthcoming meeting of the World Forum for Harmonisation of Vehicle Regulations of the UN/ECE will include, in particular, a vote on a (new) draft Regulation concerning the approval of motor vehicles with regard to the forward field of vision of the driver.

The main purpose of the draft Regulation is to establish harmonised technical prescriptions, thereby avoiding the creation of technical barriers to trade in motor vehicles between the Contracting Parties, while ensuring a high level of safety to the driver. Specifically, the draft regulation will enable to ensure an adequate field of vision through the windscreen and other glazing. The Commission therefore considers that it would be desirable for the EC to vote in favour of this (new) draft Regulation.

It is also provided that this draft Regulation shall become part of the type-approval system for motor vehicles because the scope of the Council Directive 77/649/EC, as last amended by the Commission Directive 90/630/EC is similar to the one of this draft Regulation.

The EC's position at the time of the vote will be based on documents available in the official languages of the UN/ECE (French and English). As the EC has become party to the 1958 UN/ECE Agreement, it is required to observe the procedures provided for in that Agreement.

In conformity with the provisions of Article 4(5) of Decision 97/836/EC, the Regulation will be published in all the official languages of the Communities in the *Official Journal of the European Union* before coming into force.

2. CONTENT OF THE PROPOSAL FOR A DECISION

The purpose of the proposal is to enable the Commission representative to vote on the draft Regulation concerning the approval of motor vehicles with regard to the forward field of vision of the driver on behalf of the Community at a forthcoming meeting of the UN/ECE World Forum for Harmonisation of Vehicle Regulations.

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(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions¹, in particular the second indent of Article 4(2), thereof,

Having regard to the proposal of the Commission²,

Having regard to the assent of the European Parliament³,

Whereas:

- (1) The draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicles with regard to the forward field of vision of the driver⁴ provides for the abolition of the technical barriers to the trade of motor vehicles between the Contracting Parties with respect to these aspects, while ensuring a high level of safety.
- (2) It is appropriate to define the Community's position with regard to the said draft Regulation and consequently to provide for the Community, represented by the Commission, to vote in favour of the draft.

¹ OJ L 346 17.12.1997, p. 78.

² OJ C. .[simply insert the date without 'of'] ., p. .

³ OJ C. . ., p. .

⁴ UN/ECE Document TRANS/WP.29/2005/82

- (3) The draft Regulation should become part of the Community type-approval system for motor vehicles because the scope of Council Directive 77/649/EC, as last amended by the Commission Directive 90/630/EC is similar to the one of this draft Regulation.

HAS DECIDED AS FOLLOWS:

Article 1

The draft Regulation of the United Nations Economic Commission for Europe (UN/ECE) concerning the approval of motor vehicles with regard to the forward field of vision of the motor vehicle driver, as contained in document TRANS/WP.29/2005/82 is hereby approved.

Article 2

The Community, represented by the Commission, shall vote in favour of the draft UN/ECE Regulation referred to in Article 1 at a forthcoming meeting of the Administrative Committee of the UN/ECE World Forum for Harmonisation of Vehicle Regulations.

Article 3

The UN/ECE Regulation concerning the approval of motor vehicles with regard to the forward field of vision of the motor vehicle driver shall become part of the Community type-approval system for motor vehicles.

Done at Brussels,

*For the Council
The President*