COMMISSION DIRECTIVE 1999/18/EC

of 18 March 1999

adapting to technical progress Council Directive 76/762/EEC relating to front fog lamps for motor vehicles and filament lamps for such lamps

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC 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], as last amended by Directive 98/91/EC of the European Parliament and of the Council [2], and in particular Article 13(2) thereof,

Having regard to Council Directive 76/762/EEC of 27 June 1976 on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles and filament lamps for such lamps [3], as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 10 thereof,

(1) Whereas Directive 76/762/EEC is one of the separate Directives of the EC type-approval procedure which has been established by Directive 70/156/EEC; whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to Directive 76/762/EEC;

(2) Whereas, in particular, Article 3(4) and Article 4(3) of Directive 70/156/EEC require each separate Directive to have attached to it an information document and also a type-approval certificate based on Annex VI to Directive 70/156/EEC in order that type-approval may be computerised; whereas the type-approval certificate provided for in Directive 76/762/EEC should be amended accordingly;

(3) Whereas the procedures should be simplified in order to maintain the equivalence envisaged by Article 9(2) of Directive 70/156/EEC between certain separate Directives and the corresponding regulations of the United Nations' Economic Commission for Europe (UN-ECE), when those regulations are amended; whereas, as a first step, the technical requirements of Directive 76/762/EEC should be replaced by those of UN-ECE Regulation No 19 by way of cross-reference;

(4) Whereas it is necessary to ensure that the requirements in Council Directive 76/756/EEC [4], as last amended by Commission Directive 97/28/EC [5], and in Council Directive 76/761/EEC [6], as last amended by Commission Directive 1999/17/EC [7], are complied with;

(5) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/762/EEC is amended as follows:

1. The title is replaced by the following:

'on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles.'

(1) OJ L 42, 23.2.1970, p. 1.
(2) OJ L 11, 16.1.1999, p. 25.
(3) OJ L 262, 27.9.1976, p. 122.
(4) OJ L 262, 27.9.1976, p. 1.
(5) OJ L 171, 30.6.1997, p. 1.
(6) OJ L 262, 27.9.1976, p. 96.
(7) See page 45 of this Official Journal.

2. In Article 1, paragraph 1 is replaced by the following:

'1. Each Member State shall grant EC component type-approval for any type of rear fog lamp which satisfies the construction and testing requirements laid down in the relevant Annexes.'

3. In Article 2, the first paragraph is replaced by the following:

'Member States shall, for each type of front fog lamp which they approve pursuant to Article 1, issue to the manufacturer an EC component type-approval mark conforming to the model shown in Annex I, Appendix 3.'

4. Article 4 is replaced by the following:

'*Article 4*

The competent authorities of the Member States shall inform each other, by means of the procedures specified in Article 4 (6) of Directive 70/156/EEC, of each approval which they have granted, refused or withdrawn pursuant to this Directive.'

5. Article 9 is replaced by the following:

'*Article 9*

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, and its trailers, with the exception of vehicles which run on rails and of agricultural and forestry tractors and all mobile machinery.'

6. The Annexes are replaced by the text in the Annex to this Directive.

Article 2

1. From 1 October 1999, or, if the publication of the texts referred to in Article 3 is delayed beyond 1 April 1999, six months after the actual date of publication of these texts, Member States may not, on grounds relating to front fog lamps:

— refuse, in respect of a type of vehicle or a type of front fog lamp, to grant EC type-approval or national type-approval, or

— prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of front fog lamps,

provided that the front fog lamps comply with the requirements of Directive 76/762/EEC, as amended by this Directive, and that, as far as vehicles are concerned, they are installed in accordance with the requirements laid down in Directive 76/756/EEC.

2. From 1 April 2000 Member States:

— shall no longer grant EC type-approval, and

— may refuse to grant national type-approval

for any type of vehicle on grounds relating to front fog lamps, and for any type of front fog lamp, if the requirements of Directive 76/762/EEC, as amended by this Directive, are not fulfilled.

3. From 1 April 2001 the requirements of Directive 76/762/EEC relating to front fog lamps as components, as amended by this Directive, shall be applicable for the purposes of Article 7(2) of Directive 70/156/EEC.

4. Notwithstanding paragraphs 2 and 3, for the purposes of replacement parts Member States shall continue to grant EC type-approval of front fog lamps, and to permit their sale and entry into service, in accordance with previous versions of Directive 76/762/EEC provided that such front fog lamps

— are intended to be fitted to vehicles already in use, and

— comply with the requirements of that Directive which were applicable when the vehicles where first registered.

Article 3

The paragraphs and annexes of UN-ECE Regulation No 19 referred to in point 1 of Annex II, shall be published in the *Official Journal of the European Communities* before 1 April 1999.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 October 1999; however, if the publication of the texts referred to in Article 3 is delayed beyond 1 April 1999, the Member

States shall comply with this obligation six months after the actual date of publication of these texts. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 October 1999, or, if the publication of the texts referred to in Article 3 is delayed beyond 1 April 1999, six months after the actual date of publication of those texts.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. 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 5

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 18 March 1999.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

'LIST OF ANNEXES

ANNEX I: Administrative provisions for type-approval

Appendix 1: Information document

Appendix 2: Type-approval certificate

Appendix 3: Models of the EC component type-approval mark

ANNEX II: Technical requirements

ANNEX I

ADMINISTRATIVE PROVISIONS FOR TYPE-APPROVAL

1. APPLICATION FOR EC COMPONENT TYPE-APPROVAL

1.1. The application for EC component type-approval pursuant to Article 3(4) of Directive 70/156/EEC of a type of front fog lamp shall be submitted by the manufacturer.

1.2. A model for the information document is given in Appendix 1.

1.3. The following must be submitted to the technical service responsible for conducting the type-approval tests:

1.3.1. two samples, equipped with the lamp or lamps recommended;

1.3.2. for the test of plastic material of which the lenses are made:

1.3.2.1. thirteen lenses;

1.3.2.1.1. six of these lenses may be replaced by six samples of material at least 60 mm × 80 mm size, having a flat or convex outer surface and a substantially flat area (radius of curvature not less than 300 mm) in the middle measuring at least 15 mm × 15 mm);

1.3.2.1.2. every such lens or sample of material shall be produced by the method to be used in mass production;

1.3.2.2. a reflector to which the lenses can be fitted in accordance with the manufacturer's instructions.

1.3.3. The characteristics of the materials making up the lenses and coatings, if any, should be accompanied by the test report on these materials and coatings if they have already been tested.

2. MARKINGS

2.1. The devices submitted for EC component type approval must bear:

2.1.1. the trade name or mark of the manufacturer;

2.1.2. in the case of lamps with replaceable light sources: the type(s) of filament lamp prescribed;

2.1.3. in the case of lamps with non-replaceable light sources: the nominal voltage and wattage.

2.2. These markings shall be clearly legible and indelible and shall be affixed to the illuminating surface, or to one of the illuminating surfaces, of the device. They shall be visible from the exterior when the device is fitted to the vehicle.

2.3. Each device shall have sufficient space for the component type-approval mark. This space shall be indicated on the drawings referred to in Appendix 1.

3. GRANTING OF EC COMPONENT TYPE-APPROVAL

3.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4(3) and, if applicable, Article 4(4) of Directive 70/156/EEC shall be granted.

NB: Nothing in this Directive shall prevent a Member State from prohibiting the combination of a headlamp incorporating a lens of plastic material approved under this Directive with a mechanical headlamp-cleaning device (with wipers).

3.2. A model for the EC type-approval certificate is given in Appendix 2.

3.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of front fog lamp approved. The same Member State shall not assign the same number to another type of front fog lamp.

3.4. Where EC component type approval is requested for a type of lighting and light-signalling device comprising a front fog lamp and other lamps, a single EC component type-approval number may be assigned provided that the front fog lamp complies with the requirements of this Directive and that each of the other lamps forming part of the lighting and light-signalling device for which EC component type approval is requested complies with the separate Directive applying to it.

4. EC COMPONENT TYPE-APPROVAL MARK

4.1. In addition to the markings referred to in item 2.1., every front fog lamp conforming to the type approved pursuant to this Directive shall bear an EC component type-approval mark.

4.2. This mark shall consist of:

4.2.1. a rectangle surrounding the letter "e" followed by the distinguishing number or letters of the Member State which has granted type-approval:

1	for Germany	12	for Austria
2	for France	13	for Luxembourg
3	for Italy	17	for Finland
4	for the Netherlands	18	for Denmark
5	for Sweden	21	for Portugal
6	for Belgium	23	for Greece
9	for Spain	IRL	for Ireland;
11	for the United Kingdom		

4.2.2. in the vicinity of the rectangle the "base approval number" contained in section 4 of the type-approval number referred to in Annex VII to Directive 70/156/EEC, preceded by the two figures indicating the sequence number assigned to the most recent major technical amendment to Directive 76/762/EEC on the date EEC type approval was granted. In this Directive, the sequence number is 02;

4.2.3. additional symbols as follows:

4.2.3.1. the letter "B";

4.2.3.2. on front fog lamps incorporating a lens of plastic material the group of letters "PL" to be affixed near the symbol prescribed in paragraph 4.2.3.1. above;