COMMISSION DIRECTIVE 98/38/EC

of 3 June 1998

adapting to technical progress Council Directive 74/151/EEC on certain components and characteristics of wheeled agricultural or forestry tractors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors [1], as last amended by Directive 97/54/EC of the European Parliament and of the Council [2], and in particular Article 13 thereof,

Having regard to Council Directive 74/151/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors [3], as last amended by Directive 97/54/EC, and in particular Article 4 thereof,

Whereas in view of the experience acquired and the technological progress made, it is now appropriate to adapt the requirements concerning the components and characteristics referred to in Article 2 of Directive 74/151/EEC;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the adaptation to technical progress introduced by Directive 74/150/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I to VI to Directive 74/151/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. From 1 May 1999 no Member State may:

— refuse, in respect of a type of tractor, to grant EC type-approval, to issue the document referred to in Article 10(1), final indent, of Directive 74/150/EEC, or to grant national type-approval, or

— prohibit the entry into service of tractors,

if these tractors meet the requirements of Directive 74/151/EEC, as amended by this Directive.

2. From 1 October 1999, Member States:

— may no longer issue the document referred to in Article 10(1), final indent, of Directive 74/150/EEC for a type of tractor that does not meet the requirements of Directive 74/151/EEC as amended by this Directive,

— may refuse to grant national type approval in respect of a type of tractor if this does not meet the requirements of Directive 74/151/EEC as amended by this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 May 1999. They shall forthwith inform the Commission thereof.

When the Member States adopt these provisions the latter shall contain a reference to this Directive or shall be accompanied by such a reference on their official publication. The conditions attached to that reference shall be laid down by the Member States.

2. The Member States shall send the Commission the text of the essential provisions of national law they adopt in the area covered by this Directive.

Article 4

This Directive shall take effect on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 3 June 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

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[1] OJ L 84, 28. 3. 1974, p. 10.
[2] OJ L 277, 10. 10. 1997, p. 24.
[3] OJ L 84, 28. 3. 1974, p. 25.