COUNCIL DIRECTIVE 92/54/EEC

of 22 June 1992

amending Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (brakes)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 75 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Directive 77/143/EEC (4) provides for the regular roadworthiness testing of all categories of vehicles listed in Annex I thereto;

Whereas that Directive provides for the adoption of separate directives for testing the standard of the items listed in Annex II thereto and the establishment of a technical committee to advise the Commission before it adopts measures to adjust roadworthiness tests to technical progress;

Whereas most Member States have adopted procedures for testing heavy commercial vehicles with regard to the condition of the braking system;

Whereas several Member States have national rules for testing the lighter vehicles, including passenger cars, and that those rules are commensurate with the scheme outlined in this Directive;

Whereas assessment of the type approval procedures for testing vehicle braking for all vehicle types shows that applying those procedures in the roadworthiness test presents some difficulty;

Whereas in-service testing should be relatively simple, quick and inexpensive;

Whereas at this stage it would be premature to set values for the required braking efficiencies, air pressure settings and build up times, etc. given the variance in test equipments and methods within the Community; whereas the aim of brake performance testing must be that a realistic judgment can be made at the time of testing that the vehicle, irrespective of its laden condition within the bounds of its gross weights, would be safe and reliable on the road and that, if tested to the technical requirements of Council Directive 71/320/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (5), then it would pass;

Whereas Member States may extend the scope of the braking test to include vehicles or test items outside the scope of this Directive;

Whereas Member States may enhance the severity of the braking test or increase the frequency of testing,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II of Directive 77/143/EEC is hereby amended as follows:

1. the introductory note and the two columns of heading 1 (braking systems) shall be replaced by the text set out in the Annex to this Directive;

2. under heading 1, the following headings shall be inserted above the two columns:

VEHICLES IN CATEGORIES 1, 2, 3 and 4	VEHICLES IN CATEGORIES 5 and 6

Article 2

1. Member States shall implement the laws, regulations and administrative measures necessary to comply with this

(1) OJ No C 189, 20. 7. 1991, p. 16.
(2) OJ No C 94, 13. 4. 1992.
(3) OJ No C 49, 24. 2. 1992, p. 64.
(4) OJ No L 47, 18. 2. 1977, p. 47. Last amended by Directive 91/328/EEC (OJ No L 178, 6. 7. 1991, p. 29).
(5) OJ No L 202, 6. 9. 1971, p. 37. Last amended by Commission Directive 91/422/EEC (OJ No L 233, 22. 8. 1991, p. 2).

Directive within one year of the date of its adoption. They shall forthwith inform the Commission thereof.

When the Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the provisions of domestic law which they adopt in the field governed by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 22 June 1992.

For the Council

The President

Joaquim FERREIRA DO AMARAL