COMMISSION DIRECTIVE

of 28 March 1989

adapting to technical progress Council Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers

(89/278/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 87/403/EEC (2), and in particular Article 11 thereof,

Having regard to Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor-vehicles and their trailers (3), as last amended by Directive 84/8/EEC (4), and in particular Article 4 thereof,

Whereas, in the light of experience and in view of the current state of the art, certain requirements may now be supplemented and brought more into line with real traffic conditions, while thus improving the safety of vehicle occupants and other road users;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of Directives on the Removal of Technical Barriers to Trade in the Motor Vehicles Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 75/756/EEC is hereby amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 31 March 1989, no Member State may:

— refuse, in respect of a type of vehicle, to grant EEC type-approval, to issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC, or to grant national type-approval or

— prohibit the entry into service of vehicles

on grounds relating to the installation on the vehicles of the lighting and light-signalling devices, whether mandatory or optional, listed in 1.5.9 to 1.5.22 of Annex I to Directive 76/756/EEC, if the installation of the said lighting and light-signalling devices on the type of vehicle or vehicles in question complies with the provisions of this Directive.

2. With effect from 1 October 1989, Member States:

— shall no longer issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC in respect of a type of vehicle if the installation of the said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category I a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3,

— may refuse to grant national type approval in respect of a type of vehicle if the installation of the said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3.

3. With effect from 1 April 1991 Member States may refuse the national type approval of a type of vehicle and may no longer issue the document provided for in Article 10 (1), final indent, of Directive 70/156/EEC for a type of vehicle if the installation of said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the provisions relating to the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3, for types of vehicle, the type approval of which is prompted neither by a new design nor by a change in design and/or body shape which could effect the dimensions of those front direction indicator lamps and their position in relation to the front dipped-beam headlamps and fog lamps.

(1) OJ No L 42, 23. 2. 1970, p. 1.
(2) OJ No L 220, 8. 8. 1987, p. 44.
(3) OJ No L 262, 27. 9. 1976, p. 1.
(4) OJ No L 9, 12. 1. 1984, p. 24.

4. With effect from 1 October 1993, Member States may prohibit the entry into service of vehicles if the installation of the lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3.

Article 3

Member States shall bring into force the provisions necessary to comply with this Directive not later than 30 September 1989. They shall forthwith inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 28 March 1989.

For the Commission
Martin BANGEMANN
Vice-President