II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 24 March 1988

adapting to technical progress Council Directive 71/320/EEC on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and their trailers

(88/194/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 their trailers (1), as last amended by Commission Directive 85/647/EEC (2), and in particular Article 5 thereof,

Whereas in the light of the progress made in braking technology in general, and in the production of anti-lock devices in particular, it is now possible to make it compulsory to fit certain heavy vehicles and trailers with such devices meeting the corresponding specifications of this Directive with a view to increasing road safety;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on Motor Vehicles,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and X to Directive 71/320/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. As from 1 October 1988 no Member State may, on grounds relating to braking devices:

— refuse, in respect of a type of vehicle, to grant EEC type-approval, or to issue the copy of the certificate provided for in the last indent of Article 10 (1) of Council Directive 70/156/EEC (3), or to grant national type-approval, or

— prohibit the entry into service of vehicles

where the braking devices of such type of vehicle or of such vehicles comply with the provisions of Directive 71/320/EEC, as last amended by this Directive.

2. As from 1 October 1989 Member States:

— shall no longer issue the copy of the certificate provided for in the last indent of Article 10 (1) of Directive 70/156/EEC in respect of a type of vehicle of which the braking devices do not comply with the provisions of Directive 71/320/EEC, as last amended by this Directive,

— may refuse to grant national type-approval of a type of vehicle of which the braking devices do not comply with the provisions of Directive 71/320/EEC, as last amended by this Directive.

(1) OJ No L 202, 6. 9. 1971, p. 37.
(2) OJ No L 380, 31. 12. 1985, p. 1.
(3) OJ No L 42, 23. 2. 1970, p. 1.