II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 26 May 1983

amending 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

(83/276/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 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 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 (4), as last amended by Directive 80/1267/EEC (5), and by the 1979 Act of Accession, stipulates that the provisions necessary for implementing the EEC type-approval procedure in respect of each of the parts and characteristics of vehicles are to be adopted by means of separate Directives ; whereas the provisions relating to the installation of lighting and light-signalling devices were adopted by means of Directive 76/756/EEC (6), as amended by Directives 80/233/EEC (7) and 82/244/EEC (8) ;

Whereas, since the method adopted by Directive 70/156/EEC for harmonizing laws is 'optional', manufacturers have chosen not to invoke the Community provisions enacted by Directive 76/756/EEC, on the grounds that the latter provide for dipped-beam alignment (item 4.2.6 of Annex I, as amended Directive 82/244/EEC), and have preferred to have recourse to the relevant national provisions, which do not for the time being include such alignment ; whereas, in order to justify their choice, manufacturers cite technical difficulties and the costs of implementing the Community requirement in question, especially in the case of small cars ;

Whereas, since the provisions concerning dipped-beam alignment came into force, technical developments and factors have arisen which, like dipped-beam alignment, are related to the problem of glare ; whereas these developments consist, in particular, of efforts to improve the aerodynamic shape of vehicles, which influences the mounting height of the dipped-beam level lamps, as well as of measures to control light intensity ; whereas, in order not to give rise to unnecessary complications, these considerations being inter-related, it is desirable temporarily and adequately to limit application of the provisions, which deal with only a part of the whole ;

Whereas in order to enable the Community rules on lighting and light-signalling devices to be effectively

(1) OJ No C 279, 22. 10. 1982, p. 5.
(2) OJ No C 68, 14. 3. 1983, p. 87.
(3) OJ No C 77, 21. 3. 1983, p. 1.
(4) OJ No L 42, 23. 2. 1970, p. 1.
(5) OJ No L 375, 31. 12. 1980, p. 34.
(6) OJ No L 262, 27. 9. 1976, p. 1.
(7) OJ No L 51, 22. 5. 1980, p. 8.
(8) OJ No L 109, 22. 4. 1982, p. 31.