COUNCIL DIRECTIVE

of 24 July 1979

amending Directive 74/150/EEC on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors

(79/694/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,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas certain systems or parts of tractors which form a separate technical unit are already marketed both separately and after being fitted to a tractor; whereas, in so far as it is possible to check such systems or parts before they are fitted to a tractor, their free movement may be facilitated by the introduction of EEC type-approval also for these separate technical units;

Whereas it is therefore desirable that 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 (3) should be supplemented without delay by provisions introducing such type-approval;

Whereas the EEC type-approval of separate technical units to be fitted to tractors simplifies the tractor type-approval procedure by avoiding the repetition of certain checks during type-approval; whereas it must be possible, when granting EEC type-approval for separate technical units, to lay down restrictions for their use and/or conditions for their fitting;

Whereas it must always remain possible to adapt the separate Directives to technical progress in the production of separate technical units; whereas the procedure laid down in Article 13 of Council Directive 74/150/EEC is appropriate for this purpose;

Whereas the technical requirements relating to the driver's operating space and windows of tractors differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements without delay either in addition to or in place of their existing rules;

Whereas checks on compliance with these requirements should be made under the EEC type-approval procedure for each tractor type provided for in Directive 74/150/EEC; whereas it is therefore necessary to supplement this Directive by incorporating the necessary references in Annex I (Model information document) and Annex II (Model EEC type-approval certificate),

HAS ADOPTED THIS DIRECTIVE:

Article 1

Council Directive 74/150/EEC is amended as follows:

(a) The following Article shall be added after Article 9:

'*Article 9a*

1. Where the separate Directives make express provision for so doing, EEC type-approval may also be granted for types of systems or parts of tractors which form a separate technical unit.

2. Where the separate technical unit to be approved fulfils its function or offers a specific feature only in conjunction with other components of the tractor and for this reason compliance with one or more requirements can be verified only when the separate technical unit to be approved operates in conjunction with other tractor components, whether real or simulated, the scope of the EEC type-approval of the separate technical unit must be restricted accordingly. The EEC type-approval certificate for a separate technical unit shall then include any restrictions on its use and shall indicate any conditions for fitting it. Observance of these restrictions and conditions shall be verified at the time of EEC type-approval of the tractor.

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(1) OJ No C 127, 21. 5. 1979, p. 80.
(2) Opinion delivered on 22 and 23 May 1979 (not yet published in the Official Journal).
(3) OJ No L 84, 28. 3. 1974, p. 10.