COUNCIL DIRECTIVE

of 12 June 1978

on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles

(78/548/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 the technical requirements which motor vehicles must satisfy pursuant to national laws relate *inter alia* to heating systems for the passenger compartment of motor vehicles;

Whereas these requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules in order, in particular, to allow the EEC type-approval procedure, which was the subject of 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 (3), as last amended by Directive 78/547/EEC (4), to be introduced in respect of each type of vehicle;

Whereas the approximation of national laws relating to motor vehicles entails the mutual recognition by Member States of the inspections carried out by each of them on the basis of the common requirements,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, 'vehicle' means any motor vehicle in category M_1 (as defined in Annex I to Directive 70/156/EEC) designed for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h.

Article 2

No Member State may refuse to grant EEC type-approval or national type-approval of a vehicle on grounds relating to the heating system for the passenger compartment if the system satisfies the requirements laid down in Annex I.

Article 3

No Member State may refuse or prohibit the sale, registration, entry into service or use of any vehicle on grounds relating to the heating system for the passenger compartment if the system satisfies the requirements laid down in Annex I.

Article 4

Any amendments necessary to adapt the provisions of the Annexes to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.

This procedure shall also apply to the introduction into this Directive of provisions on auxiliary heating systems intended to be permanently installed in the vehicle.

Article 5

1. Member States shall bring into force the provisions necessary in order to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.

2. Member States shall ensure that the texts of the main provisions of national law which they adopt in the

(1) OJ No C 118, 16. 5. 1977, p. 29.
(2) OJ No C 114, 11. 5. 1977, p. 6.
(3) OJ No L 42, 23. 2. 1970, p. 1.
(4) See page 39 of this Official Journal.

field covered by this Directive are communicated to the Commission.

Article 6

This Directive is addressed to the Member States.

Done at Luxembourg, 12 June 1978.

For the Council

The President

K. OLESEN