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COUNCIL DIRECTIVE

of 6 April 1976

on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors

(76/432/EEC)

(OJ L 122, 8.5.1976, p. 1)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive 82/890/EEC of 17 December 1982	L 378	45	31.12.1982
►**M2**	Commission Directive 96/63/EC of 30 September 1996	L 253	13	5.10.1996
►**M3**	Directive 97/54/EC of the European Parliament and of the Council of 23 September 1997	L 277	24	10.10.1997

Corrected by:

►**C1**	Corrigendum, OJ L 226, 18.8.1976, p. 16 (76/432/EEC)

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COUNCIL DIRECTIVE

of 6 April 1976

on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors

(76/432/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 tractors must satisfy pursuant to national laws relate *inter alia* to their braking devices;

Whereas those 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 instead of their existing rules, in order, in particular, to allow the EEC type-approval procedure, which was the subject of 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], to be applied in respect of each type of tractor;

Whereas the harmonized requirements are intended principally to improve safety on the road and at work throughout the whole Community;

Whereas the approximation of national laws relating to tractors involves the mutual recognition by Member States of the inspections carried out by each of them on the basis of common requirements; whereas, for such a system to function successfully, these requirements must be applied by all Member States with effect from the same date,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. 'Agricultural or forestry tractor' means any motor vehicle, fitted with wheels or ►C1 endless tracks ◄, and having at least two axles, the main function of which lies in its tractive power and which is specially designed to tow, push, carry or power certain tools, machinery or trailers intended for agricultural or forestry use. It may be equipped to carry a load and passengers.

▼M1

2. This Directive shall apply only to tractors defined in paragraph 1 which are equipped with pneumatic tyres and have at least two axles and a maximum design speed of between 6 and ►M3 40 km/h ◄.

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Article 2

No Member State may refuse to grant EEC type-approval or national type-approval of a tractor on grounds relating to its braking devices if that tractor is fitted with the devices specified in Annexes I to IV and if these devices satisfy the requirements set out therein.

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[1] OJ No C 5, 8. 1. 1975, p. 54.
[2] OJ No C 62, 15. 3. 1975, p. 29.
[3] OJ No L 84, 28. 3. 1974, p. 10.

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Article 3

No Member State may refuse the registration or prohibit the sale, entry into service or use of tractors on grounds relating to their braking devices if these tractors are fitted with the devices specified in Annexes I to IV and if these devices satisfy the requirements set out therein.

Article 4

A Member State which has granted type-approval of a tractor shall take the necessary measures to ensure that it is informed of any modification to a component or characteristic mentioned in 1.1 of Annex I. The competent authorities of that Member State shall decide whether fresh tests should be carried out on the modified type of tractor and a fresh report drawn up. If such tests reveal failure to comply with the requirements of this Directive, the modification shall not be approved.

Article 5

The amendments necessary for adapting the requirements of the Annexes to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Council Directive 74/150/EEC.

Article 6

1. Member States shall adopt and publish the provisions necessary to comply with this Directive by 1 January 1977 and shall forthwith inform the Commission thereof.

They shall implement these provisions with effect from 1 October 1977.

2. After notification of this Directive, Member States shall take steps to inform the Commission, in sufficient time for it to make comments, of any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by the Directive.

Article 7

This Directive is addressed to the Member States.

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ANNEX I

DEFINITIONS, APPLICATION FOR EEC TYPE-APPROVAL, EEC TYPE-APPROVAL, CONSTRUCTION AND FITTING REQUIREMENTS

1. DEFINITIONS

1.1. **Type of tractor with respect to the braking devices**

'Type of tractor with respect to the braking devices' means tractors which do not differ in such essential respects as:

1.1.1. unladen weight, as defined in 1.18,

1.1.2. maximum weight, as defined in 1.16,

1.1.3. distribution of the weight between the axles,

1.1.4. technically permissible maximum weight on each axle,

1.1.5. maximum design speed,

1.1.6. different type of braking device (with particular reference to the presence or otherwise of devices for braking a trailer),

1.1.7. number and arrangement of the braked axles,

1.1.8. type of engine,

1.1.9. overall transmission ratio corresponding to maximum speed,

1.1.10. tyre dimensions (braked axles).

1.2. **Braking device**

'Braking device' means a combination of parts whose function is progressively to reduce the speed of a moving tractor or to bring it to a halt, or to keep it stationary if already halted. These functions are specified in 4.1.2. A device shall consist of the control, the transmission and the brakes themselves.

1.3. **Graduated braking**

'Graduated braking' means braking during which, on either the application or release of the brakes, within the normal range of operation of the device:

1.3.1. the driver can at any time increase or reduce the braking force through action on the control,

1.3.2. the braking force acts in the same direction as the action on the control (monotonic function),

1.3.3. it is easy to make a sufficiently fine adjustment to the braking force.

1.4. **Control**

'Control' means the part actuated directly by the driver to supply to the transmission the energy required for braking or controlling it. This energy may be the muscular energy of the driver, or energy from another source controlled by the driver, or a combination of these various kinds of energy.

1.5. **Transmission**

'Transmission' means the combination of components situated between the control and the brake and connecting the two operationally. The transmission may be mechanical, hydraulic, pneumatic, electrical, or mixed. Where the braking power is derived from or assisted by a source of energy independent of the driver but controlled by him, the reserve of energy in the device shall likewise be regarded as part of the transmission.

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1.6. **Brake**

'Brake' means the component in which the forces opposing the movement of the tractor develop. It may be a friction brake (when the forces are generated by the friction between the two parts of the tractor moving relatively to one another), an electrical brake (when the forces are generated by electro-magnetic action between two parts of the tractor moving relatively to but not in contact with one another), a fluid brake (when the forces are generated by the action of a fluid situated between two parts of the tractor moving relatively to one another), or an engine brake (when the forces are derived from a controlled increase in the braking action of the engine transmitted to the wheels). A device which mechanically locks the tractor's transmission but which cannot be used when the tractor is in motion shall be regarded as a parking brake.

1.7. **Different types of braking devices**

'Different types of braking devices' means equipment which differs in such essential respects as:

1.7.1. the characteristics of one or more components, for example the material, shape or size,

1.7.2. the arrangement of the components.

1.8. **Braking system component**

'Braking system component' means one of the individual parts which, when assembled, constitute the braking device.

1.9. **Continuous braking**

'Continuous braking' means the braking of combinations of vehicles through an installation having the following characteristics:

1.9.1. a single control which the driver actuates progressively, by a single movement, from his driving seat,

1.9.2. the energy used for braking the vehicles constituting the vehicle combination is supplied from the same source (which may be the muscular energy of the driver),

1.9.3. the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, whatever their relative positions.

1.10. **Semi-continuous braking**

'Semi-continuous braking' means the braking of combinations of vehicles through an installation having the following characteristics:

1.10.1. a single control which the driver can actuate progressively, by a single movement, from his driving seat,

1.10.2. the energy used for braking the vehicles constituting the vehicle combination is supplied from several different sources (one of which may be the muscular energy of the driver),

1.10.3. the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, whatever their relative positions.

1.11. **Independent power-operated braking**

'Independent power-operated braking' means the braking of combinations of vehicles by means of devices having the following characteristics:

1.11.1. a tractor brake control which is independent of the towed vehicle brake control; the latter being in all cases mounted on the tractor in such a way as to be easily actuated by the driver from his driving seat,

1.11.2. the muscular energy of the driver is not the energy used for braking the towed vehicles.