



Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive 1997/0190(COD)	Procedure lapsed or withdrawn
Type-approval of motor vehicles and trailers transporting animals	
Subject 3.10.04.02 Animal protection 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles	

Key players	
European Parliament	
Council of the European Union	

Key events			
02/07/1997	Legislative proposal published	COM(1997)0336	Summary
18/07/1997	Committee referral announced in Parliament, 1st reading		
25/06/1998	Vote in committee, 1st reading		Summary
25/06/1998	Committee report tabled for plenary, 1st reading	A4-0253/1998	
15/07/1998	Debate in Parliament		Summary
16/07/1998	Decision by Parliament, 1st reading	T4-0432/1998	Summary
02/03/1999	Modified legislative proposal published	COM(1999)0053	Summary
27/10/1999	Debate in Parliament		Summary
06/08/2004	Additional information		Summary

Technical information	
Procedure reference	1997/0190(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 095

Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	ECON/4/09086

Documentation gateway					
Legislative proposal		COM(1997)0336 OJ C 290 24.09.1997, p. 0001	02/07/1997	EC	Summary
Economic and Social Committee: opinion, report		CES1378/1997 OJ C 073 09.03.1998, p. 0013	10/12/1997	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0253/1998 OJ C 226 20.07.1998, p. 0004	25/06/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0432/1998 OJ C 292 21.09.1998, p. 0104-0122	16/07/1998	EP	Summary
Modified legislative proposal		COM(1999)0053 OJ C 110 21.04.1999, p. 0006	02/03/1999	EC	Summary

Additional information	
European Commission	EUR-Lex

Type-approval of motor vehicles and trailers transporting animals

OBJECTIVE: the objective of the proposal for a Directive is to establish the technical requirements for motor vehicles and their trailers intended for the transport of certain types of animals to safeguard animal welfare during transport. **SUBSTANCE:** In view of the increasing use of vehicles and their trailers intended for the transport of certain types of animals, it is proposed that special provisions be laid down at European level, within the framework of the European type-approval system, governing ventilation, loading and unloading facilities, floor capacity, side-wall construction, and accessibility of the load compartment. The proposal for a Directive is a separate directive within the meaning of the European type-approval system. Compliance with all relevant technical requirements will ensure free circulation for the vehicles concerned within the internal market. The Directive will also be based on optional harmonization. Member States may either require that only the prescriptions of the separate Directive shall apply or alternatively they may maintain national legislation, in which case the manufacturer can choose between this and the harmonized requirements. The proposal for a Directive does not affect national or Community legislation concerning the use of such vehicles.?

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The ESC therefore approves the principle but sees a number of problems with the execution. These problems are caused by the Commission trying to separate use and construction requirements. As an example: Simultaneously with this proposal, another part of the Commission has issued a proposal under Article 43 (COM(97) 272) giving additional standards for vehicles transporting animals for over eight hours. This contains a number of mandatory constructional requirements such as 200 litre water storage tanks which are not present in the type specification proposal. The effect is that the type specification only applies to vehicles used for journeys below eight hours. For all others national specifications will continue to apply. That is an illustration of the problems arising from trying to separate use and construction specifications. Use and construction specifications therefore must be concordant and established in parallel. This also applies to other proposals which we understand are currently being elaborated. To be of any real benefit a type specification must cover at least the majority of vehicles involved. Given the large range of uses and of climatic conditions the ESC recommends that this proposal is kept on hold until the use requirements have been, as soon as possible, established. It should then be complemented by separate annexes giving essential type-approval requirements for vehicles used on long journeys, in extreme climatic conditions, etc. ?

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The Committee adopted the report of Ms. Heidi HAUTALA (Greens, FIN), that calls for substantial changes to a Commission proposal on technical requirements for vehicles and trailers for transport of certain animals. With its proposal, the Commission seeks to ensure that such vehicles are constructed in such a way such as to alleviate as far as possible the considerable stress suffered by the 14 million animals transported each year between the Member States. With its amendments, the Committee is seeking to further strengthen the protection of animal welfare. Noting that most stress is suffered by animals during loading and unloading, the rapporteur had introduced a series of amendments aiming at facilitating this process by calling for less steep loading ramps, as well as calling for a wider use of loading lifts. Other amendments adopted by the Committee calls for a constant monitoring of the temperature and humidity within the livestock compartment so that animals do not suffer unacceptable conditions. Finally, to remedy what the rapporteur described as a serious omission in the proposal, the Committee adopted amendments introducing a mandatory requirement to re-inspect animal transport vehicles at least every three years to ensure that they continue to meet the requirements laid down in the current proposal. ?

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The rapporteur said that Parliament should take advantage of the codecision procedure to improve the situation of animals, even if technical standards did not allow all the problems to be resolved. Commissioner Bangemann emphasised that the issue under debate was the type-approval procedure for vehicles used to transport animals and not the monitoring of animals. He said that the Commission could accept 9 of the 24 amendments tabled: these were Amendments Nos 3, 4, 6, 14 and 17 to 21, including one requiring any unit transporting pigs to have a loading lift.

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In adopting the report by Mrs Heidi HAUTALA (Greens, FIN) Parliament advocated substantial changes in the Commission proposal relating to the technical provisions applicable to motor vehicles and their trailers transporting certain animals. With the amendments adopted Parliament sought to strengthen further the protection of animal welfare. Noting that the animals suffered most stress during loading and unloading, Parliament introduced a series of amendments seeking to facilitate these operations through less angled loading ramps (ramp angle of not more than 20°) and more frequent use of loading lifts. Other amendments adopted called for continuous monitoring of temperature and humidity in the livestock compartment so that the animals do not have to suffer intolerable conditions. Lastly, to remedy what Parliament considered to be a serious omission in this proposal, it proposed amendments providing for a reinspection of vehicles intended for the transport of animals every three years to ensure that they conformed to the provisions adopted. ?

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The Commission's amended proposal retains nine of the European Parliament's amendments. The new formulation provides for greater flexibility for manufacturers in terms of the choice of technical solutions to be employed. In terms of the amended proposal, a ramp or a loading lift has to be part of the transport unit for lambs. For pig transport, all the transport units have to possess a loading lift. This technical solution is required to avoid excessive stress on the animals.?

Type-approval of motor vehicles and trailers transporting animals

The European Parliament confirmed as first reading the text adopted on 16.07.1998 concerning a proposal for a Directive relating to motor vehicles and their trailers transporting certain animals, the numbering of the legal base of which has changed due to the entry into force of the Amsterdam Treaty.?

Type-approval of motor vehicles and trailers transporting animals

As this proposal is no longer of topical interest, it has been withdrawn by the Commission.