



Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1998/0071(COD) Procedure completed
Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)	
Subject 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs and Internal Market		28/07/1999
		PPE-DE HARBOUR Malcolm	
	Former committee responsible		
	ECON Economic and Monetary Affairs, Industrial Policy		20/05/1998
		PPE CAMISÓN ASENSIO Felipe	
Former committee for opinion			
TRAN Transport and Tourism			
ENVI Environment, Public Health and Consumer Protection		The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Fisheries	2237	16/12/1999
	Competitiveness (Internal Market, Industry, Research and Space)	2210	28/10/1999
	Economic and Financial Affairs ECOFIN	2196	12/07/1999

Key events			
23/04/1998	Legislative proposal published	COM(1998)0097	Summary
11/05/1998	Committee referral announced in Parliament, 1st reading		
08/12/1998	Vote in committee, 1st reading		Summary
08/12/1998	Committee report tabled for plenary, 1st reading	A4-0495/1998	
09/02/1999	Debate in Parliament		
10/02/1999	Decision by Parliament, 1st reading	T4-0093/1999	Summary

04/05/1999	Modified legislative proposal published	COM(1999)0217	Summary
12/07/1999	Council position published	08697/1/1999	Summary
23/07/1999	Committee referral announced in Parliament, 2nd reading		
12/10/1999	Vote in committee, 2nd reading		Summary
12/10/1999	Committee recommendation tabled for plenary, 2nd reading	A5-0033/1999	
25/10/1999	Debate in Parliament		
27/10/1999	Decision by Parliament, 2nd reading	T5-0070/1999	Summary
28/10/1999	Debate in Council	2210	
16/12/1999	Act approved by Council, 2nd reading		
20/03/2000	Final act signed		
20/03/2000	End of procedure in Parliament		
03/05/2000	Final act published in Official Journal		

Technical information

Procedure reference	1998/0071(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 completed
Committee dossier	JURI/4/11099

Documentation gateway

Legislative proposal	COM(1998)0097 OJ C 164 29.05.1998, p. 0016	23/04/1998	EC	Summary
Economic and Social Committee: opinion, report	CES1127/1998 OJ C 407 28.12.1998, p. 0058	09/09/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading	A4-0495/1998 OJ C 104 14.04.1999, p. 0004	08/12/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0093/1999 OJ C 150 28.05.1999, p. 0153-0170	10/02/1999	EP	Summary
Modified legislative proposal	COM(1999)0217	04/05/1999	EC	Summary
Council position	08697/1/1999 OJ C 249 01.09.1999, p. 0025	12/07/1999	CSL	Summary
Commission communication on Council's position	SEC(1999)1185	20/07/1999	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0033/1999 OJ C 154 05.06.2000, p. 0007	12/10/1999	EP	

Text adopted by Parliament, 2nd reading	T5-0070/1999 OJ C 154 05.06.2000, p. 0024-0053	27/10/1999	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2000)0176	30/03/2000	EC	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 2000/8](#)
[OJ L 106 03.05.2000, p. 0007](#) Summary

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

OBJECTIVE: to amend Directive 70/221/EEC on the approximation of the laws of the Member States relating to liquid-fuel tanks and rear underrun protection of motor vehicles and their trailers. SUBSTANCE: the present proposal introduces into Directive 70/221/EEC new provisions concerning plastic tanks for category M1 vehicles. It is proposed that these provisions should apply: - from 01/10/1999, to all new types of vehicle; - from 01/10/2000, to all new vehicles. It is also proposed that the title of Directive 70/221/EEC be amended and its scope extended to include tanks for non-liquid (namely gaseous) fuels and that the Directive be amended as regards adaptation of the Annexes to technical progress so that in future technical provisions concerning tanks for all types of fuels can be inserted and amended under the committee procedure. ?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

Reporting on behalf of the Committee, Mr Felipe CAMISÓN ASENSIO (EPP, E) broadly supports a Commission proposal updating the harmonised rules concerning fuel-tanks and rear underrun protection of motor vehicles. The Committee adopted a small number of amendments to the proposal, which mainly concern commitology and the timetable for implementation of the directive. In addition, a few technical amendments seeking to limit the requirement that fuel must not leak into the occupant compartment to during normal conditions of use. Stated the rapporteur: It would be extremely difficult to guarantee that no leaked fuel could spread to the occupant compartment when, for example, the vehicle is upside-down.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

At first reading under codecision procedure, the European Parliament approved the proposal for a European Parliament and Council Directive amending Council Directive 70/221/EEC on the approximation of the laws of the Member States relating to liquid-fuel tanks and rear underrun protection of motor vehicles and their trailers, subject to amendments relating to the following areas: - adding a recital which highlights the important hazard posed to the riders of two-wheel motor vehicles and pedal cycles by the accidental spillage of fuel (especially diesel); - requiring assistance of the Commission by a committee comprising Member State representatives and chaired by a Commission representative in adapting the requirements of the Annexes of the directive to technical progress; - delaying entry into force of the directive and the obligations to be met by Member States; - redefining "unladen mass" in running order in line with item 2.6 of Annex I to Directive 70/156/EEC; - specifying additional requirements for vehicles fuelled by diesel or other fuel of low volatility; - extending test requirements not only to the tank but also to all its accessories. The Parliament's rapporteur was Felipe Camisón Asensio (PPE,ES).?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

The Commission's amended proposal takes up the European Parliament's amendments concerning the modification of the timetable (which will have to be re-established once the Member States will have given their opinion) and the definition of 'unladen mass'. However, the Commission did not accept the amendments that sought to: - introduce requirements regarding fuel spillages which may be a hazard to cyclists and motor cyclists; - change the comitology arrangements; - exclude the accessories of the tank from mechanical strength testing.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct.

70/221/EEC)

The Council's common position did not involve the introduction of any major changes to the Commission's initial proposal. The Council Took up 2 amendments adopted by the European parliament in its first reading: - the modification of the timetable for the implementation of the Directive (which will have to be re-established by the Council), - the reference to the definition of 'unladen mass', as it is defined in Annex 1 of Directive 70/156/EEC. The Council rejected the amendments that aimed to: - introduce requirements related to avoiding fuel spillage, - modify the comitology arrangements, - exclude the accessories of the tank from mechanical strength testing. New provisions introduced by the Council include: - the addition of a recital which invites the Commission to introduce provisions for fuel tanks as separate technical units in a future directive, - a new requirement regarding static electricity, - to Annex 1, the section on tests for plastic tanks would concern plastic tanks for all categories of vehicles and not only plastic tanks for category M1 (passenger cars) as in the original proposal.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

In general, the Commission is satisfied that the common position is supported unanimously by Member States and supports the Council's common position.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

The committee approved the draft recommendation for second reading (codecision procedure) by Mr Malcolm HARBOUR (EPP/ED, UK) approving the Council's common position subject to two amendments, which stress the dangers posed by accidental spillage of fuel.

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

In the context of the codecision procedure, in its second reading (Rapporteur: Mr. Malcolm Harbour, EPP, UK), the European Parliament adopted two amendments to the Council's common position. The first amendment relates to a new recital which refers to the hazards of accidental spillages of fuel on the road. The second amendment, which relates to the Annex, stipulates that the requirements of Section 5.9.1 will be deemed to be satisfied if the vehicle meets the requirements of Section 5.1.3 of Annex I to Directive 70/220/EEC subject to the proviso that the examples listed in the third indent of that section do not apply to vehicles in categories other than M1 or N1.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

PURPOSE : to amend Council Directive 70/221/EEC on the approximation of the laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers. COMMUNITY MEASURE : Directive 2000/8/EC of the European Parliament and of the Council amending Council Directive 70/221/EEC on the approximation of the laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers. CONTENT : this Directive introduces into Directive 70/221/EEC new provisions concerning plastic tanks in order to take account of technical progress and the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 34 relating to the approval of vehicles with regards to the prevention of fire risk, in particular, to the provisions of fuel tanks made of plastic material. With effect from 3 May 2001, Member States shall accept compliance with the requirements of Directive 70/221/EEC, as amended by this Directive, for the purposes of Articles 4(1) of Directive 70/156/EEC. With effect from 3 May 2002, Member States: - shall no longer grant EC type-approval in accordance with Article 4(1) of Directive 70/156/EEC, and - may refuse national type-approval, for a new type of vehicle on grounds related to its fuel tank if it fails to comply with the provisions of Directive 70/221/EEC, as amended by this Directive. With effect from 3 May 2003, Member States: - shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC as no longer valid for the purposes of Article 7(1) of that Directive, and; - may refuse the sale, registration or entry into service of new vehicles which are not accompanied by a certificate of conformity valid in accordance with Directive 70/156/EEC, except where the provisions of Article 8(2) of that Directive are invoked; on grounds relating to the fuel tanks, if the requirements of Directive 70/221/EEC are not fulfilled. The Directive shall not invalidate any approval previously granted to vehicles having metal liquid fuel tanks nor prevention extensions of such approval under the terms of the directive under which they were originally granted. Finally, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 3 May 2001 and shall forthwith inform the Commission thereof. ENTRY INTO FORCE : 23.05.2000.?

Motor vehicles and trailers: liquid-fuel tanks, rear underrun protection (amend. direct. 70/221/EEC)

The Commission accepts wholly the two amendments proposed by the European Parliament. They are incorporated in the new modified proposal, so that they can be re-examined by the Council. The amendments accepted by the Commission relate to: - a new recital concerning the avoidance of a diesel spillage, which may, especially if the road surface is wet, be a hazard to motor cyclists; - a mechanical solution of the problem of diesel spillages. This consists of an automatically opening and closing non-removable fuel filler cap or similar solutions with the same effect.?

