



Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed 1998/0277(COD)
Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC) Repealed by 2008/0100(COD)	
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		23/09/1999
		PSE MILLER Bill	
	Former committee responsible		
	ECON Economic and Monetary Affairs, Industrial Policy		28/10/1998
		PSE BILLINGHAM Angela Theodora	
Council of the European Union	Council configuration	Meeting	Date
	Research	2363	26/06/2001
	Fisheries	2306	17/11/2000

Key events			
09/10/1998	Committee referral announced in Parliament, 1st reading		
30/03/1999	Vote in committee, 1st reading		
30/03/1999	Committee report tabled for plenary, 1st reading	A4-0170/1999	
12/04/1999	Debate in Parliament		
13/04/1999	Decision by Parliament, 1st reading	T4-0243/1999	Summary
14/12/2000	Committee referral announced in Parliament, 2nd reading		
06/02/2001	Vote in committee, 2nd reading		Summary
13/03/2001	Debate in Parliament		
14/03/2001	Decision by Parliament, 2nd reading	T5-0135/2001	Summary
26/06/2001	Act approved by Council, 2nd reading		
27/09/2001	Final act signed		
27/09/2001	End of procedure in Parliament		

Technical information	
Procedure reference	1998/0277(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealed by 2008/0100(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/13026

Documentation gateway					
Legislative proposal		COM(1998)0526 OJ C 326 24.10.1998, p. 0004	28/09/1998	EC	Summary
Committee draft report		PE229.730	12/02/1999	EP	
Committee report tabled for plenary, 1st reading/single reading		A4-0170/1999 OJ C 219 30.07.1999, p. 0007	30/03/1999	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0243/1999 OJ C 219 30.07.1999, p. 0022-0060	13/04/1999	EP	Summary
Modified legislative proposal		COM(1999)0370 OJ C 116 26.04.2000, p. 0002 E	13/08/1999	EC	Summary
Council position		07074/1/2000 OJ C 036 02.02.2001, p. 0001	17/11/2000	CSL	Summary
Commission communication on Council's position		SEC(2000)2158	08/12/2000	EC	Summary
Amendments tabled in committee		PE298.402/AM	02/02/2001	EP	
Committee recommendation tabled for plenary, 2nd reading		A5-0055/2001	06/02/2001	EP	
Text adopted by Parliament, 2nd reading		T5-0135/2001 OJ C 343 05.12.2001, p. 0104-0164	14/03/2001	EP	Summary
Commission opinion on Parliament's position at 2nd reading		COM(2001)0312	12/06/2001	EC	Summary

Additional information	
European Commission	EUR-Lex

Final act
Directive 2001/56 OJ L 292 09.11.2001, p. 0021 Summary

repeal. direct. 78/548/EEC)

OBJECTIVE: the purpose of the proposal for a Directive is to amend Directive 78/548/EEC on heating systems for the passenger compartment of motor vehicles by inserting improved requirements for all kinds of heating systems for passenger compartments and by aligning the administrative provisions of the Directive to those of the framework Directive establishing the type approval procedure for motor vehicles and trailers (Directive 70/156/EEC as last amended by Directive 98/14/EC). SUBSTANCE: for safety reasons, it is proposed that Directive 78/548/EEC be amended by inserting requirements for combustion heaters and their installation which ensure that such devices comply with the highest standards consistent with current technology. The proposal also provides for the possibility of granting type approval for the heating device as a component which can then be installed in any vehicle without further technical testing, or as part of a specific vehicle when fitted in it. Under the proposal, the new provisions would apply: - from 01/10/2000, to all new types of vehicle, - from 01/10/2001, to all new vehicles.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

At first reading under codecision procedure, the European Parliament adopted the report by Angela Theodora Billingham (PSE,UK), which approves the Commission proposal for a European Parliament and Council directive amending Council directive 78/548/EEC on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles, subject to a number of amendments. These amendments propose that neither the driver nor the passenger should be able to come into contact with parts of the vehicle or hot air liable to cause burns. In cases where the installation of a heater in the passenger compartment of M2 and M3 vehicles should be necessary on technical grounds, it must be compartmented from the passenger compartment by a gas-tight casing made from a heat-resistant material and ventilated to the outside air. The Commission is requested, by 01/10/2001, to draw up proposals for tests of the efficiency of combustion heaters.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

The Commission's amended proposal accepts 6 of the European Parliament's amendments that seek to clarify the initial text, as well as three amendments regarding specific safety issues. The changes accepted by the Commission concern: - an amendment saying that not only the driver but also the passengers should not be able to come into contact with parts of the vehicle or heated air liable to cause burns; - an amendment concerning gaseous fuel combustion heaters equipped with an automatic flame supervision device and introducing a reduced ignition and switching time for the supply of fuel in case of emergency; - an amendment stating that, in the case a notice at the fuelling point is not suitable, such notice should be fixed at the driver's door area, warning users of combustion heaters that the heater must be shut down during refuelling. The Commission rejected 2 amendments: - inviting it to draw up proposals for tests on the efficiency of combustion heaters by 1 October 2001; - introducing alternative prescriptions for the conditions in which a combustion heater may be positioned in the passenger compartment of M2 and M3 vehicles.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

In general terms, the common position essentially corresponds to the Commission's amended proposal. The text of the common position takes account of most of the amendments made by the European Parliament which the Commission incorporated into its amended proposal. The Council has also introduced some editorial amendments which do not change the contents of the European Parliament's amendments. All these amendments to the amended proposal have been accepted by the Commission. The Council has accepted various European Parliament amendments which clarify the technical provisions of the proposal. The common position also stipulates that within one year the Commission shall examine the safety of LPG (Liquified Petroleum Gas) fuelled systems and if appropriate present a proposal to the "Committee for Adaptation to Technical Progress" referred to in Article 13 of Directive 70/156/EEC. In relation to an amendment which asks the Commission, before 1 October 2001, to draw up proposals for tests of the efficiency of heating systems, the Council has not incorporated this amendment, in the belief that such proposals lie within the Commission's right of initiative. As regards the amendment concerning determining where the notice indicating that the heater must be shut down before refuelling should be affixed, the Council believes that this amendment would reduce the level of safety. Thus, to increase safety, the Council prefers wording which stipulates that the warning notice must be affixed to the fuelling point. Lastly, the Council was not able to incorporate the amendment which relates in particular to the conditions under which a combustion heater could be fitted to the passenger compartment of M2 and M3 vehicles.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

From a judicial point of view, the Council's common position involves the conversion of the Commission's proposal, which was initially set up as an amendment to Council Directive 78/548/EEC, into a new Directive and repealing the existing one. This change is introduced for reasons of juridical transparency, more specifically the fact that the proposal amends or replaces almost all articles and the entire Annex of the Directive. The Council therefore found it more appropriate to replace the existing Directive altogether. Furthermore, the Council's common position involves no change of substance to the Commission's initial proposal. Therefore, the Commission supports the Council's common position. ?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

The committee adopted the draft recommendation for second reading (codecision procedure) by Bill MILLER (PES, UK) approving the Council's common position subject to two amendments of a technical nature. It felt that Parliament's concerns at first reading had largely been taken into account.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

The European Parliament voted to endorse the report, by Mr Bill MILLER (PES, UK), on the common position on proposals to improve the safety of heating systems or 'combustion heaters' in motor vehicles and trailers. However, two technical amendments were adopted.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

Both the amendments are highly technical in nature and do not interfere with the safety requirements. The two amendments are acceptable to the Commission. The first amendment limits the requirement that the combustion chamber and the heat exchanger should be capable of withstanding a prescribed pressure to heaters using water as a transfer medium. For heaters using air as a transfer medium, the corresponding test is the leakage test. The second amendment adds a requirement that the supply of fuel should be stopped when the engine is switched off (part 1) and gives an exemption from this requirement for manually operated heaters (part 2). As LPG fuelled heaters are currently not covered by this Directive, the second part of the amendment is amended. The Commission proposal shall therefore be amended as follows: - the combustion chamber and the heat exchanger of heaters using water as a transfer medium shall be capable of withstanding a pressure of twice the normal operating pressure or 2 bar (guage), which is greater. The test pressure shall be noted in the information document; - the heating system must be switched off automatically and supply of fuel must be stopped within 5 seconds when the vehicles's engine stops running. If a manual device is already activated, the heating system can stay in operation.?

Motor vehicles: heating systems for the passenger compartment (amend. direct. 70/156/EEC, repeal. direct. 78/548/EEC)

PURPOSE : to adopt a directive relating to heating systems for motor vehicles and their trailers, amending Council Directive 70/156/EEC and repealing Council Directive 78/548/EEC. COMMUNITY MEASURE : Directive 2001/56/EC of the European Parliament and of the Council. CONTENT : the Directive aims to : - extend the scope of the 1970 and 1978 Directives to include requirements for combustion heaters, and for their installation. Such requirements should correspond to the highest standards consistent with current technology; - to provide for type-approval for combustion heaters as components and for vehicles in which a combustion heater is installed. It will be necessary to supplement this Directive with additional safety requirements for liquefied petroleum gas (LPG) combustion heaters by the addition of an Annex. ENTRY INTO FORCE : 09/11/2001. IMPLEMENTATION : 09/05/2003.?