

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2001/0135(COD) Procedure completed
Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)	
Subject 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	RETT Regional Policy, Transport and Tourism	PPE-DE HATZIDAKIS Konstantinos	10/07/2001
	Former committee responsible		
	RETT Regional Policy, Transport and Tourism	PPE-DE HATZIDAKIS Konstantinos	10/07/2001
	Former committee for opinion		
	ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Environment	2439	25/06/2002
	Transport, Telecommunications and Energy	2374	15/10/2001
	Transport, Telecommunications and Energy	2364	27/06/2001
European Commission	Commission DG Energy and Transport	Commissioner	

Key events			
14/06/2001	Legislative proposal published	COM(2001)0318	Summary
27/06/2001	Debate in Council	2364	
02/07/2001	Committee referral announced in Parliament, 1st reading		

15/10/2001	Debate in Council	2374	
22/01/2002	Vote in committee, 1st reading		Summary
22/01/2002	Committee report tabled for plenary, 1st reading	A5-0012/2002	
06/02/2002	Debate in Parliament		
07/02/2002	Decision by Parliament, 1st reading	T5-0049/2002	Summary
25/06/2002	Council position published	08625/1/2002	Summary
26/06/2002	Modified legislative proposal published	COM(2002)0351	Summary
03/07/2002	Committee referral announced in Parliament, 2nd reading		
10/09/2002	Vote in committee, 2nd reading		Summary
10/09/2002	Committee recommendation tabled for plenary, 2nd reading	A5-0281/2002	
24/09/2002	Decision by Parliament, 2nd reading	T5-0423/2002	Summary
05/11/2002	Final act signed		
05/11/2002	End of procedure in Parliament		
04/12/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0135(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure completed
Committee dossier	RETT/5/16025

Documentation gateway

Legislative proposal	COM(2001)0318 OJ C 270 25.09.2001, p. 0077 E	14/06/2001	EC	Summary
Economic and Social Committee: opinion, report	CES1476/2001 OJ C 048 21.02.2002, p. 0047	28/11/2001	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0012/2002	22/01/2002	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0049/2002 OJ C 284 21.11.2002, p. 0206-0295 E	07/02/2002	EP	Summary
Council position	08625/1/2002 OJ C 228 25.09.2002, p. 0014 E	25/06/2002	CSL	Summary
Modified legislative proposal	COM(2002)0351 OJ C 227 24.09.2002, p. 0567 E	26/06/2002	EC	Summary

Commission communication on Council's position	SEC(2002)0748	28/06/2002	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0281/2002	10/09/2002	EP	
Text adopted by Parliament, 2nd reading	T5-0423/2002 OJ C 273 14.11.2003, p. 0022-0073 E	24/09/2002	EP	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 2002/85](#)

[OJ L 327 04.12.2002, p. 0008-0009](#) Summary

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

PURPOSE : to amend Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community, by bringing lighter vehicles into the scope of the Directive. **CONTENT** : the proposal, which aims to further promote road safety and environmental protection, is in line with the report from Commission to the European Parliament and to the Council on the implementation of Directive 92/6/EEC as well as with the Commission Road Safety Communication, the Council Resolution of 26 June 2000 on the improvement of road safety. and the resolution of 18 January 2001 of the European Parliament on Road Safety Communication. Specifically, the proposal: - extends the scope to include all vehicles in categories M2, M3, N2 and N3, - include all category M2 and M3 vehicles with a maximum speed of 100km/h, - includes all category N2 vehicles with a maximum speed of 90km/h, - sets the stepwise introduction of speed limitation devices for the new vehicle categories starting with the new vehicles from 1.1.2004 and the retrospective fitting of devices by 1.1.2006 on vehicles registered after 1.1.2001. ?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The committee adopted the report by Kostas HATZIDAKIS (EPP-ED, GR) broadly approving the proposal under the codecision procedure (1st reading), subject to a number of technical amendments designed mainly to clarify the text. Some of these amendments added new provisions to the proposal. For instance, the committee wanted Member States to be allowed to impose or maintain stricter speed restrictions in the case of national transport operations involving hazardous goods. Another amendment stipulated that, as speed limitation devices made overtaking slower and therefore more dangerous, the Commission should look into the possibility of allowing the maximum speed to be exceeded on a strictly time-limited basis when slow vehicles were being overtaken. Furthermore, Member States should have until 1 January 2004 to transpose the directive into national law, rather than the deadline of 1 January 2003 proposed by the Commission. Finally, the Commission was called on to publish a study, 18 months after the directive entered into force, on the possibilities of introducing intelligent speed adaptation (ISA).?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The European Parliament adopted the report by Mr Konstantinos HATZIDAKIS (EPP-ED, GR). (Please refer to the summary dated 22/01/02).?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The Council in adopting its common position (the UK voting against) decided on a number of amendments on the Commission proposal which can be summarised as follows; - the setting of the speed limitation devices has been harmonised for all vehicles falling within the scope of the directive; hence, the speed limitation devices for all motor vehicles of categories M2, M3, N2 and N3 should be set in way that the speed of the vehicle cannot exceed the maximum speeds of 100 km/h for the M2 and M3 categories and 90 km/h for N2 and N3 vehicles; - the Directive should be applied two years after its entry into force, rather than on 1 January 2004; - the "retrofitting" of vehicles is being limited to vehicles complying with the limit values set out in Directive 88/77/EEC (EURO 3 emission norms) registered as from 1 October 2001; - Member States may, for a period of no more than 3 years following the deadline for transposing the Directive into national law, exempt vehicles of category M2 and N2 with a maximum mass of more than 3,5 tonnes but not exceeding 7,5 tonnes inasmuch as these vehicles are registered in their territory and do not travel on the territory of another Member State; The Commission has also been requested to assess, as part of the road safety action programme for the period 2002-2010, the road safety and road traffic implications of adjusting the limitation devices used by category M2 vehicles and by category N2 vehicles with a maximum mass of 7,5 tonnes or less to the speeds laid down by the Directive. According to its initiative rights, the Commission shall submit appropriate proposals; - the Member States are also allowed to require that speed limitation devices in vehicles N2 and N3 registered in their territory and for the exclusive use of dangerous goods can be set in such a way that those vehicles cannot exceed a maximum speed of less than 90 km/h. Furthermore, the Council could not accept Parliament's

amendment on the possibility of exceeding the maximum speed on a strictly time-limited basis for overtaking slow vehicles - the desirability and the technical feasibility of which the Commission is invited to review in virtue of this amendment - would pose problems in its practical application and is deemed to be incompatible with the overall principles and concepts underlying Council's common position.?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

Of the ten amendments adopted by the Parliament, the Commission accepts 2 with some editorial modification, and accepts the principle of three others. It accepts one in part only and rejects the remaining four. The amendments accepted include the possibility for Member States to require a lower limit in the speed limitation device for vehicles in the transport of dangerous goods. On the date of transposition of the directive, the Commission states that this should be the first day of the month following the end of the second year after the directive's entry into force. This provision ensures alignment with other dates. The European Parliament asked for a report from the Commission on Intelligent Speed Management (ISA) and speed limitation devices in 18 months time. The Commission would accept a study in the context of Road Safety towards 2010, but not as a separate report taking into account that in any case 18 months is much too short time for any meaningful evaluation. Therefore, the Commission accepts a new article as follows: "As part of the Road Safety Action Programme for the period 2002-2010, the Commission shall assess the road safety and road traffic implications of adjusting the speed limitation devices used by category M2 vehicles and by category N2 vehicles with a maximum mass of 7.5 tonnes or less to the speed settings laid down by this directive. If necessary, the Commission shall submit appropriate proposals." The Commission will not accept the amendment on time-limited possibilities to overrule the speed limitation device. It considers that a time-limited higher speed is unresolved technologically and would make enforcement more difficult. ?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The Commission states that the common position reflects to a large extent the Commission's original proposal and is nearly identical to its amended proposal. The Commission believes that the common position is an important step for road safety, environmental protection and equal competition in the EU and delivers a favourable opinion on it as a whole.?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The committee adopted the report by Konstantinos HATZIDAKIS (EPP-ED, GR) approving the common position without amendment under the second reading of the codecision procedure.?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

The European Parliament adopted the resolution drafted by Konstantinos HADZIDAKIS (EPP-ED, Greece) and approved the Council's common position.?

Road safety: speed limitation devices for commercial motor vehicles (amend. Directive 92/6/EEC)

PURPOSE : to extend the scope of Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community. **COMMUNITY MEASURE :** Directive 2002/85/EC of the European Parliament and of the Council. **CONTENT :** to recall, transport safety and environmental issues connected with transport are vital in ensuring sustainable mobility. The use of speed limitation devices for heaviest-motor vehicle categories has had a positive effect on the improvement of road safety. It has also contributed to environmental protection. Council Directive 92/6/EEC provides that, depending on technical possibilities and experiences in Member States, the requirements on installation and use of speed limitation devices could subsequently be extended to light goods vehicles. The extension of the scope of Directive 92/6/EEC to vehicles of more than 3,5 tonnes designed for transporting goods or passengers was one of the measures advocated by the Council in its resolution of 26 June 2000 on the improvement of road safety, in accordance with the Commission communication of 20 March 2000 on priorities in EU road safety. The scope of Directive 92/6/EEC should be extended to motor vehicles of category M2, to vehicles of category M3 having a maximum mass of more than 5 tonnes but not exceeding 10 tonnes and to vehicles of category N2. Since the objectives of the proposed action, namely the introduction of modifications to the Community-wide arrangements for the installation and use of speed limitation devices on certain heavy vehicle categories, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives. Therefore this Directive amends Directive 92/6/EEC accordingly. The Directive stipulates that for the purposes of this Directive, 'motor vehicle' means any power-driven vehicle falling within category M2, M3, N2 or N3, intended for use on the road and having at least four wheels and a maximum design speed exceeding 25 km/h. Categories M2, M3, N2 and N3 shall be understood to be those defined in Annex II to Directive 70/156/EEC. Member States shall take the necessary measures to ensure that motor vehicles of categories M2 and M3 referred to in Article 1 may be used on the road only if equipped with a speed limitation device set in such a way that their speed cannot exceed 100 kilometres per hour. Category M3 vehicles registered before 1 January 2005 with a maximum mass exceeding 10 tonnes may continue to be equipped with devices on which the maximum speed is set at 100 kilometres per hour. Member States shall take the necessary measures to ensure that motor vehicles of categories N2 and N3 may be used on the road only if equipped with a speed limitation device set in such a way that their speed cannot exceed 90 kilometres per hour. Member States shall be authorised to require that the speed limitation device in vehicles registered in their territory and used exclusively for the transport of dangerous goods is set in such a way that those vehicles cannot exceed a maximum speed of less than 90 kilometres per hour. For motor vehicles of category M3 having a maximum mass of more than 10 tonnes and motor vehicles of category N3, Articles 2 and 3 shall be applied: a) to vehicles registered as from 1 January 1994, from 1 January 1994; b) to vehicles registered

between 1 January 1988 and 1 January 1994: i) from 1 January 1995, in the case of vehicles used for both national and international transport; ii) from 1 January 1996, in the case of vehicles used exclusively for national transport. For motor vehicles of category M2, vehicles of category M3 having a maximum mass of more than 5 tonnes but not exceeding 10 tonnes and vehicles of category N2, Articles 2 and 3 shall apply at the latest: a) to vehicles registered as from 1 January 2005; b) to vehicles complying with the limit values set out in Directive 88/77/EEC registered between 1 October 2001 and 1 January 2005: i) from 1 January 2006 in the case of vehicles used for both national and international transport operations; ii) from 1 January 2007 in the case of vehicles used solely for national transport operations. For a period of no more than three years from 1 January 2005, any Member State may exempt from the provisions of Articles 2 and 3 category M2 vehicles and category N2 vehicles with a maximum mass of more than 3,5 tonnes but not exceeding 7,5 tonnes, registered in the national register and not travelling on the territory of another Member State. The speed limitation devices referred to in Articles 2 and 3 must satisfy the technical requirements laid down in the Annex to Directive 92/24/EEC. However, all vehicles covered by this Directive and registered before 1 January 2005 may continue to be equipped with speed limitation devices which satisfy the technical requirements laid down by the competent national authorities. Speed limitation devices shall be installed by workshops or bodies approved by the Member States. The Commission shall evaluate, as part of the road safety action programme for the period 2002 to 2010, the road safety and road traffic implications of adjusting the speed limitation devices used by category M2 vehicles and by category N2 vehicles with a maximum mass of 7,5 tonnes or less to the speeds laid down by this Directive. If necessary, the Commission shall submit appropriate proposals. ENTRY INTO FORCE : 4 December 2002. DATE OF TRANSPOSITION : 1 January 2005.?