

# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p> <p>Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)</p> <p>Subject 3.70.07 Noise pollution</p>	<p>1993/0458(COD)</p> <p>Procedure completed</p>

Key players			
European Parliament	Former committee responsible		
	<p><b>ENVI</b> Environment, Public Health and Consumer Protection</p> <p>PSE <a href="#">COLLINS Kenneth D.</a></p>		30/08/1994
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">1856</a>	19/06/1995
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">1828</a>	20/02/1995
	<a href="#">Environment</a>	<a href="#">1817</a>	16/12/1994
	<a href="#">Environment</a>	<a href="#">1765</a>	08/06/1994

Key events			
12/05/1993	Legislative proposal published	COM(1993)0154	Summary
21/06/1993	Committee referral announced in Parliament, 1st reading		
29/06/1993	Vote in committee, 1st reading		Summary
14/07/1993	Decision by Parliament, 1st reading	T3-0421/1993	Summary
24/11/1993	Vote in committee, 1st reading		
24/11/1993	Committee report tabled for plenary confirming Parliament's position	A3-0365/1993	
02/12/1993	Decision by Parliament, 1st reading	T3-0683/1993	Summary
08/06/1994	Council position published	<a href="#">06793/1/1994</a>	Summary
22/07/1994	Committee referral announced in Parliament, 2nd reading		
05/10/1994	Vote in committee, 2nd reading		Summary
05/10/1994	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0012/1994</a>	

15/11/1994	Debate in Parliament		
16/11/1994	Decision by Parliament, 2nd reading	T4-0111/1994	Summary
20/02/1995	Parliament's amendments rejected by Council		
30/03/1995	Formal meeting of Conciliation Committee		Summary
30/03/1995	Final decision by Conciliation Committee		
11/05/1995	Joint text approved by Conciliation Committee co-chairs	<a href="#">03609/2/1995</a>	
11/05/1995	Report tabled for plenary, 3rd reading	<a href="#">A4-0105/1995</a>	
18/05/1995	Decision by Parliament, 3rd reading	T4-0202/1995	Summary
19/06/1995	Decision by Council, 3rd reading		Summary
29/06/1995	Final act signed		
29/06/1995	End of procedure in Parliament		
18/07/1995	Final act published in Official Journal		

## Technical information

Procedure reference	1993/0458(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	Rules of Procedure EP 52-p1; EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	CODE/4/06429

## Documentation gateway

Legislative proposal		COM(1993)0154 <a href="#">OJ C 157 09.06.1993, p. 0007</a>	12/05/1993	EC	Summary
Text adopted by Parliament, 1st reading/single reading		T3-0421/1993 <a href="#">OJ C 255 20.09.1993, p. 0062-0070</a>	14/07/1993	EP	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0893/1993</a> <a href="#">OJ C 304 10.11.1993, p. 0032</a>	22/09/1993	ESC	Summary
Reconsultation		COM(1993)0570	10/11/1993	EC	
Committee final report tabled for plenary, 1st reading/single reading		A3-0365/1993 <a href="#">OJ C 342 20.12.1993, p. 0003</a>	24/11/1993	EP	
Text adopted by Parliament confirming position adopted at 1st reading		T3-0683/1993 <a href="#">OJ C 342 20.12.1993, p. 0015-0033</a>	02/12/1993	EP	Summary
Council position		<a href="#">06793/1/1994</a> <a href="#">OJ C 213 03.08.1994, p. 0005</a>	08/06/1994	CSL	Summary
Commission communication on Council's		SEC(1994)1160	17/07/1994	EC	

position					
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A4-0012/1994</a> <a href="#">OJ C 323 21.11.1994, p. 0006</a>	05/10/1994	EP	
Text adopted by Parliament, 2nd reading		T4-0111/1994 <a href="#">OJ C 341 05.12.1994, p. 0064-0074</a>	16/11/1994	EP	Summary
Commission opinion on Parliament's position at 2nd reading		COM(1994)0655	23/01/1995	EC	
Joint text approved by Conciliation Committee co-chairs		<a href="#">03609/2/1995</a>	11/05/1995	CSL/EP	
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		<a href="#">A4-0105/1995</a> <a href="#">OJ C 151 19.06.1995, p. 0002</a>	11/05/1995	EP	
Text adopted by Parliament, 3rd reading		T4-0202/1995 <a href="#">OJ C 151 19.06.1995, p. 0166-0183</a>	18/05/1995	EP	Summary

#### Additional information

European Commission

[EUR-Lex](#)

#### Final act

[Directive 1995/27](#)

[OJ L 168 18.07.1995, p. 0014](#) Summary

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

The proposal for a Directive sought to amend Directive 86/662/EEC and to reduce the admissible sound-power levels for earth-moving machines (excavators, dozers, loaders and excavator-loaders) measured by the real dynamic measurement method. The draft set out a two-stage approach for the limitation of sound emissions: - in the first stage, new limit values of approximately 4 dB less than the values currently applied would be set. These limits would come into force from 30 December 1995; - in the second stage limit values would be set for 2000 and beyond, on the basis of a reduction of 3 dB with respect to the first stage. The amended proposal made provision for an incentive measure to promote new technical progress in this field and authorised the Member States to introduce tax incentive measures to speed up the introduction of silent machines. Lastly, it was proposed to extend the period of validity of Directive 86/662 to 29 December 1995 and that of the certificates granted under its provisions to 29 December 1996 in order to give the industry enough time to comply with the new proposed levels. ?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

The ENVI Committee decided to have recourse to Rule 116(1) of the EP's Rules of Procedure (procedure without report).?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

Parliament approved the Commission's proposal under the procedure without report (Rule 116(1)). ?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

In its first reading under the codecision procedure, the European Parliament confirmed its vote of 14 July 1993. ?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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The Council's common position was very similar to the proposal submitted by the Commission. The Council's main modifications to the Commission proposal concerned: - the exclusion from the scope of the directive of earth-moving machines with an installed power above 500 kW; - the noise levels and the beginning of the consecutive stages for their implementation. The Council: extended the validity of the current directive until 29 December 1996 and that of the certificates granted under it until 29 December 1997; extended the second stage by one year (5 years instead of 4 years); increased by 1 dB the noise emissions to be applied to wheeled dozers, loaders and excavator-loaders during the second and third stages (from 85 to 86 respectively). Furthermore, the Council: removed the reference to the possibility of using economic instruments; opposed the removal of Article 4 of the original directive, which related to the limits on noise levels at the operator's position; retained the type IIIb committee, rather than the advisory committee proposed by the Commission. ?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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The draft report was adopted. ?

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Parliament introduced two amendments to the common position of the Council. The first of these sought to replace the procedure to be followed for adapting the regulations contained in the annexes to the directive by a different procedure which required the consultation of Parliament on the draft measures which the Commission intended to adopt for this purpose, while the second called for Parliament to be kept informed of the way in which its opinions were taken into account. The Commission was unable to give a favourable response to this amendment. ?

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The Conciliation Committee confirmed that there was agreement on a joint text, in line with the common position that had been adopted, with a reference, in relation to the committee procedure, to the institutional agreement on the ?modus vivendi? of 19 December 1994 on this matter.

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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The European Parliament approved the joint text on this proposal to amend the directive. ?

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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The Council confirmed its agreement to the joint text resulting from the discussions of the Council-Parliament Conciliation Committee on the amendment of Directive 86/662/EEC on noise emitted by earth-moving machinery. The European Parliament having done likewise, the Directive was adopted. Directive 86/662/EEC fixed until December 1994 the permissible sound power levels of earth-moving machinery, with the corresponding certificates expiring one year later. The new Directive provides for a two-stage reduction in the noise emitted by certain types of earth-moving machinery. During the first stage, from 30 December 1996 onwards, the current limit values are to be reduced by about 4dB; a further 3dB reduction will take place during the second stage, which commences on 30 December 2001. As the start of the first stage does not coincide with the deadline set by Directive 86/662/EEC, it has been decided to extend the applicability of the current limit values and the period of validity of certificates granted under those values until 29 December 1996 and 29 December 1997 respectively. Earth-moving machines with an installed power of more than 500 kW (used mainly in quarries and mines) are not covered by the new Directive.

## Noise pollution: reduction of noise emitted by excavators (modif. Directive 86/662/EEC)

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European Parliament and Council Directive 95/27/EC amended Directive 86/662/EEC and aimed to reduced the admissible noise levels of earth-moving machines (hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders) measured under the conditions of real dynamic operation. Substance: - reduction of noise levels of certain types of earth-moving machines in two stages. The first, beginning on 30 December 1996, provided for a reduction in noise levels of approximately 4 dB compared to existing standards; the second stage, beginning on 30 December 2001, provided for an additional reduction of 3 dB; - extension of both the validity of the limit values currently in force until 29 December 1996 and the certificates granted under these arrangements until 29 December 1997; - Member States should comply with the Directive no later than 31 December 1995. ?