

Procedure file

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

| Key players | | | |
|-------------------------------|--|--|------------|
| European Parliament | | | |
| | Former committee responsible | | |
| | ENVI Environment, Public Health and Consumer Protection | | 30/08/1994 |
| | | PSE COLLINS Kenneth D. | |
| Council of the European Union | | | |
| | Council configuration | Meeting | Date |
| | Economic and Financial Affairs ECOFIN | 1856 | 19/06/1995 |
| | Economic and Financial Affairs ECOFIN | 1828 | 20/02/1995 |
| | Environment | 1817 | 16/12/1994 |
| | Environment | 1765 | 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 | 06793/1/1994 | 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 | A4-0012/1994 | |

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| 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 | 03609/2/1995 | |
| 11/05/1995 | Report tabled for plenary, 3rd reading | A4-0105/1995 | |
| 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

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

Documentation gateway

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|---|---|------------|-----|---------|
| Legislative proposal | COM(1993)0154 OJ C 157 09.06.1993, p. 0007 | 12/05/1993 | EC | Summary |
| Text adopted by Parliament, 1st reading/single reading | T3-0421/1993 OJ C 255 20.09.1993, p. 0062-0070 | 14/07/1993 | EP | Summary |
| Economic and Social Committee: opinion, report | CES0893/1993 OJ C 304 10.11.1993, p. 0032 | 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 OJ C 342 20.12.1993, p. 0003 | 24/11/1993 | EP | |
| Text adopted by Parliament confirming position adopted at 1st reading | T3-0683/1993 OJ C 342 20.12.1993, p. 0015-0033 | 02/12/1993 | EP | Summary |
| Council position | 06793/1/1994 OJ C 213 03.08.1994, p. 0005 | 08/06/1994 | CSL | Summary |
| Commission communication on Council's | SEC(1994)1160 | 17/07/1994 | EC | |

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|---|--|--|------------|--------|---------|
| position | | | | | |
| Committee recommendation tabled for plenary, 2nd reading | | A4-0012/1994 OJ C 323 21.11.1994, p. 0006 | 05/10/1994 | EP | |
| Text adopted by Parliament, 2nd reading | | T4-0111/1994 OJ C 341 05.12.1994, p. 0064-0074 | 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 | | 03609/2/1995 | 11/05/1995 | CSL/EP | |
| Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading | | A4-0105/1995 OJ C 151 19.06.1995, p. 0002 | 11/05/1995 | EP | |
| Text adopted by Parliament, 3rd reading | | T4-0202/1995 OJ C 151 19.06.1995, p. 0166-0183 | 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)

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)

The draft report was adopted. ?

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

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. ?

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

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)

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)

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)

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. ?