

Message 517 Communication from the Commission - SG(2011) D/51568
Directive 98/34/EC
Notification: 2011/0153/UK

Intention of the Commission to propose a Community act (article 9, paragraph 3, of Directive 98/34/EC). This intention extends the standstill period until 02-04-2012.

(MSG: 201101568.EN)

1. MSG 517 IND 2011 0153 UK EN 02-04-2012 01-07-2011 COM 9.3 02-04-2012
2. Commission
3. DG ENTR/C/3 - BREY 08/94
4. 2011/0153/UK - T40T
5. article 9, paragraph 3, of Directive 98/34/EC
6. In the context of the notification procedure of Directive 98/34/EC, the UK authorities notified on 30 March 2011 the draft technical regulation on longer articulated goods vehicles.

Examination of the notified text has prompted the Commission to issue the following reaction according to Article 9(3) of Directive 98/34/EC.

The Commission notes that the notified draft contains amendments to existing legislation, inter alia with regard to the use of articulated vehicles up to a maximum overall length of 18.75 m with semi-trailers up to a maximum loading length of 15.65 m.

In this context, the Commission would like to remind the UK authorities that a draft proposal for a Commission Regulation concerning type-approval requirements for masses and dimensions of motor vehicles and their trailers and implementing Regulation (EC) No 661/2009 on the general safety of motor vehicles, is under preparation.

The Commission services have already circulated the above-mentioned draft to all Member States. The text has been presented and discussed with Member States on several occasions, notably on 19 May 2011 during a recent meeting of the Technical Committee - Motor Vehicles. The UK authorities are kindly invited to join and continue discussions at EU level in order to establish common requirements for the whole of the EU on this subject.

As the draft proposal for a Commission Regulation will regulate elements covered by the UK notified draft, in accordance with Article 9(3) of Directive 98/34/EC, the UK authorities are invited to delay the adoption of the above-mentioned notified draft for a period of twelve months from the date of receipt by the Commission of the notified draft in question.

This period ends on 2 April 2012.

It has to be noted that according to Article 9(6) of Directive 98/34/EC, “the obligations referred to in paragraphs (3), (4) and (5) shall lapse: - when the Commission informs the Member States that it no longer intends to propose or adopt a binding Community act, - when the Commission informs the Member States of the withdrawal of its draft or proposal, - when the Commission or the Council has adopted a binding Community [EU] act.”

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