



Notification Number: 2006/379/E

Ministerial Decree regulating the State metrological control of instruments intended to measure the alcohol mass concentration in exhaled air.

Date received : 21/07/2006

End of Standstill : 23/10/2006

Message

Message 002

Communication from the Commission - SG(2006) D/51749

Directive 98/34/EC

Translation of the message 001

Notification: 2006/0379/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200601749.EN)

1. Structured Information Line

MSG 002 IND 2006 0379 E EN 23-10-2006 21-07-2006 E NOTIF 23-10-2006

2. Member State

Spain

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

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4. Notification Number

2006/0379/E – I10

5. Title

Ministerial Decree regulating the State metrological control of instruments intended to measure the alcohol mass concentration in exhaled air.

6. Products Concerned

The proposal affects instruments intended for the measurement of alcohol mass concentration in exhaled air, hereinafter referred to as ethylometers, that are used as a means of imposing penalties, carrying out legal tests or in application of the standards or regulations that require their use.

7. Notification Under Another Act

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8. Main Content

The notified technical regulation lays down specific regulations from the State metrological control's point of view as laid down by Article 7 of the Metrology Act No 3 of 18 March 1985 for instruments that determine the alcohol mass concentration in exhaled air, thereby ensuring compliance with the applicable legislation relating to road safety, and the appropriate control, with maximum guarantees for officials, used by authorities for its compliance.

The draft includes the implementation of the following metrological controls to the aforementioned systems:

- assessment of conformity to the essential metrological and technical requirements for their marketing and commissioning (model approval, initial inspection),
- inspection following repair or modification and periodic inspection for those in service.

Key words in the draft:

- Alcohol concentration in exhaled air
- Ethylometers
- Legal Metrological Control
- Traffic and Road safety

9. Brief Statement of Grounds

Its implementation is justified from the point of view of ensuring the control of preventing drivers from drinking alcohol, in implementation of Royal Legislative Decree No 339/1990 adopting the Law on motor vehicle traffic



and road safety.

10. Reference Documents - Basic Texts

Metrology Act No 3 of 18 March 1985 is attached.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

No

16. TBT and SPS aspects

TBT

a) No

b) No

iii) The draft does not have a perceptible effect on international trade.

SPS

a) No

b) No

i) The draft is not a sanitary or phytosanitary measure in accordance with Annex A to the SPS Agreement.

iii) The draft does not have a perceptible effect on international trade.

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