



Brussels, 21.6.2007
COM(2007) 344 final

2007/0119 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on statutory plates and inscriptions for motor vehicles and their trailers, and their
location and method of attachment**

(Codified version)

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make use of the specific rights it gives him.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent.

2. On 1 April 1987 the Commission therefore decided¹ to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules are clear and readily understandable.
3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this², stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal Community legislative procedure.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Directive 76/114/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment³. The new Directive will supersede the various acts incorporated in it⁴; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

¹ COM(87) 868 PV.

² See Annex 3 to Part A of the Conclusions.

³ Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

⁴ See Annex II, Part A of this proposal.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 76/114/EEC and the instruments amending it, carried out by the Office for Official Publications of the European Communities, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex III to the codified Directive.

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the procedure laid down in Article 251 of the Treaty²,

Whereas:



- (1) Council Directive 76/114/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment³ has been substantially amended several times⁴. In the interests of clarity and rationality the said Directive should be codified.



- (2) Directive 76/114/EEC is one of the separate Directives of the EC type-approval system provided for in Council Directive [70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁵] and laid down technical prescriptions concerning statutory

¹ OJ C 29, 1975, p. 29.

² OJ C 29, 1975, p. 29.

³ OJ L 24, 30.1.1976, p. 1. Directive as last amended by Directive 2006/96/EC (OJ L 363, 20.12.2006, p. 81).

⁴ See Annex II, Part A.

⁵ [OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 2006/40/EC of the European Parliament and of the Council (OJ L 161, 14.6.2006, p. 12).]

plates and inscriptions and their location and method of attachment. Those technical prescriptions concerned the approximation of the laws of the Member States to allow for the EC type-approval procedure established by Directive [70/156/EEC] to be applied in respect of each type of vehicle. Consequently, the provisions laid down in Directive [70/156/EEC] relating to vehicle systems, components and separate technical units apply to this Directive. ☒

↓ 76/114/EEC Recital 3 (adapted)

- (3) ☒ The EC type approval procedure should entail reciprocal recognition by Member States of the checks carried out by each of them on the basis of the common requirements. ☒
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↓

- (4) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex II, Part B,
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↓ 76/114/EEC

HAVE ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, 'vehicle' means any motor vehicle intended for use on the road, with or without bodywork, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails, agricultural or forestry tractors and machinery, and public works vehicles.

Article 2

↓ 76/114/EEC (adapted)

No Member State may refuse to grant EC type-approval or national type-approval of a vehicle on grounds relating to the statutory plates and inscriptions and their location and method of attachment, if these satisfy the requirements set out in Annex I .

Article 3

No Member State may refuse registration or prohibit the sale, entry into service or use of a vehicle on grounds relating to the statutory plates and inscriptions and their location and method of attachment, if these satisfy the requirements set out in Annex I .

Article 4

The amendments necessary to adapt the requirements of Annex I to this Directive to take account of technical progress shall be adopted in accordance with the procedure referred to in [Article 13 (3) of Directive 70/156/EEC].

Article 5

Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.



Article 6


Directive 76/114/EEC, as amended by the Acts listed in Annex II, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex II, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex III.

Article 7

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from [...].

 76/114/EEC Art. 6

Article 8

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

↓ 76/114/EEC

ANNEX I

1. GENERAL

All vehicles must be provided with the plate and inscriptions described in the following sections. The plate and inscriptions shall be attached either by the manufacturer or by his authorised representative.

↓ 76/114/EEC
→₁ 78/507/EEC Art. 1 and Annex

2. MANUFACTURER'S PLATE

2.1. A manufacturer's plate, modelled on that shown in the appendix hereto, must be firmly attached in a conspicuous and readily accessible position on a part not subject to replacement in use. It must show clearly and indelibly the following information in the order listed:

2.1.1. Name of the manufacturer.

2.1.2. EC type-approval number →₁¹ ←.

↓ 76/114/EEC (adapted)
→₁ 1985 Act of Accession Art. 26 and Annex I, p. 213
→₂ 87/354/EEC Art. 1 and Annex, pt. 6
→₃ 1994 Act of Accession Art. 29 and Annex I, p. 202
→₄ 2003 Act of Accession Art. 20 and Annex II, pt. 1(A)(14), p. 57
→₅ 2006/96/EC Art. 1 and Annex, point 13

This number is composed of a small letter 'e' followed, in the order given, by the distinguishing number of the country which granted the EC type-approval →₁ (1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, ← →₃ 5 for Sweden, ← 6 for Belgium, →₄ 7 for Hungary, 8 for the Czech Republic, ← 9 for Spain, 11 for the United Kingdom, →₃ 12 for Austria, ← 13 for Luxembourg, →₃ 17 for Finland, ← 18 for Denmark, →₅ 19 for Romania, ← →₄ 20 for Poland, ← 21 for Portugal, →₂ 23 for Greece ←, 24 for Ireland, →₄ 26 for Slovenia, 27 for Slovakia, 29 for

¹ If a vehicle has not been given EC type-approval and therefore does not have an EC type approval number, a Member State may require that the national type-approval number be indicated. If a national type-approval number is required to be indicated the manufacturer can place it either on a plate separate from the manufacturer's plate or on the manufacturer's plate itself.

Estonia, 32 for Latvia, ← →₅ 34 for Bulgaria, ← →₄ 36 for Lithuania, 49 for Cyprus, 50 for Malta (←) and by the type-approval number corresponding to the number on the type-approval certificate for the type of vehicle. An asterisk shall be placed between the letter 'e' and the distinguishing number of the country which granted the EC type-approval, and between the distinguishing number and the type-approval number.

↓ 76/114/EEC (adapted)
→₁ 78/507/EEC Art. 1 and Annex

- 2.1.3. Vehicle identification number.
- 2.1.4. Maximum permitted laden →₁ mass ← of the vehicle.
- 2.1.5. Maximum permitted laden →₁ mass ← for the combination, where the vehicle is used for towing.
- 2.1.6. Maximum permitted road →₁ mass ← for each axle, listed in order from front to rear.
- 2.1.7. In the case of a semi-trailer, the maximum permitted →₁ mass ← on the fifth wheel king pin.
- 2.1.8. A Member State may require that the maximum permitted →₁ masses ← prescribed in its national legislation be shown on the plate of any vehicle which has entered into service in its territory.

If the technically permissible →₁ mass ← is higher than the maximum permitted →₁ mass ←, the Member State in question may request that the technically permissible →₁ mass ← also be stated. The →₁ mass ← would be set out in two columns: the maximum permitted →₁ mass ← on the left and the technically permissible →₁ mass ← on the right.

- 2.2. The manufacturer may give additional information below or to the side of the prescribed inscriptions, outside a clearly marked rectangle which shall enclose only the information prescribed in points 2.1.1 to 2.1.8 (see the Appendix to this Annex).

3. VEHICLE IDENTIFICATION NUMBER

The vehicle identification number is a fixed combination of characters assigned to each vehicle by the manufacturer. Its purpose is to ensure that every vehicle can be clearly identified over a period of 30 years through the intermediary of the manufacturer, without there being a need for reference to further data. The vehicle identification number must conform to the following requirements:

↓ 78/507/EEC Art. 1 and Annex

- 3.1. It must be marked on the manufacturer's plate, and also on the chassis, frame or other similar structure.

3.1.1. It must consist of three sections.

3.1.1.1. The first section shall consist of a code assigned to the vehicle manufacturer to enable him to be identified. The code shall comprise three characters, letters or figures which shall be assigned by the competent authorities of the country where the manufacturer has his principal place of business, by agreement with the international agency acting under the authority of the International Organization for Standardization (ISO). The first character shall designate a geographical area, the second a country within a geographical area, and the third a specific manufacturer.

Where the manufacturer produces less than 500 vehicles per year, the third character shall always be “9”. In order to identify such manufacturers, the competent authority referred to above shall also assign the third, fourth and fifth characters of the third section.

3.1.1.2. The second section shall be composed of six characters (letters or figures) which shall serve to indicate the general characteristics of the vehicle. If the manufacturer does not use one or more of these characters, the unused spaces must be filled by alphabetical or numerical characters, of the manufacturer's choice.

3.1.1.3. The third section, composed of eight characters, of which the last four must be numerical, must in conjunction with the other two sections provide clear identification of a particular vehicle. Any unused space must be filled by a zero in order that the total number of characters required may be fulfilled.

3.1.2. It must wherever possible be marked on a single line.

As an exception, for technical reasons, it may also be marked on two lines. However, in this latter case no section may be divided between the two lines. The beginning and end of each line must be indicated by a symbol which is neither an arabic numeral nor a roman capital letter, and which cannot be confused with either. This requirement may be waived in the case of manufacturer's plates where the number is marked on one line only. It is also permissible to place such a symbol between the three sections on one line (point 3.1.1).

There must be no spaces between the characters.

↓ 76/114/EEC (adapted)

3.2. The identification number must, moreover:

3.2.1. be marked on the chassis, frame or other similar structure, on the right-hand side of the vehicle;

3.2.2. be placed in a clearly visible and accessible position by a method such as hammering or stamping, in such a way that it cannot be obliterated or deteriorate.

4. CHARACTERS

- 4.1. Roman letters and arabic numerals must be used for all the markings provided for in points 2 and 3. However, the roman letters used in the markings provided for in points 2.1.1 and 2.1.3 and 3 must be capital letters.
- 4.2. For the vehicle identification number:
 - 4.2.1. use of the letters I, O and Q and dashes, asterisks and other special signs, other than the symbols referred to in the \boxtimes second \boxtimes paragraph of point 3.1.2, is not permitted;
 - 4.2.2. the minimum height of the letters and figures shall be as follows:
 - 4.2.2.1. 7 mm for characters marked directly on the chassis, frame or other similar structure of the vehicle;
 - 4.2.2.2. 4 mm for characters marked on the manufacturer's plate.

Appendix

MODEL OF THE MANUFACTURER'S PLATE

The examples below do not prejudice the data which are actually to appear on manufacturers' plates. They are merely given as a guide.

Example No 1

STELLA FABBRICA AUTOMOBILI

e*3*1485

3 I S K L M 3 A C 8 B 1 2 3 9 5 4

1 500 kg

2 500 kg

1 – 730 kg

2 – 810 kg

Example as for category M₁ vehicle.

Additional information as provided for in point 2.2 may be given below or to the side of the prescribed data (see rectangles shown with dotted lines in the above model).

Example No 2

MAYER KRAFTFAHRZEUGWERK

e*1*501

3 G T W O 1 8 0 0 9 B S 5 1 3 1 2

22 000 kg

38 000 kg

1 – 7 000 kg

2 – 8 000 kg

3 – 8 000 kg

Example as for category N₃ vehicle.

Additional information as provided for in point 2.2 may be given below or to the side of the prescribed data (see rectangles shown with dotted lines in the above model).



ANNEX II

Part A

Repealed Directive with list of its successive amendments (referred to in Article 6)

Council Directive 76/114/EEC
(OJ L 24, 30.1.1976, p. 1)

Commission Directive 78/507/EEC
(OJ L 155, 13.6.1978, p. 31)

Point X.a.5. of Annex I to the 1979 Act of
Accession
(OJ L 291, 19.11.1979, p. 109)

Point IX.A.12. of Annex I to the 1985 Act of
Accession
(OJ L 302, 15.11.1985, p. 213)

Council Directive 87/354/EEC
(OJ L 192, 11.7.1987, p. 43)

Point 6 of the Annex only

Point XI.C.I.6. of Annex I to the 1994 Act of
Accession
(OJ C 241, 29.8.1994, p. 205)

Point I.A.14 of Annex II to the 2003 Act of
Accession
(OJ L 236, 23.9.2003, p. 57)

Council Directive 2006/96/EC
(OJ L 81, 20.12.2006, p. 81)

Only as regards the reference to
Directive 76/114/EEC in Article 1 and
point 13 of the Annex

Part B

List of time-limits for transposition into national law and application (referred to in Article 6)

Directive	Time-limit for transposition	Date of application
76/114/EEC	1 January 1977	1 October 1978
78/507/EEC	1 October 1978 ^(*)	-
87/354/EEC	31 December 1987	-

(*) In compliance with Article 2 of Directive 78/507/EEC:

- “1. With effect from 1 October 1978 no Member State may on grounds relating to the statutory plates and inscriptions, their location and method of attachment:
 - refuse in respect of a type of vehicle to grant EEC type-approval, to issue the document referred to in the last indent of Article 10(1) of Directive 70/156/EEC, or to grant national type-approval, or
 - prohibit the entry into service of vehicles,if the statutory plates and inscriptions, their location and attachment of such type of vehicle or of such vehicles comply with the provisions of Directive 76/114/EEC as amended by this Directive.
2. With effect from 1 October 1981 Member States:
 - may no longer issue the document referred to in the last indent of Article 10(1) of Directive 70/156/EEC in respect of a type of vehicle of which the statutory plates and inscriptions, their location and attachment do not comply with the provisions of Directive 76/114/EEC as amended by this Directive,
 - may refuse to grant national type-approval in respect of a type of vehicle of which statutory plates and inscriptions, their location and attachment do not comply with the provisions of Directive 76/114/EEC as amended by this Directive.
3. With effect from 1 October 1981 Member States may prohibit the entry into service of vehicles of which the statutory plates and inscriptions, their location and attachment do not comply with the provisions of Directive 76/114/EEC as amended by this Directive.”

ANNEX III

CORRELATION TABLE

Directive 76/114/EEC	This Directive
Articles 1 to 4	Articles 1 to 4
Article 5	-
-	Article 5
-	Article 6
-	Article 7
Article 6	Article 8
Annex	Annex I
Annex, point 1 and point 1.1	Annex I, point 1
Annex, points 2 to 4	Annex I, points 2 to 4
Appendix	Appendix
-	Annex II
-	Annex III