

**COMMISSION DIRECTIVE 1999/99/EC****of 15 December 1999****adapting to technical progress Council Directive 80/1269/EEC on the approximation of the laws of the Member States relating to the engine power of motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to 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 trailers <sup>(1)</sup>, as last amended by Directive 98/91/EC of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 13(2) thereof,

Annex I to Directive 80/1269/EEC is hereby amended in accordance with the Annex to this Directive.

*Article 2*

Having regard to Council Directive 80/1269/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles <sup>(3)</sup>, as last amended by Commission Directive 97/21/EC <sup>(4)</sup>, and in particular Article 3 thereof,

1. With effect from 1 January 2000 Member States may not, on grounds relating to engine power:

— refuse, in respect of any given type of motor vehicle, to grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, or

— refuse to grant national type-approval, or

— prohibit the registration, sale or entry into service of vehicles pursuant to Article 7 of Directive 70/156/EEC,

Whereas:

if the engine power figures have been determined in accordance with the requirements of Directive 80/1269/EEC as amended by this Directive.

(1) Directive 80/1269/EEC is one of the separate Directives of the EC type-approval procedure which was established by Directive 70/156/EEC. Consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive.

2. With effect from 1 January 2000, Member States:

— shall no longer grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, and

— may refuse to grant national type-approval, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

(2) In the framework of the type-approval of gas-fuelled vehicles (LPG and NG), it is necessary to introduce provisions into Directive 80/1269/EEC for the measurement of the engine power of such vehicles, in particular with regard to the test fuels to be used, as defined in Commission Directive 98/77/EC of 2 October 1998 adapting to technical progress Council Directive 70/220/EEC on the approximation of the laws of the Member States relating to the measures to be taken against air pollution by emissions for motor vehicles <sup>(5)</sup>. In this respect, it is appropriate to follow the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 85 <sup>(6)</sup>.

for a type of vehicle if the engine power has not been determined in accordance with the requirements of Directive 80/1269/EEC, as amended by this Directive.

(3) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

*Article 3*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1999. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. 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.

<sup>(1)</sup> OJ L 42, 23.2.1970, p. 1.

<sup>(2)</sup> OJ L 11, 16.1.1999, p. 25.

<sup>(3)</sup> OJ L 375, 31.12.1980, p. 46.

<sup>(4)</sup> OJ L 125, 16.5.1997, p. 31.

<sup>(5)</sup> OJ L 286, 23.10.1998, p. 34.

<sup>(6)</sup> UN/ECE Regulation No 85 (E/ECE324-E/ECE/TRANS/505/Rev.1/Add. 84), as amended.

*Article 4*

This Directive shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

*Article 5*

This Directive is addressed to the Members States.

Done at Brussels, 15 December 1999.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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