COMMISSION DECISION

of 22 July 1999

concerning a request for exemption submitted by Italy pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(notified under document number C(1999) 2292)

(1999/557/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 [1], as last amended by European Parliament and Council Directive 98/91/EC [2], and in particular Article 8(2)(c) thereof.

(1) Whereas the request submitted by Italy on 5 March 1999, which reached the Commission on 16 March 1999, contained the information required by Article 8(2)(c); whereas the request concerns the fuelling with compressed natural gas of two types of class-M1 vehicle;

(2) Whereas the reasons given in the request, according to which such vehicle types meet the requirements of Annex IV to Directive 70/156/EEC, apart from those relating to fuelling with compressed natural gas are well founded; whereas the fuelling by compressed natural gas of the vehicles covered by this Decision does, however, guarantee a level equivalent to that provided by petrol fuelling; whereas the tests carried out in accordance with Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from spark-ignition engines of motor vehicles [3], as last amended by Commission Directive 98/77/EC [4], and Council Directive 80/1268/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles [5], as last amended by Commission Directive 93/116/EC [6], were conducted using, in the one instance, natural gas only as fuel and in the other both petrol and natural gas as fuel; whereas the relevant limit values were not exceeded in either fuelling mode, while the recorded emissions of pollutions were lower with natural gas; whereas equivalent environmental protection is thus ensured;

(3) Whereas, in order to assure themselves of the safety of vehicles in service, Member States may periodically carry out leak-tightness tests at a pressure of at least the service pressure;

(4) Whereas the Community Directives concerned will be amended in order to permit the production of vehicles powered by compressed natural gas;

(5) Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Italy for an exemption concerning the production and placing on the market of two class-M1 types of vehicle powered by compressed natural gas is hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 22 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

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[1] OJ L 42, 23.2.1970, p. 1.
[2] OJ L 11, 16.1.1999, p. 25.
[3] OJ L 76, 6.4.1970, p. 1.
[4] OJ L 286, 23.10.1998, p. 34.
[5] OJ L 375, 31.12.1980, p. 36.
[6] OJ L 329, 30.12.1993, p. 39.