

# GENERAL AGREEMENT ON

RESTRICTED

TBT/Notif.90.272

25 September 1990

## TARIFFS AND TRADE

Special Distribution

Committee on Technical Barriers to Trade

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.4.

1. Party to Agreement notifying: <u>THE NETHERLANDS</u>
2. Agency responsible: Ministry for Housing, Regional Planning and the Environment; Directorate-General for the Environment, Directorate for Air
3. Notified under Article 2.5.2 [X], 2.6.1 [], 7.3.2 [], 7.4.1 [], Other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading): Cars and commercial vehicles (HS 87.02 - 87.04)
5. Title: Draft Decree Amending the Decrees on Type-Approval and Standing Requirements in Respect of Motor Vehicles (Air Pollution)
6. Description of content: Amendment of the type-approval decree: introduction of type-approval requirements for LPG-fuelled cars and limitation of the liability of the manufacturer with regard to components which influence the emission of pollutants, plus arrangements for recall. These arrangements are implemented after consultation with the manufacturer if it is found that a particular type of car has been found to have a structural defect.  Amendment of the decree on standing requirements: in the event of a manufacturer being obliged to make a recall, the owner/user of the car concerned is required to co-operate and make it available for inspection and/or repair by the manufacturer, on penalty of being banned from driving the vehicle.  Lastly, for diesel-engined commercial vehicles with total remitted weight of more than 350 kg., the decree creates the legal basis for applying Directive 88/76/EEC (OJ L 36).
7. Objective and rationale: In the case of LPG-fuelled cars type-approval rules would appear to be unavoidable given the complicated exhaust gas purification system. Since the requirement relating to service life, as currently worded in Directives 83/351/EEC and 88/76/EEC, is couched in purely qualitative terms and no service life is specified, it was considered necessary to make these requirements more detailed and to build in guarantees to protect the environment and car manufacturers and importers.

8. Relevant documents: Decree on the Type-Approval of Motor Vehicles (Air Pollution)  
(Stb. 1974, 632; Stb. 1989, 72)

9. Proposed dates of adoption and entry into force: -

10. Final date for comments: 1 November 1990

11. Texts available from: National enquiry point  or address of other body: