

# Road safety: protection of pedestrians and other vulnerable road users

2007/0201(COD) - 03/10/2007 - Legislative proposal

**PURPOSE:** to present a proposal on the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending the Framework Directive on the type-approval of motor vehicles.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**CONTENT:** this proposal lays down requirements for the construction and functioning of vehicles and frontal protection systems in order to reduce the number and severity of injuries to pedestrians and other vulnerable road users who are hit by the fronts of those vehicles and in order to avoid such collisions.

The current Directive relating to the protection of pedestrians and other vulnerable road users is 2003/102/EC. The recent study completed under Article 5 of this Directive on feasibility issues for the implementation of the second phase requirements has shown these requirements to be not feasible. This proposal builds on the previous requirements by providing amendments to ensure feasibility.

A study commissioned by the Commission shows that the requirements for pedestrian protection can be significantly improved by use of a combination of passive and active measures which afford a higher level of protection than the previously existing provisions. In particular, the active safety system '**Brake Assist**' will, in combination with changes to passive safety requirements, significantly increase the level of protection provided. The Commission wants to provide for the obligatory installation of Brake Assist systems in new motor vehicles.

In addition, the proposal lays down rules on frontal protection systems. These must either be fitted as original equipment to vehicles placed on the market or supplied as separate technical units must comply with requirements in this regulation.

With the increasing number of heavier vehicles being used on urban roads, the proposal provides that rules on pedestrian protection apply not only to vehicles of maximum mass not exceeding 2500kg, but also, after a certain transitional period, to vehicles of categories M1 and N1 exceeding that limit.

It is recalled that new vehicles are required to pass a number of performance tests in two phases: phase I (which is based on recommendations from the Joint Research Centre) started in October 2005 as required by Directive 2003/102/EC and a revised phase II (which is based on European Enhanced Vehicle-safety Committee recommendations) which is the main subject of this proposal. After the start of phase II, all new vehicle types will have to comply with amended test requirements and be fitted with Brake Assist by 2009.

The proposed Regulation will be a part of the EU type-approval system for vehicles.

The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission (comitology).

In particular, power should be conferred on the Commission to adopt technical provisions for the application of the test requirements, performance requirements for collision avoidance systems, and

implementing measures based on results of monitoring. Since those measures are of general scope and are designed to amend nonessential elements of this Regulation by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny.

In order to ensure a smooth transition from the provisions of Directives 2003/102/EC and 2005/66/EC to this Regulation, the application of this Regulation should be deferred by a period of 9 months after its entry into force.