Road safety: safety belts and restraint systems (amend. Directive 77/541/EEC)

2003/0130(COD) - 20/06/2003 - Legislative proposal

CONTENT : to present a proposal for a Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles. CONTENT : the Commission is proposing to amend three Directives with a view to imposing the fitting of safety belts in all motor vehicles other than passenger cars. Only passenger cars are currently required by Community laws to be fitted with safety belts. The following Directives concern the installation of safety belts in relation to vehicles: - Council Directive 77/541/EEC, as last amended by Commission Directive 2000/3 /EC, on the approximation of the laws of the Member States relating to the safety belts and restraint systems of motor vehicles; - Council Directive 76/115/EEC, as last amended by Commission Directive 96 /38/EC, on the approximation of the laws of the Member States relating to anchorages for motor vehicles safety belts (COD/2003/0136); - Council Directive 74/408/EEC, as last amended by Commission Directive 96/37/EC, relating to motor vehicles with regard to the seats, their anchorage and head restraints (COD/2003/0128). These Directives already contain all the necessary technical prescriptions allowing manufacturers to comply with relevant installation provisions. Up to now, these Directives are not compulsory in the case of vehicles other than passenger cars and the Member States are free to decide of their implementation by national laws. With a view to the compulsory installation of safety belts in all vehicles, the Commission is proposing to amend the three Directives simultaneously. Consequently, they should be adopted and implemented at the same time. Safety belt anchorages intended for heavy-duty vehicles including buses and coaches cannot, for technical reasons, be fixed into the body structure of the vehicle as is usually the case for passenger cars, and are fixed to he seats. For this reason, compliance with the three Directives in combination is required since safety belts are/or restraint systems have to be securely attached to reinforced and standardised anchorages, installed in the vehicle in such a way as to allow the correct wearing of the belts. Moreover, the forces exerted on the belt by the human body in the case of impact are transferred to the seat anchorages, reason why their strength should be checked under combined loads. In this respect a majority of Member States have already enforced the installation of seat belts in minibuses and coaches. Compliance with Directive 77/541/EEC would require the fitting of at least two-point safety belts and energy absorbing seats for all seats on coaches above 5 tonnes, three-point safety belts on all seats of minibuses of up to 3.5 tonnes, and either three-point belts or two-point belts and energy absorbing seats for all coaches of between 3.5 tonnes and 5 tonnes. Furthermore, in those seating positions where the passenger is deemed to have a higher risk of injury (for instance a seat with a fixed table in front of it), three-point belts are compulsory. Light-duty trucks of up to 3.5 tonnes in this respect are very similar to passenger cars. Therefore, the first row of seating positions has to be fitted with three-point belts with retractor mechanisms, with the exception of the central seating position,which can be fitted with lap belts when there is no risk that the head of the central passenger may enter into contact with the windscreen. Other seating positions may be fitted with two-point belts. Medium-and heavy-duty trucks may be fitted with two-or three-point belts. A distinction has to be made between coaches and city buses (including inter-city buses, which generally use the same seat configuration as city buses). Modern city buses, i.e. low-floor buses, are generally designed for standing passengers with a limited number of seats, which are either tip-up seats, for which no safety belt is required, or looking rearwards or even side-facing seats. For such vehicles, it is appropriate not to request the fitting of safety belts but to let Member States decide their individual policy, provided that, when safety belts are installed, they comply with the technical requirements set out in the Community legislation. To date, no safety belt was required in the case of side-facing seats. The Commission is taking this opportunity to assess the possibility to make their fitting compulsory in the case of side-facing seats. At the time of the discussions regarding the Directive 2001/85/EC relating to safety in buses and coaches, the Commission launched a study to determine which kind of safety belts could secure the passengers the most efficiently. The findings drawn up by the consultant have led to the conclusion it is preferable to ban side-facing seats from these vehicles with the

exception of city buses. Finally, Directive 2001/85/EC has recently provided provisions to allow accessibility for people with reduced mobility in buses and coaches. Some special devices, which do not comply with the current provisions of Directive 77/541/EEC, will have to be fitted to secure these people. Consequently, it is necessary that Member States may continue to allow such devices on a national basis, as it was the case in the past. The proposal contains two main articles: 1) Amendment to Directive 77/541 /EEC : Article 1 seeks to define the vehicles of category M2 and M3 taking into account Directive 2001/85 /EC on buses and coaches. This approach provides the appropriate means to operate a distinction between city-buses, inter-city buses and travel coaches. A new Article is inserted in Directive 77/541/EEC to allow Member States to type approve safety belts and restraint systems that cannot fulfil the requirements of Directive 77/541/EEC due to their particular nature. An example of such could be a 'special needs restraint' intended for disabled people. 2) Article 2 : Implementation : The proposed measures shall apply to new vehicles put on the market. It is proposed that they apply first to new types of vehicles and subsequently to existing types, in line with the accepted type-approval practice, as follows : - 1st July 2004 : the date from when new types of vehicles belonging to the concerned categories have to fulfil the requirements of the three Directives; - 1st January 2006 : the date from when all new vehicles belonging to existing types have to comply with the three Directives.