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

2003/0130(COD) - 07/09/2005 - Final act

PURPOSE: To amend Directive 77/541/EEC relating to safety belts and restraint systems of motor vehicles.

LEGISLATIVE ACT: Directive 2005/40/EEC of the European Parliament and of the Council.

CONTENT: The objective of this Directive is the improvement of road safety by introducing the compulsory fitting of safety belts in certain categories of vehicles, which have hitherto been exempted from Community provision. To realise this objective, the Directive amends Directive 77/541/EEC by inserting additional articles. The new articles specify that:

- Member States may, in accordance with national law, allow the installation of safety belts or restraint systems other than those covered by this Directive, provided that they are intended for disabled people.

- Member States may also exempt restraint systems relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat.

- Vehicles of category M1 and M2 will be sub-divided into classes as defined by Directive 2001/85 and Annex I has been amended so that the seats of vehicles belonging to category N1, M2 (of class III or B) M3 (of class III or B) and N shall be equipped with safety belts and/or restraint systems. In addition, Class I, II or A vehicles belonging to category M2 or M3 may be fitted with safety belts and/or restraint systems.

- The Commission is committed to examining, by the 20 April 2008 at the latest, specific procedures to harmonise requirements for safety belts intended for disabled people. Provisions will be based on international standards as well as national legal requirements.

- As far as implementation is concerned, as from 20 April 2006 and concerning the installation of safety belts which do comply with the requirements of Directive 77/541/EEC, Member States shall not refuse to grant EC type-approval or national type-approval, in respect of a type of vehicle or prohibit the registration, sale or entry into service of new vehicles. As from 20 October 2006 concerning safety belts which do not comply with Directive 77/541/EEC, Member States may no longer grant EU type-approval and refuse to grant national type-approval. As from 20 October 2007, concerning the installation of safety belts, which do not comply with the provisions of the Directive, Member States shall consider certificates which accompany new vehicles as no longer valid with Article 7 of Directive 70/156/EC and refuse the registration, sale or entry into service of new vehicles, except those where the provisions of Article 8(2) of Directive 70/156/EEC are invoked.

TRANSPOSITION: Administrative provisions needed to comply with this Directive need to be in place before 20 April 2006. The measures will then apply as from 21 April 2006.

ENTRY INTO FORCE: 20/10/2005.