

Road safety: protection of pedestrians, changes to the front of vehicles (amend. Directive 70/156/EEC)

2003/0033(COD) - 17/11/2003 - Final act

PURPOSE : to reduce deaths and injuries that occur in accidents involving pedestrians through changes to the front of vehicles. **LEGISLATIVE ACT :** Directive 2003/102/EC of the European Parliament and of the Council relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Council Directive 70/156/EEC. **CONTENT :** The recommendations by the European Enhanced Vehicle-Safety Committee (EEVC) of June 1999 are the subject of a wide consensus in the area of pedestrian protection. Those recommendations propose performance requirements for the frontal structures of certain categories of motor vehicles to reduce their aggressiveness. This Directive presents tests and limit values based on the EEVC recommendations to be complied with by new types of vehicles and by new vehicles. The technical prescriptions for the application of such tests will be adopted by Commission decision. The scope of the Directive covers any motor vehicle as defined in Article 2 of and Annex II to Directive 70/156/EEC, of category M1, of a maximum mass not exceeding 2.5 tonnes, and N1 derived from M1, of a maximum mass not exceeding 2.5 tonnes. The main points are as follows: -a recital states that the Commission should examine the feasibility of extending the scope of the Directive to vehicles with a maximum mass of up to 3.5 tonnes, and report its findings to the European Parliament and to the Council; -the Directive should be considered as one element of a broader package of measures, to be undertaken by the Community, the industry and the relevant authorities of the Member States, on the basis of exchanges in best practice, in order to address pre-crash (active), in-crash (passive), and post-crash safety of pedestrians and other vulnerable road users, with respect to road users, vehicles and infrastructure; -from 1 October 2005, Member States will no longer grant EC type-approval, or national type-approval, except where the provisions of Article 8 (2) of Directive 70/156/EEC are invoked, for any type of vehicle on grounds relating to pedestrian protection if the technical provisions set out in section 3.1. or 3.2. of Annex I are not complied with. Until 1 September 2010, this will not apply to vehicles which do not differ with respect to their essential aspects of bodywork construction and design forward of the A pillars from vehicle types which have been granted EC type-approval or national type-approval before 1 October 2005 and which have not already been approved under the Directive. -from 31 December 2012, Member States shall not consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be valid, and they must prohibit the sale of new vehicles which are not accompanied by a certificate of conformity on grounds relating to pedestrian protection if the technical provisions are not complied with; - finally, in view of the speed of technological development in this area, alternative measures at least equivalent in terms of actual effectiveness to the requirements of the Directive may be proposed by the industry and must be assessed following a feasibility study carried out by independent experts by 1 July 2004. The introduction of alternative measures at least equivalent in terms of actual effectiveness would require adapting or amending this Directive. **DATE OF TRANSPOSITION :** 31 December 2003 **DATE OF APPLICATION :** 1 January 2004 **ENTRY INTO FORCE :** 7 December 2003.