Basic information

2006/0183(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles **Subject** 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	COSTA Paolo (ALDE)	21/11/2006

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2811	2007-06-25
Transport, Telecommunications and Energy	2772	2006-12-12

European Commission

Commission DG	Commissioner
Energy and Transport	BARROT Jacques

Key events

Date	Event	Reference	Summary
05/10/2006	Legislative proposal published	COM(2006)0570	Summary
12/12/2006	Debate in Council		Summary
18/12/2006	Committee referral announced in Parliament, 1st reading		
27/03/2007	Vote in committee, 1st reading		

03/04/2007	Committee report tabled for plenary, 1st reading	A6-0124/2007	
09/05/2007	Debate in Parliament		
10/05/2007	Decision by Parliament, 1st reading	T6-0177/2007	Summary
10/05/2007	Results of vote in Parliament		
25/06/2007	Act adopted by Council after Parliament's 1st reading		
11/07/2007	Final act signed		
11/07/2007	End of procedure in Parliament		
14/07/2007	Final act published in Official Journal		

Technical information

Procedure reference	2006/0183(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/41317

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE384.266	09/02/2007	
Amendments tabled in committee		PE384.641	08/03/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0124/2007	03/04/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0177/2007	10/05/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03620/2007/LEX	11/07/2007	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0570	05/10/2006	Summary
	SEC(2006)1238		

Document attached to the procedure		05/10/2006	
Document attached to the procedure	SEC(2006)1239	05/10/2006	
Commission response to text adopted in plenary	SP(2007)3179	14/06/2007	
Follow-up document	COM(2012)0258	04/06/2012	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0409/2007	14/03/2007	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2007/0038
OJ L 184 14.07.2007, p. 0025 Summary

Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles

2006/0183(COD) - 12/12/2006

Pending the European Parliament's first-reading opinion, the Council reached agreement on a general approach on a proposal for a Directive on the retrofitting of mirrors to heavy goods vehicles registered in the Community.

Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles

2006/0183(COD) - 10/05/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Paolo **COSTA** (EPP-ED, I) and made some amendments to the Commission's proposal. Parliament's amendments were the result of a compromise agreement between the EPP-ED, PES, ALDE and Greens/EFA groups. The principal amendments were as follows:

-the Directive will apply to vehicles of categories N2 and N3 as referred to in point 2 of Annex II to Directive 70/156/EC which are not type-approved or approved as a single vehicle under Directive 2003/97/EC ;

-Parliament made some amendments to the exemptions from the directive. In this respect, the text is now aligned with the existing legislation covering new HGVs (Directive 2003/97/EC). The exemption concerns only vehicles of category N2 not exceeding 7.5 t and not vehicles N2 exceeding 7.5 tons and N3. No part mirror should be less than 2 m (+10 cm) from the ground, and the mirror must be fully visible from the driving position;

-not later than 31 March 2009, all vehicles to which the Directive applies must 2 be equipped, on the passenger side, with wide angle and close proximity mirrors which fulfil the requirements for class IV and class V mirrors under Directive 2003/97/EC respectively;

-by way of derogation from this, compliance with the Directive will be deemed to be achieved where vehicles are equipped, on the passenger side, with wide angle and close proximity mirrors, whose combination of fields of vision covers not less than 95% of the field of vision at ground level of the class IV and not less than 85% of the field of vision at ground level of a class V mirror under Directive 2003/97/EC;

-vehicles within the scope of the legislation which, for want of available, economically viable, technical solutions, cannot be equipped with mirrors complying with the requirements above, may be equipped with supplementary mirrors and/or other devices of indirect vision, provided that the combination of such devices covers not less than 95% of the field of vision at ground level of the class IV mirror and not less than 85% of the field of vision at ground level of a class V mirror under Directive 2003/97/EC;

-Member States shall communicate a list of technical solutions complying with this requirement to the Commission. The Commission shall make the information notified publicly available, via its website or any other appropriate means, to all Member States;

-compliance with the requirements set out above will be established by the proof furnished by a Member State in accordance with Article 3 of Directive 96/96/EC ;

-the Commission, assisted by the committees referred to in Article 8 of Directive 96/96/EC and Article 13(1) of Directive 70/156/EEC, each within their respective remits, shall take the appropriate measures to ensure that the relevant equipment is installed and tested in order to establish its compliance and roadworthiness in accordance with the requirements of the Directive ;

-four years after entry into force of the Directive, the Commission must submit a report on the implementation of the Directive together with a study on "blind spot" accidents covering all vehicles and costs incurred, with the aim of improving road safety. On the basis of a more comprehensive cost-benefit analysis, the Commission's report shall be accompanied, if appropriate, by a proposal for the revision of existing legislation;

-the date set for transposition of the directive is one year after its entry into force.

Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles

2006/0183(COD) - 05/10/2006 - Legislative proposal

PURPOSE: to reduce the number of accidents by retrofitting mirrors to heavy good vehicles registered in the Community.

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTENT: the purpose of this proposed Directive is to improve the field of indirect vision of existing (as opposed to new) heavy good vehicles. It is aimed, in particular, at vulnerable road users such as pedestrians, cyclists and motorcyclists, who are particularly prone to accidents with heavy good vehicles given that lorries have a lateral blind spot on the passenger’s side. The most frequent cause of an accident is when a heavy duty driver fails to notice a pedestrian or cyclist when taking a right turn.

Legislation making an improved set of mirrors mandatory from 2006/2007 is already in place. See Directive 2003/97/EC on the approximation of laws of the Member States relating to the type-approval devices for indirect vision and of vehicles equipped with these devices (COD/2001/0317). In other words, new heavy duty vehicles of more than 3.5 tons will have to be equipped with blind spot mirrors as of next year. This measure, however, does not address the risk that existing heavy good vehicles pose. There is an estimated 5 million heavy good vehicles currently in circulation to which Directive 2003/97/EC does not apply.

As a result, and upon the request of both Parliament and the Member States (Belgium, the Netherlands and Denmark in particular) the Commission is proposing to extend the requirements for the lateral field of indirect vision, to the existing fleet of heavy goods vehicles.

The Commission estimates that in retrofitting existing heavy vehicles with “blind spot mirrors” more than 1200 lives could be saved on European roads between now and 2020. The current cost of fitting retro mirrors does not present a huge financial burden – (EUR 100 – EUR 150). Should, however, there be higher costs involved, the proposed Directive allows for some flexibility. Inspection authorities can, for example, accept exceptional alternative solutions in order to prevent a distortion of competition in the haulage market.

Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles

2006/0183(COD) - 11/07/2007 - Final act

PURPOSE: to reduce the number of accidents by retrofitting mirrors to Community registered heavy good vehicles.

LEGISLATIVE ACT: Directive 2007.38/EC of the European Parliament and of the Council on the retrofitting of mirrors to heavy goods vehicles registered in the Community.

BACKGROUND: a number of accidents in Europe are caused by drivers of heavy goods vehicles who are not aware that other road users are very close to, or beside, their vehicle – often related to a change of direction at crossings, junctions or roundabouts due to the “blind spot”. It is estimated that around 400 people in Europe are killed in such circumstances every year. Many of them are vulnerable road users such as cyclists, motorcyclists and pedestrians.

As from 2007 all new heavy good vehicles of more than 3.5 tons placed on EU roads have to comply with stringent provisions requiring them to be equipped with blind spot mirrors. (See Directive 2003/97/EC). This measure does not, however, address the risk that existing heavy good vehicles pose. There is an estimated 5 million heavy good vehicles currently in circulation to which Directive 2003/97/EC does not apply.

CONTENT: the purpose of this Directive, therefore, is to lay down requirements for fitting vehicles of categories N2 and N3 with systems of indirect vision (such as wide-angle and close-proximity mirrors, cameras, monitors, or other type-approved systems of indirect visions) to improve the driver's field of vision and to increase vehicle safety. N2 and N3, in this case, refers to categories of vehicles which are not type-approved or approved as a single vehicle under Directive 2003/97/EC.

Some derogations to the requirements exist namely, vehicles whose remaining lifespan is short, vehicles which are equipped with lateral mirrors and whose field of vision covers only markedly less than the fields of vision laid down in Directive 2003/97/EC and vehicles where fitting with mirrors complying with this Directive is not economically viable. Further, vehicles in categories N2 and N3, which were originally registered and/or type-approved and/or put into service before 1 January 2000 and which are operated mainly for their historical interest will also not be affected by the requirements set down in this Directive.

By 6 August 2011, the Commission shall submit to the European Parliament and to the Council a report on the implementation of this Directive together with a study on blind spot accidents covering all vehicles and costs incurred, with the aim of improving road safety. On the basis of a more comprehensive cost-benefit analysis, the Commission's report shall be accompanied, if appropriate, by a proposal for the revision of existing legislation.

ENTRY INTO FORCE: 03/08/2007.

TRANSPOSITION: 06/08/2008.

Road safety: retrofitting of mirrors to existing fleet of heavy goods vehicles

2006/0183(COD) - 04/06/2012 - Follow-up document

The Commission presents a report on the implementation of Directive 2007/38/EC ('the Retrofitting Directive') on the retrofitting of mirrors to heavy goods vehicles registered in the Community. The Retrofitting Directive applies to vehicles designed to carry goods and having a maximum mass of between 3.5 and 12 tonnes (category N2) and those having a maximum mass of more than 12 tonnes (category N3), which were registered as from 1 January 2000. In accordance the Directive, these vehicles had to be fitted with class IV and V mirrors by 31 March 2009 at the latest.

Transposition: generally, the transposition of this Directive into national legislation was unproblematic and — except in some cases — was done on time. In one Member State (Denmark), transposition took place well ahead of the deadline, since corresponding national rules were already in place when the Directive was adopted.

Implementation: the report states that there appear to have been **no major problems in implementing the Retrofitting Directive.** However, most Member States had no detailed information on how many vehicles failed their roadworthiness test because they failed to comply with the retrofitting requirements. Technical inspection records show whether a vehicle had mirror problems, but they do not specify whether the mirrors failed to comply with the Retrofitting Directive or had other types of defect.

Effect of retrofitting blind spot mirrors: in 2011 the Commission carried out a study on blind spot accidents in order to compare the situation before and after the Directive was implemented. The study included an assessment of the effectiveness of retrofitting blind spot mirrors in terms of the number of fatalities avoided.

It was estimated that in 2009 there were approximately 3.7 million vehicles to be retrofitted as a result of the Directive. Updating the calculations performed when the Directive was adopted showed that the total number of fatal accidents involving an HGV and vulnerable road users would have been expected to decrease by 21.5% between 2005 and 2009 as a result of the Retrofitting Directive. In reality the actual number of fatalities in this type of accident decreased by 27.5 % over this period. However, **the extent to which this positive trend can be attributed to the Retrofitting Directive remains uncertain**. For one thing, the number of pedal cyclist fatalities had already fallen sharply in 2006, before the Retrofitting Directive was implemented.

It should also be noted that the available data cover a very short period after the implementation of the Retrofitting Directive. The date after which the vehicles concerned would fail a roadworthiness test if they did not comply with the Directive was 31 March 2009. When the implementation study was carried out, however, the CARE database contained no data more recent than the end of 2009. So it is possible that the full effect of the Directive will not be seen until a longer time series of data is available.

The CARE database contains information on the circumstances of accidents but not on the contributing factors. It is thus impossible to precisely identify those accidents in which blind spots may have been a contributing factor.

To sum up, there is a **downward trend in the number of fatal accidents involving vulnerable road users and HGVs**, but it is **not clear** how much of this progress can be attributed to the Retrofitting Directive, or if even better results could be achieved by imposing additional technical requirements.

Conclusions: despite the very positive reduction in the number of vulnerable road users killed in road accidents, there are **still more than 1200 such deaths each year** resulting from accidents involving an HGV. Efforts to prevent these accidents must be pursued and the Commission is committed to working on this issue as one of its priorities for the period 2011-2020. There is no single or simple solution that can bring about a substantial reduction in the number of accidents and fatalities. Action should be taken to **improve both the vehicles and the behaviour of road users.**

The Commission will follow closely any technological developments aimed at preventing blind spot accidents which may be incorporated into new vehicles in the future, once they prove their cost-effectiveness. The replacement of mirrors by monitor and camera systems is amongst the possibilities being discussed for future improvements in the field of vision.

As part of the CARS 21 process, the Commission will discuss with Member States and stakeholders what further action ought to be taken to deal with blind spots.

It will also continue to promote better training and awareness, both for HGV drivers and for vulnerable road users, along with actions aimed at improving infrastructure so that vulnerable road users and HGVs can safely share it.