

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1997/0176(COD) Procedure completed
Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC) Repealed by 2008/0100(COD)	
Subject 3.20.05 Road transport: passengers and freight 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
	DELE EP Delegation to Conciliation Committee		30/05/2001
		PSE MILLER Bill	
	Former committee responsible		
	ECON Economic and Monetary Affairs, Industrial Policy		14/07/1997
		PSE MURPHY Simon Francis	
	JURI Legal Affairs and Internal Market		29/02/2000
	PSE MILLER Bill		
ECON Economic and Monetary Affairs, Industrial Policy		14/07/1997	
	PSE MURPHY Simon Francis		
Former committee for opinion			
TRAN Transport and Tourism		25/11/1997	
	PSE SCHMIDBAUER Barbara		
Council of the European Union	Council configuration	Meeting	Date
	Employment, Social Policy, Health and Consumer Affairs	2373	08/10/2001
	Competitiveness (Internal Market, Industry, Research and Space)	2351	30/05/2001
	Competitiveness (Internal Market, Industry, Research and Space)	2289	28/09/2000
	Competitiveness (Internal Market, Industry, Research and Space)	2051	27/11/1997
European Commission	Commission DG	Commissioner	
	Internal Market, Industry, Entrepreneurship and SMEs		

Key events

10/05/1995	Additional information		Summary
24/10/1997	Committee referral announced in Parliament, 1st reading		
27/11/1997	Debate in Council	2051	
18/03/1998	Vote in committee, 1st reading		Summary
18/03/1998	Committee report tabled for plenary, 1st reading	A4-0113/1998	
31/03/1998	Debate in Parliament		Summary
01/04/1998	Decision by Parliament, 1st reading	COM(1997)0276	Summary
01/04/1998	Report referred back to committee		
10/11/1998	Vote in committee, 1st reading		Summary
10/11/1998	Committee report tabled for plenary, 1st reading	A4-0424/1998	
17/11/1998	Debate in Parliament		
18/11/1998	Decision by Parliament, 1st reading	T4-0663/1998	Summary
26/09/2000	Council position published	09012/1/2000	Summary
26/10/2000	Committee referral announced in Parliament, 2nd reading		
30/01/2001	Vote in committee, 2nd reading		Summary
30/01/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0039/2001	
13/02/2001	Debate in Parliament		
14/02/2001	Decision by Parliament, 2nd reading	T5-0078/2001	Summary
30/05/2001	Parliament's amendments rejected by Council		
21/06/2001	Report tabled for plenary, 3rd reading	A5-0312/2001	
25/06/2001	Formal meeting of Conciliation Committee		
25/06/2001	Final decision by Conciliation Committee		Summary
25/06/2001	Joint text approved by Conciliation Committee co-chairs	3638/2001	
02/10/2001	Debate in Parliament		
03/10/2001	Decision by Parliament, 3rd reading	T5-0490/2001	Summary
08/10/2001	Decision by Council, 3rd reading		
10/11/2001	Final act signed		
20/11/2001	End of procedure in Parliament		
13/02/2002	Final act published in Official Journal		

Technical information	
Procedure reference	1997/0176(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealed by 2008/0100(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/14764

Documentation gateway					
Legislative proposal		COM(1997)0276 OJ C 017 20.01.1998, p. 0001	18/06/1997	EC	Summary
Economic and Social Committee: opinion, report		CES0281/1998 OJ C 129 27.04.1998, p. 0005	25/02/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading		A4-0113/1998 OJ C 138 04.05.1998, p. 0006	18/03/1998	EP	
Document attached to the procedure		COM(1997)0499	27/05/1998	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0424/1998 OJ C 379 07.12.1998, p. 0006	10/11/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0663/1998 OJ C 379 07.12.1998, p. 0059-0084	18/11/1998	EP	Summary
Council position		09012/1/2000 OJ C 370 22.12.2000, p. 0001	26/09/2000	CSL	Summary
Commission communication on Council's position		SEC(2000)0996	09/10/2000	EC	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0039/2001	30/01/2001	EP	
Text adopted by Parliament, 2nd reading		T5-0078/2001 OJ C 276 01.10.2001, p. 0052-0124	14/02/2001	EP	Summary
Commission opinion on Parliament's position at 2nd reading		COM(2001)0217	20/04/2001	EC	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A5-0312/2001	21/06/2001	EP	
Joint text approved by Conciliation Committee co-chairs		3638/2001	25/06/2001	CSL/EP	
Text adopted by Parliament, 3rd reading		T5-0490/2001 OJ C 087 11.04.2002, p. 0056-0117 E	03/10/2001	EP	Summary

Additional information	
European Commission	EUR-Lex

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

PREVIOUS COMMUNITY LEGISLATION: Directive 92/53/EEC amending directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (OJ L 225, 10.8.1992, p. 1). This is a framework directive which has already been incorporated into other directives on more detailed aspects of the subject. Mention may also be made of Directive 90/628/EEC adapting to technical progress Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ L 341, 6.12.1990, p. 1), which stressed the need to improve, by means of a future directive, the protection of bus and coach passengers against the risk of ejection in the event of an accident. PREVIOUS POSITION OF EP: in its resolutions of 12 March 1993 on a Community programme for action on road safety (OJ C 115, 26.4.1993) and 16 December 1993 on seat-belts in coaches (OJ C 20, 24.1.1994, p. 260), Parliament called on the Commission as a matter of urgency to introduce provisions concerning the fitting of seatbelts and roll-over bars in coaches. SITUATION IN THE MEMBER STATES: Directive 92/53/EEC has been implemented by all the Member States (12-Member Union) except for Germany, France and Greece.

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

OBJECTIVE: the proposal for a directive sets out to establish a Community system of type-approval technical provisions applicable to buses and coaches. SUBSTANCE: the Commission's proposal seeks to establish a single system which is valid and recognized throughout the European Union for the type-approval concerning the technical specifications of buses and coaches. These provisions include: the distribution of the combined weight of the passengers so as to avoid overloading individual axles; the number, type and location of the emergency exits; the technical specifications governing service doors including power-operated doors; approved access steps incorporated in the vehicle; access to service doors, emergency exits, gangways and seats; the provision of handrails and hand holds for standing passengers; the minimum seat size and spacing between seats; the stability of the vehicle and the strength of the superstructure. The Commission also seeks to ensure that urban public transport is easily accessible for people with reduced mobility, including wheelchair users. Concerning regular interurban services the Commission will, without delay, put forward a proposal based on relevant studies concerning the technical specifications applicable to the vehicles used for this purpose. Concerning longitudinal seats (considered by some to be unsafe), the Commission will investigate the matter and consider taking specific measures without excluding the possibility of eliminating this type of seat on vehicles not intended for the transport of standing passengers. It will also consider the possibility of proving the safety of these seats by installing safety belts. The proposal takes account of the technical specifications of minibuses (including those built in the United Kingdom), in certain cases providing for limited exemptions to the standards generally applicable.?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The committee approved (rapporteur : Simon Murphy - PSE,UK)the Commission proposal on technical specifications for buses subject to more than 90 amendments . Amendments, broadly fall into three distinctive groups: -The first group seek to improve the accessibility to buses and coaches for disabled passengers, notably be extending the proposal's mandatory provisions on accessibility to include not only Class I (mostly used in cities), but also Class II vehicles (primarily used for intercity traffic). -Second, a number of amendments seek to strengthen the safety requirements in a number of ways, both as concerns the technical specifications, but also by introducing rules concerning the safety of the driver and crew. -Third, a number of technical amendments seeking to clarify the original proposal.

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

Commissioner Bangemann divided the amendments tabled into three groups. Firstly there were the amendments which corrected mistakes in the original proposal or which improved the text; the Commissioner said that he could accept this type of amendment of which there were 22 in total. However, he could not accept the amendments which made alterations or additions to the proposed technical requirements nor the amendments which proposed fundamental alterations in respect of sensitive points (for example, in this last group, he cited the case of the special provisions for the United Kingdom and Ireland), as he stressed the need to maintain the proposed compromise between the traditions of these countries (the double-decker bus) and the safety requirements.

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

OBJECTIVE: to present a Commission report on the use of buses and coaches of 15 metres in length in the Community. **CONTENT:** Council Directive 96/53/EC of 25 July 1996 laying down, for certain road vehicles, the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic omitted, in the absence of a compromise on the matter between the Member States, to lay down the maximum length of non-articulated vehicles used for passenger transport at Community level. This report therefore seeks to examine the overall problem of buses and coaches of up to 15 metres in length, using the information supplied by the national authorities and by bus and coach manufacturers and operators. It concentrates in particular on the technical and commercial aspects of using buses and coaches of up to 15 metres in length, on safety and environmental protection aspects, on infrastructure aspects and on legislative aspects. On this last point, the report proposes a series of options which will allow harmonised use of buses and coaches of up to 15 metres in length in the Community. Apart from maintaining the current system (i.e. free circulation guaranteed for vehicles 12 metres long used for passenger transport and the possibility for Member States who so wish to authorise the registration and circulation of longer vehicles on their territory), which is totally unsuited to the internal market and free circulation, 5 options may be envisaged: 1) Option no. 1: to set a harmonised limit of 12 metres for all new, non-articulated vehicles at European Union level (while allowing vehicles of up to 15 metres in length to circulate at national level for a given period); 2) Option no. 2: to set the harmonised limit at 15 metres for non-articulated buses and coaches, while imposing different requirements for the turning circle; 3) Option no. 3: to set the harmonised limit at 15 metres for non-articulated buses and coaches, with no further requirements (which would give vehicle manufacturers and operators carte blanche); 4) Option no. 4: to make provision for different limits depending on the number of axles; 5) Option no. 5: to set the harmonised limit at 15 metres for international traffic, while allowing national regulations which may differ from this (which would allow the free circulation in the Community of all buses and coaches of up to 15 metres in length on international routes). The Commission considers that option 5, possibly combined with options 2 and 4, would constitute a good basis for arriving at a fair solution. It would guarantee the right of vehicles of up to 15 metres in length to circulate at international level, while setting standards which seek to limit the drawbacks of these vehicles. It would also allow free and fair competition, while authorising the Member States to maintain lower limits for national transport.?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The Committee agreed to substantially amend a 160 page Commission Proposal on the technical requirements for buses. This proposal was referred back to Committee last April following differences of opinion amongst political groups over the role of Parliament in legislation of a technical nature. Today, the Committee decided to delete some 140 pages of detailed technical specifications from the Commission Proposal. In doing so, the Committee underlined that it was for the legislative branch to lay down the general objectives of the legislation, and for a technical working party to work out the details. Hence, the Committee called for the setting up of a permanent working party consisting of equal numbers of representatives of operators, manufacturers, consumer groups and national councils of disabled people which will be charged with drawing up technical implementing standards that ensure the safety of users from the time they board until they alight, as well as, the accessibility for people with reduced mobility. The rapporteur for the proposal is Mr Simon MURPHY (PES, UK).?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

In adopting the report by Mr Simon MURPHY (PSE, UK), the European Parliament decided against laying down technical specifications for buses. The purpose of the amendments adopted was to delete the detailed technical annexes to the proposal, thereby highlighting the fact that it was up to the legislative authority to determine the general objectives of legislation. Parliament accordingly called for the setting-up of a standing technical working party which would consist of equal numbers of representatives of operators, manufacturers, associations of users and national authorities representing persons with reduced mobility, and would lay down the technical specifications for the implementation of the guidelines to ensure passenger safety and access for persons with reduced mobility. Parliament called on the Commission to submit to it, six months after the entry into force of the Directive: - a study on the level of safety for the drivers and other occupants of vehicles used for the carriage of passengers, with a capacity of more than eight passengers, in seats or in wheelchairs, in addition to the driver; - a study on the in-use service aspects of these vehicles.?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The proposal has been examined by the Council since 1997 and it has undergone some modifications which, however, do not change its overall orientation. The Council has been able to incorporate some of the European Parliament amendments in part, while also taking on board the principles behind other amendments. The amendments accepted in part or in principle relate in particular to: - the addition of the definition of a "person with reduced mobility" and "reference wheelchair"; - the taking into account of the technical requirements adopted by the UN Economic Commission for Europe; - the much greater emphasis on the needs for wheelchair users and strengthen the provisions for regarding persons with reduced mobility; - the freedom to choose the most appropriate solution to achieve improved accessibility in vehicles other than Class I. On the other hand, the amendments not accepted by the Council relate to: - the authorisation of specific transport services; - replacing traditional detailed legislation on technical harmonisation with general guidelines to be elaborated by comitology. Moreover, there have also been some changes to the common position, the Council has amended or clarified the Commission proposal on points such as, comitology, school buses being exempt from the Directive's scope, seats in the gangway in Class III vehicles and side-facing seats in Class III and B vehicles. In conclusion, the Council feels that by approving the bulk of the Commission proposal while also accepting several of the European Parliament's amendments, it has arrived at a practicable solution which ensures a high level of safety and user friendliness.?

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The Commission supports the common position.?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The committee adopted the report by Mr Bill MILLER (PES, UK) amending the Council's common position under the codecision procedure (2nd reading). The amendments were mainly designed to enable continued manufacture of existing low-floor buses with a gangway slope of 12.5%, and to provide better facilities for such passengers, especially wheelchair users. Another amendment sought to reinstate Parliament's position at 1st reading by introducing a broader definition of "persons of reduced mobility", to include not just the elderly and the disabled, as laid down in the common position, but all people who experienced some difficulty when using public transport, such as people with sensory and intellectual impairments, wheelchair users, people with limb impairments, people of small stature, people with heavy luggage, pregnant women, people with shopping trolleys, and parents with children (including children in pushchairs). Lastly, the committee wanted the text of the proposal to stipulate that all sloping areas should be provided with a non-slip surface.

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The European Parliament adopted the report by Mr Bill MILLER (PES, UK) which aims to make a number of amendments to the Council's common position. (Please refer to the previous text).?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

This Commission opinion is pursuant to Article 251(2) (c) of the EC Treaty, on the European Parliament's amendments to the Council's common position regarding the proposal for a Directive of the European Parliament and of the Council relating to special provisions for vehicles used for the carriage of persons comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC. Of the 8 amendments proposed by the Parliament in second reading, 3 are acceptable as they stand and 5 are acceptable in principle. Amendments relating to the permitted slope of the gangway over the axles of buses are in principle acceptable. A transitional period must be laid down for authorisation of this permitted slope. A period of five years following the entry into force of the Directive is proposed. With regard to the amendment on list categories of persons with reduced mobility, the definition given in the common position was intended to be of a more general nature. The Commission stresses the importance of this definition being strictly identical to that used at international level (in particular by the United Nations' Economic Commission for Europe). The amendment relating to the wheelchair model was merged before its adoption with proposal for amendment 6. It refers to the ISO 7193 standard. This amendment is acceptable in principle. However, it must be made clear that the reference is to be used with the person occupying the wheelchair. The Commission proposal shall therefore be amended to take account of these amendments. ?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The Conciliation Committee reached agreement on the text of the directive. Parliament's concern throughout the procedure had been to guarantee full access to public transport for all persons of reduced mobility. The main points of the agreement were as follows: - the manufacture of existing low-floor buses with a gangway slope of 12.5% will be discontinued within a period of 3 years; - better facilities will be provided for passengers of reduced mobility, especially wheelchair users, by technical solutions applied to the vehicle, as covered by the directive; - Parliament managed to secure a broader definition in the directive of "persons of reduced mobility", to include not just the elderly and the disabled but all people who experience some difficulty when using public transport, such as people with sensory and intellectual impairments, wheelchair users, people with limb impairments, people of small stature, people with heavy luggage, pregnant women, people with shopping trolleys, and people with children (including children in pushchairs); - all sloping areas will henceforth be provided with a non-slip surface; - buses in urban transport will be required to have a kneeling system in conjunction with either a ramp or a lift in order to guarantee in all circumstances full access for wheelchair users, in particular where the pavement is not level with the floor of the bus. ?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

The European Parliament approved the conciliation agreement on the resolution by Mr Bill MILLER (PES, UK) on special provisions for vehicles used for the carriage of passengers comprising more than eight seats in the addition to the driver's seat. (Please refer to the previous text).?

Carriage of passengers: vehicles comprising more than 8 seats or maximum length 15m (amend. direct. 70/156/EEC)

PURPOSE : to adopt harmonised provisions concerning the specifications applicable to buses and coaches. COMMUNITY MEASURE : Directive 2001/85/EC of the European Parliament and of the Council relating to special provisions for vehicles used for the carriage of passengers comprising of more than eight seats in addition to the driver's seat, amending Directives 70/156/EEC and 97/27/EC. CONTENT : the principal aim of this Directive is to guarantee the safety of passengers and to provide technical prescriptions to allow accessibility for persons of reduced mobility, in particular wheelchair users, to the vehicles covered by the Directive. It provides amongst other things: - the fitting of non-slip surfaces on all sloping areas; - the obligation for all buses in urban transport to be required to have a kneeling system in conjunction with either a ramp or a lift in order to guarantee in all circumstances full access for wheelchair users, in particular where the pavement is not level with floor of the bus. There is a broad definition of "persons of reduced mobility" to include not just the elderly and the disabled but all people who experience some difficulty when using public transport, such as people with sensory and intellectual impairments, wheelchair users, people with limb impairments, people of small stature, people with heavy luggage, pregnant women, people with shopping trolleys and people with children (including children in pushchairs). ENTRY INTO FORCE : 13/02/2002. DATE OF TRANSPOSITION : 13/08/2003.?