


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed <a href="#">2003/0033(COD)</a>
Road safety: protection of pedestrians, changes to the front of vehicles (amend. Directive 70/156/EEC) Repealed by <a href="#">2007/0201(COD)</a>	
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
	<b>RETT</b> Regional Policy, Transport and Tourism		19/03/2003
		ELDR <a href="#">VERMEER Herman</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs and Internal Market		18/03/2003
		PPE-DE <a href="#">HARBOUR Malcolm</a>	
	<b>ITRE</b> Industry, External Trade, Research, Energy		
	<b>ENVI</b> Environment, Public Health, Consumer Policy		25/03/2003
		V/ALE <a href="#">STAES Bart</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2537</a>	04/11/2003
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">2525</a>	22/09/2003
European Commission	Commission DG <a href="#">Internal Market, Industry, Entrepreneurship and SMEs</a>	Commissioner	

Key events			
10/03/2003	Committee referral announced in Parliament, 1st reading		
12/06/2003	Vote in committee, 1st reading		Summary
12/06/2003	Committee report tabled for plenary, 1st reading	<a href="#">A5-0223/2003</a>	
02/07/2003	Debate in Parliament		
03/07/2003	Decision by Parliament, 1st reading	<a href="#">T5-0331/2003</a>	Summary
04/11/2003	Act adopted by Council after Parliament's 1st reading		
17/11/2003	Final act signed		

17/11/2003	End of procedure in Parliament		
06/12/2003	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0033(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealed by <a href="#">2007/0201(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0067</a>	19/02/2003	EC	Summary
Committee draft report		PE314.775	15/05/2003	EP	
Committee opinion	ENVI	PE328.783/DEF	03/06/2003	EP	
Amendments tabled in committee		PE314.775/AM	06/06/2003	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0223/2003</a>	12/06/2003	EP	
Committee opinion	JURI	PE332.531/DEF	12/06/2003	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0331/2003</a> OJ C 074 24.03.2004, p. 0668-0828 E	03/07/2003	EP	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0919/2003</a>	16/07/2003	ESC	
Economic and Social Committee: opinion, report		<a href="#">CES0943/2003</a> <a href="#">OJ C 234 30.09.2003, p. 0010-0013</a>	16/07/2003	ESC	
Modified legislative proposal		<a href="#">COM(2003)0553</a>	12/09/2003	EC	Summary
Implementing legislative act		<a href="#">32004D0090</a> <a href="#">OJ L 031 04.02.2004, p. 0021-0068</a>	23/12/2003	EU	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Directive 2003/102</a> <a href="#">OJ L 321 06.12.2003, p. 0015-0025</a> Summary

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

**PURPOSE :** to reduce deaths and injuries that occur in accidents involving pedestrians through changes to the front of vehicles. **CONTENT :** as many as 8,000 pedestrians and cyclists are killed and a further 300,000 injured in the Community each year in road accidents. This proposal lays down requirements for the construction of motor vehicles in order to improve the protection of pedestrians and other road users by mitigating the severity of injuries in the event of a collision with a motor vehicle. The frontal parts of motor vehicles will have to be constructed in such a way that, when impacted, certain limit values are not exceeded. The proposed measures apply to passenger cars and light vans. As the construction of passenger cars is covered by Community legislation under the EC whole vehicle type-approval system set up by Directive 70/156/EEC, as amended, the proposed requirements will also be incorporated into this system. A commitment has been given by industry to introduce measures to increase pedestrian protection. The Commission has decided that legislation should be proposed, which establishes the major aims and the fundamental technical provisions to be fulfilled. Consequently, this proposal lays down the basic requirements to be fulfilled in the design of the frontal structures of motor vehicles with regard to pedestrian protection. They will apply to all new cars and light vans placed on the market within the Community. The requirements, which are based on the industry commitment, are provided in the form of various tests and limit values, described in Annex I. In order to comply with the proposed limit values, motor vehicles (passenger cars and light vans) will have to pass a number of tests: - in a first phase, starting in 2005, new types of vehicles must comply with two tests concerning protection against head injuries and leg injuries; - in a second phase, starting in 2010, four tests of increased severity will be required for new types of vehicles, two tests concerning head injuries and two concerning leg injuries. Within five years all new vehicles will have to comply with these test requirements. The Commission is aware of the fact that few, if any, current vehicle designs are capable of meeting all of the proposed technical provisions. Therefore, it was thought that an appropriate lead-time should be allowed before the proposed measures should be applied to new vehicle types and, later, to all new vehicles. The scope of application has been limited to passenger cars and car-derived vans up to 2.5 tonnes. Since these vehicle categories represent the vast majority of vehicles currently in use, the proposed measures will have the widest practicable effect in reducing pedestrian injuries. Considering the speed of technological development in this area, this proposal foresees that alternative measures to the requirements laid down in the proposal might be developed. A feasibility assessment will therefore be carried out by 1 July 2004 concerning the proposed technical test provisions, and in particular, other measures which potentially may have at least equal protective effects to those proposed. Should the feasibility assessment show that these alternative measures have at least equal protective effects the Commission shall consider relevant proposals to amend this Directive.?

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

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The committee adopted the report by Herman VERMEER (ELDR, NL) broadly approving the proposal, subject to a number of amendments under the 1st reading of the codecision procedure: - the new directive should be one element of a broader package of measures by industry and the Member States, based on exchanges of best practice, to deal with pre-crash, in-crash and post-crash safety of pedestrians and other vulnerable road users; - the Commission should examine the feasibility of extending the scope of the directive to vehicles with a permissible mass of up to 3.5 tonnes; - the feasibility assessment which the Commission is required to carry out by 1 July 2004 should be carried out by independent experts and should be based on practical tests and independent scientific studies; - if, as a result of the feasibility assessment, it is deemed necessary to adapt the Directive's provisions to include a combination of passive and active measures, the Commission should submit a proposal to amend the directive under a full codecision procedure involving Parliament and Council; - if the adaptation of the directive is restricted to the introduction of alternative passive measures, then such adaptation may be carried out by the Committee for Adaptation to Technical Progress; - to clarify the reporting requirements, it should be stipulated that the Commission shall report to the Council and Parliament before 1 April 2006, and every two years thereafter, on the results of its monitoring of the progress made by the industry in the area of pedestrian protection. ?

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

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The European Parliament adopted a resolution drafted by Herman VERMEER (ELDR, NL) making some amendments to the Commission's proposal. (Please see the summary of 12/06/03).?

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

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The Commission states that the amendments approved by the European Parliament are in line with the Commission proposal. In general they clarify the text proposed by the Commission or make it more precise. The Commission accepts all the amendments subject to a minor editorial alteration.?

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

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**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.?

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

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PURPOSE : to specify the technical prescriptions to carry out the tests in section 3 of Directive 2003/102/EC. LEGISLATIVE ACT : Commission Decision 2004/90/EC on the technical prescriptions for the implementation of Article 3 of 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 Directive 70/156/EEC CONTENT : Directive 2003/102/EC sets out the basic requirements in the form of tests and limit values for the Community type-approval of motor vehicles with regard to pedestrian protection. With a view to ensuring its uniform application by the competent authorities of the Member States, this Decision specifies the technical prescriptions necessary to carry out the tests laid down in section 3.1 or 3.2 of Annex I of that Directive. The technical prescriptions are laid down in the Annex to this Decision. The tests are based on the scientific work performed by the European Enhanced Vehicle Committee (EEVC). The technical prescriptions to carry them out are also based on the recommendations by the EEVC. DATE OF APPLICATION : 01/01/04.?