



Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2003/0136(COD) Procedure completed
Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)	
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	ALDE COSTA Paolo	26/01/2005
	Former committee responsible		
	RETT Regional Policy, Transport and Tourism	ELDR COSTA Paolo	10/09/2003
Council of the European Union	Former committee for opinion		
	JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	
European Commission	ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
	Council configuration Agriculture and Fisheries	Meeting 2635	Date 24/01/2005
	Commission DG Internal Market, Industry, Entrepreneurship and SMEs	Commissioner	

Key events			
20/06/2003	Legislative proposal published	COM(2003)0362	Summary
30/06/2003	Committee referral announced in Parliament, 1st reading		
10/09/2003	Vote in committee, 1st reading		Summary
10/09/2003	Committee report tabled for plenary, 1st reading	A5-0305/2003	
17/12/2003	Decision by Parliament, 1st reading	T5-0583/2003	Summary
24/01/2005	Council position published	11933/3/2004	Summary

27/01/2005	Committee referral announced in Parliament, 2nd reading		
19/04/2005	Vote in committee, 2nd reading		Summary
27/04/2005	Committee recommendation tabled for plenary, 2nd reading	A6-0117/2005	
25/05/2005	Debate in Parliament		
26/05/2005	Results of vote in Parliament		
26/05/2005	Decision by Parliament, 2nd reading	T6-0197/2005	Summary
07/09/2005	Final act signed		
07/09/2005	End of procedure in Parliament		
30/09/2005	Final act published in Official Journal		

Technical information

Procedure reference	2003/0136(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 095; Rules of Procedure EP 52-p1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/26109

Documentation gateway

Legislative proposal	COM(2003)0362	20/06/2003	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A5-0305/2003	10/09/2003	EP	
Economic and Social Committee: opinion, report	CES1590/2003 OJ C 080 30.03.2004, p. 0008-0009	10/12/2003	ESC	
Text adopted by Parliament, 1st reading/single reading	T5-0583/2003 OJ C 091 15.04.2004, p. 0135-0496 E	17/12/2003	EP	Summary
Council statement on its position	16187/2004	21/01/2005	CSL	
Council position	11933/3/2004 OJ C 111 11.05.2005, p. 0023-0027 E	24/01/2005	CSL	Summary
Commission communication on Council's position	COM(2004)0768	25/01/2005	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A6-0117/2005	27/04/2005	EP	
Text adopted by Parliament, 2nd reading	T6-0197/2005 OJ C 117 18.05.2006, p. 0022-0140 E	26/05/2005	EP	Summary
Draft final act	03638/2005	07/09/2005	CSL	

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 2005/41](#)

[OJ L 255 30.09.2005, p. 0149-0151](#) Summary

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

PURPOSE : to amend Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor vehicles safety belts with a view to imposing the fitting of safety belts in motor vehicles other than passenger cars from 1 July 2004. **CONTENT** : the following Directives concern the installation of safety belts in relation to vehicles : - Council Directive 77/541/EEC, as last amended by Commission Directive 2000/3/EC, on the approximation of the laws of the Member States relating to safety belts and restraint systems on motor vehicles; - Council Directive 76/115/EEC, as last amended by Commission Directive 96/38/EEC, on the approximation of the laws of the Member States relating to anchorages for motor-vehicles safety belts (COD/2003/0136); - Council Directive 74/408/EEC, as last amended by Commission Directive 96/37/EC, relating to motor vehicles with regard to the seats, their anchorages and head restraints (COD/2003/0128). With a view to the compulsory installation of safety belts in all vehicles, the Commission is proposing to amend the three Directives simultaneously. They should be adopted at the same time and be implemented at the same time. Safety belt anchorages intended for heavy-duty vehicles including buses and coaches cannot, for technical reasons, be fixed into the body structure of the vehicle, as is usually the case for passenger cars, and are fixed to the seats. For this reason, compliance with the three Directives in combination is required since safety belts and/or restraint systems have to be securely attached to reinforced and standardised anchorages, installed in the vehicle in such a way as to allow the correct wearing of the belts. Moreover, the forces exerted on the belt by the human body in the case of an impact are transferred to the seat anchorages, reason why their strength should be checked under combined loads. The main points of the proposal are as follows: - the proposal defines the vehicles of category M2 and M3 taking into account Directive 2001/85/EC on buses and coaches. This approach provides the appropriate means to operate a distinction between city-buses, inter-city buses and travel coaches. - the proposal includes three dates : - 1st January 2004: the date from when Member States have to accept vehicles approved in accordance with the amending Directive; - 1st July 2004: the date from when new types of vehicles belonging to the concerned categories have to fulfil the requirements of the Directive; - 1st January 2006: the date from when all new vehicles belonging to existing types have to comply with the Directive.?

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

The committee adopted the report by its chairman, Paolo COSTA (ELDR, I), approving the proposal without amendment under the 1st reading of the codecision procedure.?

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

The European Parliament adopted a resolution drafted by Paolo COSTA (ELDR, I), making some amendments to the proposal. There are special provisions for side facing seating positions. In buses and coaches in category M3, subcategories III and B, at each side facing seating position whose longitudinal vertical plane forms an angle of 45° to 135° with the median longitudinal plane of the vehicle, a padded divider at least 100 mm long and at least 100 mm high must be provided.?

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

In the common position which was adopted unanimously, the Council has:

- amended Article 1, in order to allow Member States to exempt anchorages for safety belts and for restraint systems intended for disabled people from compliance with the provisions of the Directive;
- added a new article to invite the Commission to examine specific procedures to harmonize the requirements for disabled people;
- postponed various dates of entry into force;
- rejected the 4 European Parliament amendments, aiming in Article 1 at fitting anchorages for a two-point belt on side-facing seats in tourist coaches, since the Council shares the Commission's view regarding the danger of side-facing seats in all kinds of vehicles.

New elements have been introduced by the Council:

- Article 1 - Point 2: the text of the Commission has been completed by specific provisions related to anchorages for safety belts and restraint systems intended for disabled people, allowing those anchorages to be exempted from the technical provisions of the Directive.
- Article 2 : a new article has been added to invite the Commission to present, if appropriate, draft measures in order to harmonize the national legislation applicable to safety belts and restraint systems intended for disabled people.
- Article 3 (ex Art. 2) : all the dates concerning the implementation of the Directive have been postponed and replaced by mobile dates

depending on the date of adoption of this new Directive.

The common position is broadly in line with the Commission proposal. The main changes to the Commission proposal concern the exemption permitted with respect to anchorages for safety belts and restraint systems for disabled people and the dates of transposition and of entry into force of this Directive which have been adapted.

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

The Commission proposes to make it obligatory to fit all motor vehicles with safety belts in order to prevent the danger of passengers being thrown out. For safety belts to be able to offer maximum protection, they should be attached to anchorages designed to withstand the stresses exerted on the belt in the event of a collision.

The Council approved all the measures recommended by the Commission, but decided to make the technical provisions concerning anchorages for belts worn by disabled persons more flexible. It instructed the Commission to study this question in detail. The Council rejected the amendments proposed by the European Parliament. In conclusion, the Commission fully supports the Council's common position.

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

The committee adopted the report by its chairman, Paolo COSTA (ALDE, IT), broadly approving the Council's common position under the 2nd reading of the codecision procedure, subject to a few amendments designed to ensure mutual recognition for certain exemptions (side-facing seats) granted on a national basis for vehicles designed as conference buses and produced in small series or as individual vehicles. MEPs pointed out that such exemptions which can, but do not have to be, accepted by other national authorities can distort the market for the producers of the vehicles concerned, create excessive red tape and cause uncertainty for the owners of the vehicles. Automatic recognition would eliminate these inconveniences and probably lead to the setting of common minimum technical standards.

The committee therefore introduced a new Article 5a and amended the technical provisions of the relevant Annex.

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

The European Parliament adopted a report based on the draft by Paolo COSTA (ALDE, IT) and approved the common position.

Road safety: anchorages of safety belts (amend. Directive 76/115/EEC)

PURPOSE: To amend Directive 76/115/EEC relating to anchorages for motor-vehicle safety belts.

LEGISLATIVE ACT: Directive 2005/41/EC of the European Parliament and of the Council.

CONTENT: This Directive has been approved in order to improve road safety by introducing compulsory fittings of safety belts in certain categories of vehicles. The provisions of the Directive state:

- Directive 79/115/EEC has been amended so that vehicles of category M2 and M3 shall be subdivided into classes relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat.
- The Annexes have been amended so that vehicles belonging to categories M1, M2 (of class III or B), M3 (of class III or B) and N must be equipped with anchorages for safety belts conforming to the requirements of this Directive.
- For seating intended solely for use when the vehicle is stationary, as well as any seats of any vehicle not covered by belt anchorage provisions, then no anchorage is required. If the vehicle is fitted with anchorages for such seats, these anchorages must comply with the provisions of this Directive. However, any anchorage intended solely for use in conjunction with a disabled person's belt need not conform to the Directive.
- The Commission will, however, by April 2008 examine specific procedures to harmonise requirements for a disabled person's belt.
- As far as implementation is concerned, as from 20 April 2006, Member States shall not refuse to grant national or EC type-approval or prohibit the registration, sale or entry into service of all new vehicles complying with the requirements of this amending Directive. As from 20 October 2006, Member States shall no longer grant national or EC-type approval to those vehicles which do not comply with the requirement of this amending Directive. As from 20 October 2007, Member States shall consider certificates of conformity which accompany new vehicles as no longer valid for the purpose of Article 7 of Directive 70/156/EEC and refuse registration, sale or entry into service of new vehicles, except where the provisions of Article 8 of Directive 70/156/EEC are invoked.

TRANSPOSITION: Member States shall adopt and publish the necessary measures necessary to comply with this Directive before 20 April 2006. The measures will apply as from 21 April 2006.

ENTRY INTO FORCE: 20/10/2004.