Commission Directive 2000/3/EC of 22 February 2000 adapting to technical progress Council Directive 77/541/EEC relating to safety belts and restraint systems of motor vehicles (Text with EEA relevance)

COMMISSION DIRECTIVE 2000/3/EC

of 22 February 2000

adapting to technical progress Council Directive 77/541/EEC relating to safety belts and restraint systems of motor vehicles

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers[(1)], as last amended by Directive 98/91/EC of the European Parliament and of the Council[(2)],

Having regard to Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles[(3)], as last amended by Commission Directive 96/36/EC[(4)], and in particular Article 10 thereof,

Whereas:

(1) Directive 77/541/EEC is one of the separate directives of the EC type-approval procedure which has been established by Directive 70/156/EEC. Consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to Directive 77/541/EEC.

(2) In the light of technical progress it is possible to improve the protection provided for passengers by requiring the installation of three-point belts with retractors for all seats of motor vehicles of category M1.

(3) By Council Decision 97/836/EC[(5)], the Community acceded to the United Nations Economic Commission for Europe (ECE) Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions, done at Geneva on 20 March 1958, as revised on 16 October 1995.

(4) With its accession to the revised Agreement, the Community acceded to a defined list of regulations established pursuant to that Agreement. That list includes UN/ECE Regulation No 44 concerning the approval of restraining devices for child occupants of power-driven vehicles (child restraint system).

(5) It is expedient to include requirements relating to the protection of children and therefore amend the Annexes to Directive 77/541/EEC by incorporating specific

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requirements for child restraint systems based on UN/ECE Regulation No 44. For the sake of clarity the full text of the Annexes to Directive 77/541/EEC should be replaced.

(6) The measures provided for in this Directive are in accordance with the opinion of the Committee on the adaptation to technical progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 77/541/EEC are replaced by the texts set out in the Annex to this Directive.

Article 2

1 With effect from 1 October 2000, no Member State may, on grounds relating to safety belts and restraint systems:

— refuse, in respect of a type of motor vehicle, safety belt, restraint system or child restraint system, to grant EC type-approval, or national type-approval, or

— prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of safety belts, restraint systems or child restraint systems,

if the safety belts and restraint systems or child restraint systems in question meet the requirements of Directive 77/541/EEC as amended by this Directive.

2 With effect from 1 October 2001 Member States:

— shall no longer grant EC type-approval, and

— may refuse to grant national type-approval,

for a type of vehicle, if the requirements of Directive 77/541/EEC as amended by this Directive as regards child restraint systems and the installation of safety belts in all seating positions in M1 vehicles including, where fitted, integrated child restraint systems, are not fulfilled.

However, the requirement for three-point belts in all seating positions in M1 vehicles shall apply with effect from 1 April 2002. Until this date, the seat belt fitment requirements for M1 vehicles shall be those prescribed in Annex XV to Directive 77/541/EEC.

3 With effect from 1 October 2002, Member States:

— shall consider certificates of conformity which accompany new vehicles of category M1 pursuant to Directive 70/156/EEC as no longer valid for the purpose of Article 7(1) of that Directive and refuse the registration, sale or entry into service of new vehicles which are not accompanied by a valid certificate of conformity pursuant to Directive 70/156/EEC, except where the provisions of Article 8(2) of that Directive are invoked,

— may refuse the registration, sale or entry into service of new vehicles of category N1 and M2 having a mass not greater than 3,5 tonnes as regards, when fitted, integrated child restraint systems,

on grounds relating to safety belts and restraint systems if the requirements of Directive 77/541/EEC as amended by this Directive are not fulfilled.

However, the requirement for three-point belts in all seating positions in M1 vehicles shall apply with effect from 1 October 2004. Until this date, the seat belt fitment

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requirements for M1 vehicles shall be those prescribed in Annex XV to Directive 77/541/EEC.

4 With effect from 1 January 2001 the requirements of Directive 77/541/EEC as amended by this Directive relating to integrated child restraint systems, where fitted as original equipment to a vehicle, shall apply for the purposes of Article 7(1) of Directive 70/156/EEC.

Article 3

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 September 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

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ANNEX

The Annexes to Directive 77/541/EEC are replaced by the following:

'LIST OF ANNEXES

Annex I:	Scope, definitions, EC component type-approval, installation requirements
Annex II:	Type-approval documentation Appendix 1: Information document (component) Appendix 2: Information document (vehicle) Appendix 3: Type-approval certificate (component) Appendix 4: Type-approval certificate (vehicle)
Annex III:	EC component type-approval mark
Annex IV:	Example of an apparatus to test durability of retractor mechanism
Annex V:	Example of an apparatus to test locking of emergency locking retractors
Annex VI:	Example of an apparatus to test the dust resistance of retractors
Annex VII:	Description of trolley, seat, anchorages and stopping device
Annex VIII:	Description of manikin
Annex IX:	Description of the curve of trolley deceleration according to time
Annex X:	Instructions for use
Annex XI:	Dual buckle test
Annex XII:	Abrasion and microslip test
Annex XIII:	Corrosion test
Annex XIV:	Chronological order of tests
Annex XV:	Minimum requirements for safety belts and retractors
Annex XVI:	Control of conformity of production
Annex XVII:	Requirements for child restraint systems
Annex XVIII:	Installation requirements for child restraint systems Appendix: Text of Annex 13 (point 5.2 and Appendix 2) of UN-ECE Consolidated Resolution R.E.3

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ANNEX I

SCOPE, DEFINITIONS, EC COMPONENT TYPE-APPROVAL, INSTALLATION REQUIREMENTS

0.	SCOPE This Directive applies to safety belts and restraint systems which are designed for installation in vehicles conforming to the definition given in Annex II to Directive 70/156/EEC and are intended for separate use, i.e. as individual fittings, by persons of adult build occupying forward or rearward-facing seats and to child restraint systems designated for installation in vehicles of category M1, N1.
1.	DEFINITIONS For the purposes of this Directive:
1.1.	‘safety belt (seat belt, belt)’ means an assembly of straps with a securing buckle, adjusting devices and attachments which is capable of being anchored to a power-driven vehicle and is designed to diminish the risk of injury to its wearer, in the event of collision or of abrupt vehicle deceleration, by limiting the mobility of the wearer's body. Such an assembly is generally referred to as a ‘belt assembly’, a term also embracing any device for energy absorption or belt retraction;
1.1.1.	‘lap belt’ means a belt which passes across the front of the wearer's pelvic region;
1.1.2.	‘diagonal belt’ means a belt which passes diagonally across the front of the chest, from the hip to the opposite shoulder;
1.1.3.	‘three-point belt’ means a belt which is essentially a combination of a lap strap and a diagonal strap;

a	Vehicle categories defined in Annex IIA to Directive 70/156/EEC.
b	OJ L 38, 11.2.1974, p. 2.
c	OJ L 24, 30.1.1976, p. 6.
d	OJ L 24, 30.1.1976, p. 6.
e	OJ L 165, 20.6.1976, p. 16.
f	In addition to the requirements of 3.1, Member States may, under national law, accept other types of safety belts or restraint systems covered by this Directive for certain vehicle types.
g	OJ L 221, 12.8.1974, p. 1.