COMMISSION DIRECTIVE 98/90/EC

of 30 November 1998

adapting to technical progress Council Directive 70/387/EEC relating to the doors of motor vehicles and their trailers

(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 type-approval of motor vehicles and their trailers [1], as last amended by Commission Directive 98/14/EC [2], and in particular Article 13(2) thereof,

Having regard to Council Directive 70/387/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers [3], as amended by the Act of Accession of Denmark, Ireland and the United Kingdom, and in particular Article 3 thereof,

Whereas Directive 70/387/EEC is one of the separate Directives of the EC type-approval procedure established by Directive 70/156/EEC; whereas consequently the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to the present Directive;

Whereas it is possible further to adapt Directive 70/387/EEC to technical progress by improving safety of persons entering and leaving the driver's compartment of some heavy goods vehicles;

Whereas, in particular, Article 3(4) and Article 4(3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items referred to in Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerised;

Whereas with a view to the practical application of Directive 70/387/EEC, it is necessary to ensure that uniform provisions exist in all Member States;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the adaption to technical progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 70/387/EEC is amended as follows:

1. In Article 1, the words 'agricultural tractors' are replaced by 'agricultural and forestry tractors' and the words 'machinery and public works vehicles' are replaced by 'all mobile machinery'.

2. The Annexes are amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 January 1999 Member States may not on grounds relating to vehicle doors:

— refuse, in respect of a type of vehicle, to grant EC type-approval or national type-approval,

or

— prohibit the sale, registration, entry into service of vehicles,

if the vehicles comply with the requirements of Directive 70/387/EEC, as amended by this Directive.

2. With effect from 1 October 2000 Member States:

— shall no longer grant EC type-approval,

and

— may refuse to grant national type-approval

for a new type of vehicle on grounds relating to vehicle doors if the requirements of Directive 70/387/EEC, as amended by this Directive, are not fulfilled.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1998 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 a 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.

[1] OJ L 42, 23. 2. 1970, p. 1.
[2] OJ L 91, 25. 3. 1998, p. 1.
[3] OJ L 176, 10. 8. 1970, p. 5.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 30 November 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

1. The following list of Annexes is inserted before the Annexes to Directive 70/387/EEC:

'LIST OF ANNEXES

1. *ANNEX I:* Scope, definitions, general requirements, application for EC type-approval, granting of EC type-approval, modifications of the type and amendments to approvals, conformity of production

Appendix 1: Information document

Appendix 2: Type-approval certificate

2. *ANNEX II:* Construction and fitting requirements and strength tests

3. *ANNEX III:* Requirements concerning access to and exit from doors of driver's compartment'.

2. Annex I is replaced by the following:

'ANNEX I

SCOPE, DEFINITIONS, GENERAL REQUIREMENTS, APPLICATION FOR EC TYPE-APPROVAL, GRANTING OF EC TYPE-APPROVAL, MODIFICATIONS OF THE TYPE AND AMENDMENTS TO APPROVALS, CONFORMITY OF PRODUCTION

1. SCOPE

1.1. This Directive applies to the doors of motor vehicles of categories M_1 and N [1].

2. DEFINITIONS

For the purpose of this Directive:

2.1. "approval of a vehicle", means the approval of a vehicle type with regard to its doors and to the characteristics applicable to such doors;

2.2. "vehicle type", means vehicles which do not differ essentially with respect to the following main characteristics:

— design and strength characteristics of the latches and hinges as regards the vehicles mentioned in Annex II,

— construction and fitting requirements of the running boards and steps as regards vehicles not covered by Annex III,

— position and geometrical characteristics of the access steps and the handholds as regards vehicles mentioned in Annex III,

in so far as these characteristics have a bearing on the requirements of this Directive.

3. GENERAL REQUIREMENTS

3.1. Design

3.1.1. The design characteristics of the vehicle must permit entry to and exit from it in perfect safety.

3.1.2. Vehicles of category N_2 with a maximum mass exceeding 7,5 tonnes and N_3 are deemed to satisfy the abovementioned requirements if they comply with the prescriptions of Annex III.

[1] As defined in Annex IIA to Directive 70/156/EEC.

3.2. Doors, entries and exits

3.2.1. Doors, entries and exits must be such that they can be used easily and without danger.

3.3. Doors and latches

3.3.1. Doors and latches must be designed in such a way that any irritating noise on closing may be avoided.

3.3.2. Door latches must be designed in such a way as to prevent the doors from opening accidentally.

3.4. Latches and hinges (construction and fitting requirements)

3.4.1. The hinges of hinge-mounted doors (with the exception of folding doors), when fitted to the sides of the vehicles, must be fixed at the front edge of the doors in the direction of forward travel. In the case of double doors, these requirements apply to the door wing which opens first; it must be possible to bolt the other wing of the door.

3.4.2. The latches and hinges of the side doors of vehicles of category M_1 must satisfy the requirements set out in Annex II to this Directive.

3.5. Running boards and steps (construction and fitting requirements)

3.5.1. The wheel hub, rims and other parts of the wheel shall not be deemed to be running boards or steps for the purpose of this Directive, except where reasons relating to construction or use preclude the fitting of running boards or steps elsewhere on the vehicle.

3.5.2. In vehicles of categories M_1, N_1 and N_2 with a maximum mass not exceeding 7,5 tonnes if the floor entrance to the passenger compartment of such vehicles is more than 600 mm above the ground, the vehicle must have one or more running boards or steps.

3.5.2.1. However, for off-road vehicles, as defined in Annex IIA to Directive 70/156/EEC, such a distance from the ground may be increased up to 700 mm.

3.5.2.2. The running boards or steps must be constructed in such a way as to preclude the risk of slipping.

4. APPLICATION FOR EC TYPE-APPROVAL

4.1. The application for EC type-approval of a vehicle type with respect to the doors shall be submitted by the vehicle manufacturer.

4.2. A model for the information document is given in Appendix 1.

4.3. A vehicle representative of the type to be approved must be submitted to the technical service responsible for type-approval tests.

5. GRANTING OF EC TYPE-APPROVAL

5.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4(3) of Directive 70/156/EEC shall be granted.

5.2. A model for the EC type-approval certificate is given in Appendix 2.

5.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of vehicle approved. The same Member State shall not assign the same number to another type of vehicle.

6. MODIFICATIONS OF THE TYPE AND AMENDMENTS TO APPROVALS

6.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

7. CONFORMITY OF PRODUCTION

7.1. Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.

Appendix 1

INFORMATION DOCUMENT No. . .

pursuant to Annex I to Council Directive 70/156/EEC (*) relating to EEC type-approval of a vehicle with respect to the doors (Directive 70/387/EEC, as amended by Directive . . ./. . ./EC)

The following information, if applicable, must be supplied in triplicate and include a list of contents.

Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. GENERAL

0.1. Make (trade name of manufacturer): .....

0.2. Type: .....

0.3. Means of identification of type, if marked on the vehicle (b): .....

0.3.1. Location of that marking: .....

0.4. Category of vehicle (c): .....

0.5. Name and address of manufacturer: .....

0.8. Address(es) of assembly plant(s): .....

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

1.1. Photographs and/or drawings of a representative vehicle: .....

9. BODYWORK

9.2. Materials used and methods of construction: .....

9.3. Occupant doors, latches and hinges: .....

9.3.1. Door configuration and number of doors: .....

9.3.1.1. Dimensions, direction and maximum angle of opening: .....

9.3.2. Drawing of latches and hinges and of their position in the doors: .....

9.3.3. Technical description of latches and hinges: .....

9.3.4. Details (including dimensions) of entrances, steps and necessary handles where applicable: .....

(*) The item numbers and footnotes used in this information document correspond to those set out in Annex I to Directive 70/156/EEC. Items not relevant for the purpose of this Directive are omitted.