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DIRECTIVE 96/27/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 May 1996

on the protection of occupants of motor vehicles in the event of a side impact and amending Directive 70/156/EEC

(OJ L 169, 8.7.1996, p. 1)

Corrected by:

►**C1** Corrigendum, OJ L 102, 19.4.1997, p. 46 (96/27)

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DIRECTIVE 96/27/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 May 1996

on the protection of occupants of motor vehicles in the event of a side impact and amending Directive 70/156/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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], and in particular Article 13 (4) thereof,

Having regard to the proposal from the Commission [2],

Having regard to the opinion of the Economic and Social Committee [3],

Acting in accordance with the procedures laid down in Article 189b of the Treaty [4],

Whereas the total harmonization of technical requirements for motor vehicles is necessary in order fully to achieve the internal market;

Whereas in order to reduce the number of road accident casualties in Europe, it is necessary to introduce legislative measures for improving the protection of occupants of motor vehicles in the event of a side impact as much as possible; whereas this Directive introduces side impact test requirements, including biomechanical criteria, to ensure that a reasonable level of side impact resistance is provided;

Whereas these requirements should be regarded as an interim measure and will need to be reviewed in the light of further research and experience gained during the first two years of type-approval tests carried out in accordance with this Directive; whereas the establishment of more stringent standards will ensure a higher level of safety in future;

Whereas this Directive will be one of the separate directives which must be complied with in order to ensure the conformity of vehicles with the requirements of the EC type-approval procedure established by Directive 70/156/EEC; whereas, therefore, the provisions of Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas the ►C1 procedure ◄ for determining the seating reference point in motor vehicles is given in Annex III to Council Directive 77/649/EEC of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers [5]; whereas it is therefore unnecessary to repeat it in this Directive; whereas reference should be made in this Directive 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 [6], Council Directive 74/483/EEC of 17 September 1974 on the approximation of the laws of the Member States relating to the external projections of motor vehicles [7], Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts [8] and to ISO standard 6487:1987;

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(1) OJ No L 42, 23. 2. 1970, p. 1. Directive as last amended by Commission Directive 95/54/EC (OJ No L 266, 8. 11. 1995, p. 1).
(2) OJ No C 396, 31. 12. 1994, p. 1.
(3) OJ No C 256, 2. 10. 1995, p. 18.
(4) Opinion of the European Parliament of 12 July 1995 (OJ No C 249, 25. 9. 1995, p. 47), Council common position of 23 November 1995 (OJ No C 353, 30. 12. 1995, p. 1) and Decision of the European Parliament of 29 February 1996 (OJ C No 78, 18. 3. 1996, p. 17) and Council Decision of 6 May 1996.
(5) OJ No L 267, 19. 10. 1977, p. 1. Directive as last amended by Commission Directive 90/630/EEC (OJ No L 341, 6. 12. 1990, p. 20).
(6) OJ No L 176, 10. 8. 1970, p. 5.
(7) OJ No L 266, 2. 10. 1974, p. 4. Directive as last amended by Directive 87/354/EEC (OJ No L 192, 11. 7. 1987, p. 43).
(8) OJ No L 24, 30. 1. 1976, p. 6. Directive as last amended by Commission Directive 90/629/EEC (OJ No L 341, 6. 12. 1990, p. 14).

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Whereas the technical requirements of this Directive are based on United Nations Economic Commission for Europe document TRANS/SC1/WP29/396,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, 'vehicle' shall have the meaning given to it in Article 2 of Directive 70/156/EEC.

Article 2

1. No Member State may, on grounds concerning the protection of occupants of vehicles in the event of a side ►C1 impact ◄ :

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

— prohibit the registration, sale or entry into service of a vehicle,

if it complies with the requirements of this Directive.

2. With effect from 1 October 1998, Member States may no longer grant:

— EC type-approval for a vehicle type in accordance with Article 4 of Directive 70/156/EEC,

— national type-approval for a vehicle type,

unless the vehicle satisfies the requirements of this Directive.

►C1 3. Paragraph 2 shall not apply to vehicle types approved before 1 October 1998 pursuant to any two of the following Directives: ◄ 70/387/EEC (door latches and hinges), 74/483/EEC (external projections) and 76/115/EEC (anchorages for motor-vehicle safety belts) nor, where appropriate, to subsequent extensions to those type-approvals.

4. With effect from 1 October 2003, Member States ►C1 shall consider ◄ certificates of conformity which accompany new vehicles in accordance with Directive 70/156/EEC to be no longer valid for the purposes of Article 7 (1) of that ►C1 Directive if they ◄ do not certify that the vehicles conform to the requirements of the Annexes to this Directive.

Article 3

In Part 1 of Annex IV to Directive 70/156/EEC the table shall be supplemented as follows:

Subject	Directive number	Official Journal reference	Applicability									
			M_1	M_2	M_3	N_1	N_2	N_3	O_1	O_2	O_3	O_4
►C1 54. Side impact protection ◄	►C1 96/27/EC	L 169, 8. 7. 1996, p. 1. ◄	×			×						

Article 4

►C1 In the framework of the adaptation of this Directive to technical progress, within two years from the date mentioned in Article 2 (2) a review shall be held by the ◄ Commission. It shall be based on a review of the technical criteria and, in particular, the viscous criterion, front seat position and the ground clearance of the barrier. The review criteria will include *inter alia* accident research data, full scale car-to-car test results and cost-benefit considerations. The review will examine the potential gains in ►C1 occupant ◄ protection and the industrial feasibility of increasing the ground clearance of the barrier. ►C1 The results of this review will be submitted to the European Parliament and the Council in a report drawn up by the Commission. ◄

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Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 20 May 1997 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such reference at the time of their official publication. The procedure for making such reference shall be adopted by the Member States.

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

Article 6

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

Article 7

This Directive is addressed to the Member States.

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LIST OF ANNEXES

ANNEX I *Administrative provisions for the type-approval of a vehicle type*

1. Application for EC type-approval
2. EC type-approval
3. Modification of the type and ►C1 amendments to type-approvals ◄
4. Conformity of production
   Appendix 1: Information document
   Appendix 2: Type-approval certificate

ANNEX II *Technical requirements*

1. Scope
2. Definitions
3. Specifications and tests
   Appendix 1: Impact test procedure
   Appendix 2: Mobile deformable barrier characteristics
   Appendix 3: Technical description of the side impact dummy
   Appendix 4: Installation of the side impact dummy
   Appendix 5: Partial test