COUNCIL DIRECTIVE

of 20 July 1981

amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles

(81/576/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas 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 (4) lays down *inter alia* in Annex I requirements concerning the fitting of safety belts and restraint systems to vehicles of category M1 as defined in Annex I 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 (5), as last amended by Directive 80/1267/EEC (6);

Whereas in the interests of road safety the fitting of safety belts and restraint systems complying with Directive 77/541/EEC should henceforth be required for the vehicles in certain M and N categories and permitted and encouraged for vehicles in the other M and N categories by extending the scope of that Directive; whereas such an extension has been made possible by technical progress in motor-vehicle construction;

Whereas for this purpose Directive 77/541/EEC should be amended;

Whereas amendment of that Directive means adapting to technical progress certain requirements in the Annexes to Directive 77/541/EEC; whereas the entry into force of the provisions of the present Directive should be made to coincide with that of the provisions which, following adoption of the present Directive, will then be adopted in order to adapt the requirements of the Annexes to Directive 77/541/EEC to technical progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/541/EEC shall be amended as follows:

1. Article 9 is replaced by the following:

'*Article 9*

For the purposes of this Directive, "vehicle" means any motor vehicle in categories M and N as defined in Annex I to Directive 70/156/EEC intended for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h.'

2. In Annex I:

(a) Section 3.1 is replaced by the following:

'3.1. Vehicle equipment

Any vehicle covered by Article 9, in categories M1 or N1, or category M2 (except vehicles of a permissible maximum weight exceeding 3 500 kg and those which include places specially designed for standing passengers) must be equipped with safety belts or restraint systems which satisfy the requirements of this Directive and have the following belt arrangements (with which neither non-locking locking retractors (1.8.1) or manually unlocking retractors (1.8.2) can be used).

In cases where the other vehicles covered by Article 9 are fitted with safety belts or restraint systems, these must comply with all the requirements of this Directive, with the exception of sections 3.1.1 to 3.1.3.'

(1) OJ No C 87, 9. 4. 1980, p. 4.
(2) OJ No C 265, 13. 10. 1980, p. 77.
(3) OJ No C 230, 8. 9. 1980, p. 6.
(4) OJ No L 220, 29. 8. 1977, p. 95.
(5) OJ No L 42, 23. 2. 1970, p. 1.
(6) OJ No L 375, 31. 12. 1980, p. 34.