

CDLS/B2478/MBI

Brussels, 10 November 2003

**IRU POSITION**  
**ON THE INSTALLATION OF SAFETY BELTS IN MOTOR VEHICLES AND ON SIDE-FACING SEATS**

**IRU position on the European Commission proposals relating to the installation of safety belts in lorries, buses, coaches and passenger cars containing also proposals to ban side-facing seats in large touring coaches.**

## **Introduction**

In June 2003, the Commission adopted three new proposals<sup>(1)</sup> relating to seats, safety belts, their anchorages and head restraints in motor vehicles.

These three proposals have two main purposes. Firstly, they want to ensure that safety belts are properly installed in all new vehicle types and in all new vehicles be it passenger cars (M1), buses and coaches (M2 & M3) and lorries (N). Secondly, they seek to abolish side-facing seats in touring coaches, mini-buses and limousines.

The IRU has examined these three proposals with a great deal of interest and would like to make the following observations.

## **Installation of safety belts in motor vehicles**

- In 1996, three directives<sup>(2)</sup> with the same aim were already adopted but unfortunately the non-compulsory character of these Directives lead to no-or improper transposition in several Member States.

The IRU therefore welcomes the Commission's new initiative to make sure all new vehicle types and all new vehicles will have safety belts installed.

## **Sideway-facing seats**

- COM(2003) 361 (proposal on seats) seeks to abolish sideway facing seats in the M1, M2 and M3 Class III and B vehicles. With this measure all types of touring coaches with provisions for seated passengers only - in particular, the top class or VIP vehicles – minibuses and limousines are targeted.
- The IRU questions the grounds on which these measures are proposed and is against the abolition of side-facing seats in touring coaches type M3, Class III and B.

- If side-facing seats in touring coaches were to disappear, that would mean the end of the VIP coach. This would close the door on a very lucrative niche market for many operators and would take away a vehicle type that has a very good safety record and which is evidence of the top class quality coach tourism has to offer.
- The operating industry sees this proposal as a penalty rather than a safety improvement.
- This proposal is based on the conclusions of a study undertaken by Cranfield University. The study concludes that side-facing seats are unsafe because it is impossible to install a safety belt.
- The research has several shortcomings:
  - Research is limited to UK accident analysis of minibuses and on simulations undertaken with values applicable only to minibuses. Vehicle manufacturers confirm this.
  - No European accident data are shown indicating that the side-facing seats in touring coaches type M3, Class III and B are a particular safety hazard.
- The IRU pointed out these shortcomings last year. It very much regrets that the Commission only based its current proposals on the conclusions of this Cranfield study without looking at the wider European picture and without considering the impact on the operating industry.
- Rather than looking at possible solutions to make side-facing seats safer, the Commission has chosen the easier though radical solution to abolish them.
- Vehicle manufacturers in close cooperation with the IRU have developed alternative proposals. It must be borne in mind that the principal aim of the safety belt is to keep the passenger in the vehicle. These proposals are based on the following aspects:
  - Clearly define side-facing seats in the directives and include them in the scope of the proposals.
  - Equip side-facing seats with at least 2-point belts.
  - Introduce retractable armrests on side-facing seats.

Details of these proposals can be found in Annex 1.

## Conclusion

- The IRU fully supports the installation of safety belts in all new vehicles and vehicle types.
- The IRU seriously questions the grounds on which it is proposed to abolish side-facing seats in M3 class III & B vehicles.
- In cooperation with vehicle manufacturers, the IRU proposes alternatives to make side-facing seats safer.
- The IRU invites the European Parliament and the Council of Ministers to consider these alternative proposals when evaluating the Commission texts.

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(<sup>1</sup>)

- COM(2003)361: Proposal for a Directive amending Council Directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints.
- COM(2003)362: Proposal for a Directive amending Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor vehicle safety belts.

- COM(2003)363: Proposal for a Directive 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.

(<sup>2</sup>)

- Commission Directive 96/36/EC of 17 June 1996 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 96/37/EC of 17 June 1996 adapting to technical progress Council Directive 74/408/EEC relating to the interior fittings of motor vehicles (strength of seats and of their anchorages) (Text with EEA relevance)
- Commission Directive 96/38/EC of 17 June 1996 adapting to technical progress Council Directive 76/115/EEC relating to anchorages for motor vehicle safety belts (Text with EEA relevance).

**Proposal for concrete technical amendments to the three directives**

(Document prepared by EvoBus)

Proposals for Directives of the European Parliament and of the Council 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, Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor vehicle safety belts and Council Directive 74/408/EEC relating to motor vehicles with regard to the seats, their anchorages and head restraints

Doc. 10886/03, 10887/03, 10888/03

**Draft amendments from Germany**

**Doc. 10886/03 (Dir. 77/541/EEC)**

Annex I:

Add new item 1.28.:

**"1.28. "side-facing seat" means a seat with its vertical longitudinal plane within an angle of 45° or more with the vertical longitudinal plane of the vehicle."**

Annex XV:

Add new column "Side facing" after column "Rear facing" and fill to read:

|            |  | Rear facing      | <b>Section 1.01</b><br><b>Side facing</b> |
|------------|--|------------------|---|
| M1         |  |                  |   |
| M2 ≤ 3,5 T |  |                  |   |
| M2 > 3,5 T |  |                  |   |
| <b>M3</b>  |  | <b>unchanged</b> | <b>Br3, Br4m and Br4Nm</b>                |
| N1         |  |                  |   |
| N2         |  |                  |   |
| N3         |  |                  |   |

**Doc. 10887/03 (Dir. 76/115/EEC)**

Annex I:

Add new item 1.16.:

"1.16. "side-facing seat" means a seat with its vertical longitudinal plane within an angle of 45° or more with the vertical longitudinal plane of the vehicle."

Amend item 4.3.2. to read:

"4.3.2. The minimum number of safety belt anchorages for each ~~forward and rearward directed~~ seating position shall be as specified in Appendix 1."

Add new item 4.3.11.:

**"4.3.11. In vehicles of category M3 of classes III and B, each side facing seat shall provide a padded vertical partition of at least 100 mm length and at least 100 mm height. Length and height shall be measured starting from the H-point horizontally transferred in a vertical plane running through the outermost part of the seat which is nearer to the front of the vehicle. The partition may be foldable to provide easy access to the seat."**

Amend item 5.4.6. to read:

"5.4.6. Test in case of rearward- **and side**-facing seats"

Amend Appendix 1 to read:

"Minimum number of anchorage points

| Vehicle category     | Forward facing seating position |                 |                 |                 | Rear facing | (i) Side facing |
|----------------------|---------------------------------|-----------------|-----------------|-----------------|-------------|-----------------|
|                      | Outboard                        |                 | Centre          |                 |             |                 |
|                      | Front                           | Other           | Front           | Other           |             |                 |
| M1                   | 3                               | 3 or 2 Ø        | 3 or 2 *        | 2               | 2           | -               |
| M2 ≤ 3,5 t           | 3                               | 3               | 3               | 3               | 2           | -               |
| <b>M2 &gt; 3,5 t</b> | <b>3 ?</b>                      | <b>3 or 2 ⌘</b> | <b>3 or 2 ⌘</b> | <b>3 or 2 ⌘</b> | <b>2</b>    | -               |
| <b>M3</b>            | <b>3 ?</b>                      | <b>3 or 2 ⌘</b> | <b>3 or 2 ⌘</b> | <b>3 or 2 ⌘</b> | <b>2</b>    | <b>2 ?</b>      |
| N1, N2 & N3          | 3                               | 2 or 0 #        | 2 or 0 #        | 2 or 0 #        | -           | -               |

“

Add new symbol:

**“?: refers to item 4.3.11. (special provision for side facing seats)”**

**Doc. 10888/03 (Dir. 74/408/EEC)**

Amend Article 3a to read:

“Article 3a

1. With effect from [1 July 2004], Member States shall prohibit the installation of side-facing seats on new types of vehicles of categories M1, N1 **and M2 and ~~M3 of class III or B.~~**
2. With effect from [1 January 2006], Member States shall prohibit the installation of side-facing seats on new vehicles of categories M1, N1 **and M2 and ~~M3 of class III or B.~~**
3. Paragraphs 1 and 2 shall not apply . . . . . vehicle is stationary.”

Annex III:

Add new item 2.24.:

**"2.24. "side-facing seat" means a seat with its vertical longitudinal plane within an angle of 45° or more with the vertical longitudinal plane of the vehicle."**

**Justification:**

Touring coaches with side facing seats have not been proven unsafe. Even the Cranfield study was neither able to support this with solid proof nor was it able to prove that minibus problems occur in large touring coaches.

Therefore a ban of side facing seats in large touring coaches is unfounded and can be regarded as another step of closing a profitable niche market (i.e. VIP-vehicles) in the touring coach sector.

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