



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.1.2005
COM(2004) 767 final

2003/0130 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

**common position of the Council on the adoption of a Directive of the European
Parliament and of the Council amending Council Directive 77/541/CEE on the
approximation of the laws of the Member States relating to safety belts and restraint
systems of motor vehicles**

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1- BACKGROUND

Proposal transmitted to the European Parliament and the Council (Document COM(2003)363 final – 2003/0130(COD)):	20.6.2003.
Economic and Social Committee opinion delivered on:	10.12.2003
Parliament opinion (first reading) delivered on:	17.12.2003
Common position adopted on:	24.1.2005.

2- AIM OF THE COMMISSION PROPOSAL

The proposal for a Directive is one of three aimed at the mandatory fitting of safety belts in all motor vehicles. These measures follow on from the adoption of Directive 2003/20/EC amending Council Directive 91/671/EEC relating to the compulsory use of safety belts.

This proposal in particular requires the fitting of approved safety belts with a configuration adapted to each category of vehicle.

3- COMMENTS ON THE COMMON POSITION

3.1. General remarks on the common position

The main amendment made by the Council to the Commission proposal concerns safety belts for disabled people. Taking account of the particular needs of this category of user, the Council considered it preferable for these belts not to be subject to all the technical provisions required for seat belts for a transitional period.

The Council did, however, recognise the need to harmonise the existing national provisions in this area, and instructed the Commission to look into this question.

The Commission can support this amendment.

3.2. Comments on the amendments adopted by Parliament at first reading

On account of the position it adopted on the possible ban on the fitting of side-facing seats in coaches (see dossier 2003/0128(COD)), Parliament proposed fitting these seats with anchorages for attaching two-point belts when maintaining them. The Council did not accept Parliament's amendments, and kept the Commission proposal unchanged.

The Commission, which had stated on conclusion of the first reading that it would not amend its proposal, fully supports the position adopted by the Council.

4- CONCLUSIONS

The Commission proposes to make it obligatory to fit all motor vehicles with safety belts in order to prevent the danger of passengers being thrown out. For safety belts to be able to offer maximum protection, they should undergo tests with a view to their type approval and be adapted to the seat models used in the different categories of vehicle.

The Council approved all the measures recommended by the Commission, but decided to make the technical provisions concerning anchorages for belts to be worn by disabled persons more flexible. It instructed the Commission to study this question in detail.

The Council rejected the amendments proposed by the European Parliament.

In conclusion, the Commission fully supports the Council's common position.