

Transmitted by the expert from Poland

PROPOSAL FOR DRAFT AMENDMENT
TO THE REGULATION No. 107

A. PROPOSAL.

Paragraph 7.6.1.9.3. amend to read:

"7.6.1.9.3. the space reserved for the driver's seat shall communicate with the main passengers' compartment through an appropriate passage; such requirement shall be deemed to be fulfilled if the test gauge described in paragraph 7.7.5.1. can move unobstructed from the gangway, until the front end of the gauge reaches the vertical plane tangential to the foremost point of the driver's seat back (this seat being situated in its rearmost longitudinal position) and, from this plane, the panel described in paragraph 7.6.1.7.2. could be moved to the **driver's emergency** door in the direction established by such paragraph (see Annex 4, figure 28) with seat and steering wheel adjustment in their mid position."

B. JUSTIFICATION.

There is a great deal of confusion caused with the current wording of the Regulation that causes differences of opinions among the type-approval authorities, concerning the number of (service and emergency) doors as required in paragraph 7.6.1.1., especially in the context of the driver's door to be accepted as an emergency door.

In this respect, the paragraph 5.7.2.4. of Regulation No. 52.03 dealing with the same issue should also be reconsidered, as it currently compromises one of the most important safety issues: evacuation of passengers in case of emergency.

This issue has been brought to the attention of the technical service in Poland, while analysing a particular case of a bus for 19 seated passengers. In a process of further investigation, the case was presented as a query, then a formal question with a Power Point presentation at the EU's Type Approval Authorities' Meeting (TAAM), held on 9-10 October 2008 in Edinburgh (attached, together with the Query results).

Please note, that during the meeting, some TAAM members have revised their initial considerations. The representative of Germany said that it is not possible to judge from the drawing presented if the requirements are met, with the representative of Luxemburg sharing that opinion and the representative of France said that the vehicle in question would obtain a type-approval certificate in his country. On the other hand, the representatives of Norway, Slovenia and Latvia have expressed their opinions that this vehicle configuration would not obtain a type-approval certificate in their countries.

SUBJECT: Bus directive (2001/85/EC). Would such a vehicle configuration obtain a type-approval certificate in your country?

This question was asked to TAAM members in a query sent out on the 18th of August 2008 with a response from 13 countries. The detailed summary is on pages 3 and 4 of this Question. Since the overall result is inconclusive (7 - for, 6 - against), all TAAM members are kindly requested to prepare for a discussion in Edinburgh. This is addressed especially to the countries that have not replied to the query, i.e. Spain, Austria, Luxembourg, Finland, Estonia and Bulgaria.

With a kind permission of the Chairman, Poland would be pleased to deliver a short Power Point presentation prior to the discussion, as - in our opinion - the wording of both the Directive and the UNECE Regulation concerning what is emergency door and what is emergency exit is not clear enough and confusing.

Background:

The paragraph 7.6.1.1. of the directive 2001/85/EC (and of the UN ECE Regulation No. 107.02) says: "The minimum number of doors in a vehicle shall be two, either two service doors or one service door and one emergency door..."



Question:

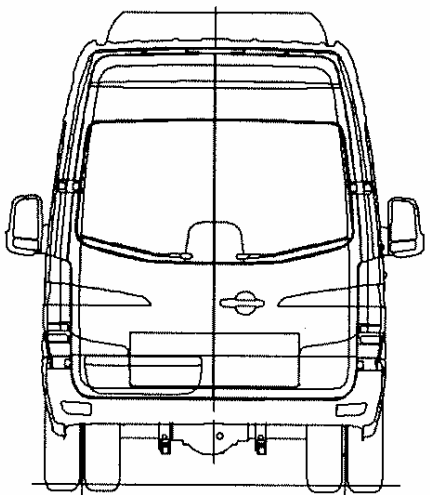
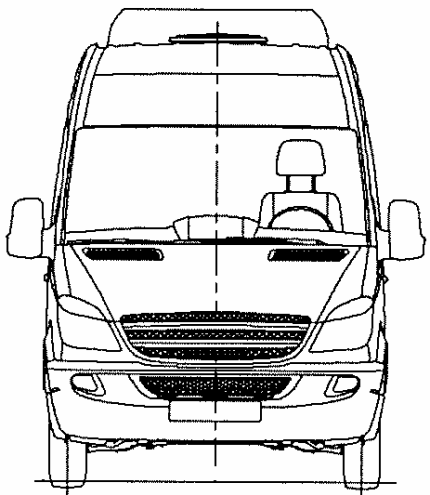
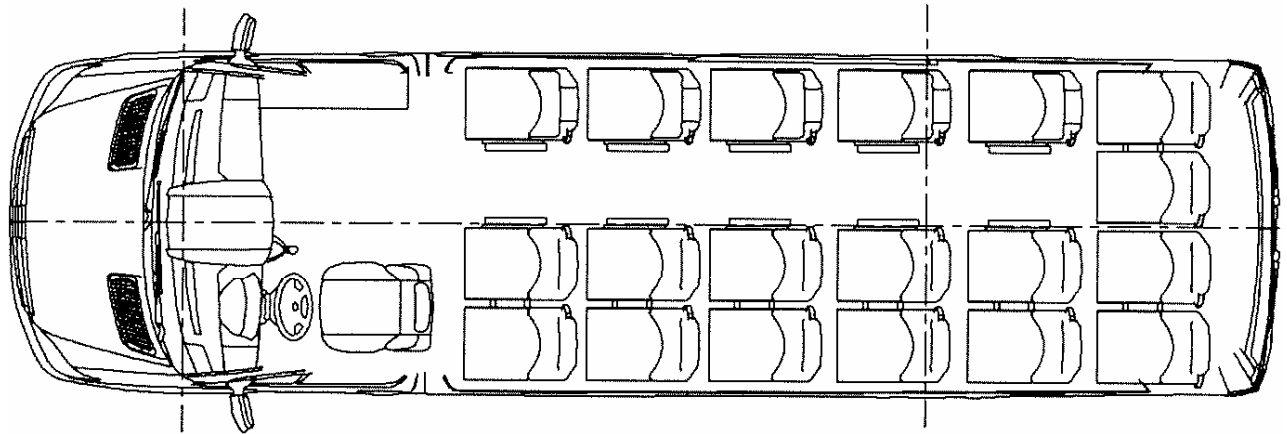
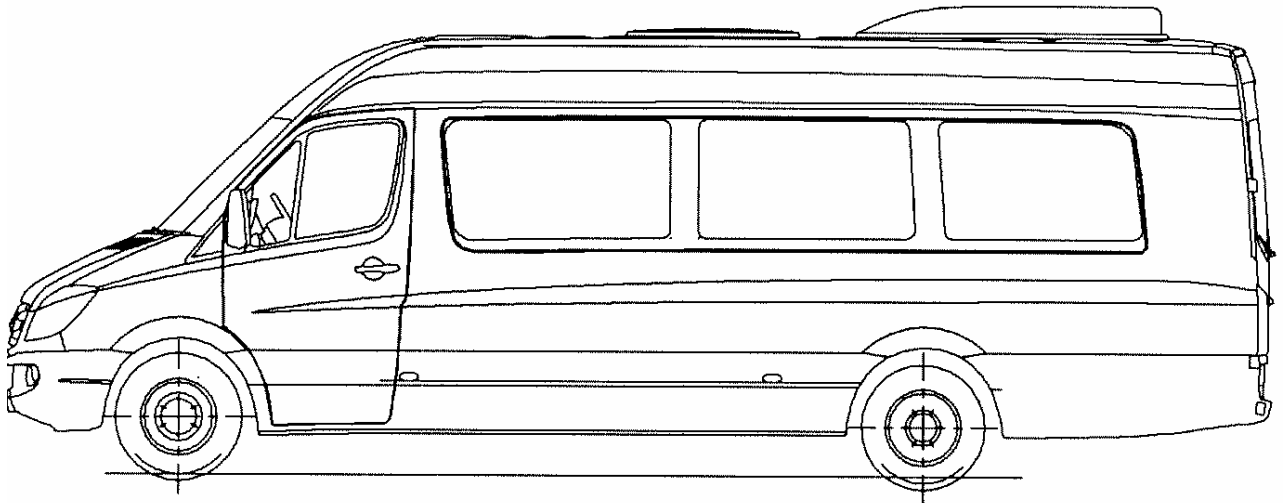
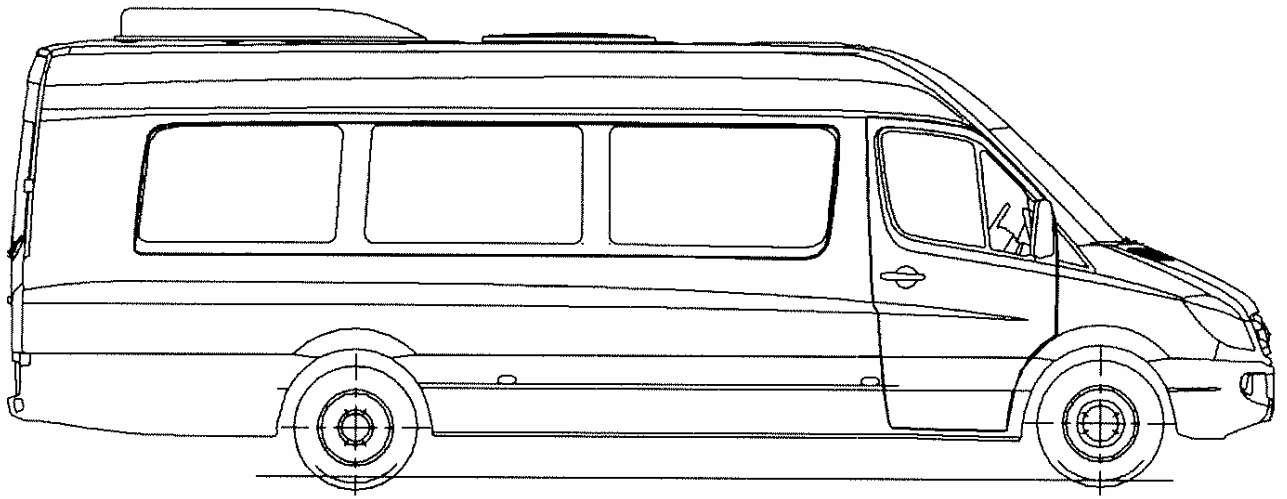
The drawing on the next page shows the vehicle in question. Would such a vehicle configuration obtain a type-approval certificate in your country in respect of the number of service and/or emergency doors?

Possible solution

Comments

A	Yes	
B	No	

TAA code: „e” 
 „E” 



Directive 2001/85/EC - number of doors issue in a M₂ vehicle (TAAM Query results)

Member State		Verdict		Comment / Justification
		Yes	No	
Germany	e1		✓	The minimum requirement of one service door and one emergency door will only be fulfilled if access to the emergency doors is ensured as laid down in item 7.7.2 of Annex I.
France	e2	✓		<p>It is not possible to use the back-door as emergency exit because this door is not available (paragraph 7.7.2 : Access to emergency doors).</p> <p>So it could be find only one possibility :</p> <ul style="list-style-type: none"> - one service door = right front door - one emergency door = left front door (driver door) <p>Of course, this configuration is valid only if the driver door fulfills paragraph 7.6.1.9 (driver's door access) : " 7.6.1.9. If a driver's door or other exit from the compartment is provided in the circumstances described in paragraph 7.6.1.8, it may only count as an exit for passengers provided: 7.6.1.9.1. it is not necessary to squeeze between the steering wheel and the driver's seat, in order to make use of that exit; 7.6.1.9.2. it satisfies the requirements relating to the dimensions of emergency doors indicated in paragraph 7.6.3.1. "</p>
Italy	e3	✓		<p>It is not possible to use the back-door as emergency exit because this door is not available (paragraph 7.7.2 : Access to emergency doors).</p> <p>I think the left front door may be used as an emergency doors provided that the requirements of paragraph 7.6.1.9 (driver's door access) are fulfilled.</p>
the Netherlands	e4	✓		I believe that paragraph 7.6.1.9. to 7.6.1.9.3 of Annex 3 to ECE-regulation 107, as amended by revision 1, amendment 1, permits such a construction.
Sweden	e5		✓	We can not see that this vehicle fulfils the requirements regarding numbers of doors. The emergency door has to be accessible by tests according to 7.7.2.1.
Belgium	e6		✓	A vehicle of this type will not obtain a type approval in Belgium because it is not possible to use the back-door as emergency exit, it is impossible to meet the requirements with regard to the access of this emergency exit (see point 7.7.2 of directive 2001/85/EC).
Hungary	e7			<i>Not represented in TAAM.</i>
Czech Republic	e8		✓	<p>The basic requirement of the article 7.6.1.1 is met - there are two door, one service door, one emergency door. It is impossible to consider the size of both door since the dimensions are not given in the drawing (Annex VI, para. 1.1 - small buses).</p> <p>However, the requirement for accesss to emergency door (para. 7.7.2.1 - "The free space between gangway and the emergency door aperture shall permit the free passage of a vertical cylinder 300 mm in diameter and 700 mm high from the floor and ...") is not met obviously.</p> <p><u>So, to sum it up: if the seat in the back row that connets to the gangway is removed, the approval in the CZ would be possible.</u></p>

Member State		Verdict		Comment / Justification
		Yes	No	
Spain	e9			No response received.
the United Kingdom	e11	✓		We have exactly the same opinion as our French colleagues.
Austria	e12			No response received.
Luxembourg	e13			No response received.
Finland	e17			No response received.
Denmark	e18			Not represented in TAAM.
Romania	e19	✓		The problem is not very easy to be solved but it is possible. We have approved some vehicles, similar with the one from the drawing you sent. The body-builder must modify the step zone of the main door (not very easy), must be very careful to respect the access of the cylindrical gauge (MB Sprinter has a handle and a structure exactly in the upper corner of the door and these restrict the access of the gauge). But the main problem is the access to the emergency door, which in this case is the driver's door. <u>Taking account of the provisions of Reg. 107 – ECE UNO revision 1 - amendment 1 it would be possible to consider this door as emergency door (see figures 27 and 28 “access to driver's door” – these were introduced by the last amendment).</u> As principle we try to find the best solution for the client. In this case the directive 2001/85/CE is unclear but the regulation 107 ECE-UNO gives him a chance, so we have applied the provisions of the above-mentioned regulation.
Poland	e20		✓	The requirement of the paragraph 7.6.1.1.: “The minimum number of doors in a vehicle shall be two, either two service doors or one service door and one emergency door...” is not met.
Portugal	e21			Not represented in TAAM.
Greece	e23			Not represented in TAAM.
Ireland	e24		✓	This vehicle would not get approval in Ireland as you cannot use the rear door as an emergency door.
Slovenia	e26	✓		Our answer is YES on regard points 7.6.1.7.2 and 7.6.1.9.1.
Slovakia	e27			Not represented in TAAM.
Estonia	e29			No response received.
Latvia	e32	✓		A vehicle shown on drawing can obtain type approval if escape hatch is fitted (according to 2001/85/EC Annex VI 1.2.4.) and driver's door complies with 7.2.2. Access to emergency doors of 2001/85/EC.
Bulgaria	e34			No response received.
Lithuania	e36			Not represented in TAAM.
Cyprus	e49			Not represented in TAAM.
Malta	e50			Not represented in TAAM.
	Σ	7	6	

Also, a reply from Switzerland was: YES, with a comment: “In accordance to our national legislation. The requirements for the service door and the emergency door must be respected.”