



# The Minister for Infrastructure and Transport

Having regard to Article 82 of Legislative Decree No 285 of 30 April 1992 laying down the procedures concerning the intended use of vehicles in relation to their technical characteristics and paragraph 5(c) of that article, which includes vehicles used for scheduled passenger transport service;

Having regard to Decree-Law No 104 of 10 August 2023, published in the Official Gazette of 10 August 2023 No 186, converted by Law No 136 of 9 October 2023, published in the Official Gazette of 9 October 2023 No 236, which provides in Article 17(3)d that, by decree of the Minister for Infrastructure and Transport, the technical requirements for protections for vehicles used for scheduled service to ensure the safety and isolation of drivers from any risk of aggression or interference by users or unauthorized persons must be laid down;

Having regard to Regulation (EU) 2018/858 on the type-approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, published in the Official Journal of the European Union of 14 June 2018 No 151/1 which, in Article 4(1)(ii) and (iii), defines the international characteristics of M2 and M3 vehicles;

Having regard to Implementing Regulation EU 2020/683, which implements Regulation EU 2018/858 of the European Parliament and of the Council as regards the administrative requirements for the type-approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;

Having regard to Article 243 of Presidential Decree No 495 of 16 December 1992 Regulations for the execution and implementation of the Highway Code, which establishes the construction and functional characteristics of vehicles in relation to their destination and use;

Having regard to UNECE Regulation No 43 on uniform requirements concerning the type-approval of safety glazing materials and their fitting on vehicles;

Having regard to UNECE Regulation No 107 on uniform provisions concerning the type-approval of vehicles of category M2 or M3 with regard to their general construction;

Having regard to UNECE Regulation No 118 laying down uniform technical requirements concerning the combustion performance and/or the ability to reject fuels or lubricants from materials used in the manufacture of certain categories of motor vehicles;

Having regard to Article 4 of the Ministerial Decree of 23 December 2003 on the use, destination, and diversion of buses, which establishes the correspondence of the classification of bus vehicles type-approved under the Ministerial Decree of 18 April 1977 into Classes I, II, III, A, B, laid down in Directive 2001/85 EC transposed by Ministerial Decree of 20 June 2003;



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In view of the content of the Circular of the Directorate-General for Motor vehicles of 26 May 2020 No 14724, which sets out the requirements regarding the construction and installation methods provided for driver protection partition walls or panels installed on international category M1, M2 and M3 vehicles, to be applied during the period of the COVID-19 health emergency;

Whereas the frequency of assaults and disturbance caused to bus drivers occurs precisely during the urban, suburban and interurban scheduled service, which is carried out with buses which, due to their construction characteristics, are mainly vehicles of the international categories M2 and M3 belonging to Classes A, I, and II.

## **HEREBY DECREES**

### **Article 1**

#### **(Scope of application)**

This Decree lays down the technical requirements to be applied for the installation of glass or glazing partition walls or panels (hereinafter bulkheads) on vehicles of the international categories M2 and M3 (hereinafter buses) belonging to Classes A, I, and II, intended for scheduled public transport.

Compliance with the requirements of this Decree is mandatory for all vehicles in circulation belonging to the classes referred to in the preceding paragraph or at the time of first registration.

### **Article 2**

#### **(Definitions)**

For the purposes of this Decree, the following definitions shall apply:

- a) vehicles of international category M2, motor vehicles with more than eight seats in addition to the driver's seat and with a maximum mass not exceeding 5 tonnes, irrespective of whether such motor vehicles have standing passenger space;
- b) vehicles of international category M3, motor vehicles with more than eight seats in addition to the driver's seat and with a maximum mass exceeding 5 tonnes, irrespective of whether such motor vehicles have standing passenger space;
- c) class I vehicles, those with a capacity exceeding 22 passengers, in addition to the driver, and which have areas for standing passengers, to allow frequent passenger movement;



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- d) class II vehicles, those with a capacity exceeding 22 passengers, in addition to the driver, and intended primarily for the carriage of seated passengers, designed to allow the carriage of standing passengers in the gangway and/or in an area which does not exceed the space occupied by two double seats;
- e) class A vehicles, those with a capacity not exceeding 22 passengers, in addition to the driver, and which are designed to carry standing passengers;
- f) driver's compartment, the area intended exclusively for the driver, except in case of danger, where the driver's seat, the steering wheel, the controls, instruments and other devices necessary for driving or operating the vehicle are located;
- g) safety glazing required for the driver's rear field of vision, all glazing located behind a plane passing through the driver's R point, as defined in UNECE Regulation No 14 in paragraph 5.1.1.2, and perpendicular to the longitudinal median plane of the vehicle, through which the driver can see the road while driving or manoeuvring;
- h) tempered glass, a glazing consisting of a single sheet of glass that has undergone a special treatment to increase mechanical strength and control fragmentation after breakage;
- i) plastic glazing, glazing material containing as an essential component one or more high molecular weight organic polymeric materials, which is solid in the finished product state and, at a given time of manufacture or processing into a finished product, may be shaped by blowing;
- j) flexible plastic glazing, plastic glazing material which undergoes a vertical deflection of more than 50 mm during the flexibility test;
- k) rigid plastic glazing, plastic glazing material which undergoes a vertical deflection of less than 50 mm during the flexibility test.

## Article 3

### (Technical requirements)

The protective bulkheads, which affect the driver's field of vision, both sideways and for the surveillance of users, must be made of glass or glazing type-approved in accordance to UNECE Regulation No 43.

The bulkheads to be used must be of the tempered glass or flexible or rigid plastic glazing type. In the latter case – the rigid plastic glazing – next to the type-approval mark and following the symbol "VIII" distinguishing the rigid plastic glazing, the symbol /B must be affixed in the case of side, rear and roof glazing, and the symbol /A must be affixed in the case of glazing facing forward in accordance with paragraph 5.5.5 of UNECE Regulation 43.



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Bulkheads which do not fall within the driver's field of vision which are partly made with the use of materials other than glass/metal or with glazing not type-approved in accordance with UNECE Regulation 43, in addition to being made of flat surfaces without edges and protruding parts, must, however, comply with flammability checks, in accordance with UNECE Regulation 118, concerning the fire performance of materials intended for buses, when applied to buses of category M3, Class II.

Bulkheads must meet the following dimensional requirements:

- the minimum height of the protection as measured from the floor on which the passenger's feet rest must be not less than 1.70 m;
- the width of the protection must extend towards the inside of the driver's compartment, with respect to the vehicle wall, until it prevents standing passengers from entering the area intended for the driver, without it obstructing the boarding and alighting of the passengers.

## Article 4

### Requirements common to all vehicles

It shall always be ensured that the driver's compartment, where the bulkhead is installed, has emergency exits as required by UNECE Regulation No 107.

The bulkhead installed between the driver's seat and one of the emergency exits already provided for at the time of type-approval of the vehicle shall be hinged or made like a door so that it can be easily and immediately opened in the event of an emergency.

In the event that the bulkhead is hinged and installed between the driver's seat and access to the exits, the supporting uprights of the partition shall in any case ensure the passage of the cylindrical gauge, as shown in Annex 4 Figure 6 of UNECE Regulation No 107.

Compliance with the minimum number of access doors and security doors provided for in UNECE Regulation No 107 shall always be ensured in relation to the number of passengers.

Rear visibility through side mirrors and other on-board devices shall not be restricted following the installation of bulkheads.

## Article 5

### (Installation methods and visit and test)



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The bulkhead shall be installed on bus vehicles without altering in any way the pre-existing on-board equipment of the vehicle and without impeding the operation of the original safety devices with which the bus is equipped, in accordance with the technical requirements laid down in UNECE Regulation No 107 and this Decree.

The workshop, which carries out the installation of the bulkhead, must draw up a specific declaration of installation in a workmanlike manner in accordance with the facsimile Annex (Annex I), which must contain an explicit reference to the materials used and that the same materials have been rounded in such a way that there is no risk of injury to the occupants during the vehicle's operating conditions.

The bus in which the bulkhead is installed, before being put into circulation, will be visited and tested in accordance with Article 75(4) of the Highway Code by the competent Traffic Management Offices (TMOs).

The TMO shall obtain the declaration of correct installation drawn up by the workshop, according to the attached facsimile.

The TMO shall also verify that:

- the requirements laid down in Articles 3 and 4 of this Decree are complied with;
- the specific type-approval marking provided for in UNECE Regulation No 43 or, in the cases provided for in this Decree, the specific type-approval marking pursuant to UNECE Regulation No 118, is present on the bulkhead;
- the maximum permissible masses on the axles shall not be exceeded.

If the installation takes place on a vehicle already in circulation, the verification of the above requirements by the TMOs must be carried out in accordance with Article 78 of the Highway Code, and may take place at the same time as the annual servicing, regardless of the location of the workshop that carried out the installation work, provided that a copy of the identity document of the workshop owner and signatory of the declaration is attached to the declaration of correct installation (Annex 1).

The visit and test shall include the updating of the registration certificate or consolidated document which must contain the following annotation: 'VEHICLE FITTED WITH DRIVER'S PARTITION ACCORDING TO MINISTERIAL DECREE No OF.....'

Bulkheads already installed on buses, pursuant to the Circular of the Directorate-General for Motor vehicles No 14724 of 26 May 2020, are to be considered equivalent to those covered by this Decree.



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If the presence of such bulkheads has not been reported on the registration documents, it is necessary to update the registration certificate or the consolidated registration and ownership document on the occasion of the annual servicing, in accordance with the procedures provided for in the same circular and acquiring the declaration of the workshop, the date of signature of which must in any case precede the date of publication of this Decree.

This Decree will be published in the Official Gazette of the Italian Republic.

The Minister



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## Annex 1

Declaration concerning the installation of bulkheads or partition panels on the bus.

Company's letterhead or stamp

The undersigned ..... born in .....on ..... as  
.....of the Company .....with headquarters in ..... VAT  
or tax code .....

Registered in the .....No .....

Aware of the criminal penalties provided for in Article 76 of Presidential Decree 445/2000 in case  
of misleading statements or falsity in deeds

## DECLARES

pursuant to and for the purposes of Article 47 of Presidential Decree 445/2000:

— to have installed on the bus with license plate..... ...vehicle identification  
No..... the bulkhead or partition panel, using the following elements:

- a. Glass/glazing type-approved in accordance with UNECE Regulation 43 with type-approval  
number .....
- b. other material..... (to be specified, if applicable,  
indicating the UNECE 118 type-approval number .....
- c. that the bulkhead or partition panel has been installed in a perfect workmanlike manner  
and in particular:
  - I. it has been properly anchored while ensuring access to the driver's seat and  
compliance with the rules on emergency exits;
  - II. the installation was carried out in compliance with the requirements provided by the  
vehicle manufacturer and with the specific regulations relating to vehicles of the  
categories M2 and M3.

Place and date

Signature (in full and legible)



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