

Transmitted by the expert from OICA

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## **OICA PROPOSAL FOR A DRAFT CORRIGENDUM TO THE FOURTH SERIES OF AMENDMENTS TO REGULATION 48.**

### **PROPOSAL**

#### **Delete the following paragraph:**

"12.7. Until 30 months for vehicles of categories M<sub>1</sub> and N<sub>1</sub> and 48 months for vehicles of other categories after the official date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation may refuse first national registration (first entry into service) of a vehicle which does not meet the requirements of the 03 series of amendments to this Regulation."

### **JUSTIFICATION**

This paragraph was inserted in error and would have the following unintended consequences:

1. It would introduce the requirements of the THIRD series of amendments as a requirement for first national registration (first entry into service) of vehicles, earlier than intended. The transitional provisions of the 03 series of amendments introduced this requirement for first registration from 36 months after entry into force (i.e. 10 October 2009) but this paragraph would introduce it immediately on entry into force of the 04 series of amendments (mid 2008).
2. It would mean that requirements introduced by supplements to the 02 series of amendments, which were always recognised as only feasible for enforcement on new models (new vehicle types) would be enforced at short notice, contrary to GRE's intentions. (*This is because compliance with the requirements of the 03 Series implies also compliance with all earlier supplements and series.*) For instance, supplement 7 introduced a requirement for new vehicle types to have lamps designed for replacement of the light sources without the use of special tools. It was recognised by GRE that this could only be applied to new designs (new vehicle types), and so this was introduced in a Supplement, and subsequently, transitional provisions were inserted into both the 03 and 04 series of amendments to maintain the validity of existing vehicle approvals.

The 03 series of amendments, which only introduced requirements for contour marking (conspicuity marking) of large vehicles and had no effect on smaller vehicles, included the following transitional provision:

*12.10. Notwithstanding paragraph 12.7. or 12.8., approvals of the vehicle types to the preceding series of amendments to the Regulation which are not affected by the 03 series of amendments shall remain valid and Contracting Parties applying the Regulation shall continue to accept them.*

The 04 series includes the following transitional provision (which is contradicted by 12.7):

*12.5. ECE approvals granted under this Regulation before 30 months for vehicles of categories M1 and N1 and 48 months for vehicles of other categories after the official date of entry into force of the 04 series of amendments and all extensions of such approvals, including those to a preceding series of amendments to this Regulation granted subsequently, shall remain valid indefinitely.*

It is therefore appropriate, and consistent with GRE's intentions, to delete this paragraph 12.7.

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