

## **Japanese Position on the draft UN Regulation on hydrogen and fuel cell vehicles**

### Background:

WP.29 at its June 2014 session considered the possible application of national provisions for Hydrogen and Fuel Cell Vehicles for matters not covered by the new draft UN Regulation with regard to the footnote 1 of the draft UN Regulation on hydrogen and fuel cell vehicles (ECE/TRANS/WP.29/2014/78). The representative of the Russian Federation recalled Article 3 of the 1958 Agreement, stating that a vehicle type approved according to a UN Regulation is deemed to be in conformity with national legislation of the Contracting Parties applying that UN Regulation. WP.29 agreed to further discuss this issue at its November 2014 session on the basis of a document prepared by the representative of Japan.

### Japanese position:

1. Contracting Parties applying a UN Regulation are obliged to accept a vehicle type approved according to the UN Regulation pursuant to Article 3 of the 1958 Agreement.
2. In this regard, the footnote is necessary to clarify that (i) the electrical safety of electric power train, (ii) the material compatibility and hydrogen embrittlement of the vehicle fuel system and (iii) the post-crash fuel system integrity in the event of full width frontal impact and rear impact are not covered by the **scope** of the new draft UN Regulation.

### Justification:

1. Japan considers that these three requirements are crucially important for safety of Hydrogen and Fuel Cell Vehicles. Accordingly, it provides them in its national legislation.
2. As the Russian Federation pointed out, a Contracting Party applying a UN Regulation shall accept vehicles, equipment or parts type approved according to the UN Regulation as ones which are in conformity with its national legislation in accordance with Article 3 of the 1958 Agreement.
3. A Contracting Party shall not refuse products type approved according to a UN Regulation it applies even if they are not in conformity with its national legislation in the area covered by the **scope** of the UN Regulation. On the other hand, a Contracting Party can refuse products which are not in conformity with its national legislation in the area out of the **scope** of the UN Regulation.
4. Japan concerns that it may not be able to continue applying the three above-mentioned requirements as its national legislation and refuse the products which are type approved according to the new draft UN Regulation but do not meet its national legislation. Although these three requirements are not described in a new draft UN Regulation, they may be covered by its **scope**. Accordingly, Japan has proposed to clarify that these three requirements are out of the **scope** of the new draft UN Regulation.
5. Japan will be ready to consider further harmonization of regulations on hydrogen and fuel cell vehicles including these three requirements when phase II of GTR is finalised.