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World Forum for Harmonization of Vehicle Regulations (WP.29)

Working Party on Noise (GRB)  
(Thirty-sixth session, 26-28 February 2002,  
agenda item 2.2.)

PROPOSAL FOR DRAFT AMENDMENTS TO REGULATION No. 59

(Replacement silencing systems)

Transmitted by the expert from the European Association  
of Automobile Suppliers (CLEPA)

Note: The text reproduced below was prepared by the expert from CLEPA, upon the invitation by GRB at its thirty-fifth session (TRANS/WP.29/GRB/33, para. 21).

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Note: This document is distributed to the Experts on Noise only.

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**A. PROPOSAL**

Paragraph 3.3.3., amend to read:

"3.3.3. A vehicle representative of the type to which the system is to be fitted, which meets the requirements of paragraph 4.1 of annex 7 to Regulation No. 51."

Paragraphs 3.3.3.1 and 3.3.3.2., should be deleted.

Paragraph 3.3.4., amend to read:

"3.3.4. A separate engine corresponding to the type of vehicle described above."

Insert new paragraph 3.4., to read: 1/

"3.4. The competent authority shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity before type approval is granted."

Insert new paragraphs 4.3. to 4.3.2., to read:

"4.3. Documentation

4.3.1. Each new replacement silencing system shall be accompanied by the following information:

4.3.1.1. The vehicles (including year of manufacture) for which the replacement silencing system is approved;

4.3.1.2. Installation instructions, where necessary.

4.3.2. This information shall be provided either:

(a) as a leaflet accompanying the replacement silencing system, or

(b) on the packaging in which the replacement silencing system is sold, or

(c) by any other applicable means, as for instance in the product catalogue distributed to point of sale by the manufacturer of replacement silencing systems.

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1/ Note by the secretariat: The proposal to introduce this paragraph contradicts the decision concerning the Conformity of production provisions in ECE Regulations, taken by WP.29 at its one-hundred-and-ninth session (TRANS/WP.29/504, paras. 15 and 17). The requirement of the proposed paragraph is covered by the provisions of the Agreement (E/ECE/324-E/ECE/TRANS/505/Rev.2), referred to in para. 9 of the current proposal

Paragraph 6.1.1., amend to read:

- "6.1.1. The replacement silencing system or components thereof shall be designed, constructed and able to be mounted so that:
- 6.1.1.1. The motor vehicle complies with the requirements of this Regulation under normal conditions of use, notwithstanding any vibration to which it may be subject;
- 6.1.1.2. It displays reasonable resistance to the corrosion phenomenon to which it is exposed, with due regard to the normal conditions of use of the motor vehicle."

Paragraph 6.1.2., amend to read:

- "6.1.2. The replacement silencing system shall be carefully installed on the vehicle. In particular, it shall be checked that the complete silencing system will not noticeably leak after installation."

Paragraphs 6.2. to 6.2.1.2., amend to read:

- "6.2. Specifications regarding noise levels
- 6.2.1. The acoustic efficiency of the replacement silencing systems or components of said system shall be verified by means of the methods described in paragraphs 3.1 and 3.2 of annex 3 to Regulation No. 51 (the edition in force at the date when the concerned vehicle was submitted for type approval). When the replacement silencing system or components thereof is mounted on the vehicle described in paragraph 3.3.3. above:
  - 6.2.1.1. The noise level obtained for running vehicle shall not exceed the noise value measured on the vehicle concerned when submitted for type approval, or the noise values measured on the vehicle referred to in paragraph 6.2.1. above, when this is fitted with an exhaust silencing system corresponding to the type fitted to the vehicle when submitted for type approval;
  - 6.2.1.2. The noise level obtained for stationary vehicle shall not exceed the noise value measured on the vehicle concerned when submitted for type approval, or the noise values measured on the vehicle referred to in paragraph 6.2.1. above, when this is fitted with an exhaust silencing system corresponding to the type fitted to the vehicle when submitted for type approval."

Paragraphs 9. to 9.4.5., replace by the following text:

- "9. CONFORMITY OF PRODUCTION  
  
Measure to ensure conformity of production shall be taken in accordance with the requirements laid down in Appendix 2 to the Revised 1958 Agreement (E/ECE/324-E/ECE/TRANS/505/Rev.2)

- 9.1. Special provisions
- 9.1.1. The text referred to in paragraph 2.3.5. of Appendix 2 to the Agreement are those prescribed in annex 5 to this Regulation.
- 9.1.2. The frequency of inspections referred to in paragraph 2.4 of Appendix 2 to the Agreement is normally one every two years."

Annex 5,

Paragraph 1., amend to read:

"1. GENERAL

These requirements are consistent with the tests to be held to check conformity of production, pursuant to paragraph 9 of this Regulation."

Paragraphs 2., 3. and 4., replace systematically the words "exhaust system" by "replacement silencing system".

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**B. JUSTIFICATIONS** (and CLEPA's other comments on documents TRANS/WP.29/GRB/2001/7 and TRANS/WP.29/GRB/2001/9)

**1. Justifications**

- Re. para. 3.3.3. = Alignment with EC Directive 1999/101/EC, amending Directive 70/157/EEC.
- Re. para. 3.3.4. = Alignment with EC Directive 92/97/EEC, amending Directive 70/157/EEC.
- Re. para. 3.4.(new) = to clarify the application of the type approval and conformity of production processes.
- Despite the Secretariat's note to TRANS/WP.29/GRB/2001/9, CLEPA suggests to have this requirement in every Regulation annexed to the 1958 Agreement.
- Re. para. 4.3. (new) = In the spirit of the Russian proposal.
- Re. para. 6.1.1. = In line with the Russian proposal.
- Re. para. 6.1.2. = In line with requirements of EC Directive 1999/101/EC amending 70/157/EEC. Requirements of former 6.1.2 are now in para. 6.1.1.2.
- Re. para. 6.2. = In line with the Russian proposal.
- Re. para. 9. = In line with Directive 96/20/EC amending Directive 70/157/EEC.
- Re. annex 5, para. 1. = In line with Directive 1999/101/EC amending Directive 70/157/EEC.

Re. annex 5, paras. 2., 3. and 4. = To improve consistency of the text of the Regulation.

## **2. Other comments**

Title, paragraphs 2.1. to 2.5., 3.1., 3.2.2., 3.2.3. and 3.3.2.:

CLEPA has not experienced any problem with the current wording, and does not support the introduction of terms "non-original" - CLEPA would like to keep the current wording.

Scope:

As there is no significant international trade of replacement silencing systems, and as maintenance is usually performed in specialized workshops, CLEPA thinks it is not necessary to extend the scope to all M and N category vehicles.

Paragraphs 4.1. to 4.1.2.:

CLEPA would like to keep the current wording. Same explanation as above. In addition, ISO 4100-80 is not used in our Industry, and is not really applicable.

Paragraph 4.1.3.:

Redundant with current para. 5.4. Not to be inserted.

Paragraph 4.2.:

CLEPA would like to keep current wording. It is only necessary to see the approval mark after installation (for periodical technical inspection for example), as required by paragraph 5.5.

Paragraph 5.1.:

CLEPA would like to keep the current text. Same explanation as above.

Paragraphs 6.1.1.3. to 6.1.1.7.:

Not to be inserted. The proposed requirements are too vague to be enforceable.

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