

# Rulemaking procedures and implementation of established gtr into national law

The 138th WP29, 7-11 March 2006

Ministry of Land, Infrastructure and Transport  
Japan

## The Safety Regulations of Road Vehicles

### Road Vehicles Act

#### ○Article 40

No motor vehicle shall be used for operation unless its construction conforms to the technical standards for safety, environmental pollution control and environmental conservation set by the MLIT Ordinance in the matters enumerated in each of the following Items:

#### ○Article 41

No motor vehicle shall be used for operation unless it conforms to the technical standards for safety, environmental pollution control and environmental conservation set by the MLIT Ordinance concerning the systems and devices enumerated in each of the following Items:

#### ○Article 46

The technical standards for safety, environmental pollution control and environmental conservation under the provisions of Articles 40 to 42 inclusive, Article 44 and the preceding Article (hereinafter referred to as "the Safety Regulations") shall be those under which the construction and devices of road vehicles can fully withstand operation and are safe for driving and other use;  
and at the same time, shall not harm passersby or other persons; and in addition, shall not impose undue limitations on the manufacturers or users in connection with the manufacturing or using of the motor vehicles.

In Japan, Safety Regulations of Road Vehicles are stipulated as the minimum requirement necessary for assuring safety and pollution control for motor vehicle construction and its devices

# Japan's legal procedure to adopt the gtr

## 1. Technical requirements for vehicle safety and environmental protection are regulated by the Safety Regulations of Road Vehicles in Japan.

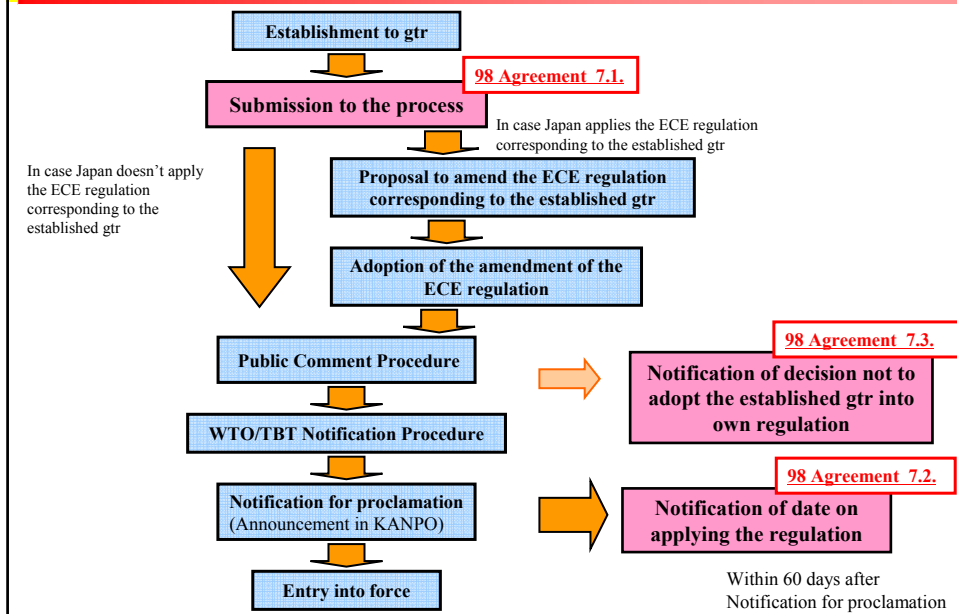
➡ Japan start the process to adopt the established gtr into Safety Regulations of Road Vehicles when it is established.

## 2. In case Japan has already applied the corresponding ECE regulations,

- Japan acceded both 58 Agreement and 98 Agreement -

➡ The corresponding ECE regulation should be amended so that the Safety Regulation will follow both regulations.

# Procedure of adopting the gtr



# Public Comment Procedure

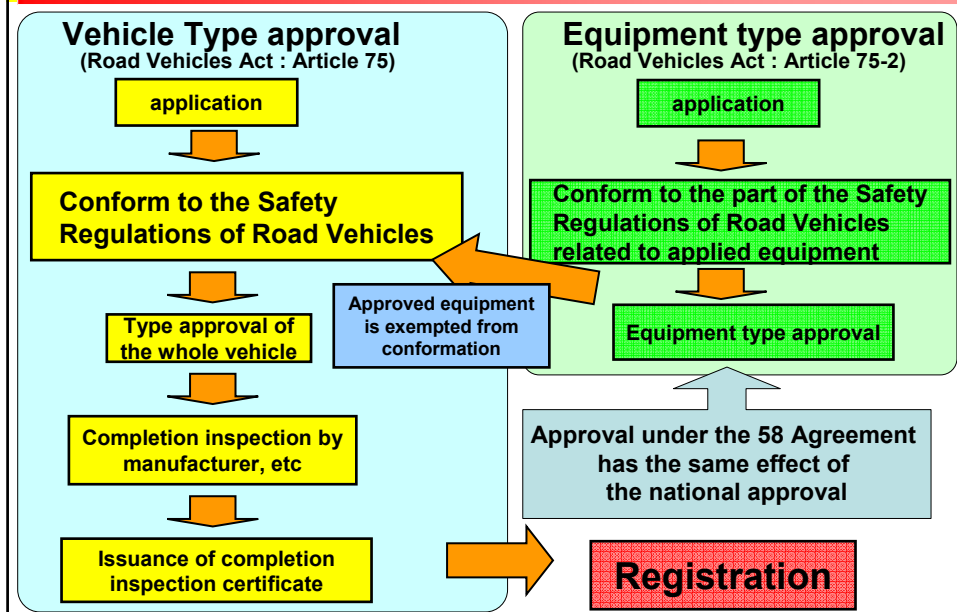
## 1. Law, etc

- Enforce on basis of 「Public comment procedure concerning establish, amend or repeal the regulation 」(Cabinet decision : 23 March 1999)
- Abovementioned content is provided on the amended Administrative Procedure Law ( scheduled date of entry into force : April 2006)

## 2. Outline

- The governmental agencies which will establish, amend or repeal the regulation shall request public comments and information before making decisions.
- In making above public comments, the agency shall also announce the purpose of the proposal, and the estimated influence by establishing, amending or repealing the regulation, etc as well as the proposal itself.
- In making final decision, the agency shall take into account of the opinion which have submitted.

# Certification procedure in Japan



## gtr1

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- Japan has already applied R11 corresponding to gtr1.
- Amendment of R11 (TRANS/WP.29/GRSP/2005/9) has already proposed by EU in order to align the text of the Regulation to gtr1.
- After the amendment is adopted, Japan will take the procedure to amend the Safety Regulations of Road Vehicles to adopt the gtr through applying the amended ECE regulation.

## gtr2

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- At present, Japan does not apply R40 corresponding to gtr2.
- Japan is studying how to adopt gtr2 to the Safety Regulations of Road Vehicles including treatment of limited values.
- Japan will start the process to adopt it as soon as the study is completed.