

**Proposal for amendments to ECE/TRANS/WP.29/2007/60  
(Proposal for the 03 series of amendments to Regulation No.10)**

A. PROPOSAL

Paragraph 3. (Application for Approval),

New paragraphs 3.2.8. and 3.2.9., insert a reference to a new footnote \*/ and the corresponding footnote \*/ (bold character) to read:

- "3.2.8. ESA which are brought to the market as spare parts need no type approval if they are obviously marked as a spare part by an identification number and if they are identical and from the same manufacturer as the corresponding original equipment manufacturer (OEM) part for an already type approved vehicle. \*/
- [3.2.9. Components sold as aftermarket equipment and intended for the installation in motor vehicles need no type approval if they are not related to immunity related functions (see paragraph 2.12.). In this case a declaration must be issued by the manufacturer that the ESA fulfils the requirements of this Regulation and in particular the limits defined in paragraphs 6.5., 6.6., 6.8. and 6.9.

During the transition period, ending on 4 November 2008, the person or legal entity responsible for placing on the market of such a product has to submit all relevant information and/or a sample to a Technical Service which will determine if the equipment is immunity related or not. The result of the inspection shall be available within three weeks and not require additional testing. A document according to the example given in Annex 3C shall be issued by the Technical Service within the same period. In case of doubts and if the Technical Service refuses to issue an attestation according to Annex 3C, the manufacturer has to apply for type approval for his product." \*/

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**\*/ This provision is applied to the Contracting Parties which make type approval mandatory for components including ESA in their national area.**

B. JUSTIFICATION

Under the 1958 Agreement, type approval is not mandatory. Therefore, these provisions which stipulate the condition with regard to the necessity of type approval are not suitable to regulations annexed to the 1958 Agreement.

If these provisions were to be left without this footnote in this regulation, contracting parties except EU area will be in trouble when applying this regulation into their domestic laws.

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