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Marking in global technical regulations

Proposal concerning application of marking in global technical regulations (gtrs)

Transmitted by the representative of the Russian Federation*

The text reproduced below was prepared by the representative of the Russian Federation and concerns marking in global technical regulations. It is based on informal document No. WP.29-150-15 distributed at the one-hundred-and-fiftieth session of the World Forum for Harmonization of Vehicle Regulations (WP.29) (ECE/TRANS/WP.29/1083, para. 109).

I. Background

1. Under the 1998 Global Agreement, the adoption of a global technical regulation entails its establishment in the Global Registry. Pursuant to article 7 of the 1998 Global Agreement, a Contracting Party voting in favour of the establishment of a global technical regulation shall be obligated to incorporate that Regulation into its own laws.
2. The Russian Federation maintains that for Contracting Parties to the 1958 Geneva Agreement, the best means of ensuring compliance with article 7 of the 1998 Global Agreement is to incorporate gtr requirements in the UNECE Regulations. In addition, the UNECE Regulations should be in line with the gtrs, since once a gtr has been established in the Global Registry, it is important not to have parallel technical regulations for a single object.

* In accordance with the programme of work of the Inland Transport Committee for 2006–2010 (ECE/TRANS/166/Add.1, programme activity 02.4), the World Forum will develop, harmonize and update Regulations in order to enhance the performance of vehicles. The present document is submitted in conformity with that mandate.

3. The proposed solution, already applied in practice, would ensure uniform application of gtr requirements by all countries party to the 1958 Geneva Agreement, with the UNECE Regulations becoming the legal instrument that ensures incorporation of such gtr requirements within national legislation.

4. The mechanism operating within the framework of the 1958 Geneva Agreement allows for reciprocal recognition of conformity assessment results under the UNECE Regulations and also therefore of those gtrs whose requirements have been incorporated within the corresponding UNECE Regulations, at least by countries party to the 1958 Geneva Agreement.

5. However, since the 1998 Global Agreement contains no provisions governing reciprocal recognition of conformity assessment results for countries that are party to it but that have not acceded to the 1958 Geneva Agreement, the question of reciprocal recognition of conformity assessment results obtained in another country must currently be decided at the national level. The gtr marking, which it is proposed to call a “global marking”, should take this into account.

6. Nor does the 1998 Global Agreement define conditions of access to the markets of Contracting Parties for goods meeting gtr requirements. However, if goods bear the global marking, this should mean that they meet the national requirements of the Contracting Parties to the 1998 Global Agreement. At the same time, the definition of terms of access of such goods to a national market, as well as the need and procedure for assessing the conformity of the goods for the purposes of market access, is a matter to be addressed by national legislation (unless the 1958 Geneva Agreement provides otherwise).

II. Applicability of global marking

7. Global marking should be used in the gtrs to denote goods that fully comply with all the requirements of those gtrs. If gtrs contain several requirement levels, goods bearing the global marking should meet the most stringent requirement level in force on the date of the conformity assessment. It is proposed that they be known as “global goods” since they will be approved for the markets of all Contracting Parties to the 1998 Global Agreement.

8. Goods not complying with all gtr requirements should not carry the global marking. It is proposed that such goods be known as “regional goods”, since they will be approved only for markets in specific regions.

9. Implications:

(a) The gtrs should include all the most up-to-date goods requirements applied by the Contracting Parties, since if such requirements are in force at the national level, the goods must comply with those requirements in order to be approved for access to the national market;

(b) Where time frames exist for the introduction of more stringent requirements at the national level, the gtrs should provide for corresponding time frames.

Example: The introduction of the 02 series of amendments in UNECE Regulation No. 117 concerning new tyre rolling noise levels and rolling resistance will involve introducing corresponding requirements in the gtr on tyres and the establishment of a timetable for their application.

(c) The gtrs should not stipulate that application of their own provisions is mandatory. The establishment of the mandatory nature of individual gtr requirements remains at the discretion of the Contracting Parties to the 1998 Global Agreement. However, if gtr requirements are incorporated into national legislation through the

application of UNECE Regulations, then those gtr requirements incorporated into the UNECE Regulations will become mandatory for the Contracting Parties to the 1958 Geneva Agreement.

Example: In light of the above, there is no rationale for including mandatory or additional requirement modules in the gtr on tyres. For Contracting Parties to the 1958 Geneva Agreement, the provisions that will become mandatory are those established as such in UNECE Regulations Nos. 30, 54 and 117, or in new UNECE Regulations specially drafted to apply gtrs to replace these. Contracting Parties to the 1998 Global Agreement that have not acceded to the 1958 Geneva Agreement may at the national level make mandatory those gtr requirements on tyres that they deem necessary.

III. Appearance of global marking

10. To ensure harmony with the 1958 Geneva Agreement, it is proposed that the global marking should take the form of a circle containing the letter “G”, followed by the distinguishing number of the Contracting Party to the 1958 Geneva Agreement granting approval (fig. 1). If the goods go to markets of countries that are not Contracting Parties to the 1958 Geneva Agreement, the global marking should take the form of a circle containing the letter “G”, but without any distinguishing number (fig. 2).

Fig. 1.



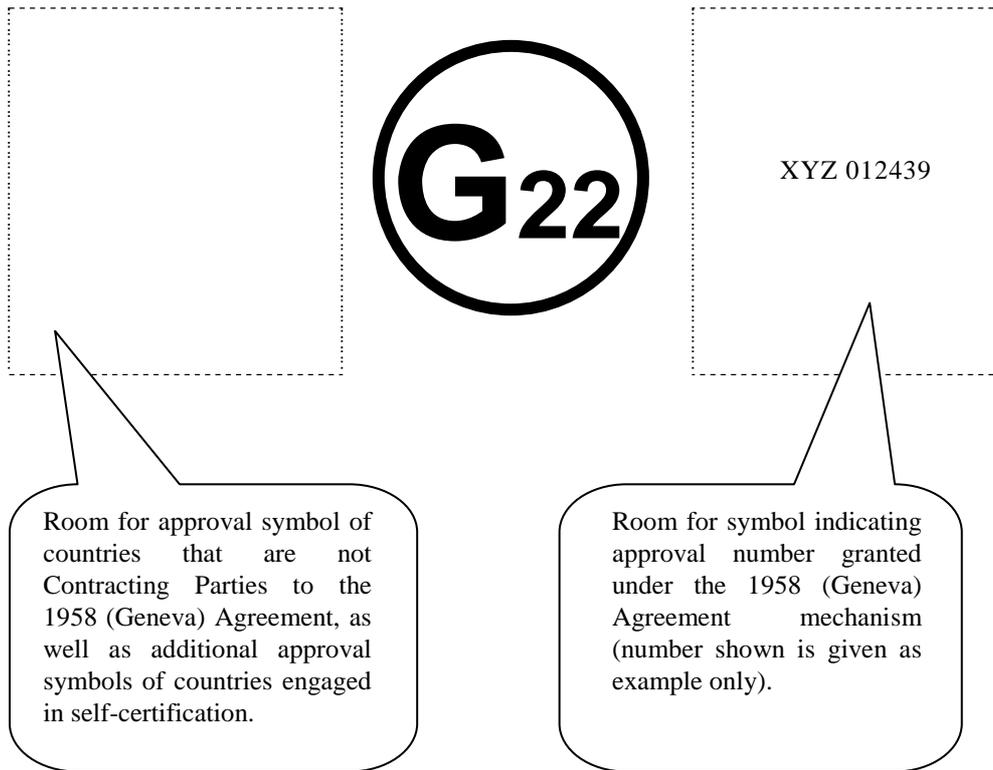
Fig. 2.



The digits “22” represent the distinguishing number of the Contracting Party to the 1958 Geneva Agreement that has granted approval (example only).

11. Space should be left to the right and left of the circle (fig. 3). To the right of the circle, a stamp would indicate the approval number granted under the mechanism of the 1958 Geneva Agreement. The composition of the approval number should be defined in the UNECE Regulations into which the gtr requirements are incorporated. To the left of the circle, there would be space for approval stamps of countries not party to the 1958 Geneva Agreement, as well as additional symbols applied by countries using self-certification, as required. It should be stipulated that the approval symbol under the 1958 Agreement should not be placed to the left of the circle and that other symbols should not be placed to its right. This would facilitate recognition of marking by various countries’ control authorities, thus avoiding confusion.

Fig. 3.



12. Regional goods may carry a regional marking, the appearance and necessity of which should be established at the national level. However, the same regional marking should not be used for different regions if the mandatory requirements differ between the regions in question. Countries that have acceded to the 1958 Geneva Agreement should use as a regional marking the standard marking applied to similar goods under the UNECE requirements.