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### Economic Commission for Europe

Inland Transport Committee

World Forum for Harmonization of Vehicle Regulations

Working Party on Noise

**Fifty-second session**

Geneva, 6–8 September 2010

Item 3(c) of the provisional agenda

**Regulation No. 51**

(Noise of M and N categories of vehicles)

### **Proposal for draft amendments to Regulation No. 51**

**Submitted by the expert from the United Kingdom \***

The text reproduced below was prepared by the expert from the United Kingdom of Great Britain and Northern Ireland to improve the provisions of ECE/TRANS/WP.29/GRB/2009/5, as amended by Informal document No. GRB-50-01. The document is based on Informal document No. GRB-51-17 distributed at the fifty-first session of the Working Party on Noise (GRB) (see report ECE/TRANS/WP.29/GRB/49, para. 11). Modifications are marked in bold characters.

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\* 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.

## I. Proposal

*Insert new paragraphs 2.20. and 2.21., to read:*

- “2.20. “Defeat device” means a device which measures, senses or responds to operating variables for the purpose of activating, modulating, delaying or deactivating the operation of any component or function of the noise control system such that the effectiveness of the control system is reduced under conditions encountered during the normal use unless the use of such a device is substantially included in the noise test certification procedure.**
- 2.21. “Irrational control strategy” means any strategy or measure that, when the vehicle is operated under normal conditions of use, reduces the effectiveness in the applicable noise test procedures.”**

*Paragraph 6.2.3.1., amend to read:*

- “6.2.3.1. The use of any defeat or irrational control strategy is prohibited.”**

## II. Justification

1. Working document ECE/TRANS/WP.29/GRB/2009/5 and Informal document No. GRB-50-01 were submitted respectively by Netherlands and by the Chair of the GRB Informal group on Additional Sound Emission Provisions (ASEP). Each document contain a different draft proposal to amend the text of method B specified in Regulation No. 51, Supplement 5 to the 02 series of amendments in order to incorporate ASEP.
2. The text proposed by the United Kingdom is based on Annex I, para. 2.8c. and 2.8d., and Annex III, para. 4.1.1., of European Union Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of laws of member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.
3. The United Kingdom believes that the text herein proposed clarifies the definition of “defeat device”, and adds a further definition of “irrational control strategy” to cover, amongst other issues, any form of cycle detection or manipulation of the engine management system during a type-approval test.