

## **Discussion paper revised transitional provisions to Regulation No. 13 and No. 13H**

The text reproduced below was prepared by the expert from The Netherlands. This paper aims to show the possible improvements and simplifications of the transitional provisions in regulation no. R13 and no. 13H.

Existing text that was regarded as superfluous is deleted, the paragraph numbers of the remaining paragraphs is retained.

### **I. Proposal**

#### **Regulation No. 13**

#### **12. TRANSITIONAL PROVISIONS**

- 12.1.7. Supplement 1 to the 11 series of amendments to this Regulation shall be applied as specified in paragraph 12.4.1.

*(Remark sup 1 deals with ISO 11992)*

- 12.2.6. As from 48 months after the entry into force of Supplement 1 to the 11 series of amendments to this Regulation, Contracting Parties shall grant approvals to vehicles exempted by paragraphs 5.2.1.32. and 5.2.2.23. including the footnotes, only if they comply with the requirements of Supplement 1 to the 11 series of amendments to this Regulation.

*Valid till 22/07/2013 could be deleted in proposals entering into force after this date*

- 12.2.7. As from 48 months after the date of entry into force of Supplement 2 to the 11 series of amendments to this Regulation, Contracting Parties applying this Regulation shall grant approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by Supplement 2 to the 11 series of amendments.

*Valid till 24/10/2013 could be deleted in proposals entering into force after this date*

*(Remark; supplement 2 deals with test reports brakes/axles, not with approvals)*

- 12.2.10 As from 36 months after the date of entry into force of the Supplement 7 to the 11 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by the Supplement 7 to the 11 series of amendments.

*Valid till 28/10/2014*

*(Remark, sup 7 deals with generation of the braking signal and some clarifications)*

- 12.4. Mandatory provisions for vehicles equipped with a vehicle stability function

- 12.4.1. Requirements for the equipment of vehicles with vehicle stability functions as specified in paragraphs 5.2.1.32. and 5.2.2.23. of this Regulation, as amended by the 11 series of amendments, shall be applied as follows:

Table with dates applicable to the various vehicle categories.  
Etc. etc.....

New paragraph necessary with regard to the ESC-symbol has not been inserted yet.

## **Regulation No. 13H**

### **12. TRANSITIONAL PROVISIONS**

~~12.1. — As from 1 November 2011, Contracting Parties applying this Regulation may refuse to grant national or regional type approval if the vehicle type does not meet the requirements of this Regulation as amended by Supplement 9 or Supplement 10 or Supplement 11 and is not fitted with an Electronic Stability Control System and a Brake Assist System, both meeting the requirements of Annex 9 to this Regulation.~~

*(necessity of this paragraph is unclear)*

[12.2. As from 1 November 2013, Contracting Parties applying this Regulation ~~may refuse first national registration of a vehicle which does not meet the requirements of this Regulation as amended by Supplement 9 or Supplement 10 or Supplement 11 and is not fitted with an Electronic Stability Control System and a Brake Assist System, both meeting the requirements of Annex 9 to this Regulation~~ **shall not be obliged to accept, for the purpose of national or regional type approval, a vehicle type approved under this Regulation, if the vehicle type is not fitted with an Electronic Stability Control System and a Brake Assist System, both meeting the requirements of Annex 9 to this Regulation]**

12.3. Contracting Parties applying this Regulation may continue to grant approvals to those types of vehicles which comply with the requirements of this Regulation as amended by Supplement 6 to the original version of this Regulation.

[12.4. Contracting Parties applying this Regulation shall continue to grant approvals to those types of vehicles which comply with the requirements of this Regulation as amended by Supplement 10 to the original version of this Regulation during the 36 months period which follows the date of entry into force of Supplement 11.]

*(12.4 could be deleted if the adoption of this proposal is deferred to the November 2013 session of WP.29.)*

[12.5. As from 24 months after the date of entry into force of the Supplement 15 to the original version of this Regulation, Contracting Parties applying this UN Regulation shall grant UN type approvals only if the vehicle type to be approved meets the requirements of this UN Regulation as amended by the Supplement 15.]

## **II. Justification**

Basic principles of transitional provisions:

- Supplements are the base for type approvals beginning at the day they enter into force, therefore there is no need for mentioning this inside the transitional provisions
- If transitional provisions are needed for special changes inside an amendment, a new series of amendments should be considered instead of adding transitional provisions for supplements
- National registration of vehicles and vehicle parts has no meaning under the 1958 agreement. This shall be managed nationally or regionally.

- A type approval according to any supplement inside a series of amendments can be extended except when this supplement is excluded inside the transitional provisions.

### Regulation No. 13

- All paragraphs only saying that a contracting party shall grant a type approval can be deleted as it already regulated in the '58 agreement articles 2 and 3.. After that all provisions with dates that are already passed can be deleted too. That leaves us only with a relative small number of provisions.

- In our understanding, we now have the 11<sup>th</sup> series of regulation no. 13;

\* The 11<sup>th</sup> series has entered into force on 11/07/2008, par 12.4 states that requirements according par. 5.2.1.32 and par. 5.2.2.23 (*vehicles which shall have EVSC*) have to be applied according to par. 12.4.1 (=list with dates depending on vehicle category). In our understanding, the 11<sup>th</sup> series apply for all vehicles only the requirements of par. 5.2.1.32 and par. 5.2.2.23 are applied at different dates. That in fact is the EVSC. In our understanding an approval according R13.11 is issued anyhow but if the vehicle shall have an EVSC depends on the dates mentioned in par. 12.4.1.

If, at the time of drafting of the 11<sup>th</sup> series it was the intention that vehicles without an EVSC should not get an approval according the 11<sup>th</sup> series, it should have been specified in a paragraph stating something like; "vehicles mentioned in par. par. 5.2.1.32 and par. 5.2.2.23 without an EVSC shall not be approved according the 11<sup>th</sup> series but according the 10<sup>th</sup> series until the dates mentioned in par. 12.4.1".

\*- Paragraph 12.1.7 states that supplement 1 to the 11<sup>th</sup> series shall be applied as specified in paragraph 12.4.1.

- Paragraph 12.2.6 states that supplement 1 to the 11 series shall be applied for those vehicles which are exempted by par. 5.2.1.32 and par. 5.2.2.23 from 22/7/2013.

All vehicles are covered by these two paragraphs.

- The transitional provisions with regard to the ESC-symbol have to be added to the proposed paragraphs.

### Regulation R13H

- Basic proposal copied from a proposal from April 2012 made by Mr. Bauckhage from the secretariat.

- Missing paragraph lost during transition from Revision 1 to Revision 2 reinserted.

- unnecessary issues deleted, when a supplement to a series of amendments enters into force, each contracting party shall grant approvals under this supplement, that is what a supplement and a date of enter into force is intended for.

- Each supplement of a series of amendments can be used for extensions unless it is excluded. Therefore there is no need to mention a special supplement for extension allowance.

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