

Proposal to amend Article 3 of the draft revision 3 of the 1958 Agreement

I. Proposal

Article 3, amend to read:

"Article 3

1. Wheeled vehicles, equipment or parts for which type approvals have been issued by a Contracting Party in accordance with Article 2 of this Agreement, shall be held to be in conformity with the relevant part of the national legislation of all the Contracting Parties applying the said UN Regulation.
2. Contracting Parties applying UN Regulations shall, by mutual recognition, accept for the placement in their markets, and subject to the provisions of Articles 1, 8 and 12 ~~as well as any special provisions within these UN Regulations~~, type approvals granted pursuant to these UN Regulations, without requiring any further testing, documentation, certification or marking concerning these type approvals."

II. Justification

1. The addition of the words "as well as any special provisions within these UN Regulations" was adopted at the ninth meeting of the Sub-group "1958 Agreement" held in January 2014.
 2. Subsequently, OICA suggested some further amendments, published as document ECE/TRANS/WP.29/2015/41, suggesting clarification of the exact issue of such "special provision". WP.29, at its November 2014 session, requested the IWVTA Sub Group on the 58 Agreement to review the issue.
 3. The Sub Group, at its March 2015 session, had a detailed discussion on the OICA proposal and finally agreed in principle to delete the additional wording relating to "special provisions"; the Sub Group considered that special provisions are not defined in the draft revision 3 of the 58 Agreement, and that this concept of special provisions may give rise to misinterpretations.
 4. The Sub Group also recalled the basic principle of the 58 Agreement to reach, to the greatest extent possible, harmonisation of vehicle and component requirements as well as mutual recognition of type approvals.
 5. Finally, the Sub Group agreed to submit the above proposal as an informal document to the March 2015 WP.29 session, with the understanding that this proposal would replace the OICA proposal (ECE/TRANS/WP.29/2015/41). If, by the deadline for submission of official documents to the June 2015 WP.29 session, no member of the Sub Group raises an objection, the Sub Group suggests that this informal document be transformed into an official document for the June 2015 WP.29 session.
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