

## I. Proposal

*Insert a new paragraph 1.2.3., to read:*

- “1. Scope**
- 1.1. This Regulation applies to the braking of vehicles of categories M1 and N1
- 1.2. This Regulation does not cover:
- 1.2.1. Vehicles with a design speed not exceeding 25 km/h;
- 1.2.2. Vehicles fitted for invalid drivers.
- 1.2.3. the approval of the ESC and BAS systems of the vehicle.”**

Paragraph 12, amend to read (deletion of all previous paragraphs):

- “12. Transitional provisions**
- 12.1. As from [01 September 2017] no Contracting Party applying this Regulation shall refuse to grant **or refuse to accept** Type Approvals to this Regulation as amended by the 01 series of amendments.
- 12.2. Even after 01 September 2017 **Contracting Parties** applying this regulation shall continue to accept type approvals granted to the 00 series of amendments to this regulation.
- However, Contracting Parties applying this Regulation shall not be obliged to accept, for the purpose of national or regional type approval, Type Approvals to the 00 series of amendments to this regulation for vehicle types not fitted with a Vehicle Stability Function or ESC and BAS.
- 12.3. ~~As from [the date of entry into force of the 01 series of amendments to this Regulation/01 September 2017] no Contracting Party applying this Regulation shall be obliged to accept Type Approvals to this Regulation as amended by the 01 series of amendments [unless the vehicle is also Type Approved to Regulation [BAS] and/or Regulation [ESC]].~~
- ~~12.4. As from 15 June 2017 Contracting Parties applying this Regulation shall grant Type Approvals to the 00 series of amendments only if the vehicle type to be approved meets the requirements of Supplement 16 to the original version of this Regulation.~~
- 12.5. As from [the entry into force of the 01 series of amendments/01 September 2017], 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 01 series of amendments.
- 12.6. Contracting Parties applying this Regulation shall not refuse to grant extensions of Type Approvals for existing types, regardless of whether they are fitted with a Vehicle Stability Function or ESC and BAS or not, on the basis of the provisions valid at the time of the original approval."

## II. Justification

1. Paragraph 1 (scope): the proposed addition of sub-paragraph 1.2.3. clarifies to the approval authorities that the new version of the regulation does not cover anymore ESC and BAS.
2. For the sake of clarity it should be indicated that the proposed Paragraph 12 supersedes the existing Paragraph 12 introduced by Supplement 16 to the original version of UN Regulation No. 13H (ECE/TRANS/WP.29/2014/46/Rev.1).
3. The split of UN Regulation No. 13H in three distinct UN Regulations on Braking, Brake Assist Systems (BAS) and Electronic Stability Control (ESC) will require from Contracting Parties mandating BAS or ESC to take in proper time necessary actions for inclusion of all the three mentioned UN Regulations into the national/regional list of mandatory regulations for the purpose of national/regional type approval. Contracting Parties have to be advised about such a legislative action, but this advice cannot become a part of provisions of UN Regulation No. 13H-01.
4. Introducing a certain lead time for implementation of the 01 Series of amendments would help the Contracting Parties to complete their necessary legal actions.
5. The enforcement date for the 01 series of amendments can be chosen taking into account the following:
  - a. the separate UN Regulations on ESC and BAS are already in force;
  - b. the process of transposition of the separate UN Regulations on ESC and BAS into the national/regional legislation is likely to be finished. Maybe the tentative lead time can be specified by Contracting Parties
6. Paragraph 12.1.: this paragraph actually “switches-on” the 01 Series of amendments. It provides a date as from which the 01 Series can be used for approval purposes. The task-force follows the WP29 recommendation to use a defined date (vs. a nebulous time related to the date of the administrative entry into force of the document) for the entry into force of the new series of amendment. The date of 1 September 2017 is proposed between [ ] for permitting the interested experts to make their opinion in view of the process of the splitting of the regulation (e.g. date of entry into force of the separate regulations on ESC and BAS).
7. Paragraph 12.2.: the 1<sup>st</sup> sub-paragraph establishes the general rule that the approvals to the 00 Series of amendments shall continue to be accepted. The 2<sup>nd</sup> sub-paragraph establishes an exemption to the general rule to permit some contracting parties (e.g. EU and J) to mandate ESC/BAS even though they are optional in the 00 Series of amendments.
8. Paragraph 12.3. was part of the original proposal from the UK (original document GRRF/2015/33). It had the same target as the 2<sup>nd</sup> sub-paragraph of paragraph 12.2. and therefore becomes obsolete
9. Paragraph 12.4.: this paragraph is part of the existing transitional provisions of the 00 Series of amendments and aims at providing time to the Industry to adapt their production to the new requirements with regard to the symbols and tell-tales. This paragraph can be deleted because it will be obsolete when the 01 Series will become applicable.
10. Paragraph 12.5.: this paragraph actually “switches-off” the 00 Series of amendments, i.e. as from the date indicated in this paragraph, contracting parties applying the 01 series of amendments are prevented from granting UN approvals to the 00 Series of amendments. In the special situation of the split of UN R13H, the task-force chose the same date as for the “activation of the 01 Series of amendments (paragraph 12.1.), yet this date could be any time later (see also items 4 & 5 of the justifications).
11. Paragraph 12.6. regular wording taken over from the current text of the regulation for the extension of approvals.