

Proposal for clarification of the scope of Regulations under the 1958 Agreement covered by GRRF

Transmitted by the expert from the European Commission

Background: The Commission services intend to make many UNECE Regulations mandatory within the EC. Therefore a check was made as to the scope of all the Regulations that the EC has adhered to. This review found a series of recurring uncertainties or errors. These have been listed in informal document No. WP.29-134-22 in order to explain our concerns and was sent to all the GR on behalf of WP29. The Commission services were then invited to present more detailed preparatory work to the GR-s. "he process has started with a document which considers those Regulations covered by GRPE, whereas the present document makes a series of suggestions for those Regulations covered by GRRF.

Another step towards greater clarity as to the scope of Regulations will be with a so-called "Horizontal Regulation". We propose that a Horizontal Regulation takes over most of the content of the last version of Annex 7 to R.E.3 on vehicle categories, but will introduce some modifications, mainly by taking in elements of S.R.1. However, the major difference of this Horizontal Regulation would be that it is directly and uniformly applicable, even when a Regulation still refers to any old version of R.E.3. A draft Horizontal Regulation is being prepared for forwarding to the GR-s.

A. TYRES

I. Regulation No. 30 - Tyres:

1. The reference to vehicle categories relates to an older version of R.E.3. This problem can only be solved by a Horizontal Regulation.
2. The text "designed primarily, but not only, for..." is ambiguous and could exclude components "designed only for ...". We suggest: "This Regulation covers new pneumatic tyres designed and manufactured for vehicles in categories M₁, O₁ and O₂." (without footnote).
3. We wonder whether the second and the third sentence are needed. What are the consequences of the fact that "tyre performances in excess of 300 km/h are not considered" for the scope? Are tyres for cars running faster than 300 km/h covered or not?

4. The scope should be extended, as an option, to N_1 as many N_1 are based on the same chassis as M_1 . It does not make sense to oblige industry to use Regulation No. 54 for N_1 .

II. Regulation No. 54 – Tyres for Commercial Vehicles:

1. The reference to vehicle categories relates to an older version of R.E.3. This problem can only be solved by a Horizontal Regulation.
2. The text "designed primarily, but not only, for..." is ambiguous and could exclude components "designed only for ...". We suggest: "This Regulation covers new pneumatic tyres designed and manufactured for vehicles in categories M_2 , M_3 , N, O_3 and O_4 ." (without footnote).
3. We wonder whether the second sentence is needed. As the regulation is not applied on a mandatory basis, it might be advantageous for industry to extend the scope on tyres below 80 km/h.
4. The UNECE secretariat regards O_2 as being covered. We suppose that this is by error and no clarification is needed.

III. Regulation No. 75 – Tyres for Motor Cycles:

1. L_6 and L_7 should now be included by adding " L_6 and L_7 " after L_5 . No new testing requirements have to be set up for these vehicle categories. However, it is needed to say, preferably in the Horizontal Regulation: "Vehicles of category L_6 shall fulfil the technical requirements applicable to vehicles of category L_2 unless otherwise specified." and "Vehicles of category L_7 shall fulfil the technical requirements applicable to vehicles of category L_5 unless otherwise specified."
2. The reference to vehicle categories relates to an older version of R.E.3. This problem can only be solved by a Horizontal Regulation.
3. The second paragraph has nothing to do with the scope. It should be shifted elsewhere.
4. The text "designed primarily, but not only, for..." is ambiguous and could exclude components "designed only for ...". We suggest: "This Regulation covers new pneumatic tyres designed and manufactured for vehicles in categories ...".

IV. Regulation No. 108 – Retreaded Tyres for motor vehicles:

1. It is not clear to us what a "private passenger car" is. If M_1 or all M is meant, it should be clearly said. The word "private" is not really helpful as it relates to the ownership or use status of the vehicle. Ideally, between Regulations Nos. 108 and 109 all M and N should be covered, whereas, according to the understanding of the UNECE secretariat, M_2 and M_3 are not covered by either of these Regulations.

2. In the opinion of the UNECE secretariat only O₁ trailers are covered, whereas some M₁ vehicles are allowed to draw some of the O₂ trailers.
3. In the second sentence of para. 1. the words "the production of" should be added after "It does not however apply to".
4. Paras 1.1. and 1.3. are superfluous.
5. It is unclear whether paras. 1.4. and 1.5. reduce the scope or set up a requirement. We would prefer the second interpretation. Therefore para 6.1. should be reformulated as follows: "Tyres shall not be accepted for ~~first~~ retread unless they were originally produced with speed symbols and/or load indices, have been type approved, and bear either an "E" or "e" mark."
6. We assume that paras. 1.6. – 1.8. intend indeed to reduce the scope. However, it is not clear whether the reference is made to retreaded or original tyres. In the first case, the word "retreaded" should be added. In the second case, the words "retreaded based on original" should be added.

V. Regulation No. 109 – Retreaded tyres for commercial vehicles:

1. It is not clear to us what a "commercial vehicle" is. If all N or all N plus M₂ and M₃ are meant, it should be clearly said. The word "commercial" is not really helpful as it relates to the ownership or use status of the vehicle. Moreover, some L vehicles might be used as commercial vehicles. Ideally, between Regulations Nos. 108 and 109 all M and N should be covered, whereas, according to the understanding of the UNECE secretariat, M₂ and M₃ are not covered by either of these regulations.
2. The UNECE secretariat regards only O₂₋₄ trailers as covered, whereas some N, M₂ or M₃ might draw an O₁ trailer as well.
3. In the second sentence of para. 1. the words "the production of" should be added after "It does not however apply to".
4. Paras. 1.1. and 1.3. are superfluous.
5. It is unclear whether paras. 1.4. and 1.5. reduce the scope or set up a requirement. We would prefer the second interpretation. Therefore para. 6.1. should be reformulated as follows: "Tyres shall not be accepted for ~~first~~ retread unless they were originally produced with speed symbols and/or load indices, have been type approved, and bear either an "E" or "e" mark."

B. BRAKING SYSTEMS, etc.

VI.Regulations Nos 13 and 13H – Braking Systems:

1. Both Regulations: The reference to vehicle categories relates to an older version of R.E.3. This problem can only be solved by a Horizontal Regulation.

2. The scope of Regulation 13H should be extended to N₁ as many N₁ are based on the same chassis as M₁.
3. In both Regulations, the speed limit of 25 km/h should be rather referred to in the Horizontal Regulation unless specific aspects oblige to fix a different limit here.

VII. Regulation No. 55 – Coupling devices:

1. We regard it as unclear whether L vehicles (plus trailer) are covered. The word "motor vehicle" covers, under the Vienna Convention, L vehicles, whereas the UNECE secretariat thinks that L vehicles are outside the scope. We would like to see L vehicles included, though specifications for these categories have to be developed.
2. We would like to include tractors and their trailers as well.

VIII. Regulation No. 78 – Braking of L vehicles:

1. Amendment 1 has modified the scope in an unclear way. Whereas the new title seems to define the scope as "category L vehicles as defined in the Consolidated Resolution (R.E.3) (TRANS/SC1/WP29/78)", the new para. 1.1. is to read: "“This regulation applies to the braking of power-driven vehicles having two or three wheels of the types defined in paragraph 2. below." Para 2 below defines what a "vehicle type" is. It says that a vehicle type is defined by a certain vehicle category according to R.E.3 and many other criteria. However, para. 2. does not define which vehicle types are covered by Regulation No. 78. We need thus a completely new text that makes reference to the vehicle categories of R.E.3 or the future Horizontal Regulation, e.g. "This Regulation applies to vehicles of category L₁- L_x".
2. L₆ and L₇ are to be covered. No new testing requirements have to be set up for these vehicle categories. However, it is needed to say, preferably in the Horizontal Regulation: "Vehicles of category L₆ shall fulfil the technical requirements applicable to vehicles of category L₂ unless otherwise specified." and "Vehicles of category L₇ shall fulfil the technical requirements applicable to vehicles of category L₅ unless otherwise specified."
3. The exclusion of vehicles for invalid drivers should be made in R.E.3 or in the future Horizontal Regulation.

IX.Regulation No. 79 – Steering:

Though recently amended (see TRANS/WP.29/1024) the reference to category M, N and O relates to an older version of R.E.3. This problem will be solved by a Horizontal Regulation.

X. Regulation No. 90 – Replacement Brake Linings:

1. According to the common use of "power-driven vehicle", T vehicles and trailers are covered. However, the UNECE secretariat thinks T as not to be covered. Thus,

clarification is needed. "Power-driven vehicles" is to be replaced by "vehicles of category ...".

2. Para 1.2. needs to be clarified – it refers to both brake lining assemblies and brake linings, and also contains provisions relating to requirements, "... may be approved ...", rather than scope. Any device "may be approved" if it meets the requirements of the Regulation!
3. The footnote does not say which international standards for braking systems are accepted under Regulation No. 90. Therefore the scope is not determined. We see two potential solutions: Either all braking systems shall be accepted so that no reference to any international standard or UNECE Regulation is needed; or the international standards have to be enumerated.
4. A potential redraft could, e.g., be as follows:

"1. SCOPE

1.1. This Regulation applies to:

1.1.1 Replacement [service] brake lining assemblies intended for use in friction brakes forming part of a braking system of power-driven vehicles or their trailers [which have a type approval in accordance with Regulation No. 13^{1/} or Regulation No. 78^{2/}].

1.1.2. Replacement drum brake linings designed to be riveted to a brake shoe for fitment to and use on power-driven vehicles and trailers [having a type approval in accordance with Regulation No. 13 and] classified in categories M₃, N₂, N₃, O₃ and O₄.

[^{1/} In this Regulation, references to Regulation No. 13 shall be deemed to refer also to the following international rules: ISO ..., SAE ..., EN ..., etc. References to specific sections of the Regulation shall be interpreted accordingly.

^{2/} In this Regulation, references to Regulation No. 78 shall be deemed to refer also to the following international rules: ISO ..., SAE ..., EN ..., etc. References to specific sections of the Regulation shall be interpreted accordingly.]"

XI.Regulation No. 102 – Close-coupling devices:

1. The reference to category M and N relates to no specified version of R.E.3. This problem will be solved by a Horizontal Regulation.

XII. Regulation No. 111 – Roll-over stability for tank vehicles:

The reference to vehicle categories relates to an older version of R.E.3. This problem can only be solved by a Horizontal Regulation.
