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Item 1.2.1. of the provisional agenda

PROPOSAL FOR DRAFT AMENDMENTS TO REGULATION No. 107

(M₂ and M₃ vehicles)

Submitted by the expert from the European Commission (EC)

Note: The text reproduced below was prepared by the expert from the EC in order to propose an alternative definition for "open-top" buses as well as to enable Contracting Parties to refuse the registration and circulation of vehicles if their masses and dimensions exceed those permitted by their national legislation. The text is based on informal document No. GRSG-90-26, distributed during the ninetieth GRSG session (ECE/TRANS/WP.29/GRSG/69, para. 9). The modifications to the existing text of the Regulation (up to draft Supplement 1 to the draft 02 series of amendments) are marked in **bold** characters.

Note: This document is distributed to the Experts on General Safety Provisions only.

A. PROPOSAL

Paragraph 2.1.9., amend to read (including the deletion of the reference to footnote 2/ and footnote 2/:

"2.1.9. **"Sightseeing vehicle" means a vehicle with a partial roof or without a roof, belonging to Class III, which is specifically adapted for touring purposes.**"

Annex 3,

Insert new paragraphs 7.2.1.1. and 7.2.1.2., to read:

"7.2.1.1. Contracting Parties applying this Regulation [as amended by the 02 series of amendments] shall be free to lay down appropriate limits for masses and dimensions of the vehicles to be registered on their territory.

They may refuse the registration and circulation of vehicles, while type approved in accordance with this Regulation, if their masses and dimensions exceed the maximum masses and dimensions permitted in their legislation.

7.2.1.2. Paragraph 7.2.1.1. shall not apply to the height of the sightseeing buses without a roof. For such vehicles the overall height shall be limited to 3.80 m."

B. JUSTIFICATION

Reference to paragraph 2.1.9.

GRSG has expressed the wish to set up a specific "class" for vehicles with "open-top" in Regulation No. 107 in order to lay down harmonized technical provisions to protect passengers, as much as possible, against their accidental ejection from such vehicles. For this purpose, a vehicle has to be fitted with appropriate equipment, which is specified in draft Supplement 1 to the draft 02 series of amendments to Regulation No. 107 (ECE/TRANS/WP.29/2006/107).

By imposing appropriate equipment, e.g. seats with type approved anchorages and safety belts, and prohibition of standing passengers, these vehicles would be classified as Class III vehicles.

Reference to paragraph 7.2.1.1.

The inclusion of Annex 11 in Regulation No. 107 has been deemed necessary for the purpose of different calculations. However, the characteristics of a vehicle depends on its maximum dimensions and maximum axle capabilities e.g. manoeuvrability requirements. For example, in the European Community, Directives 97/27/EC and 96/53/EC lay down specific requirements with respect to the vehicle, mass, length, height, etc. It cannot be excluded that calculations made on the basis of the specifications of a vehicle could result in an infringement of the legislation of a Contracting Party. Therefore, the addition of a sentence, which clarifies that a Contracting Party may refuse the registration and circulation of vehicles despite their official approval, seems to be appropriate.

Reference to paragraph 7.2.1.2.

When an overall height of a double-deck vehicle, in the case of a sightseeing vehicle without a roof is set at 4.00 m, as it is in the EU, it is possible that the actual height, when passengers are sitting, might exceed 4.00 m. Therefore, there exists a serious risk for these passengers to be hit by electrical wiring in some cities. For this reason, it is necessary to limit the overall height of a vehicle. In principle, the height of a vehicle with passengers should not exceed 4.00 m.
