

OICA PROPOSAL TO AMEND DOCUMENT ECE/TRANS/WP.29/2008/85

A. PROPOSAL

*(Additions and deletions to the text of ECE/TRANS/WP.29/2008/85 are shown in **bold** and ~~strike-through~~ text, respectively.)*

Title page: Amend to read:

1958 AGREEMENT

Consideration of draft amendments to existing Regulations

Proposal for ~~Corrigendum 1 to Revision 4~~ **Supplement 2 to the 04 series of amendments to Regulation No. 48**

(Installation of lighting and light-signalling devices)

Submitted by

B JUSTIFICATION

At its 59th session, GRE approved document TRANS/WP.29/GRE/2008/21 as amended by Annex II of the report. The secretariat was requested to transmit the proposal to WP.29 and AC.1, for consideration at their November 2008 sessions as draft Corrigendum 1 to Revision 4 of Regulation No. 48. The secretariat duly submitted document TRANS/WP.29/2008/85.

OICA experts, in reviewing the proposals for WP.29, identified a concern with this document, which had not been noticed by the OICA delegates to GRE, and pointed out that submission as a corrigendum is inappropriate.

This is because a corrigendum comes into effect “ab initio” on the date of approval by AC.1; (expected to be November 12 2008) however this proposal contains additional requirements to be fulfilled for type approval. The new requirement – “*The vehicle manufacturer shall provide with the vehicle a detailed description of the procedure for replacement.*” – could be complied with relatively quickly and OICA did not ask GRE for Transitional Provisions. This would have been perfectly reasonable in the case of a supplement, however in the case of a corrigendum, insufficient time will be provided for manufacturers to ensure that products submitted for type approval are in compliance.

The WP.29 “General Guidelines for UNECE Regulatory Procedures and Transitional Provisions in UNECE Regulations” TRANS/WP.29/1044 states that “*A Corrigendum consists of corrections to previously issued texts and is normally used to avoid different interpretations.*”. This is clearly not the case with this proposal, therefore OICA respectfully requests that this proposal should be re-classified as a Supplement.

A proposal for Supplement 2 to the 04 series of amendments to Regulation No. 48 (document TRANS/WP.29/2008/86) is already on the agenda of WP.29 and this proposal could be incorporated into the same supplement.