



Economic and Social Council

Distr.: General
29 December 2014

Original: English

Economic Commission for Europe

Inland Transport Committee

World Forum for Harmonization of Vehicle Regulations

165th session

Geneva, 10-13 March 2015

Item 4.4 of the provisional agenda

**1958 Agreement – Consideration of and vote on
draft Revision 3 to the 1958 Agreement**

Proposal for amendments to draft Revision 3 of the 1958 Agreement

Submitted by the representative of the International Organization of Motor Vehicle Manufacturers*

The text reproduced below was prepared by the representative of the International Organization of Motor Vehicle Manufacturers (OICA). It is based on document WP.29-164-23 distributed during the June 2014 session of WP.29 and proposes amendments to ECE/TRANS/WP.29/2015/40 submitted by the secretariat.

The modifications to the text of ECE/TRANS/WP.29/2015/40 are marked in bold characters.

* In accordance with the programme of work of the Inland Transport Committee for 2012–2016 (ECE/TRANS/224, para. 94 and ECE/TRANS/2012/12, programme activity 02.4), the World Forum will develop, harmonize and update Regulations in order to enhance the performance of vehicles. The present document is submitted in conformity with that mandate.

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 **existing** within these UN Regulations **prior to the entry into force of Revision 3 to the 1958 Agreement**, 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. This amendment was considered necessary to take into account specific provisions in existing UN Regulations, such as UN Regulation No. 48 (giving the possibility for Contracting Parties to prohibit Daytime Running Lamps) or UN Regulation No. 13-H (installation of Electronic Stability Control systems).
 2. OICA considers that the addition of the words "as well as any special provisions within these UN Regulations", without having the necessary background information, risks undermining the basic principle of the 1958 Agreement, namely mutual recognition of approvals.
 3. Therefore, OICA proposes clarification of the proposed Article 3 of draft Revision 3 to the 1958 Agreement, by ensuring that the special provisions referred to are those already existing.
 4. This proposal would obviously allow future "special provisions" as long as these are compatible with the basic principle of mutual recognition.
-