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COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

ECONOMIC COMMISSION
FOR EUROPE

Dear Mr. A. Yakimov;

14 November 2008

Relation between vehicle regulations and the Vienna Convention

Following our conversation about the urgent alignment of the provisions of the Vienna Convention with those of the vehicle regulations developed by the World Forum for Harmonization of Vehicle Regulations (WP.29), I would like to transmit to you the outcome of the discussions on the subject during the 146th session of WP.29.

Vehicle technology is changing rapidly and the corresponding vehicle regulations developed by the World Forum in the framework of the 1958 Agreement and 1998 Agreement are being updated accordingly. However, this creates a problem in relation to the 1968 Vienna Convention on Road Traffic, because the provisions of the Convention are no longer in line with these regulations.

The World Forum recognizes the legal issues involved in trying to take into account the provisions of its regulations into the Vienna Convention, but draws the attention of the Working Party on Road Safety (WP.1), to the urgency of this issue.

Therefore, WP.29 wishes to state its preferred objective so that WP.1 can consider the best way of meeting these needs.

The World Forum would like that the Vienna Convention enables the vehicles entering into international traffic to meet the regulations developed by WP.29 as an alternative to the provisions in the Convention governing the technical specifications of the vehicles.

Thus, WP.29 would like to suggest the following options which might allow this objective to be met:

1. a general clause that would recognize the regulations developed by WP.29 as alternatives to the technical requirements for vehicles in the Convention;
2. a separate Agreement supplementing the Convention that could be signed by those Contracting Parties to the Convention that were willing to adopt these measures

Concrete proposals to these options are annexed to this letter.

WP.29 is ready to assist WP.1 in developing a solution to these problems.

Please note that WP.29 has mandated Mr. N. Rogers to present these options at the November 2008 session of WP.1.

Sincerely yours,

с уважением,

B. Kisulenko
WP.29 Chairman

Mr. A. Yakimov
WP.1 Chairman

Concrete proposals for dealing with the problem of the misalignment of the Vienna Convention and the Regulations developed by WP29

Proposal for option 1.

Insert the following clause into the Convention:

“The provisions of the Convention dealing with the technical provisions for vehicles shall be considered fulfilled, if, for the specific item concerned, the vehicle either,

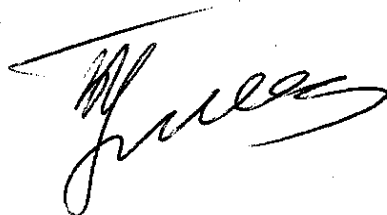
has been type-approved according to the corresponding regulation annexed to the 1958 Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions; or

meets the requirements of the relevant global technical regulation established in the global registry of the 1998 Agreement Concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be used on Wheeled Vehicles”

Proposal for Option 2.

To put the same text into an Agreement supplementing the Convention, which Contracting Parties may then sign.

Note: There are some changes needed to the Convention to make these solutions work smoothly.

A handwritten signature in black ink, appearing to be 'J. Jones', is written in a cursive style.