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Item 5 (a) of the provisional agenda

Convention on Road Traffic (1968):

Consistency between the Convention on Road Traffic (1968) and Vehicle Technical Regulations

Consistency between the Convention on Road Traffic (1968) and Vehicle Regulations

Submitted by the Informal Group “Consistency”^{*}

1. At its seventy-second session, the Inland Transport Committee recommended that WP.1 continue working, as a matter of priority, on ensuring a continuous concordance/consistency between the Convention on Road Traffic, of 1968 and the Regulations developed by World Forum for Harmonization of Vehicle Regulations (WP.29).
2. There is a difference between, on one hand, the rather rapid pace and high frequency of change of vehicle technical regulations and, on the other hand, the slow pace and low frequency of amending the Convention on Road Traffic, 1968. This difference is mainly due to the nature of the technical regulations which are frequently adapted to technical progress, and that of the Convention, which is legal, following strict amendment procedures.
3. At its fifty-ninth session WP.1 created a small (virtual) group of experts to prepare a proposal of amendment to the Convention that had been submitted to the sixtieth session of WP.1.

^{*} In accordance with the programme of work of the Inland Transport Committee for 2012–2013 (ECE/TRANS/2012/9, cluster C, page 9) the Working Party on Road Traffic Safety (WP.1) examines matters and adopts measures aimed at improving road traffic safety. The present document is submitted in conformity with that mandate.

4. The present document presents the work of the small group of experts for consideration and possible decision by the Working Party.

Part 1: Inconsistencies in general

Article 8 (Drivers)

Paragraphs 1, 2, 3 and 4 without any changes.

Paragraph 5 is changed as follows:

“5. Every driver shall at all times be able to control his vehicle or to guide his animals.

Driver assistance systems with an influence on the way the vehicle is driven shall not be considered contrary to the principles mentioned in paragraph 1 and 5 of this Article and paragraph 1 of Article 13 , when:

- (a) they only optimise at technical level some functions which operating depends only on the driver;
- (b) or they operate in case of emergency when the driver has lost or is about to lose the control of the vehicle;
- (c) or the intervention of these systems is identical with the usual performance of a motor vehicle;
- (d) or these systems are overridable at any time or can be switched off.

Nevertheless they may neither be overridden nor switched off if this endangers road safety.

As far the European Agreement is concerned,

Point 7, Paragraph 5, is amended with an additional subparagraph, in conformity with the related amendment of Art 8, paragraph 5 of the Convention to which the EU Agreement and Annexes refers to:

Paragraph 5

This paragraph shall be read as follows:

5. “Every driver shall have his vehicle under control so as to be able to exercise due and proper care at all times. He shall be acquainted with the road traffic and safety regulations, and be aware of the factors which may affect his behaviour such as fatigue, taking of medication and driving under the influence of alcohol and drugs.”

5. (a). (Every driver shall at all times be able to control his vehicle or to guide his animals.)

Driver assistance systems with an influence on the way the vehicle is driven shall not be considered contrary to the principles mentioned in paragraph 1 and 5 of Article 5 and paragraph 1 of Article 13 of the Convention , when:

- (a) they only optimise, at technical level, some functions which operation depends only on the driver, or
- (b) they operate in case of emergency when the driver has lost or is about to lose the control of the vehicle, or
- (c) the intervention of these systems is identical with the usual performance of a motor vehicle, or

- (d) these systems are overridable at any time or can be switched off.

Nevertheless they may neither be overridden nor switched off if this endangers road safety.

Annex 5 (Technical provisions regarding vehicles and trailers)

Annex 5 is completed by paragraph 1.a as follows:

“1a. Vehicles, their systems, parts and equipment that conform to the the Regulations annexed to the « Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions”, done at Geneva on 20 March 1958, including the Amendments, are deemed to be in conformity with the Annex, provided that the above mentioned Regulations are not contrary to the principles defined in paragraphs 3 and 5 of Article 8 of the Convention.

Part 2: Inconsistencies in detail

Article 1 (Definitions)

Subparagraph (u) is amended as follows:

“Articulated vehicle” means:

(a) A combination of vehicles comprising either a motor vehicle and a semi-trailer coupled to the motor vehicle, provided that no transport of persons is operated in the semi-trailer;

(b) or a vehicle which consists of two or more rigid sections which articulate relative to one another; the passenger compartments of each section intercommunicate so that passengers can move freely between them; the rigid sections are permanently connected so that they can only be separated by an operation involving facilities which are normally only found in a workshop.

Annex 1 to the Convention

Paragraph 2

- In *subparagraph (a)* the word “indicators” has to be replaced by the word “**monitoring systems**”.

- *Subparagraph (c)* is amended as follows:

“(c) **Rear view mirrors / devices for indirect vision** so designed as to yield **backwards** under moderate pressure so that they no longer project beyond the permissible maximum width.”

Annex 5 (Technical provisions regarding vehicles and trailers)

Chapter I, Section D

- In chapter I, D (Braking of motorcycles), paragraph 18, a new subparagraph (b) is added:

(b) as an alternative to the provisions of subparagraph (a) of this paragraph, a motorcycle may be equipped with a brake system that operates the brakes on all wheels, consisting of two or more subsystems actuated by a single control designed so that a single failure in any subsystem (such as leakage-type failure of a hydraulic subsystem) does not impair the operation of any other subsystem.

Previous subparagraph (b) becomes subparagraph (c).

Chapter III

Chapter III (Other requirements), paragraph 47 is amended as follows:

47. Every motor vehicle shall be equipped with one or more driving (rear-view) mirrors or other device for indirect vision; the number, dimensions and arrangement of these mirrors shall be such as to enable the driver to see the traffic to the rear of his vehicle.
