



EUROPEAN COMMISSION
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Sustainable Growth and EU 2020
Sustainable Mobility and Automotive Industry

Brussels, 20 June 2013
DG ENTR / B.4

Subject: Transposition of GTRs: outlook implementation of new GTR on Hydrogen and fuel cell vehicles in EU type-approval legislation

In 1998 the EU acceded to the 1998 Agreement. Since then, 12 Global Technical Regulations (GTRs) have been agreed upon between the contracting parties. Multiple GTRs have already been amended once or twice to better fit the needs and to adapt for technical progress. When reviewing the depository notifications regarding GTRs on the UN website, it seems that only few GTRs have actually been transposed into national legislation at a global level. It is clearly recognised that this process of transposing internationally harmonised legislation is a very difficult and cumbersome process including many roadblocks that may take a long time to actually overcome. The EU would like to provide the example of how the new GTR on hydrogen and fuel cell vehicles is planned to be transposed into EU type-approval legislation.

Together with contracting parties and industry stakeholders, new UN Regulations can be developed and annexed to the 1958 Agreement. Certain existing UN Regulations may need to be amended to address specific issues linked to a new GTR. For the purpose of transposing the new GTR on Hydrogen Safety into UN Regulations, and thus in this case, a new draft UN Regulation on Hydrogen Safety is currently in the process of being developed by the European Commission in collaboration with industry stakeholders. Existing UN Regulations Nos 12, 94 and 95 also need to be slightly amended to include post-crash electrical safety and hydrogen leakage requirements.

Assuming the planned adoption of the new UN Regulation on hydrogen and fuel cell vehicles could take place as early as the June 2014 session of WP29, but more likely the November session, Annex IV of the Framework Directive 2007/47/EC on the approval of light duty vehicles¹ should be revised in the same timeframe in order to refer to the new UN Regulation as alternative to the current specific EU type-approval requirements. After an appropriate transitional period, allowing industry and Member States to adapt, the Commission could consider deleting the current EU type-approval requirements and to propose replacing them by making the new Regulation mandatory as the only testing requirements in type-approval with regard to hydrogen and fuel cell vehicles.

(signed electronically)
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¹ Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive), (OJ L 263, 9.10.2007, p. 1)