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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Transport

Ad hoc Working Group on the Revision
of the AETR

(Second session, 11-12 April 2002,
agenda item 6)

New text for the wording of article 13

Note by the secretariat

The provisions of article 13 are replaced by the following:

“Article 13 - Transitional provisions

1. All the new provisions of the present Agreement, including its annex and appendices 1B and 2, relating to the introduction of the digital control device, shall become mandatory for countries which are Contracting Parties to this Agreement at latest [5] 4 years after the date of entry into force of the relevant amendments resulting from the procedure specified in article 21. All vehicles covered by this Agreement which entered into service for the first time after the expiry of this deadline shall accordingly be equipped with a control device conforming to these new requirements.

2. The Contracting Parties shall take the necessary steps to be able to issue the driver cards referred to in the annex to the present Agreement, as amended, at latest three months before the expiry of the [5] 4-year deadline referred to in paragraph 1. This minimum period of three months shall also be complied with in the event of the implementation by a Contracting Party of the provisions relating to the digital control device before the expiry of the [5] 4-year deadline. This State shall keep the secretariat of the Working Party on Road Transport of the Economic Commission for Europe informed of progress in the introduction of the device on its territory.

3. In the event of the deposit by a member State of the Economic Commission for Europe of an instrument of ratification or accession in the course of the amendment procedure of the present Agreement in relation with the introduction of the digital control device, the depositary shall inform that State of the ongoing amendment procedure. The State shall, within [120 days] of the date on which it received the communication, declare whether or not it accepts such amendments. In the event of acceptance, the entry into force of the Agreement shall become effective 180 days after the date on which the acceptance was received. The State in question shall then be presumed to apply the Agreement as amended on the date specified in paragraph 1.

In the event of a reservation to these amendments, it shall be deemed to have been accepted if no Contracting Party opposes its acceptance in accordance with the procedure specified in article 19, paragraph 2.

4. All instruments of ratification or accession deposited by a State after the entry into force of these amendments shall be deemed to apply to the Agreement as amended, including the deadline for implementation specified in paragraph 1. In the event of reservations, paragraph 2 of article 19 shall apply.

If accession takes place less than [three years] before the expiry of the deadline referred to in paragraph 1, the State shall inform the depositary of the date on which the digital control device will be brought into effective use in its territory when it deposits its instrument of ratification or accession. Such State may make use of a transitional period not exceeding [three years] as from the date of entry into force of its instrument of ratification or accession resulting from the application of article 14, paragraph 5, of the present Agreement. The depositary shall so inform all the Contracting Parties.

The provisions of the last paragraph shall also apply in the event of the accession of a State after the expiry of the [5] 4-year deadline for implementation referred to in paragraph 1.”
