

Transmitted by the Netherlands

Regulation 34
(prevention on fire risk)
§5.9.1.1

1. During its 81-st meeting GRSG decided to send document TRANS/WP.29/GRSG/2001/10/Rev.1 to WP.29 for adoption. However the document has been amended by informal document No. 4 from OICA (see Annex) in order to align the requirements of § 5.9.1.1 with the interpretation of TAAM (Type Approval Authorities Meeting) on the equivalent EC directives.
2. The intention of §5.9.1 is to prevent the spoilage of fuel from the fuel tank. This paragraph gives some possibilities how to achieve that target, but it excludes, up to now, the use of a chain for securing the filler cap on vehicles of other categories than M1 and N1. This exclusion has been introduced some years ago at the request of the European Parliament in its second reading of the latest amendment of Directive 70/221/EEC on fuel tanks in order to protect motorcyclists against skidding and falling caused by spoiled fuel on the roads.
3. Informal document 4 from OICA however amends Regulation 34 in such a way that it permits the use of a chain for all vehicle categories. As it concerns an important safety item for motorcyclist GRSG should not have made their decision on the interpretation of the informal TAAM meetings only, but should also have considered the reason for the proposal of the European Parliament.
4. The Netherlands is of the opinion that for safety reasons, having regard the details of the position of the European Parliament, Informal document No. 4 of the 81-st meeting (as far as it concerns §5.9.1.1) should not be included in the final text.

Proposal: Paragraph 5.9.1 and 5.9.1.1 should read as they are written in document TRANS/WP.29/GRSG/2001/10/Rev.1:

5.9.1. The tank cap must be fixed to the filler pipe: the seal must be retained securely in place, the cap must latch securely in place against the seal and filler pipe when closed.

5.9.1.1. The requirements of paragraph 5.9.1. will be deemed to be satisfied if the vehicle meets the requirements of paragraph 5.1.4. of Regulation No. 83, 05 series of amendments subject to the provision that the examples listed in the third indent of that section do not apply to vehicles in categories other than M1 or N1.

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**OICA PROPOSED AMENDMENTS AND CORRECTIONS
TO ECE REGULATION N° 34 (PREVENTION OF FIRE RISKS)**

Document TRANS/WP29/GRSG/2001/10/Rev.1

OICA would like to submit the following comments:

1. Paragraph 5.9.1.1

- a) The wording of this paragraph, taken from the equivalent EU Directive, is unclear. During an EU Type Approval Authorities Meeting (TAAM) in December 2000 an interpretation that is to be uniformly applied by those authorities was taken. The report of the meeting states: *"The filler cap will meet the requirements if its construction prevents that the driver forgets the filler cap at the filling station."*

Paragraph 5.9.1.1 of document TRANS/WP29/GRSG/2001/10/Rev.1 should be amended to reflect this interpretation, thus avoiding further interpretation problems.

- b) Delete the following at the end of this paragraph: *"subject to the provision that ... other than M1 or N1."*

Justification: The solutions allowed for M1 and N1 vehicles should also be accepted for other categories.

2. Corrections necessary to paragraphs referenced in the text

Paragraph N°	English version	French version
2.2.1	"§ 2.2" should read "§ 4.2"	OK
3.2	"§ 4.2" should read "§ 4.2 and/or 7.2"	OK
4.4	"§ 2.8" should read "§ 4.6"	OK
5.2	OK	"§ 3" should read "§ 2 de l'annexe V"
5.9.1.1	"§ 5.1.4" should read "§ 5.1.4 to 5.1.4.3"	"du § 5.1.4" should read "du § 5.1.4 au 5.1.4.3"
12.1	OK	"§ 8.1" should read "§ 11.1"