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PROPOSAL FOR DRAFT SUPPLEMENT 4 TO THE 01 SERIES OF
AMENDMENT TO REGULATION No. 97
(Vehicle alarm systems)

Transmitted by the expert from Canada

Note: The text reproduced below was prepared by the expert from Canada in order to amend Regulation No. 97 in response to concerns raised by the Canadian insurance industry during the Canadian regulatory development process. This document supersedes document TRANS/WP.29/GRSG/2004/11 (TRANS/WP.29/GRSG/66, para.30).

Note: This document is distributed to the Experts on General Safety Provisions only.

A. PROPOSAL

Paragraph 32.4.1., amend to read:

"32.4.1. ...
- a maximum of 1 min after removing the key of the ignition lock."

Paragraph 39., amend to read:

"39. TRANSITIONAL PROVISIONS

39.1. As from the official date of entry into force of the 01 series of amendments to this Regulation, no Contracting Party shall refuse an application for approval submitted in accordance with this Regulation as amended by the 01 series of amendments.

39.1.1. As from the official date of entry into force of the Supplement 4 to the 01 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the Supplement 4 to the 01 series of amendments.

39.2. Type approval of an immobilizer

39.2.1. Upon the expiration of a period of 12 months after the official date of entry into force referred to in paragraph 39.1. above, the Contracting Parties applying this Regulation shall grant approval only if the type of immobilizer satisfies the applicable requirements of this Regulation as amended by the 01 series of amendments.

39.2.2. As from the date 36 months after the date of entry into force of the Supplement 4 to the 01 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the type of immobilizer to be approved meets the requirements of this Regulation as amended by the Supplement 4 to the 01 series of amendments.

39.2.3. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the 01 series of amendments, up to their Supplement 3, to this Regulation.

39.2.4. Contracting Parties applying this Regulation shall continue to grant approvals to immobilizers, which comply with the requirements of this Regulation as amended by the 01 series of amendments, up to their Supplement 3, during the 36 months period, which follows the date of entry into force of the Supplement 4 to the 01 series of amendments.

39.2.5. When the type of immobilizer approved to the Supplement 3 to the 01 series of amendments meets the requirements of this Regulation as amended by the Supplement 4 to the 01 series the Contracting Party, which granted the approval, shall notify the other Contracting Parties applying this Regulation thereof.

39.2.6. No Contracting Party applying this Regulation shall refuse a type of immobilizer approved to the Supplement 4 to the 01 series of amendments to this Regulation.

39.2.7. Until 36 months after the date of entry into force of the Supplement 4 to the 01 series of amendments to this Regulation, no Contracting Party applying this Regulation shall

refuse a type of immobilizer approved to the Supplement 3 to the 01 series of amendments to this Regulation.

- 39.2.8. As from the date mentioned in paragraph 39.2.2. above, Contracting Parties applying this Regulation may refuse the sale of a type of immobilizer which does not meet the requirements of the Supplement 4 to the 01 series of amendments to this Regulation unless the immobilizer is intended as a replacement for fitting on vehicles in use and that it would not be technically feasible for the immobilizer in question to satisfy the new requirements contained in this Regulation as amended by the Supplement 4 to the 01 series of amendments.
- 39.2.9. Contracting Parties applying this Regulation shall continue to issue approvals for immobilizers on the basis of any previous series of amendments, provided that the immobilizers (components and separate units) are intended as replacements for fitting to vehicles in use and that it is not technically feasible for the immobilizer in question to satisfy the new requirements of the latest series of amendments.
- 39.3. Approval of a vehicle type
- 39.3.1. Upon the expiration of a period of 24 months after the official date of entry into force referred to in paragraph 39.1. above, the Contracting Parties applying this Regulation shall grant approval only if the vehicle type satisfies the applicable requirements of this Regulation as amended by the 01 series of amendments.
- 39.3.2. As from the date 36 months after the date of entry into force of the Supplement 4 to the 01 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by the Supplement 4 to the 01 series of amendments.
- 39.3.3. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the 01 series of amendments, up to their Supplement 3, to this Regulation.
- 39.3.4. Contracting Parties applying this Regulation shall continue to grant approvals to those types of vehicles, which comply with the requirements of this Regulation as amended by the Supplement 3 to the 01 series of amendments during the 36 months' period, which follows the date of entry into force of the Supplement 4 to the 01 series of amendments.
- 39.3.5. When the vehicle type approved to the Supplement 3 to the 01 series of amendments meets the requirements of this Regulation as amended by the Supplement 4 to the 01 series of Amendments, the Contracting Party, which granted the approval, shall notify the other Contracting Parties applying this Regulation thereof.
- 39.3.6. No Contracting Party applying this Regulation shall refuse national type approval of a vehicle type approved to the Supplement 4 to the 01 series of amendments to this Regulation.

- 39.3.7. Starting 36 months after the entry into force of the Supplement 4 to the 01 series of amendments to this Regulation, Contracting Parties applying this Regulation may refuse first national registration (first entry into service) of a vehicle which does not meet the requirements of the Supplement 4 to the 01 series of amendments to this Regulation.”

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B. JUSTIFICATION

Transport Canada has published a proposal to amend Canada Motor Vehicle Safety Regulation No. 114 to introduce requirements for vehicle immobilizers. The proposal introduces an alternative for the manufacturers to use immobilizers conforming to the North American industry standard CAN/ULC-S338-98 or immobilizers described in the UNECE Regulation No. 97 (14 October 2002). The Insurance Bureau of Canada (IBC) and the Underwriters' Laboratories of Canada (ULC) questioned the use of UNECE Reg.97. They are concerned that some requirements of Regulation No. 97 are unclear or not stringent enough to be comparable with the CAN/ULC-S338-98 requirements.

Specifically, the time requirements in paragraph 31.7. are not quantified and as such are open to interpretation. In order to facilitate unequivocal enforcement and to ensure uniform compliance, the time requirements should be specified to eliminate any ambiguity. However, because of the plethora of available immobilizer systems and the speed with which the architecture of such systems changes, the general consensus was that a method of attack could not be readily standardized. Setting a specific time limit would be difficult to enforce, therefore the proposal (TRANS/WP.29/GRSG/2004/11) was revised to exclude changes to paragraph 31.7.

With respect to paragraph 32.4.1., there is concern that the maximum of 5 minutes allowed for arming represents a significant window of opportunity and leaves the vehicle too vulnerable. Reducing the maximum time allowed for arming to 1 minute ensures a better protection of the vehicle.

Since Transport Canada's policy supports global harmony, an amendment is proposed to UNECE Regulation No. 97 to address the concerns of the Canadian insurance industry and make vehicles around the world better protected against unauthorized use.
