

Supplementary Information

on

“Rulemaking procedures and implementation
of established gtr into national law” submitted
at the 138th Wp29 March 2006”

The 139th WP29, June 2006



Ministry of Land, Infrastructure and Transport

Japan

Topics

1. Measures taken after the ‘1999 report’ of the Council for Transport Technology
 - The study of accident analysis and the effectiveness of safety measures were introduced.
Such studies should be done before starting rulemaking procedures.
 - A review report was submitted in June 2006 from the Council for Transport Policy of MLIT. (The above policy is not changed.)
2. Change of the legal style in adopting ECE regulations into domestic law
 - Direct reference for ECE regulation is applied to the technical part of the provision.
 - ECE regulations are expected to be adopted in Japan more smoothly.

1. The report by the Council for Transport Technology of MOT on the Vehicle Safety Policy (1999 Report)

- Dating back to 1999, the Council for Transport Technology submitted a report on the vehicle safety policy.
- The report shows fundamental principles on vehicle safety policy and sets a target of reduction of fatalities with vehicle safety measures.
- The above principle also includes the introduction “Plan-Do-See Cycle” for safety measures.

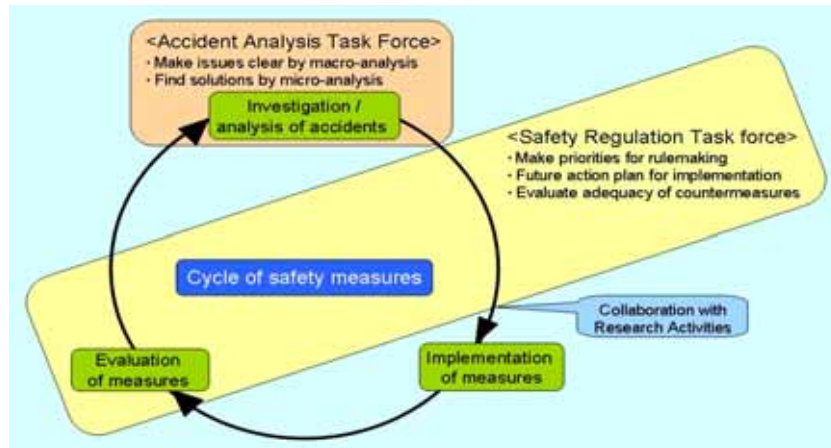
Implementation of 1999 Report

1) The target on vehicle safety measures set in 1999

- Target: Reduce fatalities by 1,200 per year with vehicle safety measures until 2010.
- Result: In 2003, the reduction of around 1,000 fatalities due to vehicle safety measures was evaluated based on accident data. These fatalities have been prevented mainly by passive-safety measures.
- A new target was set in the 2006 report.

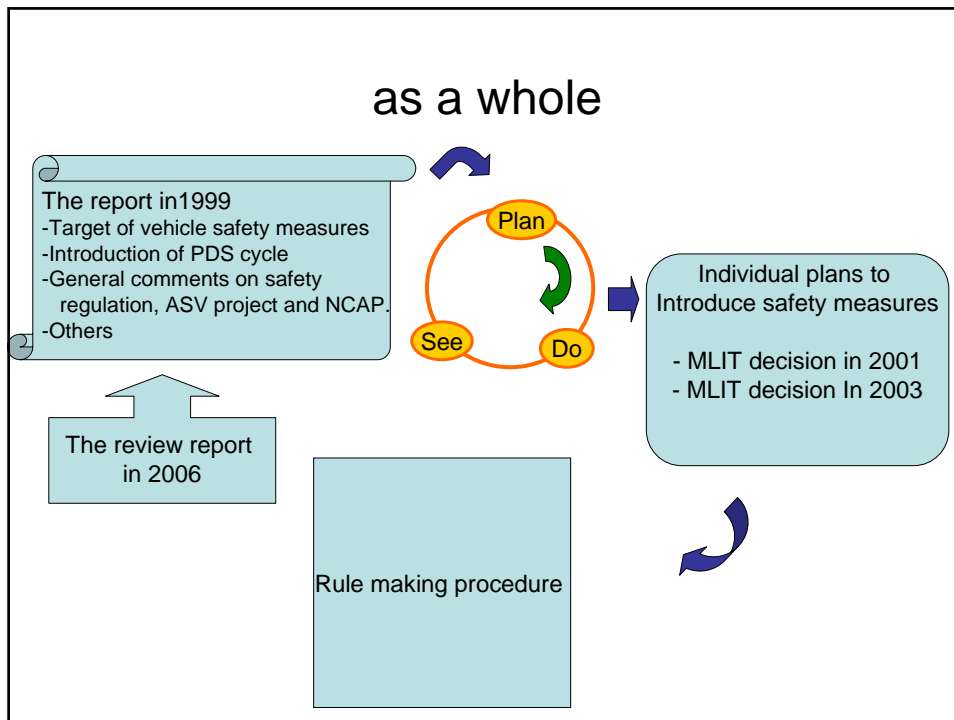
Implementation of the 1999 Report

2) Introduction of PDS cycle



“Plan-Do-See Cycle” for the safety measures taken by MLIT

- Before making decisions on introducing safety measures, including new or revised safety regulations, related accident data and the effects of such measures should be evaluated. (Plan and Do)
- After the implementation of safety measures, evaluation studies should be conducted. (See)
- Data obtained in the studies done for the Plan-Do-See cycle should be opened to make such process transparent.
- Rulemaking procedures, including public announcement procedures (shown in the 138th session) are initiated after MLIT decision based on the process.



2006 review report (short summary)

- Revised target on fatalities for vehicle safety measures (2,000 fatality reduction per year by 2010 compared to 1999) and created new target on injuries for vehicle safety measures (25,000 injury reduction per year by 2010)
- Active safety measures are to be encouraged
 - Promotion of ASV technologies
 - Utilization of recording devices for data analysis
- Continuous effort on passive safety is needed
 - To prevent neck injuries, encourage the use of rear seat belts
- Safety measures on heavy duty vehicles should be pursued
- Safety measures for elderly drivers and pedestrians should be pursued

2006 review report - other items pointed out -

- More effective cooperation among Safety Regulations, NCAP and the ASV project is to be pursued.
- Development of ASVs that utilize communication technologies is to be promoted as a future safety measure.
- Others

2. Improvement of legal style of adopting ECE regulations or gtrs into domestic regulations

- The legal style of adopting ECE regulations or gtrs into Japanese domestic provisions will be changed.
- All provisions of ECE regulations applied by Japan are converted into Japanese legal style after they are translated into the Japanese language.
- Direct references to the provisions of the technical part of the ECE regulations (English version) applied by Japan, including test methods and judgment criteria, will be used in the provisions of the Japanese Safety Regulation.
- Transitional provisions, scope, as well as the application of ECE regulations by Japan, will continue to be stipulated in provisions of the Safety Regulations.

Purpose and effect

- Purpose: to simplify the legal process to adopt ECE regulations
- No changes will be made in the basic policy, such as application decisions, transitional provisions or scope, and the application of ECE regulations will be promoted.
- Also, concerning the testing method and judgment criteria, full consistency can be achieved between the provisions of ECE regulation and the Japanese Safety Regulation.
- Japan continues to reserve its legal rights on interpreting the regulations under the 1958 agreement and the 1998 agreement and will support the initiatives of WP29 on the interpretation issue.

Schedule

- The new style is planned to be taken from the provisions for adopting R14, R16, R44 and R80, which are currently under preparation and expected to be implemented from October 2006.
- As for the regulations already adopted, the current style will be kept in principle until the time in which the new series of amendment are adopted and implemented.