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**INLAND TRANSPORT COMMITTEE**

World Forum for Harmonization of Vehicle Regulations

Working Party on Brakes and Running Gear

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Item 3(i) of the provisional agenda

**REGULATIONS Nos. 13 AND 13-H  
(Braking)**

Other business

Proposal for a Corrigendum to Supplement 7 to Regulation No. 13-H

Submitted by the expert from the International Organization of Motor Vehicle Manufacturers\*

The text reproduced below was prepared by the expert from the International Organization of Motor Vehicle Manufacturers (OICA) in order to correct the transitional provisions of Supplement 7 to the original version of Regulation No 13-H (ECE/TRANS/WP.29/2008/81). The modifications to the existing text of the Regulation are marked in **bold** characters.

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\* In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.4), the World Forum will develop, harmonize and update Regulations in order to enhance performance of vehicles. The present document is submitted in conformity with that mandate.

A. PROPOSAL

Paragraph 5.2.24, amend to read:

"5.2.24. Subject to the requirements of paragraphs 12.2. to ~~12.3.~~ **12.5.**, any vehicle fitted with an ESC system complying with the definition of paragraph 2.25. shall meet the equipment, performance and test requirements contained in Annex 9 to this Regulation."

Paragraph 12., amend to read (keep unchanged current paragraphs 12.1. to 12.3.):

"12.1. Until 24 months after the date of entry into force of Supplement 5 to the original version of this Regulation, Contracting Parties applying this Regulation shall continue to grant ECE approvals to the un-amended Regulation.

12.2. As from 1 November 2011, Contracting Parties applying this Regulation may refuse to grant national or regional type approval if the vehicle type does not meet the requirements of this Regulation as amended by Supplement 7 and is not fitted with an Electronic Stability Control System meeting the requirements of Annex 9 to this Regulation.

12.3. As from 1 November 2013, Contracting Parties applying this Regulation may refuse first national registration of a vehicle which does not meet the requirements of this Regulation as amended by Supplement 7 and is not fitted with an Electronic Stability Control System meeting the requirements of Annex 9 to this Regulation.

**12.4. As from the official date of entry into force of Supplement 7 to the original version of this Regulation, no Contracting Party applying this Regulation shall refuse to grant ECE approval under this Regulation as amended by Supplement 7 to the original version of this Regulation.**

**12.5. Contracting Parties applying this Regulation shall continue to grant ECE approvals to those types of vehicles which comply with the requirements of this Regulation as amended by Supplement 6."**

B. JUSTIFICATION

The above proposed amendments to the transitional provisions of UNECE Regulation No. 13-H address two concerns that seemed to be missing when the introduction of Supplement 7 (new provisions for Electronic Stability Control (ESC) systems) was discussed, namely:

- (a) the possibility for a manufacturer to request an approval to the Supplement 7 as from the date of its entry into force, and
- (b) the possibility for a manufacturer to continue to get an ECE approval for a type of vehicle conforming to Supplement 6, i.e. a vehicle without ESC or with an ESC not tested according to Supplement 7, as from the date of entry into force of Supplement 7.

The current text of the transitional provisions per document ECE/TRANS/WP.29/2008/81/Corr.1 addresses the application of the provisions for ESC for national or regional type approval and

first national registration as from 1 November 2011. However, it remains silent about the application of the text during the transitional period comprised between the entry into force of Supplement 7 and 1 November 2011, and about granting ECE approvals to the preceding supplement.

Concerning the first item, the addition of a new paragraph 12.4. confirms the right of a manufacturer to apply for an ECE approval for a type of vehicle conforming to Supplement 7 (ESC) as from the date of entry into force of that Supplement, i.e. [July 2009]. The proposed text conforms to the general guidelines for transitional provisions (document ECE/TRANS/WP.29/1044).

Concerning the second item, the current text implies that the provisions of Supplement 7 apply during this transitional period when the ESC is fitted voluntarily, i.e. the vehicle must comply with the requirements of Supplement 7 to UNECE Regulation No. 13-H as from [July 2009]. This leaves about six months for the manufacturers to adapt their production and to perform the newly introduced sine with dwell test in Annex 9 for vehicles where ESC is fitted voluntarily. It was of course not the intention of WP.29 to impose such short transitional period for voluntarily fitted vehicles, but rather to permit industry to be prepared for the mandatory fitment in the European Union (EU) by the dates mentioned in their regional legislation.

The safety of all vehicles currently fitted with ESC has been tested and type approved according to Annex 8 (Complex Electronic Systems) of this Regulation. The application of the newly introduced sine with dwell test in Annex 9 is not necessary where ESC is voluntarily fitted. However, the application of Annex 9 should be possible from the entry into force of Supplement 7 in order to prepare those vehicles for mandatory introduction of ESC in the national or regional type approval.

The proposal above intends to correct this error by specifying that the Contracting Parties to the 1958 Agreement, applying UNECE Regulation No. 13-H, shall continue to act as they do today, i.e. continue granting ECE approvals to the types of vehicles complying with the current level of provisions of UNECE Regulation No. 13-H. This means that if the vehicle is voluntarily fitted with an ESC, the manufacturer is not obliged to perform the tests defined in Supplement 7, but to fulfil the requirements of Annex 8 for Complex Electronic Systems like it is already the case today.

The text proposed above fully complies with the general guidelines for transitional provisions, as per document ECE/TRANS/WP.29/1044.

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