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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

World Forum for Harmonization of Vehicle Regulations

Working Party on Lighting and Light-Signalling

Sixty-third session

Geneva, 29 - 31 March 2010

Item 5(c) of the provisional agenda

**COLLECTIVE AMENDMENTS**

Regulations Nos. 3, 4, 6, 7, 19, 23, 27, 31, 38, 45, 50, 65, 69, 70, 77, 87, 88, 91, 98, 104, 112, 113, 119 and 123.

Submitted by the expert from the Working Party "Brussels 1952" \*/

The text reproduced below was prepared by the expert from the Working Party "Brussels 1952" (GTB) in order to clarify the definitions of type with regard to manufacturer, trade names and marks. The modifications to the existing text of the Regulations 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

- A.1. PROPOSAL OF AMENDMENTS TO REGULATION No. 3 – (Retro-reflecting devices) (The following text is based upon Supplement 11 to the 02 series of amendments to the Regulation)

Insert a new paragraph 2.12.1., to read:

- "2.12.1. **Retro-reflecting devices bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Retro-reflecting devices produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

- A.2. PROPOSAL OF AMENDMENTS TO REGULATION No. 4 – (Illumination of rear registration plates) (The following text is based upon Supplement 14 to the Regulation)

Paragraph 1.3., amend to read:

- "1.3. "Rear registration plate lamps of different types" means lamps which differ in such essential respects as:
- (a) the trade name or mark. **Rear registration plate lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types. Rear registration plate lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**
  - (b) the characteristics of the optical system, (levels of intensity, light distribution angles, category of filament lamp, light source module, etc.)."

- A.3. PROPOSAL OF AMENDMENTS TO REGULATION No. 6 – (Direction indicators) (The following text is based upon Supplement 19 to the 01 series of amendments to the Regulation)

Paragraph 1.3., amend to read:

- "1.3. "Direction indicators of different types" means .....:
- (a) the trade name or mark. **Direction indicators bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**

**Direction indicators produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**

..."

- A.4. PROPOSAL OF AMENDMENTS TO REGULATION No. 7 – (Front and rear position (side) lamps, stop-lamps and end-outline marker lamps) (The following text is based upon Supplement 16 to the 02 series of amendments to the Regulation)

Paragraph 1.6., amend to read:

"1.6. "Front and rear position lamps, stop-lamps and end-outline marker lamps of different type" means .....

- (a) the trade name or mark. **Front and rear position lamps, stop-lamps and end-outline marker lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Front and rear position lamps, stop-lamps and end-outline marker lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**

..."

- A.5. PROPOSAL OF AMENDMENTS TO REGULATION No. 19 – (Front fog lamps) (The following text is based upon Supplement 2 to the 03 series of amendments to the Regulation)

Paragraph 1.4.1., amend to read:

"1.4.1. the trade name or mark. **Front fog lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Front fog lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

A.6. PROPOSAL OF AMENDMENTS TO REGULATION No. 23 – (Reversing lamps) (The following text is based upon Supplement 15 to the Regulation)

Paragraph 1.3., amend to read:

"1.3. "Reversing lamps of different type" means .....

- (a) the trade name or mark. **Reversing lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.  
Reversing lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**
- (b) the characteristics of..."

A.7. PROPOSAL OF AMENDMENTS TO REGULATION No. 27 – (Advance warning triangles) (The following text is based upon Supplement 2 to the 03 series of amendments to the Regulation)

Paragraph 2.2.1., amend to read:

"2.2.1. the trade name or mark. **Advance-warning triangles bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.  
Advance-warning triangles produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

A.8. PROPOSAL OF AMENDMENTS TO REGULATION No. 31 – (Halogen sealed-beam (HSB)) (The following text is based upon Supplement 7 to the 02 series of amendments to the Regulation)

Paragraph 2.4.1., amend to read:

"2.4.1. the trade name or mark ; **HSB units bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.  
HSB units produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

- A.9. PROPOSAL OF AMENDMENTS TO REGULATION No. 38 – (Rear fog lamps)  
(The following text is based upon Supplement 14 to the 03 series of amendments  
to the Regulation)

Paragraph 1.3., amend to read:

"1.3. "Rear fog lamps of different type" means .....

- (a) the trade name or mark ; **Rear fog lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Rear fog lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;"**

..."

- A.10. PROPOSAL OF AMENDMENTS TO REGULATION No. 45 – (Headlamps cleaners)  
(The following text is based upon Supplement 6 to the 01 series of amendments to the Regulation)

Paragraph 2.2.1., amend to read:

"2.2.1. the trade name or mark. **Headlamp cleaners bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Headlamp cleaners produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

- A.11. PROPOSAL OF AMENDMENTS TO REGULATION No. 50 – (Position lamps, stop lamps, direction indicators and rear registration plate illumination devices for motor cycles)  
(The following text is based upon Supplement 12 to the Regulation)

Paragraph 2.2., amend to read:

"2.2. "Front and rear position lamps, stop-lamps, direction indicators and rear registration plate illumination device of different type" means .....

- (a) the trade name or mark. **Front and rear position lamps, stop-lamps, direction indicators and rear registration plate illumination devices bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**

**Front and rear position lamps, stop-lamps, direction indicators and rear registration plate illumination devices produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**

..."

- A.12. PROPOSAL OF AMENDMENTS TO REGULATION No. 65 – (Special warning lamps) (The following text is based upon Supplement 6 to the Regulation)

Paragraph 1.2.1., amend to read:

- "1.2.1. the trade name or mark. **Special warning lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Special warning lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.13. PROPOSAL OF AMENDMENTS TO REGULATION No. 69 – (Rear marking plates for slow-moving vehicles) (The following text is based upon Supplement 5 to the 01 series of amendments to the Regulation)

Paragraph 2.7.1., amend to read:

- "2.7.1. the trade name or mark. **Slow moving vehicle rear marking plates bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Slow moving vehicle rear marking plates produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.14. PROPOSAL OF AMENDMENTS TO REGULATION No. 70 – (Rear marking plates for heavy and long vehicles) (The following text is based upon Supplement 7 to the 01 series of amendments to the Regulation)

Paragraph 2.7.1., amend to read:

- "2.7.1. the trade name or mark. **Rear marking plates bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Rear marking plates produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

A.15. PROPOSAL OF AMENDMENTS TO REGULATION No. 77 – (Parking lamps)  
(The following text is based upon Supplement 12 to the Regulation)

Paragraph 2.3., amend to read:

"2.3. "Parking lamps of different type" means .....

- (a) the trade name or mark. **Parking lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Parking lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**
- (b) the characteristics of the..."

A.16. PROPOSAL OF AMENDMENTS TO REGULATION No. 87 – (Daytime running lamps)  
(The following text is based upon Supplement 14 to the Regulation)

Paragraph 2.3., amend to read:

"2.3. "Day time running lamps of different type" means .....

- (a) the trade name or mark. **Day time running lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Day time running lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**
- (b) the characteristics of the..."

A.17. PROPOSAL OF AMENDMENTS TO REGULATION No. 88 – (Retro-reflective tyres for two-wheeled vehicles)  
(The following text is based upon Supplement 1 to the Regulation)

Paragraph 2.4.2., amend to read:

"2.4.2. the trade name or mark. **Retro-reflective tyres bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Retro-reflective tyres produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

- A.18. PROPOSAL OF AMENDMENTS TO REGULATION No. 91 – (Side-marker lamps for motor vehicles and their trailers) (The following text is based upon Supplement 11 to the Regulation)

Paragraph 2.3., amend to read:

"2.3. "Side-marker lamps of different type" means lamps **which differ** in such essential respects as:

- (a) the trade name or mark. **Side-marker lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types. Side-marker lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type;**
- (b) the characteristics of the ..."

- A.19. PROPOSAL OF AMENDMENTS TO REGULATION No. 98 – (Headlamps with gas-discharge light sources) (The following text is based upon Supplement 13 to the Regulation)

Paragraph 1.6.1., amend to read:

"1.6.1. the trade name or mark. **Headlamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types. Headlamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.20. PROPOSAL OF AMENDMENTS TO REGULATION No. 104 – (Retro-reflective markings) (The following text is based upon Supplement 6 to the Regulation)

Paragraph 2.6.1., amend to read:

"2.6.1. the trade name or trade mark; **Retro-reflective markings bearing the same trade names or marks but produced by different manufacturers are considered as being of different types. Retro-reflective markings produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"



- A.21. PROPOSAL OF AMENDMENTS TO REGULATION No. 112 – (Headlamps emitting an asymmetrical passing beam) (The following text is based upon Supplement 12 to the Regulation)

Paragraph 1.3.1., amend to read:

- "1.3.1. the trade name or mark. **Headlamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Headlamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.22. PROPOSAL OF AMENDMENTS TO REGULATION No. 113 – (Headlamps emitting an symmetrical beams) (The following text is based upon Supplement 9 to the Regulation)

Paragraph 1.3.1., amend to read:

- "1.3.1. the trade name or mark. **Headlamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Headlamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.23. PROPOSAL OF AMENDMENTS TO REGULATION No. 119 – (Cornering lamps) (The following text is based upon Supplement 4 to the Regulation)

Paragraph 1.2.1., amend to read:

- "1.2.1. the trade name or mark. **Cornering lamps bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**  
**Cornering lamps produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type.**"

- A.24. PROPOSAL OF AMENDMENTS TO REGULATION No. 123 – (adaptive front-lighting systems (AFS)) (The following text is based upon Supplement 4 to the Regulation)

Paragraph 1.16.1., amend to read:

- "1.16.1. the trade name or mark(s). **Systems bearing the same trade names or marks but produced by different manufacturers are considered as being of different types.**

**Systems produced by the same manufacturer differing only by the trade names or marks may be considered to be of the same type."**

B. JUSTIFICATION

The definition of type and its application is not consistent throughout the Regulations and, to correct this, there is a need for a definition of type that takes into consideration both light sources and lighting components/systems. Additionally, it is necessary to address the need of manufacturers to produce and supply products which differ only by trade name or mark whilst, at the same time, ensuring that products having the same trade name or mark, but produced by different manufacturers, are considered as a different type.

This proposal for collective amendments clarifies the definition of type by placing the emphasis on the manufacturer of the device and not on the trade name or mark and removes any problems of misinterpretation.

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