

Draft amendments to Regulation No. 58 (Rear under run protection)

1. Proposal

To amend ECE/TRANS/WP.29/GRSG/2011/20 as amended and recorded in Annex VI to the report of the 100th session of GRSG (ECE/TRANS/WP.29/GRSG/79).

Add:

Option 1

Paragraph 31.1. to Paragraph 31.6., replace with:

31.1. As from the official date of entry into force of Supplement 1 to the 02 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by Supplement 1 to the 02 series of amendments.

OR

Option 2

Paragraph 31.1. to Paragraph 31.6., replace with:

"31.1. As from the official date of entry into force of the 03 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the 03 series of amendments..

3.1.2. Even after the entry into force of the 03 series of amendments to this Regulation, Contracting Parties applying this Regulation may continue to issue approvals to the 02 series of amendments to this Regulation for vehicles, and RUPDs intended for fitment to vehicles, of categories of N₂, N₃, O₃ and O₄ which are not affected by the 03 series of amendments.

3.1.3. Even after the entry into force of the 03 series of amendments to this Regulation, approvals issued to the preceding series of amendments to the Regulation shall remain valid and Contracting Parties applying this Regulation shall continue to accept them.

3.1.4. Even after the entry into force of the 03 series of amendments to this Regulation, Contracting Parties applying this Regulation shall continue to allow the fitting of rear under run protection device approved to this Regulation as amended by the preceding series of amendments.

2. Justification

The 100th session of GRSG adopted document ECE/TRANS/WP.29/GRSG/2011/20 with amendments. The final text was contained in Annex VI to the report and forwarded to WP29 for consideration at their November 2011 session.

The proposal seeks a Supplement to Regulation 58. However, a review of the current transitional provisions shows that, despite extending the scope of the Regulation and introducing new requirements for the new classes of vehicles, Type Approval Authorities may only issue approvals to the original requirements. It is necessary to add a provision that permits an approval to be given.

While unusual, it is possible to include a transitional provision in a Supplement. Option I above provides for this.

The normal procedure for the introduction of new requirements would be an amendment – as originally proposed in ECE/TRANS/WP.29/GRSG/2011/20. The United Kingdom does not consider that the transitional provisions for an amendment need to be as exacting as those proposed originally and alternative text has been provided as option 2.
