

Submitted by the expert from OICA

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agenda item 9)

Proposal for Supplement 6 to the 06 series of amendments to Regulation No. 16 (Safety-belts)

The text reproduced below was prepared by the **expert from OICA** to consolidate the transitional provisions of the UN Regulation. This proposal is **based on ECE/TRANS/WP.29/GRSP/2012/25 as a** follow-up of the discussion taken on this subject during the **fifty-third** session the Working Party on Passive Safety (GRSP) (see ECE/TRANS/WP.29/GRSP/53, para. 24). The modifications to the current text of the UN Regulation are marked in bold for new or strikethrough for deleted characters.

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I. Proposal

Paragraphs 15 to 15.2.23., amend to read:

"15. Transitional provisions

~~15.1. Approvals of vehicle type~~

~~15.1.1. As from the official date of entry into force of Supplement 15 to the 04 series of amendments, no Contracting Party applying this Regulation shall refuse to grant ECE approvals under this Regulation as modified by Supplement 15 to the 04 series of amendments.~~

Comment [YvdS1]: 26 February 2004

~~15.1.2. As from 2 years after the entry into force of Supplement 15 to the 04 series of amendments to this Regulation, Contracting Parties applying this Regulation shall grant ECE approvals only if the requirements of this Regulation, as amended by Supplement 15 to the 04 series of amendments are satisfied.~~

Comment [YvdS2]: 26 February 2006

~~15.1.3. As from 7 years after the entry into force of Supplement 15 to the 04 series of amendments to this Regulation, Contracting Parties applying this Regulation may refuse to recognize approvals which were not granted in accordance with Supplement 15 to the 04 series of amendments to this Regulation 15.1.3. in accordance with Supplement 15 to the 04 series of amendments to this Regulation. However, existing approvals of the vehicle categories other than M₁ and which are not affected by Supplement 15 to the 04 series of amendments to this Regulation shall remain valid and Contracting Parties applying this Regulation shall continue to accept them.~~

Comment [YvdS3]: 26 February 2011.
I am OK to delete this, but on the other hand, 2011 is not so long ago. What do you think?

~~15.1.3.1. However, as from 1 October 2000, for vehicles of categories M₁ and N₁, Contracting Parties applying this Regulation may refuse to recognize ECE approvals which were not granted in accordance with Supplement 8 to the 04 series of amendments to this Regulation, if the information requirements of paragraph 8.3.5. and Annex 17 are not met.~~

~~15.1. 15.2.~~ Installation of safety-belts and safety-belt reminder

15.1.1. These transitional provisions (**paras. 15.1. to 15.1.8.**) only apply to the installation of safety-belts and safety-belt reminders on vehicles and do not change the mark of the safety-belt.

~~15.2.1. As from the official date of entry into force of Supplement 12 to the 04 series of amendments, no Contracting Party applying this Regulation shall refuse to grant ECE approvals under this Regulation as modified by Supplement 12 to the 04 series of amendments.~~

~~15.2.2. Upon expiration of a period of 36 months following the official date of entry into force referred to in paragraph 15.2.1. above, the Contracting Parties applying this Regulation shall grant approval only if the vehicle type satisfies the requirements of this Regulation as amended by the Supplement 12 to the 04 series of amendments.~~

~~15.2.3. Upon the expiration of a period of 60 months following the official date of entry into force referred to in paragraph 15.2.1. above, the Contracting Parties applying this Regulation may refuse to recognize approvals not~~

granted in accordance with Supplement 12 to the 04 series of amendments to this Regulation.

- ~~15.2.4.~~ As from the official date of entry into force of Supplement 14 to the 04 series of amendments, no Contracting Party applying this Regulation shall refuse to grant UNECE approvals under this Regulation as modified by Supplement 14 to the 04 series of amendments.
- ~~15.2.5.~~ As from the official date of entry into force of Supplement 16 to the 04 series of amendments, no Contracting Party applying this Regulation shall refuse to grant ECE approvals under this Regulation as modified by Supplement 16 to the 04 series of amendments.
- ~~15.2.6.~~ Upon expiration of a period of 36 months following the official date of entry into force referred to in paragraph 15.2.4. above, the Contracting Parties applying this Regulation shall grant approval only if the vehicle type satisfies the requirements of this Regulation as amended by the Supplement 14 to the 04 series of amendments.
- ~~15.2.7.~~ Upon the expiration of a period of 60 months following the official date of entry into force referred to in paragraph 15.2.4 above, the Contracting Parties applying this Regulation may refuse to recognize approvals not granted in accordance with Supplement 14 to the 04 series of amendments to this Regulation.
- ~~15.2.8.~~ After 16 July 2006, the Contracting Parties applying this Regulation shall grant approval only if the vehicle type satisfies the requirements of this Regulation as amended by the Supplement 16 to the 04 series of amendments.
- ~~15.2.9.~~ After 16 July 2008, the Contracting Parties applying this Regulation may refuse to recognize approvals to vehicles of category N₁ not granted in accordance with Supplement 16 to the 04 series of amendments to this Regulation.
- ~~15.1.2.~~ ~~15.2.10.~~ As from the official date of entry into force of the 05 series of amendments, no Contracting Party applying this Regulation shall refuse to grant ECE approvals under this Regulation as amended by the 05 series of amendments.
- ~~15.1.3.~~ ~~15.2.11.~~ As from 18 months after the date of entry into force, Contracting Party applying this Regulation shall grant approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by the 05 series of amendments.
- ~~15.1.4.~~ ~~15.2.12.~~ **↓ As from 72 months after the date of entry into force of the 05 series of amendments to this UN Regulation, Contracting Parties applying this Regulation shall not be obliged to accept, for the purpose of national or regional type approval, a vehicle type approved to the preceding series of amendments to this Regulation, except in the case of vehicle types which comply with the requirements of this Regulation as amended by the 05 series of amendments.**
- ~~15.1.5.~~ ~~15.2.13.~~ **↓ Contracting Parties applying the Regulation shall continue to accept approvals to the preceding series of amendments of the vehicle categories other than M₁ to the Regulation which are not affected by**

Comment [YvdS4]: General remark: I agree this is the standard wording, but we should remember that the draft revision to the 58 Agreement that should be submitted to WP29 in November will foresee the possibility to continue to grant approval to any previous version of a Regulation. In other words, such paragraph will not be written anymore when amending a Regulation.

Comment [YvdS5]: This must be deleted. It is now agreed (see WP29/1044/Rev 1) that approvals, once granted, remain valid indefinitely (until they are withdrawn), and some Contracting Parties may continue to accept them, even though others have the right to refuse them

I have therefore prepared an alternative proposal, based on WP29/1044/Rev 1

Deleted: As from 72 months after the date of entry into force of the 05 series of amendments to this Regulation, approvals to this Regulation shall cease to be valid, except in the case of vehicle types which comply with the requirements of this Regulation as amended by the 05 series of amendments.

Deleted: Notwithstanding paragraph ~~15.2.12.~~ **15.1.4.**, approvals of the vehicle categories other than M₁ to the preceding series of amendments to the Regulation which are not affected by the 05 series of amendments related to the requirements concerning the fitting of safety-belt reminders shall remain valid and Contracting Parties applying the Regulation shall continue to accept them.

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- the 05 series of amendments related to the requirements concerning the fitting of safety-belt reminders
- 15.1.6. ~~45.2.14.~~ **Contracting Parties applying the Regulation shall continue to accept approvals to the preceding series of amendments to the Regulation of the vehicle categories other than N₂ and N₃ which are not affected by the 05 series of amendments related to minimum requirements for safety-belts and retractors in Annex 16**
- 15.1.7. ~~45.2.15.~~ **Even after the date of entry into force of the 05 series of amendments, Contracting Parties applying the regulation shall continue to accept approvals of the components and separate technical units to the preceding series of amendments to the regulation and shall not refuse to grant extensions of approval to the 04 series of amendments to this Regulation.**
- 15.1.8. ~~45.2.16.~~ Notwithstanding the transitional provisions above, Contracting Parties whose application of this Regulation comes into force after the date of entry into force of the 05 series of amendments are not obliged to accept approvals which were granted in accordance with any of the preceding series of amendments to this Regulation.
- 15.2. ~~45.2.17.~~ As from the official date of entry into force of the 06 series of amendments, no Contracting Party applying this Regulation shall refuse to grant ~~ECE~~ approvals under this Regulation as amended by the 06 series of amendments.
- 15.2.1. ~~45.2.18.~~ As from 24 months after the date of entry into force of the 06 series of amendments, Contracting Parties applying this Regulation shall grant ~~ECE~~ approvals only if the requirements of this Regulation, as amended by the 06 series of amendments, are satisfied.
- 15.2.2. ~~45.2.19.~~ As from 36 months after the date of entry into force of the 06 series of amendments, Contracting Parties applying this Regulation may refuse to recognize approvals which were not granted in accordance with the 06 series of amendments to this Regulation.
- 15.2.3. ~~45.2.20.~~ **Even after the date of entry into force of the 06 series of amendments, Contracting Parties applying the Regulation shall continue to accept approvals of the components and separate technical units to the preceding series of amendments to the Regulation and shall continue to accept them, and Contracting Parties shall continue to grant extensions of approvals to the 05 series of amendments**
- 15.2.4. ~~45.2.21.~~ Notwithstanding paragraphs ~~45.2.18.~~ **15.2.1.** and ~~45.2.19.~~ **15.2.2.**, approvals of the vehicle categories to the preceding series of amendments to the Regulation which are not affected by the 06 series of amendments shall remain valid and Contracting Parties applying the Regulation shall continue to accept them. **Notwithstanding paragraphs ~~45.2.18.~~ 15.2.1. and ~~45.2.19.~~ 15.2.2., Contracting Parties applying the Regulation shall continue to accept approvals to the preceding series of amendments to the Regulation of the vehicle categories which are not affected by the 06 series of amendments.**
- 15.2.5. ~~45.2.22.~~ As long as there are no requirements concerning the compulsory fitting of safety belts for folding seats in their national requirements at the time of acceding to this Regulation, Contracting Parties may continue to allow

Comment [YvdS6]: This follows the above reasoning. In general, CPs may refuse approvals to the preceding series as from a certain date (see the new § 15.1.4 above). However, for those vehicle types not affected by the 05 series, the 04 approvals must continue to be accepted

Deleted: Notwithstanding paragraph ~~45.2.12.~~ **15.1.4.**, approvals of the vehicle categories other than N₂ and N₃ to the preceding series of amendments to the Regulation which are not affected by the 05 series of amendments related to minimum requirements for safety-belts and retractors in Annex 16 shall remain valid and Contracting Parties applying the Regulation shall continue to accept them

Comment [YvdS7]: See comment 6 above

Deleted: Even after the date of entry into force of the 05 series of amendments, approvals of the components and separate technical units to the preceding series of amendments to the regulation shall remain valid and Contracting Parties applying the regulation shall continue to accept them and shall not refuse to grant extensions of approval to the 04 series of amendments to this Regulation

Comment [YvdS8]: Reworded in order to take into account of above comments: in all case, existing approvals remain valid. In addition, for components, CPS must continue to accept approvals to preceding series

Comment [YvdS9]: See my comment 4 above. Again, I agree this is standard wording, but it is contrary to the proposed revision of the 58 Agreement.

Deleted: Even after the date of entry into force of the 06 series of amendments, approvals of the components and separate technical units to the preceding series of amendments to the Regulation shall remain valid and Contracting Parties applying the Regulation shall continue to accept them, and Contracting Parties may continue to grant extensions of approvals to the 05 series of amendments.

Comment [YvdS10]: See WP29/1044/Rev1: granting extensions to the previous series is an obligation, not a right.

Comment [YvdS11]: Reworded as per my above comments

Comment [YvdS12]: Reworded in order to take into account above comment: existing approvals always remain valid (until they are withdrawn)

this non-fitment for the purpose of national approval and in this case these bus categories cannot be type approved under this Regulation.

15.2.6. ~~15.2.23.~~ No Contracting Parties applying this Regulation shall refuse to grant ~~ECE~~ approvals of a component under a preceding series of amendments to the Regulation if the safety-belts are intended to be installed in vehicles which are approved before the respective series of amendment. "

II. Justification

During the forty-fourth session of the Working Party on Passive Safety (GRSP) (see ECE/TRANS/WP.29/GRSP/44, para. 26), the GRSP Chair encouraged experts to submit proposals to consolidate the transitional provisions of UN Regulation No. 16. No new proposals had been submitted therefore by the experts and the need to revise them became even more urgent. Accordingly, the secretariat drafted the above consolidation of transitional provisions as a basis for discussion aiming at simplifying and correcting the actual text of the UN Regulation.