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6 July, 2000

FOREWORD

This is the third edition of this document, frequently referred to as the “Blue Book.” It describes the basis for and operation of the **Working Party on the Construction of Vehicles (WP.29)**, a subsidiary body of the United Nations, Economic Commission for Europe, Inland Transport Committee.

This edition marks not only the beginning of a new millennium, but more important, the transformation of WP.29 from an organization with a primary focus on the performance of vehicles constructed in Europe, to one that will henceforth expressly address global issues regarding vehicle safety, environmental pollution, energy and anti-theft. This transformation is reflected in the new name of the organization. Effective with the **one-hundred and twentieth** session of WP.29, March 7-11, 2000, the organization became **“The World Forum for the Harmonization of Vehicle Regulations;”** however, the well-recognized “WP.29” designation will remain in use.

The growth of the world vehicle population and its impact on society, and the evolution of engine-powered vehicle markets from regional to global has focused attention on several needs. First, there is a need to provide higher levels of vehicle safety, environmental protection, energy efficiency and vehicle security. Second, there is a need to reduce the diversity of regulatory requirements regarding vehicle safety and environmental performance in order to facilitate global commerce in these products. The recognition by many countries throughout the world of WP.29's accomplishments during the past forty-seven years in reducing the diversity of regulatory requirements within Europe set the stage for its transformation to a “world forum.”

This document presents a comprehensive view of WP.29 beginning with a brief history from its inception as a regional forum through its recent transformation into a world forum. The principal intent of this document is to present the organizational structure and operational process of WP.29 and its subsidiary bodies and their relationship to specific multinational agreements under the United Nations.

Participation in **“The World Forum for the Harmonization of Vehicle Regulations”** is open to **all** interested parties in accordance with its Terms of Reference and Rules of Procedures. It is hoped that this document will serve to enlighten and invite governments and non-governmental organizations throughout the world to participate in the development and harmonization of “world” regulations for vehicle safety, environmental pollution, energy sources and anti theft..

Bernard Gauvin
Chairman of WP.29

At Geneva, Switzerland, 4 July 2000

Chapter I

INTRODUCTION

The Global Role of WP.29

The World Forum for the Harmonization of Vehicle Regulations (WP.29), previously known as the Working Party on the Construction of Vehicles, was established on 6 June 1952 within the framework of the Inland Transport Committee (ITC), by a resolution (Resolution No. 45) of the Subcommittee on Road Transport (SC.1) of the Economic Commission for Europe (ECE) of the United Nations. The resolution, called for the establishment of a working party of experts competent in the field of technical requirements for vehicles in order to implement the general technical provisions set out in the Convention on Road Traffic adopted in Geneva in 1949. Those provisions identified vehicle characteristics as a major cause of road traffic crashes, deaths and injuries.

WP.29 held its first session on 10 to 13 February, 1953 and was attended by nine governments¹ and five non-governmental organizations². The first report indicated the kinds of matter that were of concern at the time i.e., whether one or two red lights should be installed at the rear of motor vehicles, etc. Gradually, a program of work took shape and concerns began to be expressed in terms of accident prevention (active safety). A noteworthy accomplishment was the conclusion of an Agreement signed in Rome in 1956 in the form of an exchange of letters (indirectly sponsored by WP.29) between the governments of the Federal Republic of Germany, France, Italy and the Netherlands, on the subject of adoption of uniform and harmonized requirements for headlamps emitting an asymmetrical passing beam.

The Rome Agreement of 1956 was significant in that it was the first step toward the official recognition of the need within Europe for an Agreement that not only addresses the safety concerns posed by motor vehicles but also tackles the problems of diverse state regulations which can disrupt the free flow of commerce across state borders. Trade considerations were important at a time when Europe was in the process of reconstructing itself. The facilitation of safe and efficient transportation systems within Europe, which was the primary focus of the ITC, played an important role in that endeavor. In March 1958, the Federal Republic of Germany proposed that an agreement be established under the auspices of ECE in order to facilitate the adoption of uniform conditions of approval and the reciprocal

¹(Belgium, France, Italy, the Netherlands, Sweden, Switzerland, the United Kingdom and the United States of America (representing the occupational zones of Germany))

²(OTA, IRF, IRU, ISO, and BPICA)

recognition of approval for motor vehicle equipment and parts. Thus was formed the 1958 Agreement. The Agreement entered into force on 20 March 1958, upon the signature of several European countries, and WP.29 was naturally appointed the administrative body of the agreement. The harmonized headlamp regulation which was concluded in Rome became the first regulation to be annexed to the 1958 Agreement

Since then, WP.29 and its working parties began to look beyond active safety and into addressing the reduction of the effects of accidents on the human body (passive safety). In addition, WP.29 became interested in the problems of environmental protection: air quality (threatened by pollution from exhaust gases) and the limitation of disturbances due to noise from motor vehicles. At first, it took some time to establish regulations. Gradually, however, WP.29 became very efficient in managing its activities resulting in the establishment of 110 ECE regulations. The participation in WP.29 also grew gradually as more European and non-European countries became interested in the work of WP.29 and in adherence to the 1958 Agreement. In addition to the United States and Canada, which participated in WP.29 since its inception, Japan and Australia have attended the meetings regularly for over 20 years. South Africa and Korea have participated for a few years. China, Thailand, Brasil, and Argentina have also participated, but to a lesser degree. In 1998, Japan became the first non-European country to accede to the 1958 Agreement.

With the growing need for global harmonization and at the recommendation of the Administrative Committee of WP.29, the United States proposed to WP.29 a new global agreement. The new agreement was negotiated under the leadership of Japan, the European Community and the United States, and was concluded on 25 June 1998. Thus was formed the 1998 Global Agreement. This agreement which entered into force on ____, 2000, allows countries which are not ready to or cannot assume the adoption and implementation obligations of the 1958 Agreement, including mutual recognition obligations, to engage in an effective way in the development of harmonized global technical regulations. The establishment of the 1998 Global Agreement, which will be administered also by WP.29, completed the transformation of WP.29 into the World Forum for the Harmonization of Vehicle Regulations. The new name, which was proposed by Japan, became effective at the One Hundred and Twentieth Session in March 2000.

WP.29 currently administers three Agreements: the 1958 Agreement, the 1998 Global Agreement and the Agreement of Technical Inspection. Subsidiary working parties of experts on Brakes, Lighting, Passive Safety, General Safety, Noise and Emissions have been established to research, analyze and develop requirements for technical regulations in their area of expertise.

Chapter II

Participation in WP.29

WP.29 fosters world-wide participation in its activities by encouraging cooperation and collaboration between countries and regional economic integration organizations with regard to technical matters that come before it and before its working parties. WP.29 also encourages an open and transparent dialogue between government regulators, other technical experts competent in the field of technical requirements for vehicles, and the general public in order to ensure that best safety and environmental practices are adopted and economic implications are taken into account in the development of regulations. The meetings of WP.29 are public. Any government and any other interested party may attend and observe the proceedings of the meetings.

Participation of Governments

In accordance with Rule 1 of the Terms of Reference and Rules of Procedures for WP.29 (Annex I), any country member of the United Nations, and any regional economic integration organization set up by countries members of the United Nations, may participate fully or in a consultative capacity in the activities of WP.29 and become a contracting party to the agreements administered by WP.29. For specific details on participation in WP.29, please refer to the Terms of Reference and Rules of Procedures.

The official process for becoming a participant is simply to send a letter signed by the authorized official of an interested country or regional economic integration organization (REIO) notifying the Secretariat of WP.29 of the desire of that country or REIO to send representatives to the meetings and to participate in the activities of WP.29.

If a country or REIO wishes to become a contracting party to an agreement administered by WP.29, its consent to be bound by that agreement must be in accordance with the provisions of that agreement. Those provisions include signature, exchange of instruments constituting a treaty, ratification, acceptance, approval, and accession. Please refer to Article 3 of the 1958 Agreement, Article 9 of the 1998 Global Agreement and Article ___ of the Agreement on Technical Inspection as presented in Annex II, III and IV respectively.

If a country or REIO expresses its consent to be bound by an Agreement by signing it, the signing must be done by one of the following:

(a) a Head of State, Head of Government or Minister for Foreign Affairs of that country or REIO;

(b) a head of diplomatic mission of that country or REIO; or

(c) a representative of that country or REIO who possesses the customary full powers, issued and signed by the Head of State or the Head of Government or the Minister of Foreign Affairs. The full powers must indicate the representative's name and surname and must unambiguously empower that representative to sign the Agreement.

Participation of Non-Governmental Organizations

In accordance with Rule 1 of the Terms of Reference and Rules of Procedures, Non-Governmental Organizations (NGOs) may participate in a consultative capacity in WP.29. In order for an NGO to participate in WP29, it must first be accredited as an international organization by ECOSOC, – the Economic and Social Council of the United Nations, and they participate on a Consultative Status basis. By attaining consultative status with ECOSOC, NGOs can contribute to the work programs and goals of the UN/ECE/WP.29 by serving as technical experts, or advisers and consultants to governments and the Secretariat. The number of NGO's participating at any one time in the activities of WP29 and its subsidiary bodies typically varies between six and twelve, depending on the agenda of topics, with a smaller range at the sessions of Working Parties of Experts and informal working groups.

NGOs are substantive contributors to the process of developing ECE wheeled vehicle safety, environmental, energy and anti theft regulations. They are often called upon for technical data and advice. In special cases, they generate support for their positions by investing in testing and analysis, and making the resulting information available to the experts developing the regulations. On occasions and in response to requests made by the technical experts, they have provided proposals for regulations and amendments to existing regulations. They have also advocated certain policy positions and provided testimony to legislative bodies of participating governments.

To apply for consultative status, an organization must send a letter of intent to the NGO section of the Division for ECOSOC Support and Coordination in the Department of Economic and Social Affairs and request an application form for consideration.

The mailing address is:

**NGO Section
ECOSOC Support and Coordination
Department of Economic and Social Affairs
United Nations Headquarters
Room DC1 – 1480**

New York, NY 10017 (USA)
Fax: +1 (212) 963-4116

The letter requesting the application form should be on the organization's letterhead and signed by its Secretary-General or President. Included with this letter should be the NGO's mission statement, a brief description of its main activities, and a description of the nature of the NGO's organization (e.g., a national coalition of x number of NGOs, or an international NGO with y number of affiliates). Once the NGO section receives the letter of intent, the application package containing a questionnaire and background material is mailed to the organization.

The deadline for receiving completed applications is June 1 of each year. ECOSOC's Committee on NGOs (outlined above) meets on an annual basis to review these applications. The 19 member Committee then recommends to ECOSOC which applications should be granted. The recommendation goes to the full Economic and Social Council, which makes the final decision.

Annex V lists those NGO's that currently participate on a regular basis in the activities of WP29 and its subsidiary bodies.

Chapter III

Organization of WP.29 and its Subsidiary Bodies

WP.29 is a working party under the United Nations Economic Commission for Europe's Inland Transport Committee. As stated previously, WP.29 has now become the World Forum for the Harmonization of Vehicle Regulations (see organizational chart below). Its role and that of its subsidiary Working Parties is to develop new regulations, harmonize existing regulations and amend and update current UN/ECE regulations that address the areas of concern covered by the agreements administered by WP.29.

The day-to-day management of the activities of WP.29 is carried out by the UN/ECE Secretariat. The Secretariat provides the administrative support for all sessions, including the preparation of the reports. The coordination of work of WP.29 is managed by a small Steering Committee (AC.2) comprised of the Chairperson, Vice-Chairperson and Secretariat of WP.29, the Chairperson and Vice-Chairperson of Executive Committee attendant to each of the Agreements administered by WP.29, the representatives of the European Community, Japan and the United States of America, and the Chairperson and Vice-Chairperson of each subsidiary Working Party of WP.29. The duties of AC.2 are to develop and recommend a Program of Work to WP.29, review the reports and recommendations of the subsidiary Working Parties and identify items that require action by WP.29 and the time frame for their consideration, and provide recommendations to WP.29. For additional information regarding the Terms of Reference and Rules of Procedures of WP.29, please refer to Annex I.

Regularly, sessions of the WP.29 are held three times a year. Those of the subsidiary Working Parties of Experts (GR's) are held twice a year by each of six expert groups. The AC.2 meetings are held prior to each WP.29 session. The primary areas of concern by the GR's are:

Active safety of vehicles and their parts (crash avoidance)

The regulations in this area seek to improve the behavior, handling and equipment of vehicles so as to decrease the likelihood of a road crash. Some of the regulations seek to increase the ability of drivers to detect and avoid hazardous circumstances. Others seek to increase the ability of drivers to maintain control of their vehicles. Specific examples of current regulations include ones applying to lighting and light-signaling devices, braking and running gear, including steering, tires and rollover stability. This area

of technology is rapidly changing. The advent of advanced (e.g., electronic, computer, and communication) technologies is providing opportunities for seeking new remedies that can help drivers avoid crashes.

Passive safety of vehicles and their parts (crashworthiness)

The Regulations in this area seek to minimize the chance and severity of injury for the occupants of a vehicle and/or other road users in the event of a crash. Extensive use is made of crash statistics to identify safety problems for which a regulation or amendment is needed and define a proper cost/benefit approach when improving performance requirements in this area. This is important given the overall impact of new requirements on vehicle construction, design and cost. Specific examples of current regulations include ones addressing the ability of the vehicle structure to manage crash energy and resist intrusion into the passenger compartment, occupant restraint and protection systems for children and adults, seat structure, glazing, door latches and door retention, pedestrian protection and for motor cycles, the quality of the helmet. This area of technology also is changing rapidly and becoming more complex. Examples include advanced protection devices that adjust their performance in response to the circumstances of individual crashes. In addition, changes in the vehicle population are raising issues of vehicle compatibility and aggressivity.

Environmental considerations

The regulations in this area are of great importance to health and welfare of society. In general, they address questions of the pollution of the environment, noise disturbances, and conservation of energy (fuel consumption). The existing regulations are regularly amended and new regulations are developed in order to take account of the technical progress and the wish of the Contracting Parties to further reduce negative influences of motor transport on the environment.

General safety considerations

The regulations in this area address vehicle and component features which are not directly linked to the above-mentioned subject areas. For example, windshield wipers and washers, controls and displays and glazing are grouped under this heading. Further, theft prevention and the considerations of public transport vehicles for which special expertise is needed in establishing their performance requirements are covered in this category.

Special technical considerations

In some cases, a specific problem needs to be solved urgently or needs to be addressed by persons having a special expertise. In such situations, a special informal group may be entrusted with the analysis of the problem and invited to prepare a proposal for a regulation. Although such cases have traditionally been kept to a minimum, the rapid development of complex new technologies is increasing the necessity

for using this special approach.

Subsidiary bodies of WP.29 responsible for the different Regulations :

Proposals to WP.29 for new regulations and amendments to existing UN/ECE Regulations are referred by WP.29 to its subsidiary bodies for preparation of technical recommendations. Each subsidiary body consists of people whose expertise is relevant to the area covered by the body. The current allocation of subject matter responsibility among the subsidiary bodies developed at the time of the original "Groupes des Rapporteurs", some of which were later merged to form the more recent "Meetings of Experts". There are currently six Working Parties subsidiary to WP.29. The work of the Subsidiary Bodies has proved to be so useful and indispensable that they have been recently given permanent status under the ECE and, in turn, have recently been renamed "Working Parties." In order to observe tradition and to maintain continuity concerning the titles of these subsidiary bodies, the abbreviation "GR" (coming from the time of "Groupes des Rapporteurs" and the names of those Groups in the French language) is being kept in the acronyms of the Working Parties and in the symbols on their working documents:

Responsible for Active Safety: Working Party on Lighting and Light-Signalling (GRE);
Working Party on Brakes and Running Gear (GRRF);

Responsible for Passive Safety: Working Party on Passive Safety (GRSP);

Responsible for Environment Protection: Working Party on Pollution and Energy (GRPE);
Working Party on Noise (GRB);

Responsible for General Safety Questions including Public Service Vehicles: Working Party on General Safety Provisions (GRSG);

Special technical issues_: Informal group(s) which are formed by, and report their work to one of the established Working Parties subsidiary to WP.29.

Chart (1)

Chapter IV

Agreement's Administered by WP.29

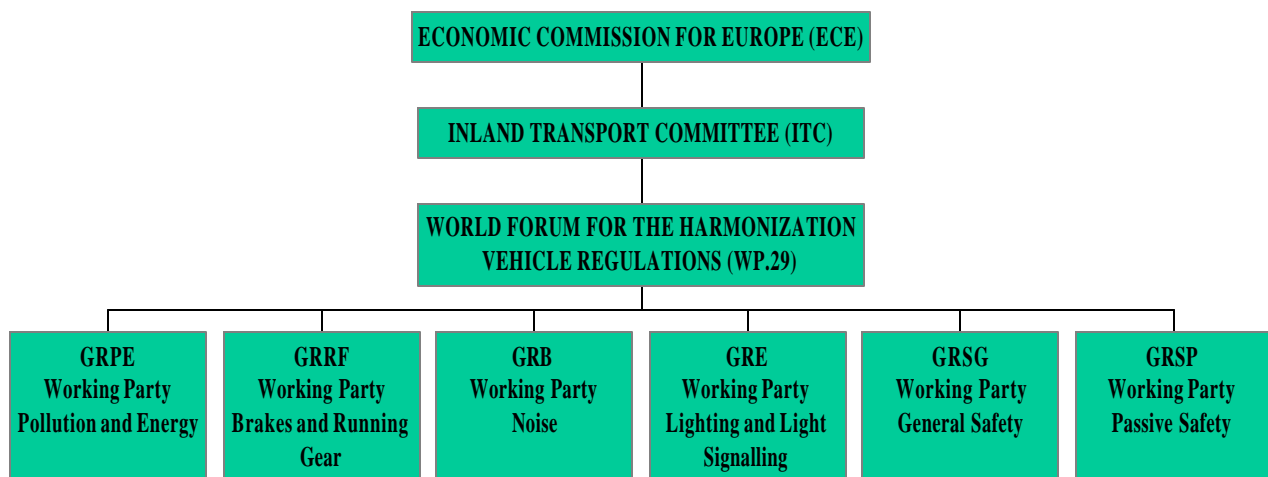
The 1958 Agreement

The 1958 Agreement was first signed on 20 March 1958, entered into force on 20 June 1959, amended on 10 November 1967, and again revised 16 October 1995 under the auspices of the UN/ECE/WP.29. The purpose of the Agreement is to provide procedures for establishing uniform regulations regarding new motor vehicles and motor vehicle equipment and for reciprocal acceptance of approvals issued under these regulations. At the moment, reciprocal recognition under the Agreement is only for vehicle parts and equipment, not for the entire vehicle. Regulations adopted by Contracting Parties pursuant to the Agreement govern the approval of motor vehicles and motor vehicle equipment for sale in those countries. The Agreement was originally intended to address only safety regulations, but has since been amended to encompass environmental (air and noise pollution emission), energy and anti theft regulations.

The 1958 Agreement currently has 34 [33] Contracting Parties, of which 31 are European ECE member countries. Other Contracting Parties include [a regional economic integration organization] the European Community, Japan and Australia [one is the country of Japan]. Chart(2) lists the Contracting Parties to the Agreement and the date of application of the Agreement by those parties. Ireland is a European Community Member State, which by virtue of the European Community accession to the Agreement, applies the UN/ECE regulations that the Community applies.

Contracting Parties to the Agreement and the date of application of the Agreement by those parties.

ORGANIZATION OF WP.29



Ireland is a European Community Member State, which by virtue of the European Community accession to the Agreement, applies the UN/ECE regulations that the Community applies.

The Agreement has approximately 110 ECE regulations annexed to it. These regulations govern passenger cars, light trucks, heavy trucks, trailers, mopeds and motorcycles, public service vehicles, and other vehicle types, and have been adopted to varying degrees by the Contracting Parties. The reciprocal recognition of type approvals among Contracting Parties applying the regulations has facilitated trade in motor vehicles and equipment throughout Europe. In recent years, the ECE/WP29 forum has been used to harmonize ECE regulations and EU Directives. For the complete text of the 1958 Agreement, please refer to Annex II.

Principal Elements of 1958 Agreement

- ! Members of the ECE, as well as members of the United Nations and Regional Economic Integration Organizations that participate in ECE activities, are eligible to become Contracting Parties to the 1958 Agreement. Specialized agencies and organizations that have been granted consultative status may participate in that capacity. (Art. 6)
- ! The 1958 Agreement seeks to establish regulations for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles, and conditions for granting type approvals and their reciprocal recognition for use by Contracting Parties who choose to implement regulations through type approval.
- ! The Executive Committee of the 1958 Agreement (AC.1) is composed of all the Contracting Parties of the 1958 Agreement. The Executive Committee oversees the process of developing and amending regulations and adopts the regulations or amendments to the regulations once they are developed.
- ! The Agreement does not preclude those countries whose regulations are implemented through self-certification (manufacturer certification) from becoming Contracting Parties. (Article 1 para. 1)
- ! Under the Agreement, new regulations, and amendments to existing regulations, are established by a vote of two-thirds majority of those present and voting. The established regulation is forwarded to the UN Secretary-General and then notified to each Contracting Party.
- ! The Regulation or amendment enters into force for all Contracting Parties that have not notified the Secretary-General of their objection within six months, unless more than one-third of the Contracting Parties so object. If more than one-third of the Contracting Parties object, the Regulation or amendment does not enter into force for any Contracting Party.

- ! Regulations under the Agreement are required to include technical requirements and alternative requirements as appropriate; test methods by which performance requirements are to be demonstrated; the conditions for granting type approvals and their reciprocal recognition, including markings and conditions for ensuring conformity of production; and the date on which the regulation enters into force. (Article 1 para. 2)
- ! A Contracting Party that has adopted an annexed regulation is allowed to grant type approvals for motor vehicle equipment and parts covered by the regulation and is required to accept the type approval of any other Contracting Party that has adopted the same regulation.
- ! The Agreement also permits a Contracting Party, upon notice, to begin applying a regulation after it has been annexed to the Agreement or to stop applying a regulation that it has been applying.
- ! Contracting Parties wishing to cease the application of a regulation, are required to notify the Secretary-General of their decision one year in advance.
- ! The Agreement provides that Contracting Parties applying Regulations largely through type approval shall grant type approvals and recognize the type approvals issued by other Contracting Parties. The Agreement recognizes self-certification as an alternative to type approval. (Article 2)
- ! Contracting parties granting type approvals are required to have the technical competence to grant the approvals and the competence to ensure conformity of production. Each contracting party applying the regulation through type approval may refuse the approvals if the above mentioned requirement is not met.

1998 Global Agreement

The 1998 Global Agreement was negotiated and concluded under the auspices of the UN/ECE, under the leadership of the European Community, Japan and the United States. It was first opened for signature on June 25, 1998 and the United States became the first signatory. The Agreement establishes a process through which countries from all regions of the world can jointly develop global technical regulations regarding the safety, environmental protection systems, energy sources and theft prevention of wheeled vehicles, equipment and parts. The covered equipment and parts include, but are not limited to, vehicle construction, exhaust systems, tires, engines, acoustic shields, anti-theft alarms, warning devices, and child restraint systems.

The ultimate goal of the 1998 Agreement is to continuously improve global safety, environmental pollution, energy sources and anti-theft performance of vehicles and related components and equipment through globally uniform technical regulations, while providing a predictable regulatory framework for a global

automotive industry and for the consumers and their associations. Unlike the 1958 Agreement, the 1998 Global Agreement does not contain provisions for mutual recognition of approvals, thereby allowing countries which are not ready or are unable to assume the obligations of reciprocal recognition to engage in an effective way in the development global technical regulations, regardless of the type of compliance and enforcement procedures of those countries. For the complete text of the Agreement, please refer to Annex III.

The 1998 Agreement currently has 9 Contracting Parties, including Japan, the United States of America, the European Community, Canada, France, the United Kingdom, Germany, Russia and South Africa. Chart 3 lists the Contracting Parties to the Agreement and the date of Application of the Agreement by those parties.

Principal Elements of the 1998 Global Agreement

- ! Members of the ECE, as well as members of the United Nations and Economic Integration Organizations formed by countries that participate in ECE activities, are eligible to become Contracting Parties to the 1998 Agreement. Specialized agencies and organizations that have been granted consultative status in accordance with the provisions of the Agreement may participate in that capacity. (Art.2)
- ! The Executive Committee of the 1998 Agreement (AC.3) is composed of all the Contracting Parties of the Agreement. The Executive Committee oversees the process of recommending, developing and amending regulations and adopts the regulations or amendments to the regulations once they are developed.
- ! The Agreement explicitly recognizes the importance of continuously improving and seeking high levels of safety and environmental protection and the right of national and subnational authorities to adopt and maintain technical regulations that are more stringently protective of health and the environment than those established at the global level. (Preamble)
- ! The Agreement explicitly states that one of its purposes is to ensure that actions under the Agreement do not promote, or result in, a lowering of safety and environmental protection within the jurisdiction of the Contracting Parties, including the subnational level. (Art. 1)
- ! To the extent consistent with achieving high levels of environmental protection and vehicle safety, the Agreement also seeks to promote global harmonization of wheel vehicle and engine regulations. (Preamble)
- ! The Agreement emphasizes that the development of global technical regulations will be transparent. (Art. 1)
- ! Annex A of the Agreement provides that the term "transparent procedures" includes the

opportunity to have views and arguments represented at:

- (1) meetings of Working Parties through organizations granted consultative status; and
- (2) meetings of Working Parties and of the Executive Committee through pre-meeting consulting with representatives of Contracting Parties.

- ! The Agreement provides two different paths to the establishment of global technical regulations. The first is the harmonization of existing standards. The second is the establishment of a new global technical regulation where there are no existing standards. (Article 6.2 and 6.3) (see chart 2)
- ! The Agreement calls for existing regulations of Contracting Parties needing harmonization to be listed in the Compendium of Candidate Global Regulations in order to facilitate their transition to global regulations. The regulation is added to the Compendium if supported by a vote of one-third of the Contracting Parties present and voting, including the vote of either Japan, the EU or the US. The Compendium will expand and contract in direct proportion to the existence of regulations needing harmonization. (Art. ---)
- ! The process for developing a harmonized global technical regulation includes a technical review of existing regulations of the Contracting Parties and of the UN/ECE regulations, as well as relevant international voluntary standards (e.g., standards of the International Standards Organization). If available, comparative assessments of the benefits of these regulations (also known as functional equivalence assessments) are also reviewed. (Art. 1.1.2, Art.6.2)
- ! The process for developing a new global technical regulation includes the assessment of technical and economic feasibility and a comparative evaluation of the potential benefits and cost effectiveness of alternative regulatory requirements and the test method(s) by which compliance is to be demonstrated. (Art.6.3)
- ! The process for amending any global technical regulation follows the same procedures specified in paragraph 6.3 for establishing the global regulation. (Art.6.4)
- ! To establish any global technical regulation, there must be a consensus vote. Thus, if any Contracting Party votes against a recommended global technical regulation, it would not be established. (Annex B, Art.7.2)
- ! Once harmonized or developed, global technical regulations will be established as ECE Regulations in a Global Registry, which will serve as a repository of global regulations that could be adopted by countries from around the world.
- ! The establishment of a global technical regulation does not obligate Contracting Parties to adopt

that regulation into its own laws and regulations. Contracting Parties retain the right to choose whether or not to adopt any technical regulation established as a global technical regulation under the Agreement. (Preamble, Art 7)

- ! Consistent with the recognition of that right, Contracting Parties have only a limited obligation when a global technical regulation is established under the Agreement. If a Contracting Party voted to establish the regulation, that Contracting Party must initiate the procedures used by the Party to adopt such a regulation as a domestic regulation. (Art. 7). Other obligations under the Agreement deal with the notification of the decision to adopt a regulation and the effective date of application of that regulation, the notification of the decision not to adopt the regulation, the decision to rescind or amend a regulation, etc.

- ! The Agreement allows for global technical regulations to contain a “global” level of stringency for most parties and ‘alternative’ levels of stringency for developing countries. In this way, all countries, including the least developed ones, can participate in the development, establishment and adoption of global technical regulations. It is anticipated that a developing country may wish to begin by adopting one of the lower levels of stringency and later successively adopt higher levels of stringency. (Art. 4)

1998 Agreement on Technical Inspection

{TO BE COMPLETED BY SECRETARIAT}

Chapter V

WP.29 REGULATION DEVELOPMENT PROCESS

The evolution of WP.29 into a global forum has required the adoption by WP.29 of a uniform process for the development of new regulations and the harmonization or amendment of existing regulations, consistent with the requirements set forth in the multiple agreements administered by WP.29. While each agreement contains specific requirements attendant to the adoption and implementation of regulations or amendments by their contracting parties, the technical development process that ultimately results in a recommended regulation or an amendment of a regulation is fundamentally the same for all agreements. The process that is presented below describes the sequence of events, key elements and the responsibilities of the various subsidiary bodies of WP.29 in the development, harmonization or the amendment of ECE regulations and is applicable to all other technical activities of WP.29 (see chart 3).

Introduction of Proposed Work and Regulatory Actions

The initiation of all regulatory development activities under any Agreement administered by WP.29 follows a common process. The first step is the submission of a written proposal to the Executive Secretariat of the ECE. Only participants as defined in the Terms of Reference and Rules of Procedures of WP.29 may

submit a proposal. This proposal, if deemed consistent by the Secretariat with the safety, environmental, energy and anti-theft mandates of WP.29 and the provisions of the agreements administered by WP.29, is presented to the Administrative Committee (AC-2), for consideration and possible placement on a proposed work agenda.

Work Agenda of WP.29

The participants in WP.29 review and discuss all work that is presented in the AC-2 recommended agenda and, where agreed in accordance with the Terms of Reference and the Rules of Procedure of WP.29, modify and adopt the agenda of work. WP.29 then identifies which of the Working Party(s) of Experts (see Chapter X of the Rules of Procedure) will be given the responsibility of carrying out the specific technical work consistent with the requirements set forth in the relevant agreement(s), where appropriate.

Technical Regulation Development

The Working Party of Experts (GR) will address the development, harmonization or amendment of the technical requirements of regulations regarding wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles. Typically, the work includes, but is not limited to, such areas as test methodologies, limit values, vehicle or component design and/or performance standards, approval or certification markings, etc.

Since the regulations developed under WP.29 are “voluntary,” they do not carry the force of law until they are adopted and implemented by Contracting Parties to an agreement into their national laws (See Annex VI for several national and regional regulatory and enforcement schemes). Hence, those elements of a regulation that relate to its adoption and implementation are considered to be the political jurisdiction of the Contracting Parties to the specific agreements. Such elements include methods of conformity assessment (type approval, self certification, etc.), certification procedures, reciprocal recognition, dates of entry into force and enforcement procedures, and they are contained in an annex to the recommended regulation for establishment or adoption under the terms of the specific agreements. In developing those elements, the GR must take into consideration the “technical” implications of implementation as set forth in relevant agreements (see annexes II, III and IV).

In developing the regulations, a GR must give consideration to:

- C objective(s) of the regulation or amendments such as improved vehicle safety, reduced environmental impacts, energy efficiency, and theft deterrence
- C best available technology and, where appropriate, possible incremental improvements in technology that will provide significant steps in achieving the regulatory objectives and public benefits

- C the potential benefits attendant to the various levels of technology and attendant to levels of regulatory stringency or performance
- C the costs, both monetary and social, that may be attendant to each level of regulatory stringency or performance
- C the relationship or potential interaction of a specific technical regulation to other regulations currently in force or to be adopted by Contracting Parties to existing agreements administered by WP.29

Throughout the regulatory development process or the amending process, the GR presents progress reports on its work to WP.29, and where directed by WP.29, makes revisions and conducts additional investigations to resolve new issues attendant to its work assignments. Upon the completion of its work, the GR presents a final recommendation for a regulation or amendment to WP.29.

WP.29 Review and Recommendations

Upon the receipt of a final recommendation from a GR regarding a new, harmonized or amended regulation, WP.29 begins a review and a discussion of the recommendation by all participants. Absent any substantive objections and requests for further work by the GR, WP.29 will formally submit the recommendation to the Executive Committees of all relevant agreements for their consideration for establishment or adoption as an ECE regulation or amendment to an existing ECE regulation.

Establishment or Adoption of Regulations and Amendments to Regulations

The Executive Committees of the relevant agreements (AC.1 for the 1958 Agreement; AC.3 for the 1998 Global Agreement; and AC.4 for the 1997 Agreement on Technical Inspections) will review the recommended action to determine if it is consistent with the provisions and requirements set forth in their respective agreements. Having made a determination of consistency, the Executive Committee(s) will vote, in accordance with the terms of their respective agreements, to establish or adopt the recommended regulation or amendment. Failure to establish a regulation under the 1998 Agreement does not preclude its adoption under the 1958 Agreement and vice versa. Upon its establishment or adoption, the Executive Committee(s) will request the ECE Secretariat to forward to the Secretary General of the United Nations (UN), the established or adopted regulation or amendment with their request that it be formally established under the UN/ECE. A Regulation adopted under the 1958 Agreement will have the designation: TRANS/WP.29/YEAR/R#. A Regulation established in the Global Registry under the 1998 Agreement will have the designation: TRANS/WP.29/YEAR/GR#.

Chapter VI

Special Considerations and Actions Attendant to Agreements Administered by WP.29:

“Agreement Concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts Which can be Fitted and/or Be Used on Wheeled Vehicles” (1998 Agreement)

The 1998 Agreement includes six unique and significant provisions for the development and establishment of Global Technical Regulations.

- ! It provides for the consideration of regulatory development proposals from Contracting Parties to the Agreement (Art. 3)
- ! It specifies the criteria required for the harmonization of regulations from the Compendium and existing UN/ECE regulations, the development of new global regulations and the amendment of existing global regulations. (Art.4)
- ! It requires the establishment of a **Compendium of Candidate Global Technical Regulations**. The Compendium consists of existing national or regional regulations that are selected as candidates for global harmonization. (Art. 5)
- ! It requires the establishment of a **Registry of Global Technical Regulations**. (Art. 6)
- ! It specifies the process for the amendment of established “global” regulations. (Art. 6)
- ! It requires the consensus of all Contracting Parties for the establishment or amendment of a global regulation. (Art. 6.3)

The Agreement does not obligate Contracting Parties to a specific conformity assessment regime (i.e. type approval, self certification, etc.) or to commit to reciprocal recognition of regulations adopted by other Contracting Parties nor does it impose an enforcement regime. In this regard the Agreement preserves the sovereign rights of each Contracting Party to implement and enforce the “global” technical regulation in accordance with their respective national or regional regulatory process and/or laws.

“Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts Which Can Be Fitted and/or Be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of These Prescriptions” (1958 Agreement as Revised in 1995)

The 1958 Agreement has a long history of regulation development that was originally designed to facilitate the free movement and sale of wheeled vehicles across State borders within a region of Europe. To achieve this objective the Agreement included various provisions to reduce the burden of repetitive regulatory testing and certifications by Contracting Parties. Subsequent amendments to the Agreement, as described earlier, have served to expand its scope of activities and to attract the participation of countries outside the original European region and from other parts of the world. However, the Agreement still

contains certain original provisions that preclude some countries from becoming contracting parties due to their national laws. The unique provisions of the 1958 Agreement include:

- ! Conditions for granting **type approval** for the verification that a vehicle, equipment or part submitted by a manufacturer conforms to the requirements of a given regulation. Such type approval verification may be carried out by a competent authority designated by the certifying Contracting Party. (Art.1)
- ! Conditions requiring the **reciprocal recognition** by Contracting Parties of certifications issued by other Contracting Parties. (Art. 1)
- ! Conditions that result in the adoption of a regulation if, within a period of six months from its notification to Contracting Parties by the Secretary General of the UN, not more than one-third of the Contracting Parties at the time of notification have informed the Secretary-General of their disagreement with the regulation. (Art. 1)
- ! Conditions that establish the date(s) on which the regulation will enter into force for all Contracting Parties which did not notify the Secretary-General of disagreement. (Art. 1)
- ! Conditions that any Contracting Party applying a regulation that is annexed to the Agreement shall be held to be in conformity with the legislation of all the Contracting Parties applying the said regulation through type-approval. (Art. 3)
- ! Conditions that require the notification of the competent authority of the Contracting Party that has issued a type approval for a product, by a Contracting Party whose competent authority has determined said product does not conform to the approved type(s) of product. The issuing Contracting Party shall notify all other Contracting Parties applying the regulation through type approval of the steps it has taken to bring the product into conformity. (Art. 4)
- ! Conditions that require the competent authorities of each Contracting Party applying regulations through type approval to send monthly to the competent authorities of other Contracting Parties a list of products, approvals of which it has refused to grant or has withdrawn during that month. (Art. 5)

For a more detailed description of the above conditions the reader is referred to Annex II.

Annex I

Terms of Reference and Rules of Procedures of WP.29

Annex II
1958 Agreement

Annex III

1998 Global Agreement

Annex IV

Agreement on Technical Inspection

ANNEX V

OICA	The International Organization of Motor Vehicle Manufacturers. This is an umbrella organization of national motor vehicle manufacturer associations.
CLEPA	The Liaison Committee for the Manufacture of Automobile Equipment and Spare Parts. This is an international umbrella organization of parts manufacturers associations.
GTB	The Brussels Working Party. This is an international association of lighting equipment manufacturers.
ETRTO	The European Tire and Rim Organization. This is an international organization of tire and wheel manufacturers.
ISO	The International Organization for Standardization, a.k.a. the International Standards Organization. This is a global organization that develops voluntary technical standards in many areas.
IOCU	The International Organization of Consumers Unions. This is the international organization that brings together the national Consumers Union.
AIT/FIA	The International Alliance of Tourism/International Automobile Federation. This is an international organization of national Automobile Clubs. The American Automobile Association, AAA, is a member.
IMMA	The International Motorcycle Manufacturers Association. This is an international organization of national motorcycle manufacturers associations and manufacturers.
FEMFM	The Federation of European Manufacturers of Friction Materials.
CEMA	The European Committee of Associations of Manufacturers of Agricultural Machinery.
CITA	The International Motor Vehicle Inspection Committee

Annex VI

National and Regional Regulatory Development and Enforcement Processes

European Community

Japan

Russian Federation

United States