

Proposal for amendments to Regulation No. 116 (Protection of vehicles against unauthorized use)

The aim of this document is to propose GRSG some solution about the ambiguity in the wording of the scope of the regulation. The modifications to the current text of UN Regulation No. 116 are marked in bold for new or strikethrough for deleted characters.

I. Proposal

A. Regulation N°116

Paragraph 1, amend to read:

- "1. SCOPE
- This Regulation applies to:
- 1.1. PART I – **to the** Approval of a vehicle of category M1 and N1 ^{1/} with regard to its devices to prevent unauthorized use.
- 1.2. PART II - **to the** Approval of vehicle alarm systems (VAS) which are intended to be permanently fitted to vehicles of category M1 and those of category N1 with a maximum mass of not more than 2 tonnes ^{1/}
- 1.3. PART III – **at the request of the manufacturer, to the** Approval of vehicles of category M1 and those of category N1 with a maximum mass of not more than 2 tonnes, with regard to their alarm system(s) ^{1/}.
- ~~1.4. PART IV – Approval of immobilizers and vehicles of category M1 and vehicles of category N1 with a maximum mass of not more than 2 tonnes with regard to immobilizers ^{2/ 1/}~~
- 1.5. **At the request of the manufacturer, Contracting Parties may grant approvals under Part I to vehicles of category M2, N2, M3, N3.**
~~The fitting of devices specified under Part I to vehicles of other categories is optional but any such device fitted is required to comply with all relevant provisions of this Regulation~~
- ~~1.6. The fitting of devices specified under Parts III and IV to vehicles of other categories, or to N1 category vehicles with a maximum mass exceeding 2 tonnes, is optional but any such device fitted is required to comply with all relevant provisions of this Regulation.~~
- ~~1.7. At the request of the manufacturer, Contracting Parties may grant approvals under Parts I to IV to vehicles of other categories and devices for fitment to such vehicles.~~
- ~~1.8. At the time of application of this Regulation, Contracting Parties shall declare which parts of the Regulation they intend to mandate in their territory for each category of vehicles ^{3/}.~~

Deletion of the relevant provisions currently existing in UN R116 with regard to immobilizers.”

^{1/} As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3), Annex 7 (document TRANS/WP.29/78/Rev.1, as amended).

^{2/} Only vehicles with 12 volts electrical systems are considered.

~~^{3/} It is recommended that Contracting Parties apply Parts I and IV to approval of M1 category vehicles and Part I only to approval of N1 category vehicles, the other requirements remaining optional. Parts II, III and IV should apply where such equipment is fitted to vehicle categories shown in paragraphs 1.3. to 1.5.~~

B. Regulation N°IMMOBILIZER

Scope to read:

“1. SCOPE

1.1. This Regulation applies to the approval of immobilizers and vehicles of category M1 and vehicles of category N1 with a maximum mass of not more than 2 tonnes with regard to immobilizers ^{1/2/}

1.2. At the request of the manufacturer, Contracting Parties may grant approvals to vehicles of category N1 with a maximum mass of more than 2 tonnes, M2, N2, M3, N3 with regard to immobilizers ^{1/2/}

1/ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3), Annex 7 (document TRANS/WP.29/78/Rev.1, as amended).

2/ Only vehicles with 12 volts electrical systems are considered.

The text of the new regulation shall carry over the relevant provisions currently existing in UN R116 with regard to immobilizers.”

II. Justification

1. Background.

The subgroup “SGR0” of the WP29 informal group on IWVTA agreed on the following Action item: “SG R0 agreed to report to WP.29 that some action (may be an amendment of the text of R116) would be necessary to get rid of any uncertainty in its application and include it in Annex 4 of UNR0”. GRSG-108 established a task-force to address this uncertainty.

2. Current situation about UN R116 application among the contracting parties.

Per an email dated 11 February 2015, Naono san (J) kindly summarized the status of application of the regulation in Japan and the EU.

Part	Device	Japan	EU
I	Anti-theft	Mandatory	Mandatory
II & III	Alarm	Optional	Optional
IV	Immobilizer	Optional	Mandatory

In this email, Naono san clarified that Japan can accept in principle the application as below:

- Dividing UN R116 in 3 separate regulations, or
- Dividing UN R116 in 2 separate regulations (I+II&III, and IV)

Note: The order has been re-arranged for best following the order in the paragraph 1 of the regulation (i.e. anti-theft, alarm, immobilizer).

3. Proposal for a clarification

The proposal is as follows (according to the Japanese 2nd best choice):

- a) Making two regulations:
 - i. One covering **anti-theft and alarm** primarily focusing on M1 and N1 categories
 - ii. The second covering **immobilizer** primarily focusing on category M1 and N1 < 2 tonnes
- b) In the 1st regulation,
 - i. approval of vehicles of the other categories for the anti-theft is optional for the manufacturer (paragraph 1.5.)

- ii. approval of vehicles for the alarm system is optional for the manufacturer (paragraph 1.3.)
- c) The second regulation is *de facto* optional for the contracting parties. Approval of vehicles of the other categories is optional for the manufacturer (paragraph 1.2.)

The contracting parties can then nationally mandate the devices they believe necessary:

- EU can apply
 - o the 1st regulation (antitheft and alarm) on a mandatory basis for the antitheft
 - o the 2nd regulation (immobilizer) on a mandatory basis
- J can apply
 - o The 1st regulation (antitheft and alarm) on a mandatory basis for the antitheft
 - o The 2nd regulation (immobilizer) on an optional basis

A manufacturer can then request approval to

- The 1st regulation (antitheft and alarm) and get this approval, without alarm, accepted by all contracting parties not mandating alarm. It can also request approval, with alarm, for the markets mandating alarm.
- The 2nd regulation (immobilizers) and get also this approval accepted by all contracting parties to this regulation.
