

Korea WTO TBT Enquiry Point  
Korean Agency for Technology and Standards  
Ministry of Trade, Industry & Energy  
Republic of Korea  
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**To:** UN ECE WP.29 GRSP (United Economic Commission for Europe), UN WTO TBT Enquiry Point

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**Date:** 2020.7.23

**From:** Korea WTO TBT Enquiry Point

**Subject:** A Formal Letter from the Republic of Korea regarding the EU's "Amendments of UN Regulation No.22 (Protective helmets)" (not notified to the WTO)

**Message:**

Dear EU WTO TBT Enquiry Point and UN ECE WP.29 GRSP (Working Party on Passive Safety),

Attached are comments from the government of the Republic of Korea regarding the "Amendments of UN Regulation No.22 (Protective helmets)" (not notified to WTO).

Please convey it to the competent authorities. Acknowledgement of this letter would be much appreciated.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Jun Min-yung", is written over a horizontal line.

Jun Min-yung  
Director, WTO TBT Division  
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## Comments from the Republic of Korea with respect to “Amendments of UN Regulation No.22 (Protective helmets)” (not notified)

The Korean government appreciates this opportunity to submit our comments on the “Amendments of UN Regulation No. 22 (ECE/TRANS/WP.29/2020/60)”, which is currently under revision in the UN ECE (Economic Commission for Europe) WP.29 (World Forum for Harmonization of Vehicle Regulations).

The Korean government respects the efforts of the UNECE to amend the regulation with a view to protecting the drivers and passengers of mopeds and motor cycles. Furthermore, Korean companies are fully committed to complying with this regulation.

However, the Korean government would like to make a number of requests as Korean companies are encountering the following difficulties regarding Article 7.3.1.3.5 thereof:

*Article 7.3.1.3.5 of ECE/TRANS/WP.29/GRSP/2020/60*

*No helmet shall be modified from its original specification as manufactured. Accessories must be fitted in accordance with the helmet manufacturer’s instructions. Only accessories tested during the type approval procedure of the helmet keep the type approval valid.*

< Difficulties of Korean companies >

First, it is unclear whether the regulation is also applicable to after-market accessories (e.g. headsets for wireless communications) which users purchase separately as an attachment to the helmet. More specifically, it is ambiguous as to whether the scope of the regulation applies only to helmets with accessories, or whether each helmet accessory is also eligible for individual certification.

Second, if after-market accessories are also applicable, it still remains unclear which entity (i.e. the helmet manufacturer or the accessory provider) shall carry out the measures for certification. There are also concerns over the burden imposed on helmet accessory companies due to certification duties.

If the helmet manufacturer is obliged to get certification for helmet with after-market accessories, this may result in the following difficulties: the helmet manufacturer may select certain accessory providers for certification which could disrupt market flows.

Furthermore, there may be high barriers to entry in the helmet industry except additional burden of certification, causing non-certified products to be illegally distributed in the market.

On the other hand, if the accessory manufacturer is obliged to get their after-market accessories tested and certified along with all helmets available in the European market, this would require excessive costs and time for the conformity assessment procedure.

e.g. if the after-market accessories are tested with all helmets, this would require approximately 1,200\* tests, making it difficult to be sold in the market.

\*40 (Number of helmet manufacturers under the R-22.06 certification) x 6 (Number of models available per helmet manufacturer) x 5 (Number of different devices per accessory manufacturer) = 1,200 (Total amount of tests)

< Requests of the Korean government >

The Korean government would like to verify whether after-market accessories are included within the scope of the draft revision of the regulation.

If after-market accessories are included within the scope of the draft revision of the regulation, please consider their exclusion from the scope, or the addition of separate provisions in the regulation that would allow accessory manufacturers to carry out individual certifications.

As mentioned above, testing after-market accessories with all helmets available in the European market is resulting in many difficulties. Therefore, if individual certifications for after-market accessories are required, it is necessary to develop a standard helmet model, establish specific testing standards and reflect feedback from commercial stakeholders such as accessory manufacturers regarding amendments to the regulation.

The Korean government would like to request a specific timeline of the effective date and confirmation of the final version of the regulation.

The Korean government would be grateful if we could receive a quick reply. Please do not hesitate to contact us if you have any questions or concerns.