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World Forum for Harmonization of Vehicle Regulations

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Item 19.5 of the provisional agenda

Progress on the development of new UN GTRs

and of amendments to established UN GTRs:

UN GTR No. 9 (Pedestrian safety)

Authorization to develop amendments to UN Global Technical Regulation No. 9 (Pedestrian safety)

Submitted by the representative from the United States of America *

Addendum

The text reproduced below was submitted by the representative of the United States of America to propose changes to the proposal to develop amendments to UN Global Technical Regulation No. 9 (ECE/TRANS/WP.29/AC.3/31). It was adopted by the Executive Committee (AC.3) of the 1998 Agreement at its June 2021 session on the basis of ECE/TRANS/WP.29/2021/83 (ECE/TRANS/WP.29/1159, para. 152). This authorization is transmitted to the Working Party on Passive Safety (GRSP). In accordance with the provisions of paragraphs 6.3.4.2, 6.3.7 and 6.4 of the 1998 Agreement, this document shall be appended to any new and/or amended global technical regulation once adopted.

* In accordance with the programme of work of the Inland Transport Committee for 2021 as outlined in proposed programme budget for 2021 (A/75/6 (part V sect. 20) para 20.51), the World Forum will develop, harmonize and update UN Regulations in order to enhance the performance of vehicles. The present document is submitted in conformity with that mandate.

In the text of document ECE/TRANS/WP.29/AC.3/31, insert a new section III, to read:

"III. Amendment to the Authorization

18. At the sixtieth session of the Executive Committee (AC.3) of the 1998 Agreement in March 2021, a proposed Amendment 3 to UN GTR No. 9 was tabled for a vote (ECE/TRANS/WP.29/2021/53). The representatives of the United States of America requested that AC.3 agree to a deferral of the vote on this item due to its final technical evaluation of the amendment earlier this year. Upon repeated consultations with the Committee concerning positions of AC.3 members with respect to the possible establishment of the amendment, the Chair of AC.3 concluded that the support from the Committee to reach consensus was not adequate. Therefore, AC.3 agreed to defer vote under this agenda item to its June 2021 session pending further discussions concerning the proposal for Amendment 3 to UN GTR No. 9 at the next session of GRSP, scheduled to take place in May 2021. AC.3 requested GRSP to give highest priority to the task and to report back to AC.3 and WP.29 with the greatest urgency on the progress towards a resolution of outstanding matters in this context. AC.3 agreed to keep this item on its agenda for the next session with the expectation to vote on the amendment.

19. Subsequently, the Chair of GRSP invited some of the key parties to the discussions in AC.3 and development of the proposal to a meeting on 23 April 2021. Present at the meeting were representatives of Canada, the European Commission, Germany, Japan, the Netherlands, South Korea, the United Kingdom and the United States (US), as well as the UN Secretary for GRSP. At the meeting, the US presented further information regarding its concerns with amendment 3, while Germany presented material supporting the targeting method changes. During the discussions, it was noted that the US concerns focused on loss of testable area, while the German presentation focused on repeatability, reproducibility and consistency with established legislative interpretation and practice in the EU. The group agreed that further discussion could lead to an ultimate resolution of how to balance these competing concerns in an amendment that all parties could agree on. The group also discussed the possibility that the differences could be the result of differing enforcement systems.

20. Further meetings could not be arranged prior to the May session of GRSP, though the US and Germany, providing the EU perspective, continued to exchange information by on line.

21. At the May session of GRSP, the US representative summarize the events since WP.29, and expressed her country's belief that a reengagement in further dialogue on the issues could lead to an eventual amendment that would be agreed to by all parties. She further noted, that this would be a preferred outcome from a harmonization perspective, as pedestrian safety was a renewed priority in her country. She therefore asked that GRSP form a Task Force to continue these discussions, and request that WP.29 further delay the vote on the pending amendment until its work is finished.

22. During the May session of GRSP, the US representative also made note of two additional pending amendments to UN GTR No. 9 that could potentially affect the headform test zone and indicated a single amendment on this issue would be preferred to separate amendments. The GRSP agreed the Task Force could consider these issues if it did not delay the work on amendment 3.

23. The new Task Force will be chaired by the United States, with decisions on possible co-chair(s) and Secretary at the first meeting in June. The Task Force is directed to have a new proposal ready for the December 2021 session of GRSP."

In the text of document ECE/TRANS/WP.29/AC.3/31, Section III, renumber as section IV.