

Proposal to amend UN Regulation No. [161] on protection/devices against unauthorized use

I. Proposal

Paragraph 5.3., amend to read:

- “5.3. Electromechanical and electronic devices to prevent unauthorized use shall **comply with the requirements of paragraphs 5.1. and 5.2. and shall** be submitted to the tests described in Annex 6, **mutatis mutandi**.
- Components that are not embedded in the vehicle (e.g. keys, which are used for activation/deactivation) need not to comply with the requirements described in Annex 6.**
- If the technology of the device is such that Paragraph 5 and Annex 6 are not applicable it shall be verified that care has been taken to preserve safety of the vehicle. The functioning process of these devices shall incorporate secure means to prevent any risk of blocking or accidental dysfunctioning which could compromise the safety of the vehicle.”**

Paragraphs 6.1. to 6.3., delete:

- ~~“6.1. Every modification of the vehicle type or component type shall be notified to the Type Approval Authority which approved the vehicle or component type. The Type Approval Authority shall then either:~~
- ~~(a) Decide, in consultation with the manufacturer, that a new type approval is to be granted; or~~
- ~~(b) Apply the procedure contained in paragraph 6.1.1. (Revision) below and, if applicable, the procedure contained in paragraph 6.1.2. (Extension) below.~~
- ~~6.1.1. Revision~~
- ~~When particulars recorded in the information documents have changed and the Type Approval Authority considers that the modifications made are unlikely to have appreciable adverse effects and that in any case the foot controls still meet the requirements, the modification shall be designated a "revision".~~
- ~~In such a case, the Type Approval Authority shall issue the revised pages of the information documents as necessary, marking each revised page to show clearly the nature of the modification and the date of re-issue. A consolidated, updated version of the information documents, accompanied by a detailed description of the modification, shall be deemed to meet this requirement.~~
- ~~6.1.2. The modification shall be designated as an "extension" if, in addition to the change of the data recorded in the information documents:~~
- ~~(a) Further inspections or tests are required; or~~
- ~~(b) Any information on the communication document (with the exception of its attachments) has changed; or~~
- ~~(c) Approval to a later series of amendments is requested after its entry into force.~~

- ~~6.2. Confirmation or refusal of approval, specifying the alteration, shall be communicated by the procedure specified in paragraph 4.3. above to the Contracting Parties to the Agreement applying this Regulation.~~
- ~~6.3. The Type Approval Authority issuing the extension of approval shall assign a serial number to each communication form drawn up for such an extension."~~

Insert new Paragraphs 6.1. to 6.3., to read:

- "6.1. Every modification of a vehicle or component type with regard to this Regulation shall be notified to the administrative department which approved the vehicle or component type. The department may then either:**
- 6.1.1. consider that the modifications made are unlikely to have an appreciable adverse effect and that in any case the component or the vehicle still complies with the requirements, or**
- 6.1.2. require a further report from the technical service responsible for conducting the tests.**
- 6.2. Confirmation or refusal of approval, specifying the alteration, shall be communicated by the procedure specified in paragraph 4.3. above to the Contracting Parties to the Agreement applying this Regulation.**
- 6.3. The competent authority issuing the extension of approval shall assign a serial number to each communication form drawn up for such an extension."**

Annex 6, paragraph 1., amend to read:

- "1. Operation parameters
- The requirements below do not apply to:
- (a) Those components that are fitted and tested as part of the vehicle, whether or not a locking system is fitted (e.g. lamps, alarm system, immobilizer); or
- (b) Those components that have previously been tested as part of the vehicle and documentary evidence has been provided; **or**
- (c) **Components that are not embedded in the vehicle, e.g. keys.**
- All components of the locking system shall operate without any failure under the following conditions."

II. Justification

Paragraph 5.3.

The original paragraph 5.4 of UN R116 was:

- "5.4. Electromechanical and electronic devices to prevent unauthorized use
- Electromechanical and electronic devices to prevent unauthorized use, where fitted, shall comply with the requirements of paragraphs 5.2. and 5.3. above and paragraph 8.4. below, mutatis mutandi. **Components that are not embedded in the vehicle (e.g. keys which are used for activation/deactivation) need not to comply with the requirements of paragraph 8.4.**

If the technology of the device is such that Paragraphs 5., 6., and 8.4. are not applicable it shall be verified that care has been taken to preserve safety of the vehicle. The functioning process of these devices shall incorporate secure means to prevent any risk of blocking or accidental dysfunctioning which could compromise the safety of the vehicle."

The text in bold represents Supplement 7 to the original version of UN R116.

The proposal aligns the text of UN R161 to the content of UN R116 incl. supplement 7 by

- adding paragraph reference to the general (para. 5.2. -> 5.1.) and specific (para. 5.3. -> 5.2.) requirements,
- adding "mutatis mutandi" to avoid non-applicable test conditions,
- adding the last subparagraph, if requirements are not applicable to this specific technology although the reference to the vehicle alarm system (old para. 6.) is deleted.

Paragraphs 6.1. to 6.3.

During the split of Un R116 alignment to UN R116 paragraph 9 was lost and a new text was created. To be in line with the task-force's objective, proposing to realign the respective paragraphs.

Annex 6, paragraph 1

Supplement 7 of UN R116 also amends the original paragraph 8.4.1., which is similar to the provisions laid down in Annex 6 of the new regulation on devices against unauthorized use.

Text of UN R116 Supplement 7 was:

"8.4.1. Operation Parameters

All components of the immobilizer shall comply with prescriptions given in paragraph 6.4. of this Regulation.

This requirement does not apply to:

- (i) Those components that are fitted and tested as part of the vehicle, whether or not an immobilizer is fitted (e.g. lamps), or
- (ii) Those components that have previously been tested as part of the vehicle and documentary evidence has been provided, or
- (iii) Components that are not embedded in the vehicle, e.g. keys."