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Item 9 (b) of the provisional agenda

Amendments to the Regulations on Devices against Unauthorized Use, Immobilizers and Vehicle Alarm systems:

UN Regulation No. 161 (Devices against Unauthorized Use)

Proposal for Supplement 3 to the Original Version of UN Regulation No. 161 (Devices against Unauthorized Use)

Submitted by the expert from the International Organization of Motor Vehicle Manufacturers *

The text reproduced below was prepared by the expert from the International Organization of Motor Vehicle Manufacturers (OICA) to amend UN Regulation No. 161 to clarify the scope of the UN Regulation and to complement the text with the missing Supplement 7 to the original version of UN Regulation no. 116. It is based on informal document GRSG-122-14 distributed at the 122nd session of the Working Party on General Safety Provisions (GRSG). The modifications to the current text of the UN Regulation are marked in bold for new and strikethrough for deleted characters.

* In accordance with the programme of work of the Inland Transport Committee for 2022 as outlined in proposed programme budget for 2022 (A/76/6 (part V, sect. 20) para. 20.76), 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.



I. Proposal

Paragraph 1., add new footnote ² and amend to read:

"1. Scope

This Regulation applies to:

- 1.1. ~~Approval of a vehicle of category M₁ and N₁^{1/} with regard to its devices to prevent unauthorized use.~~ **Approval of devices to prevent unauthorized use which are intended to be permanently fitted to vehicles of any category.** ^{1,2}
- 1.2. ~~The fitting of devices to vehicles of other categories is optional but any such device fitted is required to comply with all relevant provisions of this Regulation.~~ **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 devices to prevent unauthorized use.** ²
- 1.3. ~~At the request of the manufacturer, Contracting Parties may grant approvals according to this Regulation to vehicles of other categories and devices for fitment to such vehicles.~~ **At the request of the manufacturer, Contracting Parties may grant approvals to vehicles of other categories with regard to their device(s) to prevent unauthorized use.**
- 1.4. ~~This Regulation does not apply to radio transmission frequencies, whether or not related to the protection of vehicles against unauthorized use.~~ **This Regulation does not apply to radio transmission frequencies, whether or not related to the protection of vehicles against unauthorized use."**

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 malfunctioning which could compromise the safety of the vehicle."

Paragraphs 6.1. to 6.3., shall be deleted

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.**

¹ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev.6. (<https://unece.org/transport/standards/transport/vehicle-regulations-wp29/resolutions>).

² **Only vehicles with 12 volts electrical systems are considered."**

- 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 shall inform the other Contracting Parties of the extension by means of the communication form which appears in Annex 1 to this Regulation. It shall assign a serial number to each extension, to be known as the extension number."**

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

1. **Paragraph 1.** The split of UN Regulation No. 116 is among others the opportunity to clarify the scope of the regulations. The scope of UN Regulation No. 161 on devices to prevent unauthorized use is now distributed in four subsections:

- (a) The devices to prevent unauthorized use;
- (b) The vehicles of category M₁/N₁ fitted with those devices;
- (c) Other vehicle categories, at the request of the manufacturer;
- (d) The exclusion of radio frequencies.

This structure well clarifies which vehicle categories are in or out of the scope, and which sections of the UN Regulation apply to which vehicle/devices. The proposal reflects the wording proposed in the informal document GRSG-122-21 adopted in principle at the 122nd session of GRSG (October 2021).

2. **Paragraph 5.3.** The original paragraph 5.4. of UN Regulation No. 116 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 Regulation No. 116. The proposal aligns the text of UN Regulation No. 161 to the content of UN Regulation No. 116 including Supplement 7 by:

- (a) adding paragraph reference to the general (paragraphs 5.2. -> 5.1.) and specific (paragraphs 5.3. -> 5.2.) requirements;

- (b) adding "mutatis mutandi" to avoid non-applicable test conditions;
- (c) adding the last subparagraph, if requirements are not applicable to this specific technology although the reference to the vehicle alarm system (old paragraph 6.) is deleted.

According to the comments collected at the 122nd session of GRSG (October 2021), the word "dysfunctioning" is replaced by "malfunctioning".

3. **Paragraphs 6.1. to 6.3.** During the split of UN Regulation No. 116, the alignment of paragraph 9 was lost, and a new text was created. The new wording is copied from the wording adopted for paragraph 7 in UN Regulation No. 160 (MOIS – document ECE/TRANS/WP.29/2020/122) and is aligned with Schedule 3 of the 58 Agreement.

4 **Annex 6, paragraph 1.** Supplement 7 of UN Regulation No. 116 also amends the original paragraph 8.4.1., which is similar to the provisions laid down in Annex 6 of the new UN Regulation on devices against unauthorized use. Text of UN Regulation No. 116, 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."
