

Informal paper submitted retrospectively to GRPE 86 by the experts from OICA

Clarification of points regarding UN Regulation No. 154

Informal document GRPE-81-29 rev 1 was submitted to GRPE in June 2020 to clarify some elements surrounding the introduction of UN Regulation No. 154. This paper is updated here to add an additional clarification of the introductory provisions in the newly adopted 02 series of amendments.

The subject of vehicle emissions testing is based on diverse requirements worldwide and a variety of technologies. These are some of the points which makes testing procedures very complex, and UN GTR No. 15 (WLTP) made a first attempt to harmonise these requirements. Where harmonisation was not possible, the differences were documented as regional options.

The Transposition Task Force under the Informal Working Group WLTP worked further to resolve these non-harmonised items, reaching harmonised compromises in some instances and agreeing on an approval process in others to the satisfaction of the leading Contracting Parties in this Task Force (Japan and the European Union).

This resulted in UN Regulation No. 154 having features that have not been seen before in Regulations of the 1958 Agreement and GRPE therefore decided to commission this document to assist all users of this Regulation in their understanding.

During the original adoption of this document by GRPE, OICA presented a paper describing the concerns of their members and proposing from their viewpoint a possible solution.

This OICA paper can be found on the WP.29/GRPE website as informal document GRPE-81-30

< key unique feature of UNR WLTP >

UN Regulation No. 154 has 3 Levels. There are two regional Levels (contained within Level 1), and one harmonised Level (Level 2). The regional Levels reflect the current (at the time of adoption) emissions legislation in the EU (Level 1A) and in Japan (Level 1B). The harmonised level is the only level which will be accepted as part of an approval to Regulation 0 (International Whole Vehicle Type Approval – IWVTA).

As neither of the sub-levels of Level 1 will ever be subject to mutual recognition, it was decided to separate them from Level 2 by means of separate Series of Amendments (SoA). GRPE were advised that SoA 01 could only be notified to CPs once the original series had entered into force and therefore UN Regulation No. 154 in its original form was published and entered into force containing only Level 1A and Level 1B and a set of special provisions and transitional provisions prohibiting the issuing of approvals until SoA 01 (Level 2) entered into force. In other words, the mandatory mutual recognition of Levels 1A and 1B by Contracting Parties did not come into effect as they belong to a previous version of the Regulation as soon as approvals may be issued.

SoA 01 was published and entered into force approximately 6 Months after the original version. This SoA contains exclusively the Level 2 requirements giving clarity to Contracting Parties (CPs) that an approval to the original version is not subject to mutual recognition and an approval to SoA 01 is subject to mutual recognition. In other words, Contracting Parties are required to issue and to accept approvals (in accordance with the rules of the 58 Agreement) to SoA 01 but are never required to accept approvals to the original version. Indeed if a Contracting Party wishes to accept approvals to the original version this should be proactively communicated to the Secretary General.

One aspect where Contracting Parties, and particularly their Type Approval Authorities have to be

attentive is the scope(s) of the new Regulation. Level 1A, Level 1B and Level 2 each have different scopes. This was necessary to ensure that neither Level 1B CPs (e.g. Japan) nor Level 1A CPs (e.g. the EU) were required to accept vehicles which were out of the scope of their regional emissions legislation for light duty vehicles, whilst including the maximum vehicle diversity possible in the interest of the industry.

< overview of main differences between the Levels of UN Regulation No. 154 >

items	Level 1A	Level 1B	Level 2
the test driving cycle	all 4 phases	first 3 phases	all 4 phases, with results also evaluated for first 3 phases (however, OVC-HEVs (“plug-in” hybrid vehicles) need double testing as this is not possible).
the Bench Aging Test for durability	accept	do not accept (whole vehicle durability testing is required for diesel engined vehicles)	
a mono-fuel gas vehicle having a petrol tank of up to 15 litres	exempt the testing with petrol	require separate testing with gas and petrol	
OVC-FCHV s (“Plug-In” Fuel Cell vehicles)	within scope	exclude from the scope so not able to obtain Level 1B and Level 2 certificate	
Compatibility with Universal IWVTA	not compatible		compatible

< the introduction of Series of Amendments 02 >

For the creation of the second and third series of amendments to Regulation 154 it was assumed that the notifications of these series would again be separated by a period of around 6 months. This assumption has since been noted to be incorrect and both series will enter into force on the same day.

This results in a potential for interpretation of the text of the introductory provision in SoA 02:

“11. Introductory provisions

11.1. Contracting Parties applying this Regulation are not entitled to grant type approvals according to the 02 series of amendments to this Regulation until a date eight months following its entry into force. Unless exempted in the transitional provisions, Contracting Parties shall accept UN type approvals to the previous version of this Regulation until a date eight months following the entry into force of the 02 series of amendments.”

At the time that this text was drafted it was clear that the wording “the previous version of this Regulation” was intended to refer to the 01 series of amendments. It is the opinion of GRPE that this interpretation remains correct and that the 02 series of amendments shall not be subject to mandatory mutual recognition at any time.