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and FRENCH

UNITED NATIONS CONFERENCE ON ROAD AND MOTOR TRANSPORT

Geneva

23 August 1949

Item 4 of the Provisional Agenda

WORKING PAPER I: DRAFT PROVISIONS FOR INSERTION IN A
CONVENTION ON ROAD AND MOTOR TRANSPORT PREPARED BY THE
SUB-COMMITTEE ON ROAD TRANSPORT OF THE INLAND TRANSPORT
COMMITTEE OF THE ECONOMIC COMMISSION FOR EUROPE

(Document E/CONF.8/3)

Remarks of the International Transport Workers'
Federation: Proposed Amendments to Article 20
and Annex 10.

The Secretariat has received the following communication from
the International Transport Workers' Federation:

International Transport Workers' Federation
Maritime House
Old Town,
Clapham,
London, S.W.4.

5 August 1949

Sir,

In reply to your letter ECA/278/1/01 of 8 July, I have the
honour to inform you that we have the following observations to
make on Document E/CONF.8/3:

The 1926 Convention and the Pan-American Convention both provide
for a technical certificate for vehicles admitted to international
traffic. The new draft does not provide for such a certificate,
which means that the competent authorities of the countries of origin
of motor vehicles are no longer to be held responsible for
inspecting vehicles or for certifying that their condition complies
with safety requirements.

* The English text of E/CONF.8/23 was, in error, published without
annexes.

/But if the

But if the authorities of the country of origin of the vehicle do not assume this obligation, who is responsible for ensuring that only vehicles in sound condition are admitted to international traffic?

Professional drivers are inclined to accept the argument that motor vehicles in category B are so numerous that the authorities in many countries can only inspect them superficially, and that a certificate issued in such circumstances would have little value. If the authorities in various countries consider that they can dispense with a guarantee for vehicles in Categories A and B, professional drivers have no particular reason for maintaining the contrary view.

That does not apply to heavy vehicles (categories C, D and E). If no authority undertakes to inspect these vehicles and to certify that they comply with safety requirements, the decision whether or not to use a vehicle must rest either with the operator of the vehicle or with the driver. In either case, considerations other than traffic safety may, and often will, influence the decision. An operator may think of the financial and commercial consequences of his decision, while a driver may consider the desirability or even the necessity of taking the decision desired by his employer. Either may therefore be induced to accept risks that are incompatible with the prime consideration of ensuring safety.

Heavy vehicles are much less numerous than light vehicles, but the accidents they may cause are generally far more serious. This fact is implicitly recognized in the draft by the very form of the driving permit (see Annexes 12 and 13). It lays on the authorities the responsibility of stating that they regard a driver as fit to drive a heavy vehicle. If such a guarantee is required for human beings it is logical to require it also for vehicles.

The professional drivers who belong to our Federation are unanimously agreed that the authorities of the countries of origin of heavy vehicles should continue to be responsible for their inspection and for testifying to their sound condition by the issue of a technical certificate. On their behalf, the International Federation proposes an amendment to Article 20, the French and English texts of which are attached.

/I also

I also attach the French and English texts of a proposed amendment to Annex 10, changing it to permit the minimum age of 16 years for drivers of light vehicles only. In the opinion of the professional drivers safe driving of heavy vehicles requires a degree of maturity which is usually attained only at an age considerably over 18. They therefore propose a minimum age of 21 years. But they also consider that the guarantees required from an applicant for a permit to drive a heavy vehicle and the responsibility to be assumed by the issuing authorities should be defined. Moreover, the lack of such provisions in the convention would lead to the anomalous situation that the authorities of certain countries would have to be less strict with foreigners driving heavy vehicles on their territory than with their own nationals. Safety, as well as justice, demands that permits for driving heavy vehicles in international traffic should be issued under the same rules by all authorities.

I should be greatly obliged if you would bring our observations and proposals to the notice of the Conference.

I have the honour to be, etc.,

(signed) P. TOFAIRN
Assistant Secretary-General

/ANNEX I

ANNEX I

AMENDMENT TO ARTICLE 20
PROPOSED BY THE INTERNATIONAL TRANSPORT
WORKERS' FEDERATION

To complete the article by adding a paragraph 3 reading as follows:

"For every motor vehicle of the categories C, D and E as defined in annex which has received international authorization to circulate on public roads, there must be delivered an international certificate stating that the conditions laid down in annex 8 are fulfilled. The said certificate shall conform to the model and specifications contained in annex... and be valid for one year from the date of issue. The written particulars which they bear must always be written in Latin characters or in so-called English script. The international certificates delivered by the authorities of one of the Contracting States or by an association authorized by them with the counter-signature of the authority give the right to travel freely in all other contracting States and are recognized therein as valid without further examination. The right to use the international certificate may, however, be refused if it is clear that the conditions laid down in annex 8 are no longer being fulfilled."

ANNEX II

AMENDMENT TO ANNEX 10

PROPOSED BY THE INTERNATIONAL TRANSPORT
WORKERS' FEDERATION

To draft this annex as follows:

"1. The minimum age for driving a motor vehicle of the categories A and B, as defined in annex, under the conditions laid down in article 22 of the present convention is 18 years. Each Contracting State or subdivision thereof may, however, recognize the driving permits issued by other Contracting States to drivers of motorcycles of a lower age than 18 years.

2. The issue of a permit to drive a motor vehicle of the categories C, D and E, as defined in annex shall be conditional upon the driver:

- (a) being at least 21 year of age;
- (b) proving his physical fitness to drive such vehicles by a medical examination to the satisfaction of the competent authority;
- (c) proving his professional ability by a test of his theoretical and practical knowledge carried out under the responsibility and to the satisfaction of the competent authority."
