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UNITED NATIONS CONFERENCE ON ROAD AND MOTOR TRANSPORT

COMMITTEE II ON TECHNICAL CONDITIONS TO BE FULFILLED
BY VEHICLES

SUMMARY RECORD OF THE EIGHTEENTH MEETING

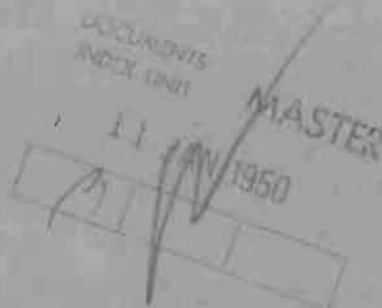
Held at the Palais des Nations, Geneva,
on Wednesday, 7 September 1949, at 3 p.m.

CHAIRMAN: Mr. FEIFER (Czechoslovakia)

SECRETARY: Mr. MATTER

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CONSIDERATION OF DRAFT PROVISIONS FOR INSERTION IN A CONVENTION ON ROAD AND MOTOR TRANSPORT PREPARED BY THE ECONOMIC COMMISSION FOR EUROPE (Item 4 of the Conference Agenda) (Document E/CONF.8/3)
(continued)

Report of the Working Group on definitions contained in Article 4 and Annexes 1 and 2 (Working paper W/RT/28/49).

At the invitation of the CHAIRMAN, Mr. von HEMERT (Netherlands), Chairman of the Working Group on definitions contained in Article 4 and Annexes 1 and 2, made his report. He stated that the Working Group had considered Article 4 and Annex 2. It had also exceeded its terms of reference in discussing Part I of Annex 3, which was directly linked with Article 4. It had decided not to deal with Annex 1, since that was a technical matter which should more appropriately be discussed in the Committee itself. He referred the Committee to the text submitted by the Working Group (Document W/RT/28/49).

Article 4

Mr. von HEMERT (Netherlands) drew the attention of the Committee to the definition of "motor vehicle" submitted by the Working Group, which was exactly the same as that in the ECE draft (Document E/CONF.8/3). As Chairman of the Working Group he had pointed out that if any substantial alterations were made in the definitions, it would most likely entail considerable modifications throughout the whole of the ECE Draft.

Mr. VEZZANI (Italy) asked the reason for the exclusion of trolley buses from the definition of "motor vehicle".

Mr. von HEMERT (Netherlands) replied that there were two points of view. One school was in favour of trolley buses being included in the definition of motor vehicles, and the other was against it. He was of the opinion that the question of including or of excluding trolley buses in this definition was not of great importance. What did matter was to know whether trolley buses were considered as motor vehicles with regard to the rules of the road, a question which was covered by Part I of Annex 3.

He was of the opinion that this type of vehicle should be considered, in traffic, as an ordinary motor vehicle and not as a tramcar. He therefore expressed the hope that Part I of Annex 3 would be accepted. If that was the case, it would be desirable to exclude trolley buses from the definition of motor vehicles. Such a solution would meet the difficulties of all representatives.

He stated furthermore that, when a trolley bus was fitted with an internal combustion engine, enabling it to move under its own power when the overhead wires end or the electric current fails, such a trolley bus would automatically fall into the category of motor vehicles and would therefore be covered by the provisions applying to motor vehicles.

Mr. VEZZANI (Italy) felt that some explanation should be made of the fact that trolley buses were excluded from the definition of "motor vehicle" in Article 4.

It was agreed to include such an explanation in the report of the Conference.

The definition of "motor vehicle" as submitted by the Working Group was accepted.

The definition of "trailer" in the ECE draft was adopted.

The definition of "cycle" in the ECE draft was adopted.

The revised draft of paragraph 2 submitted by the Working Group was adopted.

Annex 2

Mr. von HEMERT (Netherlands) drew the attention of the Committee to the revised draft of the introductory sentence submitted by the Working Group.

The revised draft of the introductory sentence was accepted.

Mr. von HEMERT (Netherlands) stated that the Working Group proposed to delete the word "total" from the expression "total laden weight" in sub-paragraph (a), which would necessitate consequential amendments to Article 28, sub-paragraph (d), and Article 29, sub-paragraph (c) of Annex 4.

The text submitted by the Working Group for sub-paragraph (a) was adopted.

Mr. von HEMERT (Netherlands) observed that sub-paragraph (b) had been left unchanged by the Working Group since the original text had been found to be satisfactory.

Mr. DAUVERGNE (France) suggested the insertion of the words "weight of the" after the words "maximum load means the", which would render sub-paragraph (b) consistent with sub-paragraph (a).

Mr. W.G. HUNT (United Kingdom) and Mr. J.H. HUNT (United States of America) accepted the French amendment.

Mr. DAUVERGNE (France) asked whether the weight of the driver was included in the "maximum load", as included in sub-paragraph (a). If so, the words "as defined in sub-paragraph (a)" might be inserted after the word "load".

Mr. W.G. HUNT (United Kingdom) stated that he could not agree to the second French amendment. The weight of the driver was included in the "laden weight" as defined in sub-paragraph (a), because the actual total weight of the vehicle was under consideration therein. Sub-paragraph (b) was concerned to define the maximum load authorized by the competent authorities of the country in which the vehicle was registered. It was for them to decide what was to be included in the "maximum load".

Mr. DAUVERGNE (France) withdrew his second amendment in the light of the United Kingdom representative's explanation.

Sub-paragraph (b) was accepted with the insertion of the words "weight of the" after the words "maximum load means the".

Sub-paragraph (c) was accepted, subject to a minor drafting amendment.

Sub-paragraph (d) of the ECE Draft was accepted without comment.

Annex 1

Mr. von HEMERT (Netherlands) informed the Committee that the Working Group was of the opinion that Annex 1, concerning cycles fitted with auxiliary engines, should not be incorporated in Article 4. The definition was strictly of a technical nature. Since the types of engine with which it was concerned might be considerably developed in the near future, it was desirable to leave reference to cycles fitted

with such engines in an annex which could be more easily revised in the light of new developments. If the definition was incorporated in the body of the draft convention itself, it might lead to difficulties, since that text, once adopted, would probably not be amended for many years to come.

The CHAIRMAN pointed out that, although all were agreed that cycles fitted with auxiliary internal combustion engines of a certain limited capacity should not be considered as motor vehicles, he felt it would be undesirable to create a new category of light motor cycle. It was therefore necessary to limit the weight of that type of cycle.

Mr. DAUVERGNE (France) stated that his country was in the vanguard, so far as engines for such cycles were concerned. The important point was to limit the power of the engines. If the ECE Draft for Annex 1, which specified the maximum cylinder capacity of the engines with which such cycles were to be fitted, were adopted, that would automatically limit the speed of the cycles. There was no need to include any definite provision concerning their weight or any further definition. He was in favour of adopting the text as it stood, particularly as he understood that it had been suggested in the Working Group that it should be slightly expanded by the inclusion of a proviso that such cycles should also have the normal characteristics of ordinary cycles.

Mr. VEZZANI (Italy) supported the views expressed by the representative of France.

Mr. EGERTON (Austria), referring to his statement at a preceding meeting, considered it preferable to limit the speed, rather than the power, of a cycle fitted with an auxiliary internal combustion engine. In mountainous regions, such as those in Austria, cycles had to negotiate hills with fairly steep gradients.

He would therefore propose that a reference to a speed limit of 30 kilometres per hour be added after the words "maximum cylinder capacity of 50 cm³". He supported the suggestion that it be explicitly stated in the text of Annex 1 that such cycles should have the features common to ordinary cycles.

Mr. DAUVERGNE (France) was prepared to accept the proposal of the Austrian representative.

Answering Mr. MOSER (Switzerland), Mr. EGERTON (Austria) emphasized the fact that it was probable that in future cycles might be built with more powerful auxiliary engines, the cubic capacity of which would remain the same.

Mr. DAUVERGNE (France) said that experience in his country had shown that cycles with a high maximum cubic capacity could reach dangerous speeds.

Mr. VEZZANI (Italy) said that that was also the case in his country, and consequently supported the imposition of a speed limit.

Mr. von HEMERT (Netherlands) said that it was of the greatest importance to limit the speed of such cycles, since in some countries they would have to travel on the lanes provided for ordinary cycles. Such lanes were very numerous in the Netherlands. Meanwhile, prototypes of cycles fitted with auxiliary internal combustion engines and capable of a speed of 55 kilometres per hour had already been built. He would consequently prefer a speed limit of 25 kilometres.

Mr. FREDRIKSON (Sweden) and Mr. BANG (Denmark) indicated that in their countries such cycles were assimilated to motor vehicles.

After further discussion, Mr. von HEMERT (Netherlands) proposed that no specific reference be made to a speed limit in Annex 1, in view of the proposed inclusion of a proviso reading as follows:

" , it being understood that they retain all the characteristics usual to cycles".

Mr. EGERTON (Austria) proposed that the words "in operation" be added to the additional clause, which would therefore read:
" , it being understood that they retain all the characteristics usual to cycles in operation".

The foregoing amendments were adopted.

The Committee adopted Annex 1 (Document E/CONF.8/3, page 20) as amended and recommended that it should be maintained as an Annex and not be incorporated in Article 4.

Mr. W.G. HUNT (United Kingdom) pointed out that, in view of the distinction laid down in the United Kingdom between vehicles propelled mechanically and vehicles propelled by human power, his Government would be unable to accede to Annex 1.

Mr. DAUVERGNE (France) considered that the definition of cycle given in Article 4 as redrafted by the Working Group fully covered the point made by the representative of the United Kingdom.

Mr. von HELMERT (Netherlands) concurred with the representative of France.

Article 20, Paragraph 2
(text proposed by Committee I)
working Paper W/RT/27/49)

Mr. von HELMERT (Netherlands) asked representatives to comment on the text proposed by Committee I for paragraph 2 of Article 20, and expressed the opinion that it was wholly satisfactory.

Replying to Mr. J.H. HUNT (United States of America), he indicated that the reference in the proposed text to the driver of the motor vehicle was intended to confer on the driver thereof the responsibility for ensuring that such devices as the windscreen wiper were in proper working order.

The Committee adopted the text proposed by Committee I for paragraph 2 of Article 20.

Report of the Working Group on the Maximum Permissible Weight of Vehicles. (Working Paper W/RT/32/49).

Mr. BANG (Denmark), Rapporteur, recalled that the Committee had entrusted the Working Group with the task of drawing up a list of the maximum weights acceptable to the majority of representatives at the Conference, based on the figure of 8 tons for the maximum weight per most heavily loaded axle.

In the course of discussion in the Working Group certain experts had expressed the opinion that a practical list could not be drawn up on that basis, which, he must point out, had been adopted by the Committee. They had consequently put forward an additional proposal Working Paper W/RT/33/49. Contrary to the statement made therein, the proposal had not been submitted solely on the responsibility of the French expert, but on that of others as well.

He must express the hope that List I as now drafted would be acceptable to the majority, and that discussion upon it would be brief.

Mr. MOSER (Switzerland), drawing attention to the last set of figures given in the right-hand column of List I, 19-20 (metres) 36.25 (metric tons) assumed that it was clearly understood that those weights would not become immediately acceptable. In his country, bridges would be unable to stand such weights.

Mr. BANG (Denmark), Rapporteur, recalling that the Committee was considering the technical conditions to be fulfilled by vehicles on the international road network, drew attention to the stipulations contained in paragraph 4 of Annex 9, wherein all necessary safeguards were laid down.

Mr. NAP (Netherlands) was not satisfied with the expression "tandem axle" in paragraph 2.

Mr. FAIRBANK (United States of America) objected to the words "at least 1.00 metres apart" in the bracket following the text of paragraph 2. He would prefer the words: "the two axles of the group being separated by a distance of less than 2 metres".

Mr. DAUVERGNE (France) considered that the suggestion made by the United States representative was in keeping with the table of List I, the first item of which read: 1-2 (metres) 14.50 (metric tons).

Mr. FAIRBANK (United States of America) proposed that the text of paragraph 2 read:

"Maximum permissible load per most heavily loaded tandem axle group (the two axles of the group being not less than 1.00 and not more than 2.00 metres apart)".

After some further discussion,

the Committee agreed that further consideration of paragraph 2 be deferred until the final re-drafting of List I.

Mr. W.G. HUNT (United Kingdom) asked whether international control of the maximum prescribed weights and widths of axles would be possible to achieve in practice. The frontier authorities would first have to make certain that a vehicle complied with international requirements in respect of its construction, and then that it was not over-loaded.

Mr. BANG (Denmark), Rapporteur, pointed out that possible difficulties of enforcement had militated against the Working Group's acceptance of the table proposed by the representative of the United States. But that table had been considerably simplified by the Working Group.

Mr. DAUVERGNE (France) said that the manufacturer's plate affixed to a vehicle would indicate the maximum permissible weight, and that it would consequently only remain for customs officials to measure the distance between the axles.

Mr. W.G. HUNT (United Kingdom) wished to explain the position of his Government with regard to List I. As he had previously indicated, it was not intended to designate any roads in the United Kingdom as international highways, or permit the entry of vehicles heavier than those normally allowed by domestic regulations. He was therefore unable to accept List I, although at the same time he would not oppose it.

Mr. EGERTON (Austria) maintained his former position.

Mr. DAUVERGNE (France) referred to the proposal made by the Belgian representative, that Contracting States which fixed lower maximum weights than those to be laid down in the Convention would not be authorized to use, on international highways, vehicles of greater weights or dimensions than those prescribed by their national legislation.

Mr. BANG (Denmark), Rapporteur, assumed that the majority of representatives were in favour of adopting List I.

The Committee adopted List I (Working Paper W/RT/32/49).

Mr. MOSER (Switzerland) pointed out that, since he was serving on the Committee in his capacity as technical expert, neither his opinion nor his abstention from expressing an opinion should be interpreted as committing his Government.

The meeting rose at 6.05 p.m.