

Distr.
GENERAL

TRANS/WP.29/GRE/2002/50
16 September 2002

ENGLISH
Original: ENGLISH
and FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

World Forum for Harmonization of Vehicle Regulations (WP.29)

Working Party on Lighting and Light-Signalling (GRE)
(Forty-ninth session, 30 September - 4 October 2002,
agenda item 1.4.)

PROPOSAL FOR A DRAFT AMENDMENT TO REGULATION No. 48

(Installation of lighting and light-signalling devices)

Transmitted by the expert from Japan

Note: The text reproduced below was prepared by the expert from Japan, in order to enable the application of the Regulation limited to M1 and N1 categories of vehicles only.

Note: This document is distributed to the Experts on lighting and light-signalling only.

GE.02-24053

A. PROPOSAL

Insert a new paragraph 12.9., to read:

"12.9. Until the United Nations Secretary-General is notified otherwise, Japan declares that, in relation to the installation of lighting and light-signalling devices, she will only be bound by the obligations of the Agreement to which this Regulation is annexed with respect to vehicles of categories M1 and N1."

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B. JUSTIFICATION

Japan intends to apply Regulation No. 48, which has been the target of a harmonization effort under the cooperation of Europe, United States of America and Japan. Japanese national regulations for the installation of lighting and light-signalling devices for vehicles of categories M1 and N1 are already harmonized with those of Regulation No. 48. However, such regulations in Japan for large-sized vehicles include some requirements that are more stringent than those prescribed in Regulation No. 48, based on the traffic condition in Japan, e.g. mandatory installation of additional direction indicators for preventing pedestrian accidents.

Although Japan is determined to make further efforts for the harmonization of such requirements for large-sized vehicles, Japan believes it would be beneficial to begin applying Regulation No. 48 limited to vehicles of categories M1 and N1, in order to realize reciprocal recognition of approvals according to this Regulation as soon as possible. Based on this consideration, Japan proposed in the forty-fifth session of GRE and in the subsequent session of WP.29 to allow Japan's limited application of Regulation No. 48 to M1 and N1 vehicles, and obtained consent from all the Contracting Parties.

However, in the subsequent administrative process for depositary notification concerning Japan's limited application of Regulation No. 48, the Treaty Section of the United Nations Office of Legal Affairs notified the Government of Japan that they understand alternative technical requirements under Article 1(1) of the 1958 Agreement must be expressly provided for in the Regulation in order to allow Japan to be bound by the obligations of the Agreement with respect to the application of Regulation No. 48 limited to vehicles of categories M1 and N1.

Consequently, Japan hereby proposes to amend Regulation No. 48. The similar provision can be found in para. 13 of Regulation No. 55, in which the Member States of the European Community declare that they are only bound by the obligation of the 1958 Agreement with respect to mechanical coupling devices and components intended for vehicles of categories other than M1.
