

Proposal for Amendment to Document ECE/TRANS/WP.29/2008/22
(Regulation No. 65)

A. PROPOSAL

Paragraph 1.1 amend as follows:

“1.1 "Special warning lamp" means a lamp emitting blue, red or amber light intermittently for use on vehicles.*/ “

Add the following footnote:

“*/ Nothing in this Regulation shall preclude the national authorities to prohibit the use of special warning lamps emitting red light intermittently for use on vehicles as defined in paragraph 2.1 of this Regulation.”

B. JUSTIFICATION

The Convention on Road Traffic of 8 November 1968 (Vienna Convention) stipulates in Article 32, paragraph 14:

“14. *Special warning lamps:*

- (a) *Displaying a blue light may be used only on priority vehicles when carrying out an urgent mission or when in other cases it is necessary to give warning to other road-users of the presence of the vehicle;*
- (b) *Displaying an amber light may be used only when the vehicles genuinely assigned to the specific tasks for which they were equipped with the special warning lamp or when the presence of such vehicles on the road constitutes a danger or inconvenience to other road-users.*

The use of warning lamps displaying other colours may be authorised by domestic legislation.”

Furthermore, Annex 5, chapter II, paragraph 42 bis of the Vienna Convention reiterates:

“42 bis. Special warning lamps shall emit a winking or flashing light. Colours of these lights should conform to the provisions of Article 32, paragraph 14.”

The above proposed footnote would bring in line the intended amendment with the rules of the Vienna Convention. Furthermore, the footnote would enable contracting parties to Regulation No. 65 to decide on their own about the date of admissibility of such red warning lamps in their respective domestic law. Not having the footnote would contradict to the Vienna Convention and additionally, could lead to legally unclear situations for contracting parties which did ratify the present Regulation No. 65 but did not allow up to present the use of red warning lamps.