



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.29/GRRF/2009/31
3 July 2009

Original: ENGLISH
ENGLISH AND FRENCH ONLY

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

World Forum for Harmonization of Vehicle Regulations

Working Party on Brakes and Running Gear

Sixty-sixth session

Geneva, 15-17 September 2009

Item 7 of the provisional agenda

REGULATION No. 90
(Replacement brake linings)

Proposal for amendments to Regulation No. 90

Submitted by the expert from the European Association of Automotive Suppliers */

The text reproduced below was prepared by the expert from the European Association of Automotive Suppliers (CLEPA) and is mainly based upon ECE/TRANS/WP.29/GRRF/2009/23 prepared by the informal group on Replacement Discs and Drums (RD&D) in order to cover also minimum performance standards for replacement brake discs and drums for vehicles of categories M, N and O. The modifications to the text of ECE/TRANS/WP.29/GRRF/2009/23 are marked in bold and strikethrough characters.

*/ In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.4), the World Forum will develop, harmonize and update Regulations in order to enhance performance of vehicles. The present document is submitted in conformity with that mandate.

A. PROPOSAL

New paragraph 1.2, amend to read:

"1.2. Original brake discs and brake drums, fitted at time of manufacturing of the vehicle are not subject to this regulation.

Original brake discs and brake drums intended for servicing the vehicle are ~~not~~ subject to this regulation **unless: if the manufacturer has affixed in such a way as to be indelible and clearly legible at least an identification code as defined in paragraph 2.3.2.**

- (a) **the holder of the vehicle braking system approval has affixed, in such a way as to be indelible and clearly legible, at least an identification code as defined in paragraph 2.3.2.**
- (b) **the holder of the vehicle braking system approval shall provide, on request of the technical services and/or approval authority, the necessary information which makes the link between the braking system type approval and the corresponding identification code."**

New paragraphs 2.3.1.1. and 2.3.1.2., amend to read:

"2.3.1.1. in the case of motor vehicles, ~~is a brake disc/drum having type approval in accordance with Regulation No. 13 or 13H and which fulfils the conformity of production requirements of these regulations.~~ **covered by the vehicle braking system type approval according to Regulation No. 13 or 13-H.**

- 2.3.1.2. in the case of trailers,
- (a) ~~is a brake disc/drum having type approval in accordance with Regulation No. 13 and which fulfils the conformity of production requirements of this regulation.~~
 - (b) **is a brake disc/drum which is part of a brake for which the axle manufacturer owns a test report according to Annex 11 of Regulation No. 13."**

New paragraph 2.3.2., amend to read:

"2.3.2. "Identification code" identifies the brake discs or brake drums covered by the braking system approval according to Regulations Nos. 13 and 13-H. It contains at least the manufacturer's trade name or trademark and an identification number.

~~The vehicle manufacturer shall provide on request of the technical service and/or approval authority the necessary information, which makes the link between the braking system type approval and the corresponding identification code."~~

New paragraphs 2.3.3.2. to 2.3.3.3., amend to read:

"2.3.3.2. "Identical brake disc": Is a replacement brake disc which is chemically and physically identical in every respect with the exception of the vehicle manufacturer's

mark, which is absent, to the original brake disc. ~~Furthermore the brake disc is produced under the same production and quality assurance systems and conditions as for the original parts pursuant to 2.3.1. The identical part is provided with a durably legible mark from the part manufacturer.~~

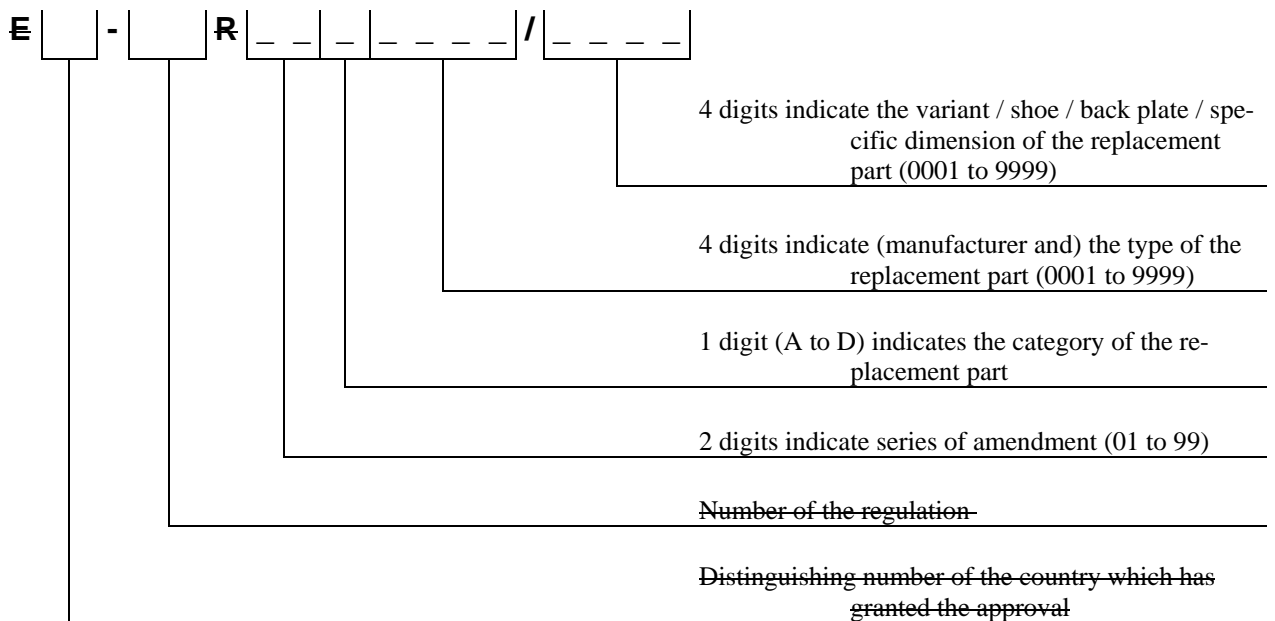
2.3.3.3. "Identical brake drum": Is a replacement brake drum which is chemically and physically identical in every respect with the exception of the vehicle manufacturer's mark, which is absent, to the original brake drum. ~~Furthermore the brake drum is produced under the same production and quality assurance systems and conditions as for the original parts pursuant to 2.3.1. The identical part is provided with a durably legible mark from the part manufacturer."~~

New paragraph 4.2.3., amend to read:

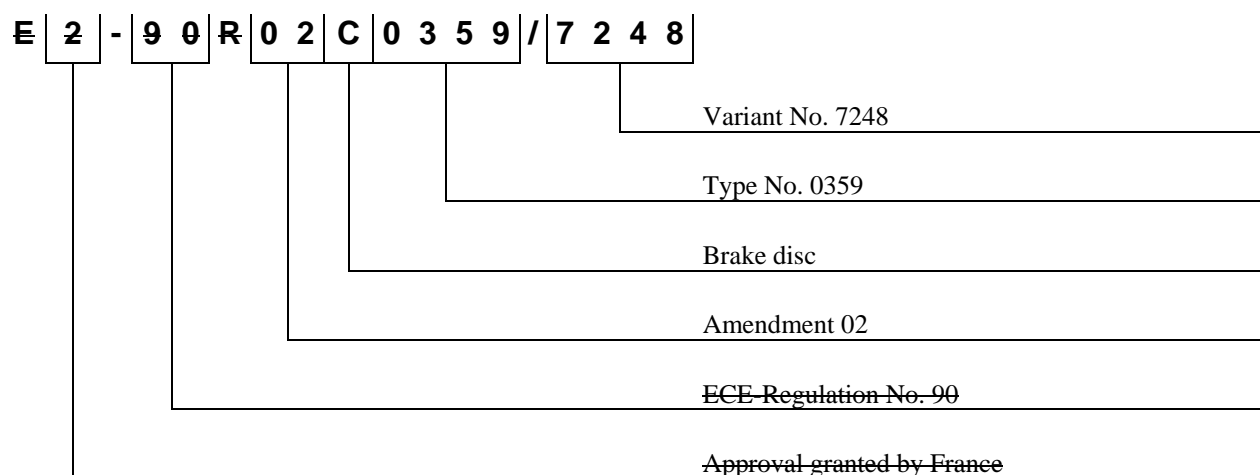
"4.2.3. The next four digits shall indicate the manufacture and the type of the brake lining, the type of disc or the type of drum.

A suffix of four digits shall indicate

- (a) the shoe or back plate or specific dimension in the case of drum brake linings,
- (b) the variant in the case of a replacement disc or replacement drum



Example:



"

Add a new paragraph 4.8., to read:

"4.8. When the applicant for type approval can demonstrate to the type-approval authority or technical service that the replacement part is of a type indicated in the type approval documentation to Regulation No. 13 or 13H, the granting of a type approval certificate shall not be dependent on the requirements specified in paragraph 5 having to be verified."

Paragraphs 5.1.1. and 5.1.2., should be deleted

Paragraph 5.3.2.1., should be deleted

New paragraph 6.2.1.4., amend to read:

"6.2.1.4. each package shall contain fitting instructions ~~in an official ECE language,~~ supplemented by the corresponding text in the language of the country where it is sold:"

New paragraph 6.2.2.2. should be deleted

Paragraphs 6.2.2.3. and 6.2.2.4., renumber respectively as paragraphs 6.2.2.2. and 6.2.2.3.

New paragraph 12.1., amend to read:

"12.1. As from ~~12 months~~ after the official date of entry into force of the 02 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the 02 series of amendments.

New paragraph 12.4., amend to read:

- 12.4. After the date of entry into force of the 02 series of amendments, brake lining assembly and drum brake lining approvals to the 01 series of amendments to the Regulation shall remain valid and Contracting Parties applying the Regulation shall continue to accept them ~~until such time that superseding transitional provisions are prescribed.~~"

Annex 2, the existing approval mark and its explanatory text, amend to read:

"(See paragraph 4.2. of this Regulation)



a = 8 mm min.

The above approval mark shows that the item concerned has been approved in France (E₂) pursuant to Regulation No. 90 under approval number C0359/7248. The first two digits of the approval number indicate that the approval was granted in accordance with the requirements of Regulation No. 90 ~~in its original form~~ **as amended by the 02 series of amendments.**"

B. JUSTIFICATION

Paragraph 1.2. is reworded to clarify the text content and to gather in one place all the requirements addressing the holder of the vehicle braking system approval which are necessary to exclude original replacement discs and drums from the scope.

Paragraph 2.3.1.1. is reworded because:

- (a) Approvals according to Regulations Nos. 13 and 13-H are not part approvals, but braking system approvals;
- (b) Parts/vehicle systems do not have to fulfill Conformity of Production (COP), but the manufacturer of these parts/systems has to;
- (c) When one obtains a type approval, it means the applicant is COP compliant.

Paragraph 2.3.1.2. is reworded for the same reason as paragraph 2.3.1.1.

Paragraph 2.3.2.: The second paragraph is moved to the reworded paragraph 1.2.

Paragraph 2.3.3.2. is reworded because:

- (a) Requirements should not be in the definition;

- (b) If an approval is granted according to an ECE Regulation, it means that the applicant complies with the requirements on quality assurance and COP;
- (c) It is not appropriate to state here different requirements for quality assurance.

Paragraph 2.3.3.3. is reworded for the same reason as paragraph 2.3.3.2.

Paragraph 4.2.3.: The examples are amended to avoid confusion because paragraph 4.2. addresses the type approval number and not the type approval mark which is addressed in paragraph 4.5.

Paragraph 4.8. is added to replace paragraph 5.3.2.1. which is not acceptable for CLEPA. In fact, paragraph 5.3.2.1. states an unusual requirement in a technical regulation. It rather refers to business agreements. Moreover, it means that the vehicle manufacturer could decide who would be authorized to sell identical parts. It also contradicts competition laws within the European Community. CLEPA therefore proposes adding a new paragraph 4.8. similar to the requirements on parts used in Regulation No. 103 and in the European Community Directives.

Paragraphs 5.1.1 and 5.1.2. should be deleted. Because of the addition of paragraph 4.8., they appear as redundant.

Paragraph 5.3.2.1. should be deleted because it is replaced by paragraph 4.8.

Paragraph 6.2.1.4. should be amended because fitting instructions in the language of the country where the product is sold is enough.

Paragraph 6.2.2.2. should be deleted and paragraphs 6.2.2.3. and 6.2.2.4. should be renumbered respectively 6.2.2.2. and 6.2.2.3. because the same provisions are already in paragraph 4.5.

New paragraphs 12.1. and 12.4. should be amended because it should be possible to obtain an approval as soon as the series of amendments enters into force. There is no need to wait for 12 months. The final part of the last sentence of paragraph 12.4. is therefore unnecessary.

Annex 2, delete the last words of the last sentence to remain consistent with the marking example.
