

PROPOSAL FOR DRAFT AMENDMENTS TO REGULATION No. 90

Note: The text reproduced below was prepared by the experts from the European Tuning Organization (ETO) in order to prevent a possible misinterpretation in respect of aftermarket specialty products, which are not subject to REGULATION No. 90.

A. PROPOSAL

1. SCOPE

1.3 This regulation does not apply to "Special parts", as defined in paragraph 2.3.4." **"Special parts", shall remain subjected to national approval, where applicable.**

B. JUSTIFICATION

The changes proposed by ETO would make it clear that aftermarket specialty products, even though they are not covered by this regulation, should remain subject to national approval where applicable.

The lack of specifying on how special brake parts shall be handled as part of the wording of REGULATION No. 90, could lead to misinterpretations and could also lead to understanding the current regulatory text as a ban of aftermarket tuning brake linings, discs and drums.

The current draft text proposes, that so called "Special parts" are not subject of the regulation. See current wording below:

1. SCOPE

1.3 This regulation does not apply to "Special parts", as defined in paragraph 2.3.4."

The explanation, that special parts are subject to national approval, is currently only found in the justification of the draft working paper. See current text below:

2) Specific Exclusions from the Regulation

c) Similarly special parts which are intended to change the design of the brake are also not covered by this regulation and remain subject to national approvals.

The justification on how to handle special brake parts is most likely not going to be part of the final regulation text and could lead to the understanding, that special parts are not approvable.

A similar circumstance previously existed also with the REGULATION No. 124 for aftermarket wheels, which was then amended by adding the following wording in the official regulation text:

"...which shall remain subjected to national approval."

The final text as adopted in the final REGULATION No. 124 is as follows:

1. SCOPE

It does not apply to "Special wheels", as defined in paragraph 2.5., which shall remain subjected to national approval.

This small amendment made it clear, when reading the regulation, that “special wheels” shall be handled nationally and resulted in preventing a misinterpretation.

The European Tuning Organizations (ETO) is therefore requesting the GRRF to consider amending the current draft REGULATION No. 90 to prevent a possible misinterpretation in respect of "Special parts".
