

## **Proposal for Corrigendum 2 to the 04 series of amendments to Regulation No. 19**

Note: The modifications to the current text of the regulation (Including Corrigendum 1 to the 04 series (ECE/TRANS/WP.29/2011/21), are marked in bold or strikethrough characters.

### **I. Proposal**

*Paragraph 14., correct to read, and renumber paragraphs as follows:*

- "14. Transitional provisions
- 14.1. In the case of Class B front fog lamps:
- 14.1.1. From ~~the date of entry into force of the 04 series of amendments to this Regulation~~ **9 December 2010**, no Contracting Party applying it shall refuse to grant approvals under this Regulation as amended by the ~~02 or 03~~ **04** series of amendments. Existing approvals and extensions of these approvals **granted according to the 02 and 03 series of amendments** remain valid indefinitely.
- ~~14.1.2.~~ ~~As from 24 months after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if Class B front fog lamps meet the requirements of this Regulation as amended by the 03 or 04 series of amendments.~~
- ~~14.1.3.~~ **14.1.2** As from ~~36 months~~ **11 July 2011**, ~~after the date of entry into force of the 04 series of amendments~~, Contracting Parties applying this Regulation shall grant approvals for a new type of front fog lamp only if front fog lamps meet the requirements of Class F3 of this Regulation as amended by to the **03 or 04** series of amendments.
- ~~14.1.4.~~ Existing approvals for front fog lamps already granted under this Regulation before the date of entry into force of the 04 series of amendments shall remain valid. ~~However, after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation may prohibit the fitting of front fog lamps equipped with filament lamps unless they satisfy the requirements of Regulation No. 37.~~
- ~~14.1.5.~~ **14.1.3.** Contracting Parties applying this Regulation may prohibit the fitting of devices, which do not meet the requirements of the 03 or 04 series of amendments to this Regulation:

- ~~14.1.5.1.~~**14.1.3.1.** On vehicles for which type approval or individual approval is granted after **11 July 2011**, ~~more than 60 months after the date of entry into force of the 03 series of amendments~~
- ~~14.1.5.2.~~ **14.1.3.2.** On vehicles first registered after **11 July 2013** ~~more than 60 months after the date of entry into force of the 03 series of amendments~~
- ~~14.1.6.~~**14.1.4.** As from **11 July 2013** ~~month after the date of entry into force of the 04 series of amendments~~, Contracting Parties applying this Regulation shall refuse to grant any extensions of approvals if the front fog lamps do not meet the requirements of Class F3 of this Regulation as amended by the **03 or 04** series of amendments.
- ~~14.1.6.1.~~**14.1.4.1.** Contracting Parties applying this Regulation shall continue to issue approvals for front fog lamps on the basis of the 03 series and the 02 series of amendments to this Regulation, provided that the fog lamps are intended as replacements for fitting to vehicles in use.
- 14.2. In the case of Class F3 front fog lamps:
- 14.2.1. From ~~the date of entry into force of the 04 series of amendments to this Regulation~~, **9 December 2010** no Contracting Party applying it shall refuse to grant approvals, under this Regulation as amended by the 04 series of amendments. Existing approvals and extensions of these approvals **granted according to the 03 series of amendments** remain valid indefinitely.
- 14.2.2. Until **9 December 2015** ~~after the date of entry into force of the 04 series of amendments to this Regulation~~ with regard to the changes introduced by the 04 series of amendments concerning the photometric testing at reference luminous flux at approximately 13.2 volts, and in order to allow the Technical Services to update their testing equipment, no Contracting Party applying this Regulation shall refuse to grant approvals under this Regulation as amended by the 04 series of amendments where existing testing equipment is used with suitable conversion of the values, to the satisfaction of the authority responsible for type approval.
- 14.2.3. ~~As from 60 months after the date of entry into force of the 04 series of amendments~~, **From 9 December 2015**, Contracting Parties applying this Regulation shall grant approvals only if Class F3 front fog lamps meet the requirements of this Regulation as amended by the 04 series of amendments."

## II. Justification

The 04 series of amendments to Regulation No. 19 is based upon an original proposal from GTB (ECE/TRANS/WP.29/GRE/2009/48) that was adopted by GRE at its 62<sup>nd</sup> session and transformed into ECE/TRANS/WP.29/2010/13. At its 150<sup>th</sup> session, WP29 adopted ECE/TRANS/WP.29/2010/13 but decided to replace in the whole text of the Regulation all the references to the 03 series of amendments by the reference to the 04 series of amendments.

Unfortunately, the decision of WP 29 to replace all references to the 03 series with reference to the 04 series has resulted in unintended changes to the transitional provisions of paragraph 14 that seriously affect the earlier decisions relating to the phasing out of the Class B front foglamps at specific dates associated with the entry into force of the 03 series. The result of this error is to extend the phase-out dates specified in paragraphs 14.1.3 and 14.1.6 and to introduce a conflict with the requirements in paragraphs 14.1.5 to 14.1.5.2 as shown in the following table:

	<b>GTB proposal as adopted by GRE-62 WP29/2010/13</b>	<b>Proposal as amended by WP29-150 Rev.5/Amend.3 of Regulation No. 19</b>
14.1.3.	As from 36 months after the date of entry into force of the 03 series of amendments, Contracting Parties applying this Regulation shall grant approvals for a new type of front fog lamp only if front fog lamps meet the requirements of Class F3 of this Regulation as amended by the 03 series of amendments. <b>(Phase-out date: 11 July 2011)</b>	As from 36 months after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall grant approvals for a new type of front fog lamp only if front fog lamps meet the requirements of Class F3 of this Regulation as amended by the 04 series of amendments. <b>(Phase-out date: 09 December 2013)</b>
14.1.5.	Contracting Parties applying this Regulation may prohibit the fitting of devices, which do not meet the requirements of the 03 or 04 series of amendments to this Regulation:	Contracting Parties applying this Regulation may prohibit the fitting of devices, which do not meet the requirements of the 03 or 04 series of amendments to this Regulation:
14.1.5.1	On vehicles for which type approval or individual approval is granted more than 24 months after the date of entry into force of the 03 series of amendments. <b>(Phase-out date: 11 July 2011)</b>	On vehicles for which type approval or individual approval is granted more than 24 months after the date of entry into force of the 03 series of amendments. <b>(Phase-out date: 11 July 2010 – THIS IS IN CONFLICT WITH THE REQUIREMENT IN PARAGRAPH 14.1.3)</b>
14.1.5.2	On vehicles first registered more than 60 months after the date of entry into force of the 03 series of amendments <b>(Phase-out date: 11 July 2013)</b>	On vehicles first registered more than 60 months after the date of entry into force of the 03 series of amendments <b>(Phase-out date: 11 July 2013 - THIS IS IN CONFLICT WITH THE REQUIREMENT IN PARAGRAPH 14.1.3)</b>

14.1.6.	As from 60 month after the date of entry into force of the 03 series of amendments, Contracting Parties applying this Regulation shall refuse to grant any extensions of approvals if the front fog lamps do not meet the requirements of Class F3 of this Regulation as amended by the 03 series of amendments. <b>(Phase-out date: 11 July 2013)</b>	As from 60 month after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall refuse to grant any extensions of approvals if the front fog lamps do not meet the requirements of Class F3 of this Regulation as amended by the 04 series of amendments. <b>(Phase-out date: 09 December 2015)</b>
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The Rev.5/Amend.3 of Regulation No. 19 that entered into force on 09 December 2010 has introduced inconsistencies in the phase-out dates for the granting of approvals for a new type of class B front fog lamp and the prohibition of the fitting of class B devices to vehicles, respectively. As the critical date is the one that applies to the fitting of the class B front foglamp to the vehicle, and these dates have not been changed by Rev.5/Amend.3, it is logical to revert the phase-out dates for the granting of approvals for a new type of class B front fog lamp to those proposed by GRE in WP29/2010/13.

The objective of this proposed corrigendum is to correct the phase-out dates as described above and also to remove transitional provisions that were associated with the 02 and 03 series of the Regulation that have expired with the introduction of the 04 series. Additionally, in order to avoid confusion, actual dates have been inserted instead of references to “entry into force” dates in the cases where these dates are already confirmed.

## Further Explanation

For further information, comments have been added to the current text of Rev.5/Amend.3 of Regulation No. 19, shown below, to explain each proposed change:

Current text of Paragraph 14 Rev.5/Amend.3 of Regulation No. 19		Comment
14.1	In the case of Class B front fog lamps:	
14.1.1.	From the date of entry into force of the 04 series of amendments to this Regulation no Contracting Party applying it shall refuse to grant approvals under this Regulation as amended by the 02 or 03 series of amendments. Existing approvals and extensions of these approvals remain valid indefinitely.	This does not follow the guidelines for transitional provisions.
14.1.2.	As from 24 months after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if Class B front fog lamps meet the requirements of this Regulation as amended by the 03 or 04 series of amendments.	The original intention of GRE was to ensure that all class B type approvals after 11 July 2010 shall meet the requirements of the 03 series (NOT THE 04 SERIES).  As this date has been passed then this paragraph can be deleted.
14.1.3.	As from 36 months after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall grant approvals for a new type of front fog lamp only if front fog lamps meet the requirements of Class F3 of this Regulation as amended by to the 04 series of amendments.	This requirement was changed in error by WP29 because the intention of GRE was to require that all new type approvals shall meet the requirements of the 03 series (NOT THE 04 SERIES) after 11 July 2011. The change introduced by WP29 moves this date to 09 December 2013
14.1.4.	Existing approvals for front fog lamps already granted under this Regulation before the date of entry into force of the 04 series of amendments shall remain valid. However, after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation may prohibit the fitting of front fog lamps equipped with filament lamps unless they satisfy the requirements of Regulation No. 37.	This was a specific requirement of GRE to ensure that only filament lamps satisfying the requirements of Regulation 37 are allowed after the entry into force of the 03 series (11 July 2008) (NOT THE 04 SERIES).  As this date has passed the paragraph can be deleted.
14.1.5.	Contracting Parties applying this Regulation may prohibit the fitting of devices, which do not meet the requirements of the 03 or 04 series of amendments to this Regulation:	

14.1.5.1.	On vehicles for which type approval or individual approval is granted more than 24 months after the date of entry into force of the 03 series of amendments.	This is correct but the transitional period expired on 11 July 2010. However this is in conflict with the requirements in paragraph 14.1.3.
14.1.5.2.	On vehicles first registered more than 60 months after the date of entry into force of the 03 series of amendments	This is correct. The transition period expires on 11 July 2013. However this is in conflict with the requirements in paragraph 14.1.3.
14.1.6.	As from 60 month after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall refuse to grant any extensions of approvals if the front fog lamps do not meet the requirements of Class F3 of this Regulation as amended by the 04 series of amendments.	The GRE intention was linked to the 03 series (NOT THE 04 SERIES), i.e. expiration of the transitional period on 11 July 2013. The WP29 change moves this date to 09 December 2015
14.1.6.1.	Contracting Parties applying this Regulation shall continue to issue approvals for front fog lamps on the basis of the 03 series and the 02 series of amendments to this Regulation, provided that the fog lamps are intended as replacements for fitting to vehicles in use.	This is correct
14.2.	In the case of Class F3 front fog lamps:	
14.2.1.	From the date of entry into force of the 04 series of amendments to this Regulation, no Contracting Party applying it shall refuse to grant approvals, under this Regulation as amended by the 04 series of amendments. Existing approvals and extensions of these approvals remain valid indefinitely.	This is correct
14.2.2.	As from 60 months after the date of entry into force of the 04 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if Class F3 front fog lamps meet the requirements of this Regulation as amended by the 04 series of amendments."	This is correct

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