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**World Forum for Harmonization of Vehicle Regulations**

Working Party on General Safety Provisions

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Item 8 of the provisional agenda

**Regulation No. 58 (Rear under run protection)****Proposal for amendments to Regulation No. 58 (Rear under run protection)****Submitted by the experts from the Netherlands, the European Commission, and the International Association of the Body and Trailer Building Industry \***

The text reproduced below was prepared by the experts from the European Commission, the Netherlands and the International Association of the Body and Trailer Building Industry to introduce requirements for certain categories of vehicles not yet covered by the Regulation. The text enclosed is based on Directives 97/19/EC and 2006/20/EC from the European Union. The modifications to the current text of the Regulation are marked in bold for new or strikethrough for deleted characters.

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\*In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para. 106 and ECE/TRANS/2010/8, programme activity 02.4), the World Forum will develop, harmonize and update Regulations in order to enhance the performance of vehicles. The present document is submitted in conformity with that mandate.

## I. Proposal

*Paragraph 1.1.1.*, amend to read:

"1.1.1. PART I: ... of categories **M, N and O**;"

*Paragraph 1.1.2.*, amend to read:

"1.1.2. PART II: ... of categories **M, N and O** ... Regulation;"

*Paragraph 1.1.3.*, amend to read:

"1.1.3. PART III: ... of categories **M, N and O** ... RUPD"

*Insert new paragraph 1.1.4. (footnote 1/ remains unchanged)*, to read:

"**1.1.4. Vehicles of categories M<sub>1</sub>, M<sub>2</sub>, M<sub>3</sub>, N<sub>1</sub>, O<sub>1</sub> and O<sub>2</sub> 1/ on grounds of rear underrun protection.**"

*Paragraph 2.*, amend to read:

## "2. General requirements

~~The purpose of this Regulation is to offer effective protection against under-running of vehicles mentioned in paragraph 1 of this Regulation in the event of rear collision with vehicles of category M<sub>1</sub> and N<sub>1</sub> 1/.~~

*Insert new paragraphs 2.1. to 2.3. (footnote 1/ remains unchanged)*, to read:

- "2.1. All vehicles must be so constructed and/or equipped as to offer effective protection over their whole width against under-running of vehicles mentioned in paragraph 1. of this Regulation in the event of rear collision with vehicles of category M<sub>1</sub> and N<sub>1</sub> 1/.
- 2.2. The vehicle shall be tested under the conditions as laid down in paragraph 2 of Annex 5.
- 2.3. Any vehicle in one of the categories M<sub>1</sub>, M<sub>2</sub>, M<sub>3</sub>, N<sub>1</sub>, O<sub>1</sub> or O<sub>2</sub> will be deemed to satisfy the condition set out above:
- (a) if it satisfies the same conditions as set out in Part II or Part III, or
  - (b) if the ground clearance of the rear part of the unladen vehicle does not exceed 550 mm over a width which is not shorter than that of the rear axle by more than 100 mm on either side (excluding any tyre bulging close to the ground), or
  - (c) if, in case of vehicles of categories O<sub>1</sub> and O<sub>2</sub> where the tyres project for more than half outside the bodywork (excluding the wheel guards) or outside the chassis in the absence of bodywork, the ground clearance of the rear part of the unladen vehicle does not exceed 550 mm over a width which is not shorter than 100 mm deducted from the distance measured between the innermost points of the tyres (excluding any tyre bulging close to the ground), on either side.

Where there is more than one rear axle, the width to be considered is that of the widest.

This requirement must be satisfied at least on a line at a distance of not more than 450 mm from the rear extremity of the vehicle."

*Paragraph 6.2.*, amend to read:

"6.2. An approval number ... (at present ~~02~~ **03** corresponding to the ~~02~~ **03** series of amendments) ...device."

*Paragraph 15.1.*, amend to read:

"15.1. If the vehicle ... 16 below **and has been tested following the conditions set out in paragraph 2.2.**, approval...granted."

*Paragraph 15.2.*, amend to read:

"15.2. An approval number ... (at present ~~02~~ **03** corresponding to the ~~02~~ **03** series of amendments) ...vehicle type."

*Paragraph 16.2.*, amend to read:

"16.2. The width of ... nor must ~~the RUPD~~ be more than 100 mm shorter on either side. **However, in case of vehicles of categories O<sub>1</sub> and O<sub>2</sub> where the tyres project for more than half outside the bodywork (excluding the wheel guards) or outside the chassis in the absence of bodywork, the width of the RUPD shall not be shorter than 100 mm deducted from the distance measured between the innermost points of the tyres, excluding the bulging of the tyres close to the ground, on either side.** Where there...form."

*Paragraph 24.1.*, amend to read:

"24.1. If the vehicle ... 25 below **and has been tested following the conditions set out in paragraph 2.2.**, approval... granted."

*Paragraph 24.2.*, amend to read:

"24.2. An approval number ... (at present ~~02~~ **03** corresponding to the ~~02~~ **03** series of amendments) ... vehicle type."

*Paragraph 25.3.*, amend to read:

"25.3. The width of ... nor must ~~the RUP~~ be more than 100 mm shorter on either side. **However, in case of vehicles of categories O<sub>1</sub> and O<sub>2</sub> where the tyres project for more than half outside the bodywork (excluding the wheel guards) or outside the chassis in the absence of bodywork, the width of the RUP shall not be shorter than 100 mm deducted from the distance measured between the innermost points of the tyres, excluding the bulging of the tyres close to the ground, on either side.** Where there... not apply."

*Paragraph 31.1.*, amend to read:

"31.1. As from the official date of entry into force of the ~~02~~ **03** series of amendments, no Contracting Party applying this Regulation shall:

- (a) refuse to grant approval under ~~Parts I, II and III~~ of this Regulation as amended by the ~~02~~ **03** series of amendments;
- (b) refuse a type of ~~component or separate technical unit~~ **RUPD** approved under Part I of this Regulation as amended by the 02 series of amendments;
- (c) prohibit the fitting on a vehicle of a ~~component or separate technical unit~~ **RUPD or RUP** approved under Parts I and II of this Regulation as amended by the 02 series of amendments."

Paragraphs 31.2. and 31.3., shall be deleted.

Paragraphs 31.4. (former) and 31.5.(former), renumber as paragraphs 31.2. and 31.3. and amend to read:

- "31.2. Until ~~48 months following the date of entry into force of this Regulation as amended by the 02 series of amendments~~ **31 October 2014**, Contracting Parties applying this Regulation shall:
- (a) continue to grant approvals to **RUPDs and** those types of vehicles **with regard to the installation of a RUPD or RUP**, which comply with the requirements ~~of Part III~~ of this Regulation as amended by the ~~01 02~~ series of amendments;
  - (b) continue to accept **approvals of RUPDs and** ~~national or regional type approval of a vehicle type approved under those types of vehicles with regard to the installation of a RUPD or RUP, which comply with the requirements~~ ~~Part III~~ of this Regulation as amended by the ~~01 02~~ series of amendments.
- 31.3. As from ~~48 months following the date of entry into force of this Regulation as amended by the 02 series of amendments~~ **1 November 2014**, Contracting Parties applying this Regulation shall:
- (a) grant approvals only if the **RUPD or the** vehicle type to be approved, **on grounds of rear underrun protection or with regard to the installation of a RUPD or RUP**, meets the requirements ~~of Part III~~ of this Regulation as amended by the ~~02 03~~ series of amendments;
  - (b) refuse national or regional type-approval and shall refuse first national or regional registration (first entry into service) of a vehicle which does not meet the requirements ~~of Part III~~ of this Regulation as amended by the ~~02 03~~ series of amendments; \*
  - (c) consider approvals to this Regulation to be invalid, except in the case of vehicle types which comply with the requirements ~~of Part III~~ of this Regulation as amended by the ~~02 03~~ series of amendments.
  - (d) **Notwithstanding paragraph 31.3 (a), (b) and (c) above, any 02 series type approval issued for a RUPD, RUP or type of vehicle in categories N<sub>2</sub>, N<sub>3</sub>, O<sub>3</sub> and O<sub>4</sub> with regard to the installation of a RUPD or RUP, shall continue to be valid and may be extended even after 1 November 2014.**

Paragraph 31.6., shall be deleted.

## II. Justification

1. Vehicles in categories M<sub>1</sub>, M<sub>2</sub>, M<sub>3</sub>, N<sub>1</sub>, O<sub>1</sub> and O<sub>2</sub> should comply with some general requirements in order to ensure effective protection against under running.

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\**Note by the secretariat:* These transitional provisions are not in line with our guidelines (TRANS/WP.29/1044, in particular see V.7). "May" is usually used instead of "shall" for that kind of transitional provisions since UNECE Regulations are only an alternative to the national/regional legislation. The secretariat is of the opinion that this provision may be deleted because it seems already covered by (c). Furthermore paragraphs 31.1. to 31.3. have to be considered with the one proposed ECE/TRANS/WP.29/2011/19.

2. It should be prevented that certain light trailers, with tyres fitted on the outside of the chassis or bodywork, have to be fitted with rear underrun protection devices or bodywork panels which project outwards of the normal bodywork as, for instance, bicyclists could get caught by such projections.
  3. The general testing conditions should be clarified and thus referred to.
  4. The transitional provisions should reflect the relevant dates, as the timing in the previous paragraphs 31.2. and 31.3. has already passed and paragraph 31.6. is no longer relevant.
  5. The timing of the implementation of the relevant rules for the added vehicle categories should be taken into account, however, approvals of components and vehicles which are not affected and which have been granted prior to 1 November 2014, should not have to be updated.
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