

# **Simplification of lighting and light signalling Regulations (SLR): options and issues**

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# IWG SLR - Terms of reference (Goals)

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- **Reduce the administrative burden for Governments, UNECE and OLA**
  - Reduction of “Collective Amendments”
  - Significantly less complex amendments
  - Option for a reduction of Regulations (in future)
- **Reduce the regulatory burden for industry**
  - Simple handling in application of the Regulation

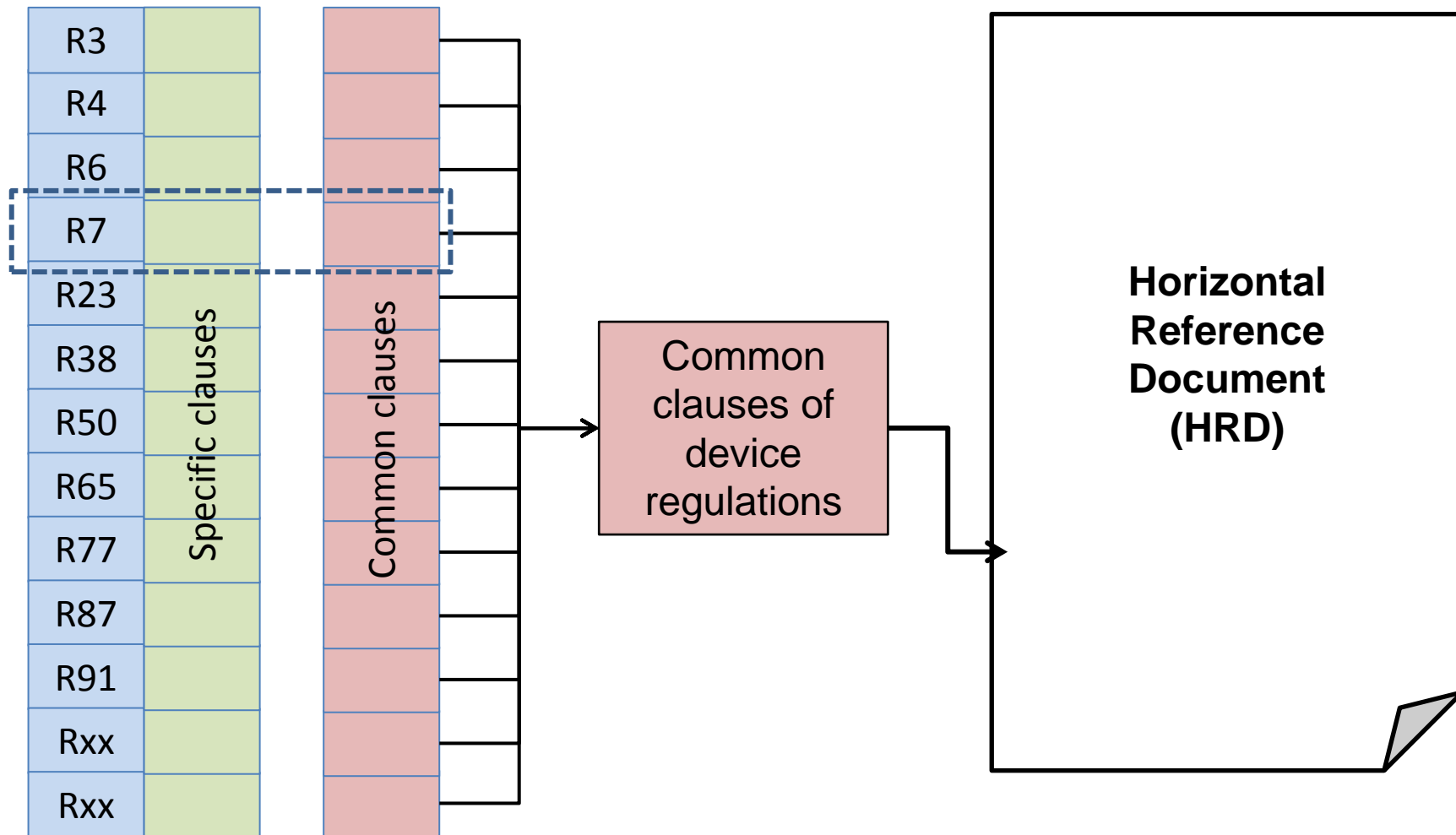
## Basic concept

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- **Move common provisions of individual device Regulations into a single repository, Horizontal Reference Document (HRD)**
- **Replace these provisions with references to HRD, thus making them legally binding**
- **Amend these common provisions in one single step by amending HRD, rather than by having all the individual device Regulations amended separately and simultaneously**

# Basic concept

## Device regulations



# HRD: possible options considered by IWG

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- **A new Regulation**
- **An existing Regulation**
- **A new Resolution under WP.29**

## A new Regulation as HRD: issues

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- **For the purposes of simplification, the number of Regulations should go down, not up. A new Regulation and, in particular, its entry into force may become a new administrative burden**
- **Every Regulation must be used for type approvals (TA). However, HRD is only a repository and not designed for type approvals, because TAs should be granted only on the basis of individual device Regulations**

## An existing Regulation as HRD: R48

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- **Several Regulations considered, included frozen ones. R48 was deemed to be the best option, as the main Regulation for installation**
- **A new Part B could be introduced in R48 and used as HRD. The current text of R48 will remain unchanged and become Part A of a revised R48**

## Part B of Regulation No. 48 as HRD: issues and questions

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- **CPs applying a specific device Regulation, but not R48, will have no rights to vote on and to object to amendments to Part B with the common provisions.**
- **CPs applying R48, but not device Regulations, will nevertheless be able to vote on or object to amendments to the common provisions of these Regulations contained in part B of R48.**



## Part B of Regulation No. 48 as HRD: issues and questions

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- **Can CPs applying a specific device Regulation, but not R48, be obliged to apply Part B of R48 with the common provisions of device Regulations without having signed up to R48?**

### **OLA position**

- **Article 12.2 of the 1958 Agreement explicitly indicates that an amendment to a Regulation can only be binding “upon those Contracting Parties applying the Regulation”. It follows that such an option would contradict the terms of the 1958 Agreement.**

## Part B of Regulation No. 48 as HRD: issues and questions

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- **Can the 1958 Agreement be amended with a clause that would grant CPs, which are not applying a certain Regulation, the right to vote on and object to amendments to this Regulation as far as these amendments are referred to in other Regulations that these CPs are applying?**

### **OLA view**

- **Such amendments are feasible but might have very far-reaching implications going beyond the specific area of lighting and light-signalling. These implications should be studied in detail before amending the 1958 Agreement**

## Part B of Regulation No. 48 as HRD: issues and questions

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- **Would type approval according to a device Regulation also cover the compliance with the common requirements in Part B of R48? Or shall a parallel TA according to Part B of R48 be issued?**
- **TA issued according to R48 should continue to cover only the installation requirements. If a new Part B with the common requirements is introduced in R48, how could it be ensured that TA according to R48 does not cover the compliance with Part B?**
- **OLA: these questions pertain to the implementation of the Agreement and do not fall under OLA's purview**

## A new Resolution under WP.29 as HRD

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- **Precedents available**
- **WP.29 already agreed to establish a new Resolution on light sources**
- **Legal issues for R48 above not relevant**
- **On the other hand, when establishing a Resolution and its future amendments, not only CPs applying device Regulations, but all CP and even countries which are not members of the 1958 Agreement will be part of decision-making process**
- **If a CP applying a device Regulation does not agree with the Resolution or its amendments in the future, it will not have the right to object to NY**

- **Search for solutions on how to simplify the mechanism of Regulations and their amendment is one that arises not only with respect to lighting and light-signalling, but in more general terms in the context of the entire 1958 Agreement. It would seem preferable not to adopt a piecemeal approach to such problems, in order to provide legal certainty and clarity with regard to the 1958 Agreement as a whole. Revision 3 may provide an opportunity to address matters of this kind in a comprehensive way**

# Comparative table and question to WP.29

	Pros	Cons
New Regulation	-	<ul style="list-style-type: none"><li>- One Regulation more...</li><li>- No type approval foreseen</li></ul>
R48, new part B	<ul style="list-style-type: none"><li>- No new document needed</li><li>- Main installation Regulation</li><li>- Some definitions are already contained in R48</li></ul>	<ul style="list-style-type: none"><li>- Too long document (200+ pages)</li><li>- Rights of CPs not applying R48 to vote and object will not be respected</li><li>- Provisions of new part B of R48 will not be legally binding on CPs not applying R48</li></ul>
New Resolution	<ul style="list-style-type: none"><li>- Precedents available</li><li>- All CPs will be on equal footing, whether or not applying R48 and/or device Regulations</li></ul>	<ul style="list-style-type: none"><li>- All WP.29 delegations, even those not applying R48 and/or device Regulations, will be part of the decision making process</li><li>- CPs will not be able to object to New York</li></ul>

**Which option to choose?**

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THANK YOU