

Proposal for draft amendments to ECE/TRANS/WP.29/2009/80
Global technical regulation No.9 (ECE/TRANS/180/Add.9)

This document proposes an amendment to ECE/TRANS/WP.29/2009/80, which was transmitted by the representative from Germany. Amendments to the German proposal are indicated in bold or strikethrough characters.

A. PROPOSAL

2.1. This global technical regulation (gtr) shall apply to the frontal surfaces of power driven vehicles of category 1-1 with a gross vehicle mass exceeding 500 kg; and of category 1-2 with a gross vehicle mass exceeding 500 kg but not exceeding 4,500 kg; and of category 2 with a gross vehicle mass exceeding 500 kg but not exceeding 4,500 kg. ^{1/}

However, power driven vehicles of ~~category 1-1 with a gross vehicle mass exceeding 2,500 kg which are derived from category 2~~, category 1-2 and category 2, where the distance, measured longitudinally on a horizontal plane, between the transverse centre line of the front axle and the R-point of the driver's seat is less than ~~1,000~~ 1,100 mm, are exempt from the requirements of this regulation. ^{±/}

All definitions of Special Resolution No. 1 shall apply as necessary.

^{1/} A Contracting Party may restrict application of the requirements in its domestic legislation if it decides that such restriction is appropriate. **;e.g. category 1-1 with a gross vehicle mass exceeding 2,500 kg which are derived from category 2 may be exempt from the requirement of this regulation.**

~~^{±/} A contracting party that has already enacted legislation prior to the establishment of this gtr in the global registry of global technical regulations may maintain their existing application/ scope.~~

B. JUSTIFICATION

Japan has already applied the pedestrian safety regulation to the whole M₁ vehicles.

Japan cannot accept the amendment proposal from Germany of excluding some range of M₁ vehicles from the scope of the regulation because the amendment will lower the safety level.

Therefore, Japan is making this amendment proposal which covers high levels of safety based on the view for the harmonization of regulations according to the Article 1.1.5. and 1.1.6. of the 1998 agreement.

On the other hand, Japan understands the European situation and suggests that the footnote be stipulated to allow alternatives according to the Article 1.1.7. of 1998 agreement.

Reference for Japanese proposal

AGREEMENT
AGREEMENT CONCERNING THE ESTABLISHING OF GLOBAL
TECHNICAL REGULATIONS FOR WHEELED VEHICLES,
EQUIPMENT AND PARTS WHICH CAN BE FITTED
AND/OR BE USED ON WHEELED VEHICLES

ARTICLE 1

PURPOSE

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1.1.5. To achieve high levels of safety, environmental protection, energy efficiency, and anti-theft performance within the global community, and to ensure that actions under this Agreement do not promote, or result in, a lowering of these levels within the jurisdiction of Contracting Parties, including the subnational level;

1.1.6. To reduce technical barriers to international trade through harmonizing existing technical regulations of Contracting Parties, and UN/ECE Regulations, and developing new global technical regulations governing safety, environmental protection, energy efficiency and anti-theft performance of wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles, consistent with the achievement of high levels of safety and environment protection and the other above-stated purposes; and

1.1.7. To ensure that, where alternative levels of stringency are needed to facilitate the regulatory activities of certain countries, in particular developing countries, such needs are taken into consideration in developing and establishing global technical regulations.
