

Proposal for draft 03 series of amendments to Regulation No. 51 (Noise of M and N categories of vehicles)

The purpose of this proposal is to amend transitional provisions of the consolidated version of the proposal for draft 03 series of amendments to Regulation No. 51 (ECE/TRANS/WP29/GRB/2012/2).

I. Proposal

11.1 to 11.7. amend to read:

11. TRANSITIONAL PROVISIONS

11.1. As from the official date of entry into force of the 03 series of amendments to this Regulation, no Contracting Party applying this UNECE Regulation shall refuse to grant or refuse to accept UNECE type-approvals under this UNECE Regulation as amended by the 03 series of amendments.

~~11.2. As from the official date of entry into force of the 03 series of amendments, Contracting Parties applying this Regulation may not refuse first national registration (first entry into service) of a vehicle which does meet the requirements of the 03 series of amendments to this Regulation.~~

11. 2. As from [x] years after the date of entry into force of the 03 series of amendments, Contracting Parties applying this UNECE Regulation shall grant UNECE type-approvals only if the vehicle type to be approved meets the requirements of this UNECE Regulation as amended by the 03 series of amendments.

11. 3. Contracting Parties applying this UNECE Regulation shall not refuse to grant extensions of UNECE type-approvals for existing types which have been issued according to the preceding series of amendments to this UNECE Regulation.

11. 4. As from the date of entry into force of the 03 series of amendments to this Regulation, Contracting Parties applying this Regulation may continue granting type approvals and extensions of type approvals to the 02 series of amendments to this Regulation.
11. 5. As from [x] after the date of entry into force of the 03 series of amendments to this UNECE Regulation, Contracting Parties applying this Regulation shall not be obliged to accept, for the purpose of national or regional type-approval, a vehicle type-approved to the preceding series of amendments to this Regulation.
11. 6. Notwithstanding the transitional provisions above, Contracting Parties whose application of this UNECE Regulation comes into force after the date of entry into force of the most recent series of amendments are not obliged to accept UNECE type-approvals which were granted in accordance with any of the preceding series of amendments to this UNECE Regulation.
11. ~~5~~ 7. For the first five years after the official entry into force of the 03 series of amendments to this Regulation, vehicles with a serial hybrid drive train which have an additional combustion engine with no mechanical coupling to the power train are excluded from the requirements of paragraph 6.2.3

II. Justification

This proposal intends to add transitional provisions to the consolidated version of the proposal for 03 series of amendments to Regulation No. 51 (ECE/TRANS/WP29/GRB/2012/2) prepared by the Netherlands and OICA, following the new administrative guidelines adopted by WP29 in November 2011 (WP29/2011/152).

The transitional provisions in the current proposal ECE/TRANS/WP29/GRB/2012/2 are deemed not sufficient and may cause problems in the stage of granting or accepting the type approval of the vehicle which meets the requirements of preceding series of amendments to this Regulation.

Therefore, it is proposed to add the above provisions according to the new guidelines for transitional provisions adopted by WP29 in November 2011 (WP29/2011/152).

In fact WP29 in November 2011 adopted the roadmap (WP29-155-27) for the revision of the 1958 Agreement and for the development of Whole Vehicle Type Approval, with international mutual recognition, under 1958 Agreement. One of the main goals is to make the 1958 Agreement more efficient and more attractive to other countries (e.g. to ensure that previous level(s) of UN Regulations remain valid). Therefore, when a Contracting Parties is satisfied with an earlier version of a Regulation, the type-approval will keep its validity.

Furthermore, in the new administrative guidelines adopted by WP29 in November 2011 (WP29/2011/152), the concept of revisions and extensions is clarified, with the possibility to grant extensions using the requirements valid at the time of the original approval, even if a new supplement exists.
