UNECE

EuroMed Transport SUPPORT PROJECT

Project funded by the European Union

FOR SAFER AND CLEANER VEHICLES

ROAD MAPS

for accession to and implementation of the United Nations 1958 and 1997 Agreements

Geneva and Brussels, June 2019

UNECE

EuroMed Transport SUPPORT PROJECT

Project funded by the European Union

ROAD MAPS FOR ACCESSION TO AND IMPLEMENTATION

Agreement concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations (The 1958 Agreement) and the Agreement Concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections (The 1997 Agreement)

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INTRODUCTION

United Nations Headquarters in Geneva, Switzerland © United Nations Economic Commission for Europe

A.1 UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (UNECE)

The United Nations Economic Commission for Europe (UNECE) is one of the five United Nations regional commissions, administered by the Economic and Social Council (ECOSOC). It was established in 1947 with the mandate to help rebuild post-war Europe, develop economic activity and strengthen economic relations among European countries, and between Europe and the rest of the world. During the Cold War, UNECE served as the unique forum for economic dialogue and cooperation between East and West. Despite the complexity of this period, significant achievements were made, with consensus reached on numerous harmonization and standardization agreements.

In the post-Cold War era, UNECE acquired not only many new member States, but also new functions. Since the early 1990s the organization has focused on analyses of the transition process, using its harmonization experience to facilitate the integration of Central and Eastern European countries into the global markets.

UNECE is the forum where the countries of western, central and eastern Europe, central Asia and North America – 56 countries in all – come together to forge the tools of their economic cooperation. That cooperation concerns economics, statistics, environment, transport, trade, sustainable energy, timber and habitat. The Commission offers a regional framework for the elaboration and harmonization of conventions, norms and standards. The Commission's experts provide technical assistance to the countries of South-East Europe and the Commonwealth of Independent States. This assistance takes the form of advisory services, training seminars and workshops where countries can share their experiences and best practices.

A.2 TRANSPORT IN UNECE

The UNECE Sustainable Transport Division is the secretariat of the Inland Transport Committee (ITC) and the ECOSOC Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals. The ITC and its 17 working parties, as well as the ECOSOC Committee and its Sub-committees are intergovernmental decision-making bodies that work to improve the daily lives of people and businesses around the world in measurable ways and with concrete actions that enhance traffic safety, environmental performance, energy efficiency and the competitiveness of the transport sector.

The ECOSOC Committee was set up in 1953 by the Secretary-General at the request of the Economic and Social Council to elaborate recommendations on the transport of dangerous goods. Its mandate was extended to the global (multisectoral) harmonization of systems of classification and labelling of chemicals in 1999. It is composed of experts from countries which possess the relevant expertise and experience in the international trade and transport of dangerous goods and chemicals. Its membership is restricted in order to reflect a proper geographical balance between all regions of the world and to ensure adequate participation of developing countries. Although the Committee is a subsidiary body of ECOSOC, the Secretary-General decided in 1963 that the secretariat services would be provided by the UNECE Transport Division.

The ITC is a unique intergovernmental forum that was set up in 1947 to support the reconstruction of transport connections in post-war Europe. Over the years it has specialized in facilitating the harmonized and sustainable development of inland modes of transport.

The UNECE Inland Transport Committee © EuroMed TSP

The main results of this persevering and ongoing work are reflected among other things (i) in 58 United Nations conventions and many more technical regulations which are updated on a regular basis and provide an international legal framework for the sustainable development of national and international road, rail, inland water and intermodal transport, as well as the transport of dangerous goods and the construction and inspection of road motor vehicles; (ii) in the Trans-European North-South Motorways, Trans-European Railways and the Euro-Asia Transport Links projects that facilitate multi-country coordination of transport infrastructure investment programmes; (iii) in the TIR system (Transports Internationaux Routiers),which is a global customs transit facilitation solution; (iv) in the tool called For Future Inland Transport Systems (ForFITS) which can assist national and local governments to monitor carbon dioxide (CO2) emissions coming from inland transport modes and to select and design climate change mitigation policies based on their impact and adapted to local conditions; (v) in transport statistics – methods and data – that are internationally agreed on; and (vi) in studies and reports that help transport policy development by addressing timely issues based on cutting-edge research and analysis. The ITC also devotes special attention to Intelligent Transport Systems, sustainable urban mobility and city logistics, as well as to increasing the resilience of transport networks and services in response to climate change adaptation and security challenges, including cyber-security and interconnectivity of automated vehicles.

A.3 THE EU-FUNDED EUROMED TRANSPORT SUPPORT PROJECT

The EU funded EuroMed Transport Support Project (EuroMed TSP) aims at supporting the Southern Mediterranean Partner Countries (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria[1] and Tunisia) in the implementation of the regulatory aspects of the Regional Transport Action Plan (RTAP) 2014-2020 specifically in the field of road and urban transport and contributing to the creation of an integrated transport system in the Mediterranean. The objectives of the project are to be achieved by increasing the sustainability and performance of transport operations in the Mediterranean region through increased safety in transport operations; increased efficiency; lower costs of transport; lower environmental impact of transport, thus contributing to regional economic integration, economic well-being and job creation.

[1] *The EU has suspended direct cooperation with the Syrian authorities since 2011, until further notice.*

Building on the above main objectives will be the key task of the project throughout its course in the South Mediterranean region. More precisely the project will:

- **Further encourage the accession to and support the implementation of relevant UNECE agreements with a view to promote harmonized transport regulations in the region, including United Nations Vehicle Regulations for the constructions of safer and less pollutants vehicles and their Periodical Technical Inspection;**
- **Assist in the creation and operation of urban transport authorities and support the roll-out of efficient and innovative fleet management solutions, in line with the European Union Sustainable Urban Mobility Plan (SUMP) guidelines;**
- **Upon request of partner countries, help them progress on specific regulatory reform actions of the Regional Transport Action Plan not covered by any other EuroMed Technical Assistance project;**
- **Identify specific priorities and objectives, which are relevant to the country's circumstances;**
- **Create awareness around its activities among relevant stakeholders in partner countries and in Europe.**

Some EuroMed countries participating at the WP.29 session © EuroMed TSP

The project is implemented in the framework of the European Neighborhood Instrument (ENI)-South. Throughout its life, workshops, conferences, trainings, study tours are organized, studies are conducted, good practices are shared, and technical assistance activities are carried out in all EuroMed countries.

From all the EuroMed Partner countries, only Egypt and Tunisia are Contacting Parties to the 1958 Agreement and none of them to the 1997 Agreement.

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PURPOSE, SCOPE AND OBJECTIVES OF THE ROADMAPS

The number of road traffic crashes remains unacceptably high representing a leading cause of death and injury around the world, killing more than 1.3 million people and injuring as many as50 million people a year, with 90 per cent of those casualties occurring in developing countries. Every country and region of the world is implementing measures to address this problem. It is worth mentioning the UN Global Plan for the Decade of Action for Road Safety 2011-2020that is based in 5 pillars, of which Pillar 3 is dedicated to safer vehicles. The plan recommends to UN Member States to apply the vehicle regulations developed by the World Forum WP.29.

To this end, the EuroMed Transport Support Project is engaged, interalia, in supporting Partner countries in the region accede and implement the 1958 and 1997 Agreements on UN Vehicle Regulations and Rules annexed to them.

Although EuroMed countries have a vehicle type approval (VTA) and Periodical Technical Inspection (PTI) systems, such systems are far from those in force in Europe. The implementation of Vehicle Regulations related activities in the region, revealed that through accession to and implementation of the 1958 and 1997 Agreements, vehicles safety will be increased considerably in all the EuroMed Partner countries. However, the main issue for them remains, how to prepare for accession to and implementation of these Agreements so that they can benefit from their provisions, ensuring that safer and less polluting vehicles are used in their countries, both those newly registered but also those already in circulation.

The present document, prepared jointly by UNECE and EuroMed TSP, presents the main steps and several sub-steps that the EuroMed Partner countries, and other countries worldwide wishing to accede and fully implement the 1958 and 1997 Agreements, have to follow (the Road Map).

EuroMed participating at the WP.29 session © EuroMed TSP

The first two steps deal with the preparatory work for accession, including coordination and responsibilities and highlight the strategic issues that need to be considered before accession. Step three exclusively deals with accession to the Agreement, eligibility and related procedures. The Road Maps end with the important aspects of enforcement and supporting measures addressed in step five.

All related legislative and explanatory documents are annexed. However, due to their volume, most of them are made available in electronic form only.

PART I:

THE 1958 AGREEMENT

THE 1958 AGREEMENT ON THE CONSTRUCTION OF VEHICLES

C.1 CONSTRUCTION OF SAFER AND MORE ENVIRONMENTALLY FRIENDLY VEHICLES

Road transport plays an essential role in the economy and, jointly with the automotive industry, contributes in a considerable manner to the gross domestic product. On the other hand, road traffic has two main negative aspects: road accidents as well as noise and pollutant emissions.

The UNECE World Forum for the Harmonization of Vehicle Regulations, also known as WP.29, was established by the UNECE Inland Transport Committee (ITC) in 1952 to resolve these two negative aspects and to facilitate international trade by eliminating technical barriers to trade of vehicles. Since the end of the past century it opened its geographical coverage to include any country or region of the UN system that wants cooperate in increasing vehicles' safety and their environmental performance.

In addition to the Governments of the Contracting Parties (CPs) to the 1958 Agreement, Governmental Organizations (GOs) and Non-Governmental Organizations (NGOs) can participate in the work of the World Forum, but in a consultative capacity.

The World Forum's work is transparent: agendas, working documents, reports, informal documents as well as the Agreements and their UN Regulations, UN GTRs and UN Rules as well as all the documents of their Informal Working Groups are freely accessible on the WP.29 website: ***http://www.unece.org/trans/main/welcwp29.html.***

Some Contracting Parties, among them the European Union, have decided to organize their internal legislation by direct mandatory application to a considerable number of the UN Regulations annexed to the 1958 Agreement. Other countries, which are not Contracting Parties, apply on their territory some UN Regulations on a voluntary basis.

The day-to-day management of the activities of WP.29 is carried out by the UNECE Secretariat, which is based in the Sustainable Transport Division.

Sessions of WP.29 are held three times a year. Those of the subsidiary Working Parties of Experts (GRs) are held twice a year. The WP.29/AC.2 sessions are held prior to each WP.29 session.

The UNECE World Forum WP.29 meeting in Geneva © United Nations Economic Commission for Europe

The structure of the World Forum WP.29 is reproduced in the following chart:

The World Forum WP.29 administers the following three UN Agreements:

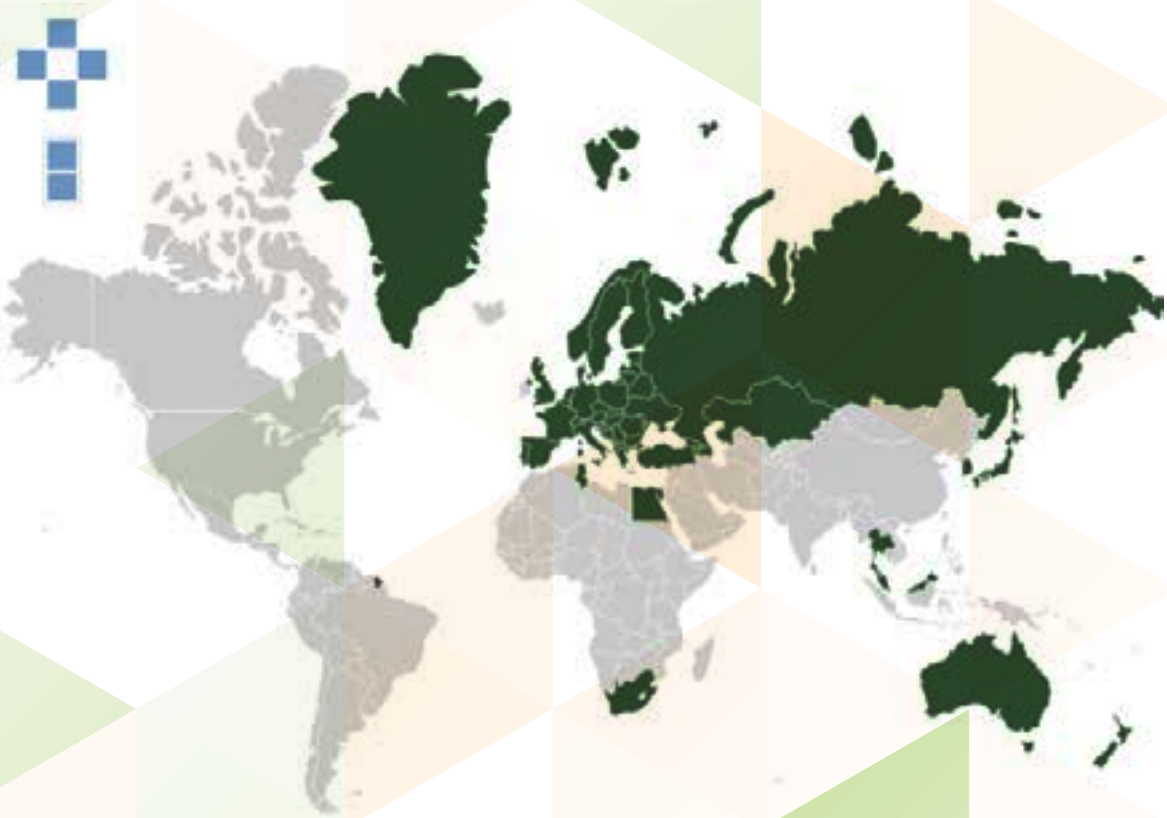
1. **Agreement concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations (Revision 3). (The UN 1958 Agreement),**
2. **The Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections, of 1997. (The UN 1997 Agreement),**
3. **The 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, of 1998 (The UN 1998 Agreement).**

WP.29 ensures consistency between the UN Regulations, UN Rules and UN GTRs developed in the legal framework of these three UN Agreements.

C.2 THE 1958 AGREEMENT

The UN 1958 Agreement provides the legal and administrative framework for establishing international UN Regulations (annexed to the Agreement) with uniform performance-based oriented test provisions, administrative procedures for granting type approvals, for the conformity of production and for the mutual recognition of the type approvals granted by Contracting Parties. The 1958 Agreement has 52 Contracting Parties (CPs), including the European Union as a Regional Economic Integration Organization. There are 147 UN Regulations annexed to the Agreement. The last revision of the Agreement (Revision 3) of the 1958 Agreement, entered into force on 14 September 2017. The text of its Revision 3 is available at: ***http://www.unece.org/trans/main/wp29/wp29regs.html***.

The 1958 Agreement has 53 Contracting Parties, of which 41 are UNECE member countries. Other Contracting Parties include the European Union, Japan, Australia, South Africa, New Zealand, Republic of Korea, Malaysia, Nigeria, Thailand, Tunisia, Egypt and Armenia.

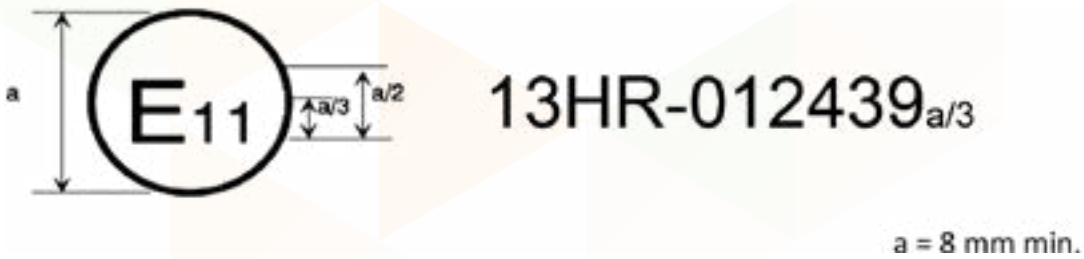


C.3 MAIN PROVISIONS OF THE 1958 AGREEMENT

- The 1958 Agreement seeks to establish UN Regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles, and conditions for granting type approvals and their reciprocal recognition for use by Contracting Parties. With its Revision 3, the 1958 Agreement also seeks to establish an International Whole Vehicle Type Approval (IWVTA) system;
- New UN Regulations and amendments to existing UN Regulations are established by a vote of four-fifths majority of Contracting Parties present and voting;
- Contracting Parties can decide not to apply the new UN Regulations and the amendments to existing ones;
- A Contracting Party that adopted any UN Regulation is allowed to grant type approvals for motor vehicle equipment and parts covered by that UN Regulation and is required to accept type approvals granted by any other Contracting Party applying the same UN Regulation;
- Contracting arties granting type approvals are required to have the technical competence to perform the tests according the technical requirements of the UN Regulation concerned and the competence to ensure conformity of production.
- The Agreement also includes Schedules of Administrative and Procedural Provisions applicable to all UN Regulations annexed to this Agreement and to all Contracting Parties applying one or more UN Regulation. The Schedules, annexed to the Agreement, are:

Schedule 1	Conformity of production procedures	
Schedule 2	Part one:	Assessment, designation and notification of technical services
	Part two:	Standards which the technical services, referred to in Part one of this Schedule, shall comply with
	Part three:	Procedure for the assessment of technical services
Schedule 3	Procedures for UN type approvals	
Schedule 4	Numbering of UN type approvals	

Example of an approval mark regarding UN Regulation No. 13-H



The above approval mark affixed to a vehicle shows that the vehicle type concerned has, with regard to braking, been approved in the United Kingdom (E11) pursuant to UN Regulation No. 13-H under approval number 012439. The first two digits of the approval number indicate that the approval was granted in accordance with the requirements of the 01 series of amendments to UN Regulation No. 13-H.

Schedule 5	Circulation of approval documentation
Schedule 6	Procedures for resolving interpretation issues in relation to the application of UN Regulations and granting approvals pursuant to these UN Regulations
Schedule 7	Procedure for exemption approvals concerning new technologies
Schedule 8	General conditions for virtual testing methods

Outside test facilities centre © INTA - Spain

C.4 MAIN PROVISIONS OF UN REGULATIONS ANNEXED TO THE AGREEMENT

- The UN Regulations govern all categories of road vehicles, non-road mobile machinery as well as their parts and equipment.
- The UN Regulations annexed to the 1958 Agreement shall include:
  - Technical requirements and alternative requirements as appropriate;
  - Test methods by which performance requirements that are to be demonstrated;
  - The conditions for granting Type Approvals;
  - The conditions for the reciprocal recognition of the Type Approvals granted;
  - Provisions for the marking of vehicles, their equipment and parts to facilitate Contracting Parties to identify and verify the vehicles to be registered in their country;
  - The conditions for ensuring the conformity of production (COP);

Testing coach superstructure resistance © IDIADA - Spain

A Tilt platform © UTAC CERAM – France

Testing emissions of a vehicle © IDIADA - Spain

- The UN Regulations annexed to the 1958 Agreement can include:
  - Conditions for in service conformity;
  - Conditions for recyclability of vehicles.

C.5 BENEFITS OF ACCEDING TO THE 1958 AGREEMENT

- **Enhance** vehicle's safety and environmental performance: UN Regulations are developed with the most stringent provisions for safety and environmental performance of vehicles. Acceding to the Agreements and mandatory application of the UN Regulations for the registration of vehicles will result in safer and more environmentally friendly vehicles;

Pedestrian impact of the upper leg form © UTAC CERAM – France

Frontal crash test © UTAC CERAM - France

- Accomplishment of the recommendations of the UN Plan of Action for the Decade of Road Safety: The UN Global Plan of Action for the Decade is based on five pillars. The third pillar is dedicated to safer vehicles and recommends the application of UN Regulations and Rules developed by the World Forum WP.29 (among them, protection of occupants in the event of a frontal impact);

- Mutual Recognition of the Type Approvals Granted: A Contracting Party that has decided to apply a UN Regulation annexed to the Agreement is allowed to grant type approvals for motor vehicle equipment and parts covered by that UN Regulation. Such Contracting Party is required to accept the type approval of any other Contracting Party that applies the same UN Regulation. This is one of the key elements of the 1958 Agreement. This mutual recognition ensures the conformity of the vehicle tested and type approved in other countries;

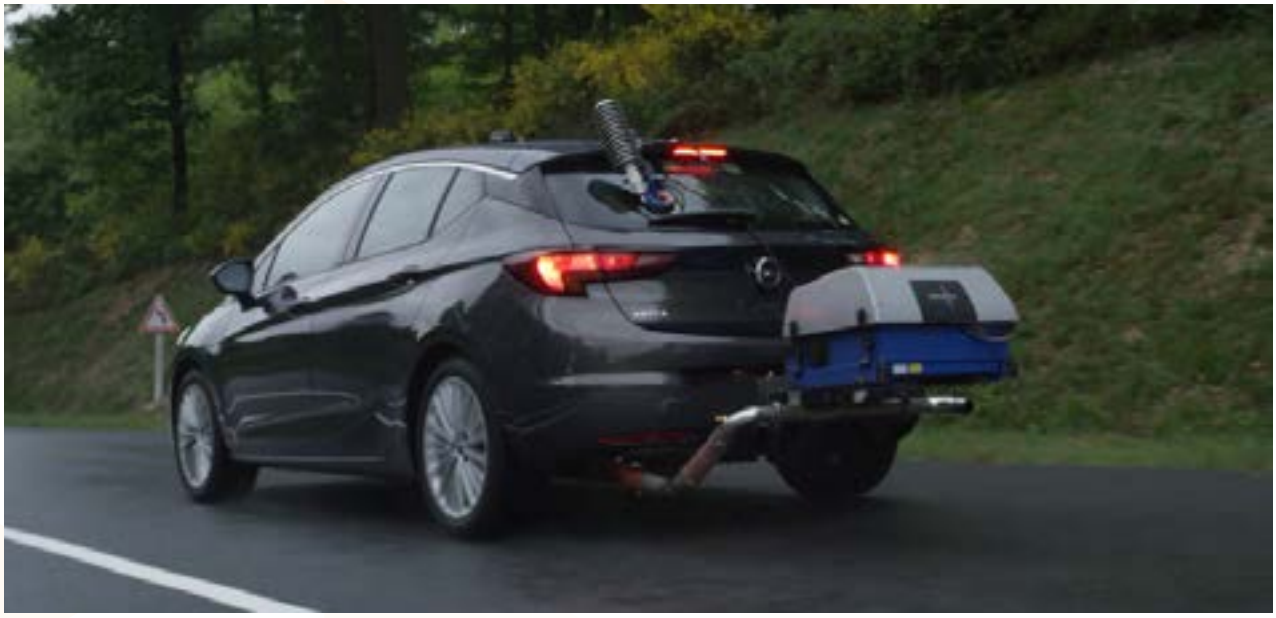
- Elimination of technical barriers to trade through the mutual recognition of the Type Approvals granted;

Testing machine for head impact © INTA - Spain

- Facilitation in the elaboration of national vehicle regulations: The elaboration of new vehicle regulation is a complex, time consuming and very expensive process. By the application of UN Regulations, which have demonstrated their efficiency, countries have prompt and free access to a set of technical performance requirements for vehicles;
- Flexibility in the application of the UN Regulations: When acceding to the Agreement, the Contracting Party is free to select which UN Regulations will apply, if any. The Contracting Party can, at any moment to apply any other UN Regulation. Any Contracting Party can decide to cease the application of any UN Regulation;
- Keeping national regulations: UN Regulations can be optional to national regulations. Contracting Parties applying a UN Regulation can keep or derogate their national regulations;

Inverse Catapult for testing safety belts © UTAC CERAM - France

- Technological development of the services of the administration through the establishment of a competent Type Approval Authority and its designated technical services for the verification and testing of the performances;
- Technological development of national manufactures: By the application of UN Regulations, national industry can upgrade its technological knowhow to adapt the manufacturing process of vehicles, equipment and parts to the most developed technologies in practice. The adaptation of national regulations in parallel with the UN Regulations can facilitate the smooth integration of technological innovations;
- Participation on the decision-making process for the elaboration of UN Regulations: The participation in the elaboration of UN Regulations is open to all the member States of the United Nations. Nevertheless, only the Contracting Parties to the Agreement can vote when establishing a new UN Regulation, or when amending a UN Regulation;
- National Authorities can grant in their own countries Type Approvals to vehicle manufacturers and their suppliers for those UN Regulations the country applies;
- Countries, being CPs to the Agreement and mandatory applying a UN Regulation can reject the registration in their own territory of sub-standard vehicles.
- Tests are conducted with the most stringent conditions.



Real Driving Emissions test © UTAC CERAM - France

C.6 MAIN LINKS TO THE 1958 AGREEMENT AND TO ITS UN REGULATIONS

(a) Text of the 1958 Agreement (Revision 3 entered into force on 14 September 2017):
http://www.unece.org/trans/main/wp29/wp29regs.html

(b) UN Regulations annexed to the 1958 Agreement:
http://www.unece.org/trans/main/wp29/wp29regs1-20.html
http://www.unece.org/trans/main/wp29/wp29regs21-40.html
http://www.unece.org/trans/main/wp29/wp29regs41-60.html
http://www.unece.org/trans/main/wp29/wp29regs61-80.html
http://www.unece.org/trans/main/wp29/wp29regs81-100.html
http://www.unece.org/trans/main/wp29/wp29regs101-120.html
http://www.unece.org/trans/main/wp29/wp29regs121-140.html
http://www.unece.org/trans/main/wp29/wp29regs141-160.html

(c) Status of the 1958 Agreement, and of the annexed UN Regulations and of the Type Approval Authorities and Technical Services:
http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocstts.html
https://apps.unece.org/WP29_application/

(d) United Nations Office of Legal Affairs (New York):
https://treaties.un.org/pages/Overview.aspx?path=overview/overview/page1_en.xml

(e) World Forum for Harmonization of Vehicles Regulations (WP.29) -Homepage:
http://www.unece.org/trans/main/welcwp29.html

(f) Terms of Reference (WP.29):
http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29tor.html

(g) World Forum for Harmonization of Vehicles Regulations (WP.29) –How it works – How to join it:
http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29pub.html

THE UNECE-EU-EUROMED TSP PROJECT ROAD MAP FOR ACCESSION TO AND IMPLEMENTATION OF THE 1958 AGREEMENT

The current Road Map aims at providing guidance to EuroMed Partner countries wishing to accede and implement the 1958 Agreement. Naturally this Road Map can provide guidance to other countries interested in according to the 1958 Agreement beyond the EuroMed region.

The Road Map proposes the implementation of five main stepsthat, if pursued in a proper and timely manner, would result in the full application of the system in their territories.

STEP 1: PREPARING FOR ACCESSION

1.1 COORDINATION AND RESPONSIBILITIES AT NATIONAL LEVEL

The 1958 Agreement itself as well as the UN Regulations may, depending on the national governmental structure, be under the responsibility of different ministries or administrations. The ministries, administrations and bodies concerned need to be identified and their representatives should be invited to take an active role in the pre-accession process.

A non-exhaustive list of usual ministries, administrations and bodies include the areas of: transport, industry, environment, interior, trade and customs.

Representatives of the private sector should be involved, if possible, in the process as representatives of the final users of the UN Regulations: transport sector, vehicle manufacturers and their suppliers, competent laboratories that could potentially act as designated technical services for conducting the tests according to the UN Regulations.

A formal coordination of interested participants should be organized in the process of preparation of the accession.

It should be noted that each country should assess and define an administrative structure according to their own needs, based on its culture, standard operating procedures, hierarchy schemes, staff and expertise availability. The sub-steps presented below are recommendations only and should not be regarded as obligatory.

1.2 OVERALL COORDINATION AND SUPERVISION

Although the UN Regulations annexed to the 1958 Agreement may involve a number of different ministries and/or bodies, the main responsibility should be assigned to one ministry or government agency. In several Contracting Parties to the 1958 Agreement, this is the Ministry of Transport, but in other countries is the Ministry of Industry, or even the Ministry of Environment. In this case, the overall supervision and coordination of all 1958 Agreement related actions should be under the competent Minister.

1.3 ESTABLISHMENT OF A COMPETENT 1958 AGREEMENT AUTHORITY

The 1958 Agreement itself is not a highly complex Agreement to implement. Nevertheless, its UN Regulations annexed to it are, technically speaking, quite complex to implement and secure its future seamless operation. In addition, the coordination and cooperation between Ministries and other public bodies involved are critical for successful implementation. For these reasons, a national competent authority shall be established.

The competent authority will work on issues relating to national implementation and the concerned public and private stakeholders, considering the availability of expertise and resources. The competent authority should have both responsibility and authority. It may represent the country in international meetings especially at the sessions of the World Forum for Harmonization of Vehicle Regulations (WP.29). It is also highly recommended that experts participate at the sessions of the six Working Parties subsidiary to the World Forum WP.29 (see chart of page 13 above).

Given that the main actions of the 1958 Agreement are to grant and recognize Type Approvals, the 1958 Agreement imposes that a Type Approval Authority be nominated by the national competent authority.

Necessary resources, human and financial, should be made available.

As from an early stage, the designated national competent authority should appointa“1958 Agreement National Focal Point”, dealing permanently with the 1958 Agreement matters. His/her work is of outmost importance for the success of the implementation and smooth operation of the 1958 Agreement in the country. The work of the National Focal Point should be supported by a team of experts as well as by external expertise as necessary and appropriate.

STEP 2: ADDRESSING STRATEGIC ISSUES PRIOR TO ACCESSION

2.1 STUDYING THE 1958 AGREEMENT AND RELATED NATIONAL LEGISLATION

The National Focal Point and the competent authority shall study the 1958 Agreement, the UN Regulations annexed to it and the related national legislation. They are also responsible for ensuring that the translation of the 1958 Agreement (as appropriate) is made available. Concerning the translation, it is convenient to note that the 1958 Agreement is made available by the UNECE in its three official languages i.e. English, French and Russian. Until the Revision 2 of the 1958 Agreement, the UNECE also provided the text of the Agreement in the other three official languages of the UN, i.e. Chinese, Arabic and Spanish. It is expected that the same will be for the newly Revision 3 of the 1958 Agreement. In addition, and due to the accession of the EU to the 1958 Agreement, the European Commission provides a translation of the Agreement in all the official languages of the EU.

Following the study of the 1958 Agreement and the analysis of the UN Regulations annexed to it, the competent authority responsible for the Vehicle Type Approval (VTA) of road transport vehicles shall be informed about the advantages of the accession to the 1958 Agreement. Departments that have technical competencies on the matter (eventual future Technical Services etc.) should be involved. Other Departments that have administrative and legal competencies to sign an international Agreement (i.e. Foreign Affairs, Environment, Industry ...) should be consulted.

After completion of the above, the national/regional Authority of the country should take the political decision, if necessary, to initiate the national/regional (internal) procedure for the accession to the 1958 Agreement.

2.2 DECIDING ON THE SCOPE AND APPLICABILITY OF THE 1958 AGREEMENT AND ITS ANNEXED UN REGULATIONS

Article 11 of the Agreement stipulates that any Contracting Party may, at the time of acceding to this Agreement, declare that it does not consider itself bound by paragraphs 1 to 3 of Article 10 of the 1958 Agreement, dealing with disputes between two or more Contracting Parties concerning the interpretation or application of this Agreement and its annexed UN Regulations.

No other reservation to the 1958 Agreement, its Appendix, Schedules and the UN Regulations annexed thereto shall be permitted; but **any Contracting Party may**, in accordance with the terms of Article 1, paragraph 5, **declare that it does not intend to apply certain of the UN Regulations or that it does not intend to apply any of them.**

Consequently, it is necessary that before acceding to the 1958 Agreement, the country shall decide if itself consider bound by paragraphs 1 to 3 of Article 10.

In the same way, the country shall decide if it does not intend to apply certain of the UN Regulations or that it does not intend to apply any of them. This intention shall be clearly specified in the document of accession to the 1958 Agreement. If the document of accession does not include such limitation, it is understood that it will apply all UN Regulations in force.

The application of a UN Regulations by a Contracting Party implies that the country shall accept the Type Approvals granted by the other Contracting Parties to the 1958 Agreement applying such UN Regulation. Similarly the other Contracting Parties applying the same UN Regulation shall mutually accept the Type Approvals granted by such a Contracting Party.

If a Contracting Party wants to make mandatory a UN Regulation in its territory, it shall adopt a legal positive action for transposing it into national/regional legislation.

The accession to the 1958 Agreement and the application of the UN Regulations allow that national legislation can be maintained in parallel to the UN Regulations applied by the country. It should be noted, however, that it might be easier for acceding countries just to mandatory apply in their national law the UN Regulations it decide.

All the above-mentioned questions shall be decided by the country before initiating the process of accession to the 1958 Agreement.

STEP 3: ACCESSION TO THE 1958 AGREEMENT

Article 6 of the 1958 Agreement stipulates the eligibility for accession to it. Currently, States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity may become Contracting Parties to the Agreement, as well as States which may participate in certain activities of the Economic Commission for Europe by acceding. **In practice, this means that the 1958 Agreement is open to all countries of the world being members of the UN.**

Countries that wish to accede to the 1958 Agreement shall submit to the Secretary-General of the United Nations an official request also known as "Instrument of Accession".

This instrument shall be signed by one of three specified authorities, namely the Head of State, Head of Government or Minister for Foreign Affairs. There is no specific form of the instrument, but it must include the following:

- Title, date and place of conclusion of the legal instrument concerned;
- Full name and title of the person signing the instrument, i.e., the Head of State, Head of Government or Minister for Foreign Affairs or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities;
- An unambiguous expression of the intent of the Government, on behalf of the State, to consider itself bound by the legal instrument and to undertake faithfully to observe and implement its provisions;
- Date and place where the instrument was issued;
- Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal only is not sufficient) or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities.

A specific model of an Instrument of Accession adapted to the accession to Revision 3 of the 1958 Agreement is reproduced below.

MODEL OF AN INSTRUMENT OF ACCESSION

(Model adapted to the accession to Revision 3 of the 1958 Agreement)

(To be signed by the Head of State, Head of Government or Minister for Foreign Affairs)

ACCESSION

WHEREAS the Agreement concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations (E/ECE/324-E/ECE/TRANS/505/Rev.3) was done at Geneva on 14 September 2017.

NOW THEREFORE I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs] declare that the Government of[name of State], having considered the above-mentioned Agreement, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

[Accordingly to Article 1.5 of the Agreement, [name of State] declares that it is not bound by [any/list the Regulations]optional (see 2.2 above)].

[In accordance to Article 11, [name of State]declares that it does not consider itself bound by Article 10 of the Agreement] optional see 2.2 above)].

IN WITNESS WHEREOF, I have signed this instrument of accession at [place] on [date]

[Signature]

An instrument of accession becomes effective only when it is deposited with the Secretary-General of the United Nations at United Nations Headquarters in New York City. The date of deposit is normally recorded as that on which the instrument is received at Headquarters. Countries are advised to deliver such instruments to the Treaty Section, Office of Legal Affairs of the United Nations directly to ensure the action is promptly processed.

Furthermore, it should be noted that the accession by a country to the 1958 Agreement enters into force six months after the deposit of its instrument of accession. By that time, each country should be in a position to comply with all the provisions of the Agreement.

STEP 4: SETTING UP A TYPE APPROVAL CERTIFICATION PROCESS

The main objective of the 1958 Agreement is the granting of Type Approval Certificates of both vehicles and their systems parts and equipment complying with the requirements established by the related UN Regulation and thus enhancing vehicles' safety and their environmental performance. Directly derivate from this objective is the mutual recognition of the type approvals granted. The Type Approval Certificates are issued after specific tests as defined in each UN Regulation. Technical Services, which shall be designated by the TAA, shall issue a Technical Report on the basis of which the Type Approval Certificate is granted.

Consequently, the TAA shall establish a Type Approval Certification process for the Technical Services designated.

4.1 DESIGNATION OF A NET OF TECHNICAL SERVICES FOR CONDUCTING MANDATORY TESTS

To obtain the Type Approval Certificate, the vehicles, their systems parts and equipment shall pass the tests specified in each UN Regulation. The tests can only be conducted by Technical Services previously designated by the Type Approval Authority in accordance with the conditions fixed in the 1958 Agreement (see Schedule 2). These conditions imply that the Technical Services shall have access to the necessary equipment/infrastructure for conducting the tests and their staff shall have the technical skills and knowledge to conduct the tests.

Technical Service technician preparing a vehicle for braking testing © IDIADA - Spain

Technical Services can be designated for one or more UN Regulations, depending on their capabilities and expertise.

Contracting Parties can designate Technical Services either from the own country or from any other country. In any case, the Type Approval Authority is responsible for the designated Technical Services and shall verify that they are properly conducting the tests established in the UN Regulation.

Testing machine for safety belt anchorages © INTA- Spain

Testing machine for seat anchorages © INTA - Spain

It is worth to note that the tests can be conducted in the facilities of the manufacturers but always directed and conducted by the staff of the Technical Services or by the Type Approval Authority staff.

4.2 SETTING UP 1958 AGREEMENT EXPERT WORKSHOPS

It is advisable to organize expert workshops to strengthen the expert knowledge of the different stakeholders involved in the application and enforcement of the provisions of the 1958 Agreement and its annexed UN Regulations.

Such workshops should focus on the administrative process of granting Type Approvals.

4.3 PROCEDURES TO BE FOLLOWED

In addition to the general provisions of the Agreement, the UN Regulations annexed to the 1958 Agreement specify the technical requirements and test procedures that should be followed for the type approval of vehicles and their parts and equipment.

The Agreement and UN Regulations also specify the procedures to be followed for the Conformity of Production.

4.4 CREATE A RELIABLE DATABASE ACCESSIBLE BY ALL PARTIES

One of the key elements of the 1958 Agreement is the mutual recognition of the Type Approvals granted. So, it is essential to develop a reliable database accessible by all parties

Schedule 5 of Revision 3 of the 1958 Agreement deals with the **Circulation of approval documentation.**

Where a type approval authority is required to or is requested to provide a copy of an approval and its attachments, it shall send the documents as paper copies, or by e-mail in electronic format, or by utilizing the secure internet database established by the United Nations Economic Commission for Europe.

Although this database is not yet operational, documents to be stored on the secure internet database shall consist of at least the documents specified in each UN Regulation. These shall include documentation communicating to Contracting Parties notice of approval, of extension, of refusal or withdrawal of approval or where production is definitely discontinued of a type of wheeled vehicles, equipment or parts pursuant to the UN Regulation.

Until the fully operation of the database the other procedure for providing a copy of an approval and its attachments shall be used.

STEP 5: ENFORCEMENT

Each vehicle, system part or equipment covered by any of the UN Regulations applied on a mandatory basis by a country shall be covered by a Type Approval Certificate.

5.1 INTRODUCE OR AMEND LAWS FOR ENFORCEMENT ACTIVITIES

The Contracting Parties implementing the 1958 Agreement shall, through their competent authority, take into consideration the enforcement aspects at their respective national level and define an enforcement strategy.

Each Contracting Party shall take appropriate measures to ensure observance of the provisions of the 1958 Agreement.

Even if the provisions of the 1958 Agreement allows other certification systems than the Type Approval, it is mainly addressed to regulate the Type Approval System (TAS). If the country does not have legislation based on a TAS, it shall be necessary to introduce a new, or to amend, national legislation to follow such approach.

As mentioned before the mandatory application of a UN Regulation needs a legal positive action by the Contracting Party. Consequently, one of the first modifications of the national legislation shall be accept, as an alternative on the national level, vehicles complying with those selected UN Regulations that the party applies.

As the provisions of the UN Regulations annexed to the 1958 Agreement are continuously updated taking into account new technologies, it shall be convenient to also update the national law to incorporate the references to the new amendments to these UN Regulations adopted by the World Forum WP.29.

5.2 TRAIN OFFICERS APPROPRIATELY

Law enforcers should be trained for both the understanding of the provisions of the 1958 Agreement and for the enforcement of it.

A non-exhaustive list of the training methods for such purposes would include:

Workshop in Cairo © EuroMed TSP

- Seminars / Workshop
- On-site demonstration with other Contracting Parties
- Training officers in charge of conducting tests

Training officers © UTAC CERAM France

SUMMARIZED ROAD MAP TABLE OF ACTIONSCONCERNING THE 1958 AGREEMENT

UNECE

EuroMed Transport SUPPORT PROJECT

Project funded by the European Union

PREPARATION FOR ACCESSION		ACCESSION	IMPLEMENTATION	
STEP 1	STEP 2	STEP 3	STEP 4	STEP 5

NR	STEPS	TIME OF COMPLETION	RESPONSIBLE	REMARKS
STEP 1: Preparing for accession				
1.1	Coordination and responsibilities at national level	Planning period	Highest government level	
1.2	Overall coordination and supervision	Planning period	Highest government level	
1.3	Establishment of a competent authority	Planning period	Highest government level	
STEP 2: Addressing strategic issues prior to accession				
2.1	Studying the 1958 Agreement and related national legislation	Planning period	Highest government level / National Focal Point Competent Authority / National Experts	
2.2	Deciding the scope and applicability of the 1958 Agreement and its annexed UN Regulations	Planning period	Highest government level / National Focal Point	
STEP 3: Accession to the 1958 Agreement				
-	-	After planning period	Highest government level	
STEP 4: Setting up a Type Approval Certification process				
4.1	Designation of a net of Technical Services for conducting mandatory tests	Within 3 months of accession	National Focal Point / Competent authority	
4.2	Setting up 1958 Agreement expert workshops	Within 6 months of accession	National Focal Point / Competent authority	
4.3	Procedures to be followed	Within 9 months of accession	National Focal Point / Competent authority	
4.4	Create a reliable database accessible by all parties	Within first year of accession	Competent authority	
STEP 5: Enforcement				
5.1	Introduce or amend laws for enforcement activities	Within 3 months of accession	Law-making authority	
5.2	Train control officers appropriately	Within 6 months of accession	National Focal Point / Competent authority	

ANNEXES AND BACKGROUND DOCUMENTS

NOTE: All documents annexed to the present will be made available only in the electronic version of the Road Map, while they can also be found in the UNECE website.

I. Agreement concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations (Revision 3):

(http://www.unece.org/trans/main/wp29/wp29regs.html)

II. UN Regulations annexed to the 1958 Agreement:

http://www.unece.org/trans/main/wp29/wp29regs1-20.html

http://www.unece.org/trans/main/wp29/wp29regs21-40.html

http://www.unece.org/trans/main/wp29/wp29regs41-60.html

http://www.unece.org/trans/main/wp29/wp29regs61-80.html

http://www.unece.org/trans/main/wp29/wp29regs81-100.html

http://www.unece.org/trans/main/wp29/wp29regs101-120.html

http://www.unece.org/trans/main/wp29/wp29regs121-140.html

http://www.unece.org/trans/main/wp29/wp29regs141-160.html

III. Status of the 1958 Agreement, and of the annexed UN Regulations and of the Type Approval Authorities and Technical Services:

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocstts.html

PART II:

THE 1997 AGREEMENT

THE 1997 AGREEMENT ON PERIODICAL TECHNICAL INSPECTION OF VEHICLES

A Periodical Technical Inspection lane / Picture courtesy of itvasa of its facilities

H.1 SAFEGUARDING VEHICLES SAFE AND ENVIRONMENTALLY-FRIENDLY

At the Vienna Conference in 1997 the Ministers of Transport agreed on a UN Agreement on Periodical Technical Inspections (PTI) of vehicles in use to harmonize the technical requirements of vehicles transporting goods. One of the aims of the PTI Agreement is to ensure a higher level of safety and protection of the environment in the countries that decided harmonize their PTI system. The 1997 Agreement was presented by ECE at the Vienna Conference. The World Forum for Harmonization for Vehicle Regulations (WP.29) was the body that drafted the text of the Agreement.

Once the 1997 Agreement was adopted, the representatives of the countries participating at the World Forum WP.29 finally developed its annexed UN Rules Nos. 1 and 2 regarding the PTI of commercial vehicles for emissions and safety.

In addition to the representatives of the countries on the World Forum WP.29 other actors participate in the development of the 1997 Agreement and on its UN Rules. NGOs are substantive contributors to the process of developing UN Rules on PTI. They are often called upon for technical data and advice. NGOs representatives, in response to requests made by the governmental representatives, have provided proposals for UN Rules and amendments to existing ones.

H.2 THE UN 1997 AGREEMENT

At the time when the Agreement was done, the regulatory and technical situation of the heavy-duty vehicles was broadly different in the European countries members of the UNECE region, and it was considered that fixing a minimum level of environmental and safety performance for these vehicles in use was useful in order to facilitate the intra-European traffic of commercial vehicles.

Until now, two Technical UN Rules for vehicle inspection have been annexed to the Agreement with the technical contribution of WP.29 participants and in particular of the International Motor Vehicle Inspection Committee (CITA). These UN Rules may be considered as useful by countries which wish to introduce, by strengthen their national legislation, a periodic inspection system based on international expertise.

It is envisaged, with cooperation and support from CITA which has broad international membership, to develop and update on a regular basis the technical UN Rules annexed to the Agreement.

The process of the EU accession to the 1997 Agreement, that started about ten years ago, was put on hold due to the European Commission initiative on the so-called roadworthiness package. This resulted in the introduction of three European Union Directives that were due for implementation by May 2018. In the meantime, WP.29 updated the 1997 Agreement and the Rules annexed to it and issued a Resolution R.E.6 which is now fully aligned with the roadworthiness package, that has opened the door for the continuation of the EU accession process to the 1997 Agreement.

The 1997 Agreement has 2 UN Rules annexed to it. These UN Rules, which had been revised and had entered into force at the beginning of 2018, govern M_1, M_2, M_3, N_1, N_2, N_3, O_3 and O_4 categories of road vehicles. The reciprocal recognition of PTI among Contracting Parties applying the UN Rules facilitates cross-border circulation of motor vehicles.

The Administrative Committee of the Agreement (AC.4) has adopted an amendment to the Agreement as well as 2 new UN Rules that are in the process of entry into application.

H.3 MAIN PROVISIONS OF THE 1997 AGREEMENT AND ITS ANNEXED RULES

- Members of the UN and Regional Economic Integration Organizations are eligible to become contracting parties to the 1997 Agreement.

- The 1997 Agreement provides the legal framework and procedures for the adoption of uniform Rules for carrying out technical inspections of vehicles in use and for the reciprocal recognition of the certificates of such inspections;

- Under the Agreement new UN Rules and amendments to existing UN Rules are established by a vote of two-thirds majority of Contracting Parties present and voting. The established UN Rule is forwarded to the UN Secretary-General and then notified to each Contracting Party. (Articles 1 and 2);

- The new UN Rule or amendment to an existing UN Rule enters into force for all Contracting Parties that have not notified the Secretary-General of their objection within six months after the notification, unless more than one-third of the Contracting Parties so object. If more than one-third of the Contracting Parties object, the UN Rule or amendment does not enter into force for any Contracting Party;

- UN Rules under the 1997 Agreement list items to be inspected, inspection methods, and the principal reasons for rejection and an assessment of these deficiencies into these risk categories. The inspection techniques shall use currently available equipment without dismantling or removing any part of the vehicle;

- The International Technical Inspection Certificate issued by designated Accredited Technical Inspection Centres of a Contracting Party shall be reciprocally recognized by other Contracting Parties applying the same Rule(s), if they agree so;

- The periodical inspection reports which are in use in the Contracting Parties to the Agreement may be used as an alternative. A sample of them shall be transmitted to the secretariat of WP.29 for information to the Contracting Parties;

- The Agreement also permits a Contracting Party, upon notice, to begin applying a UN Rule after it has been annexed to the Agreement or to cease application of a UN Rule that it has been applying. In the latter case, the Contracting Party is required to notify the UN Secretary-General of its decision one year in advance;

- The aim of the Agreement and its Rules is to guarantee the service compliance of registered vehicles through all their lifetime;

- Two Rules have been annexed for the time being to the Agreement covering environmental and safety provisions of vehicles to be inspected;

- **UN Rule No. 1** provides the uniform provisions for periodical technical inspections of wheeled vehicles with regard to the protection of the environment;

- The maximum inspection interval is the following:

Vehicle Categories	Maximum Inspection Intervals
Passenger-carrying motor vehicles: M_1, except taxis and ambulances Goods vehicles: N_1	Four years after the first entry into service of the first registration and every two years thereafter
Passenger-carrying motor vehicles: M_1 used as taxi or ambulances, M_2 and M_3 Goods vehicles: N_2 and N_3 Trailers: O_3 and O_4	One year after the first entry into service of the first registration and annually thereafter.

  - The inspection shall cover at least:
  - the identification of the vehicle
  - the exhaust emissions;
  - the noise emissions;
  - any other safety and environment related items listed in paragraph 5 of the annex to the Rule.

- The annex to UN Rule No. 1 specifies the items to be checked. Having in mind the type of engine of the vehicle and the date of the registration of the vehicle, the UN Rule defines how the vehicle should be checked and the limits for each item.

- **UN Rule No. 2** provides the uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness.

- The maximum inspection interval is as indicated in the table below:

Vehicle Categories	Maximum Inspection Intervals
Passenger-carrying motor vehicles: M_1, except taxis and ambulances Goods vehicles: N_1	Four years after the first entry into service of the first registration and every two years thereafter
Passenger-carrying motor vehicles: M_1 used as taxi or ambulances, M_2 and M_3 Goods vehicles: N_2 and N_3 Trailers: O_3 and O_4	One year after the first entry into service of the first registration and annually thereafter

- The inspection shall cover at least the items listed below
  - Identification of the vehicle;
  - Braking equipment;

Testing braking efficiency © EuroMed - TSP

- Steering;
- Visibility;
- Lighting equipment and parts of electric system;

Testing lighting © Corepics VOF / Shutterstock.com

- Axles, wheels, tyres, suspension;
- Chassis and chassis attachments;

Testing chassis and chassis attachments © By BhFoton / Shutterstock.com

- Other equipment;
- Additional inspections of vehicles for the commercial carriage of passengers.

- UN Rule No. 2 specifies the methods of inspection, the main reasons for rejection and assessment of defects for each category of defects (minor, mayor and dangerous) and limits whenever possible;

Special line for Motorcycles PTI / Picture courtesy of itvasa of its facilities

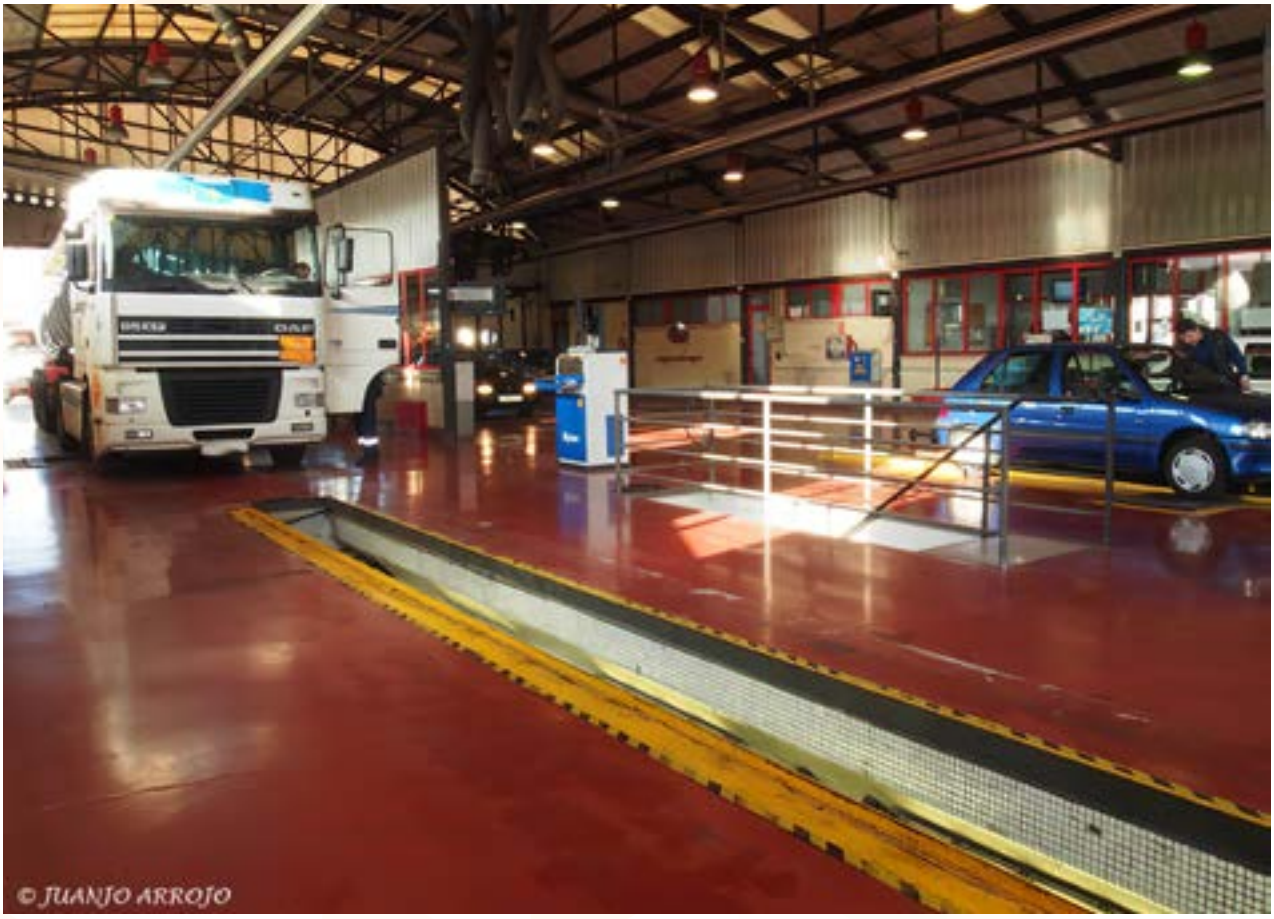
- In addition, the World Forum WP.29 adopted in March 2017 a Resolution on the administrative and technical provisions required for carrying out the technical inspections according to the technical prescriptions specified in Rules annexed to the 1997 Agreement (R.E.6).

- R.E.6 covers the following:

  - Minimum requirements concerning technical inspection facilities and test equipment

  - Minimum requirements concerning the competence, training and certification of inspectors

  - Supervising bodies



Typical PTI for heavy and passenger vehicles / Picture courtesy of itvasa of its facilities

H.4 MAIN BENEFITS FOR THE CONTRACTING PARTIES APPLYING THE RULES

- Increase fleet vehicle's safety and their environmental performance: UN Rules are developed to ensure a considerable level of performance regarding both their safety and environmental conditions during the all lifetime of vehicles;

- Accomplishment of the recommendations of the UN Plan of Action for the Decade of Action for Road Safety: The UN Global Plan of Action for the Decade is based on five pillars. The third pillar is dedicated to safer vehicles and recommends the application of vehicle UN Rules developed by the World Forum WP.29;

- Mutual Recognition of the PTI certificates: A Contracting Party that has decided to apply a Rule annexed to the Agreement has the advantage that its PTI certificate is accepted by the others Contracting Parties applying the same Rule for cross border circulation of vehicles;

- Facilitation in the elaboration of national vehicle regulations: The elaboration of new vehicle provisions for PTI is a complex, time consuming and very expensive process. By the application of UN Rules, which have demonstrated their efficiency, countries have access to a set of vehicle regulations at no cost and as soon as they need;

- Flexibility in the application of the Rules: When acceding to the Agreement, the Contracting Party is free to select which Rules will apply, if any. The Contracting Party can, at any moment to apply any other Rules. Similarly, any Contracting Party can decide to cease the application of any Rule (both simply need to be notified to the UN Secretary General);

- The Contracting Parties can establish their own priorities areas of safety and environmental performance of vehicles by selecting the order on the application of Rules;

- Participation on the decision-making process for the elaboration of Rules: The participation on the elaboration of Rules is open to all the Member States of the United Nations. Nevertheless, only the Contracting Parties to the Agreement can vote when establishing new Rules, or for the adaptation to the technical progress of the Rules the Member State applies;

H.5 MAIN LINKS TO THE 1997 AGREEMENT AND TO ITS UN RULES

(a) Text of the 1997 Agreement:

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp291997.html

(b) UN Rules annexed to the 1997 Agreement:

http://www.unece.org/wp29/wp29wgs/wp29gen/wp291997_rules.html

(c) Status of the 1997 Agreement, and of the annexed UN Rules and of the National Authorities and PTI Centres

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp291997_stts.htmll

(d) Resolution R.E.6 on the administrative and technical provisions required for carrying out the technical inspections according to the technical prescriptions specified in Rules annexed to the 1997 Agreement

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html

(e) United Nations Office of Legal Affairs (New York):

https://treaties.un.org/pages/Overview.aspx?path=overview/overview/page1_en.xml

(f) World Forum for Harmonization of Vehicles Regulations (WP.29) -Homepage:

http://www.unece.org/trans/main/welcwp29.html

(g) Terms of Reference (WP.29):
http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29tor.html

(h) World Forum for Harmonization of Vehicles Regulations (WP.29) –How it works – How to join it:

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29pub.html

THE UNECE-EU-EUROMED TRANSPORT SUPPORT PROJECT ROAD MAP FOR ACCESSION TO AND IMPLEMENTATION OF THE 1997 AGREEMENT

The present Road Map aims at providing guidance to EuroMed countries wishing to accede and implement the 1997 Agreement. Naturally, this Road Map can provide guidance to other countries interested in acceding to the 1997 Agreement beyond the EuroMed region.

The Road Map proposes the implementation of five main steps that if properly and timely pursued would result in the full application of the system in their territories.

STEP 1: PREPARING FOR ACCESSION

1.1 COORDINATION AND RESPONSIBILITIES AT NATIONAL LEVEL

The 1997 Agreement itself as well as its annexed UN Rules that make up the 1997 Agreement may be under the responsibility or interest of different ministries or administrations depending on the administrative structure in place in every country. The ministries, administrations and bodies concerned need to be identified and their representatives should be invited to take an active role in the pre-accession process.

A non-exhaustive list of the ministries, administrations and bodies usually concerned would include: ministries, authorities and bodies in charge of transport, industry, environment, trade and customs.

Representatives of the private sector should be consulted and be involved, if possible, in the process as well as representatives of the users of the UN Rules: transport sector, vehicle and part and components manufacturers, periodical technical centres for conducting the PTI mandatory verifications included in the UN Rules.

A formal coordination of all the participants in the process of pre-accession should be organized.

It is important to have in mind that the final decision on ensuring that safe and less pollutant and noisy vehicles corresponds to the national governments that shall take care of maintaining vehicles safety and keep their emissions at an adequate level.

In addition, it should be noted that each country should assess and define their own needs for an administrative structure, based on culture, standard operating procedures, hierarchy schemes, staff and expertise availability. The sub-steps presented below are recommendations only and should not be regarded as mandatory.

1.2 OVERALL COORDINATION AND SUPERVISION

Although the UN Rules annexed to the 1997 Agreement may involve a number of different ministries and/or bodies, the main responsibility should be assigned to one ministry or governmental agency. In several Contracting Parties to the 1997 Agreement, is the Ministry of Transport, but in other countries is the Ministry of Industry, the Ministry of Interior or even the Ministry of Environment. In this case, the overall supervision and coordination of all 1958 Agreement related actions should be under the competent Minister.

1.3 ESTABLISHMENT OF A COMPETENT 1997 AGREEMENT AUTHORITY

The 1997 Agreement itself is not a highly complex agreement to implement. Nevertheless, its UN Rules annexed to it are, technically speaking, quite complex to implement and secure its future seamless operation. In addition, the coordination and cooperation between all Ministries and other public bodies involved are critical for successful implementation. For these reasons, a national competent authority shall be established.

The competent authority will work on issues relating to national implementation and the concerned public and private stakeholders, taking into account the availability of expertise and resources. The competent authority should have both responsibility and authority and may represent the country in international meetings especially at the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29) sessions. It is also highly recommended that experts participate at the sessions of the six Working Parties subsidiary to the World Forum WP.29 (see chart of page 11 above), when matters related to this Agreement be considered.

Given that the 1997 Agreement imposes that decisions are taken by vote of the Contracting Parties, it is highly recommended that a National Authority be nominated to represent the country at the sessions of WP.29. This National Authority shall be the responsible to authorize Technical Inspection Centres according to specific criteria and to ensure the control of these centres. It is important to note that private centres can be authorized, thus an exhaustive supervision by the National Authority should be envisaged.

Consequently, necessary resources, human and financial, should be made available.

As from an early stage, the designated national competent authority should appoint a "1997 Agreement National Focal Point", dealing permanently with the 1997 Agreement matters .His/her work is of outmost importance for the success of the implementation and smooth operation of the 1997 Agreement in the country. The work of the National Focal Point should be supported by a team of experts as well as by external expertise as necessary and appropriate.

STEP 2:
ADDRESSING STRATEGIC ISSUES PRIOR TO ACCESSION

2.1 STUDYING THE 1997 AGREEMENT AND RELATED NATIONAL LEGISLATION

The National Focal Point and the competent authority shall study the 1997 Agreement, the UN Rules annexed to it and related national legislation. They are also responsible for ensuring that the translation of the 1997 Agreement (as appropriate) is made available. Concerning the translation, it is convenient to note that the 1997 Agreement is made available by the UNECE in its three official languages i.e. English, French and Russian. Until now, the UNECE also provided the text of the Agreement in the other three official languages of the UN, i.e. Chinese, Arabic and Spanish. These texts are included in the UN publication WP.29, how it works, how to join it. The WP.29 secretariat is updating this publication and it is expected that the complete and update text of the Agreement be incorporate in this publication.

Following the study of the 1997 Agreement and the analysis of the UN Rules annexed to it as well as the related Resolution R.E.6, the competent authority responsible for the Periodical Technical Inspection of road transport vehicles shall be convinced about the advantages of the accession to the 1997 Agreement. Other Departments that have technical competencies on the matter (eventual future Technical Services etc.) should be involved. Other Departments that have administrative and legal competencies to sign an international Agreement (i.e. Foreign Affairs, Environment, Industry) should be consulted and ensured about the advantages.

After completion of the above, the national/regional Authority of the country should take the political decision, if necessary, to initiate the national/regional (internal) procedure for the accession to the 1997 Agreement.

2.2 DECIDING ON THE SCOPE AND APPLICABILITY OF THE 1997 AGREEMENT AND ITS ANNEXED UN RULES

Article 9 of the Agreement stipulates that any Contracting Party may, at the time of acceding to this Agreement, declare that it does not consider itself bound by Article 8 of the 1997 Agreement, dealing with disputes between two or more Contracting Parties concerning the interpretation or application of this Agreement. The Contracting Party having entered a reservation as provided for in Article 8 may at any time withdraw such reservation by notifying the Secretary-General of the United Nations.

No other reservation to the 1997Agreementand to the UN Rules annexed thereto shall be permitted; but **any Contracting Party** may, in accordance with the terms of Article 1, paragraph 4, **declare that it does not intend to apply certain of the UN Rules or that it does not intend to apply any of them.**

Consequently, it is necessary that before acceding to the 1997 Agreement, the country decide if itself consider bound by Article 9.

In the same way, the country shall decide if it does not intend to apply certain of the UN Rules or that it does not intend to apply any of them. This intention shall be clearly specified in the document of accession to the 1997 Agreement. If the country does not declare such limitation, it is understood that it will apply all the UN Rules in force at the moment of its accession. The application of a UN Rule by a Contracting Party implies that the country shall accept the PTI certificate granted by the other Contracting Parties to the 1997 Agreement applying the same UN Rule. Similarly, the other Contracting Parties applying the same UN Rule shall accept the PTI certificate granted by such a Contracting Party.

If a Contracting Party wants to make mandatory a UN Rule in its territory, it shall adopt a legal positive action for it.

The accession to the 1997 Agreement and the application of the UN Rules allow that national legislation can be maintained in parallel to the UN Rules applied by the country. It should be noted, however, that it might be easier for acceding countries just to mandatory apply in their national laws the UN Rules it decide, because having two regulations on the same subject with different provisions will conduct that every vehicle will be in conformity with that of inferior level.

As mentioned before, PTI authorized centres can be either owned by the administration or agencies as well as by private societies. It can also be possible by a mix of them. It is important to select what kind of centres the party will prefer.

All the above-mentioned questions shall be decided by the country before initiating the process of accession to the 1997 Agreement.

STEP 3:
ACCESSION TO THE 1997 AGREEMENT

Article 4 of the 1997 Agreement designates the eligibility of countries for accession to it. Currently, States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity may become Contracting Parties to the 1997 Agreement, as well as States which may participate in certain activities of the Economic Commission for Europe by acceding. **In effect, this means that the 1997 Agreement is open to all countries of the world being members of the UN Organization.**

Countries that wish to accede to the 1997 Agreement shall submit to the Secretary-General of the United Nations an official request also known as an "Instrument of Accession".

This instrument shall be signed by one of three specified authorities, namely the Head of State, Head of Government or Minister for Foreign Affairs. There is no specific form of the instrument, but it must include the following:

- Title, date and place of conclusion of the legal instrument concerned;
- Full name and title of the person signing the instrument, i.e., the Head of State, Head of Government or Minister for Foreign Affairs or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities;
- An unambiguous expression of the intent of the Government, on behalf of the State, to consider itself bound by the legal instrument and to undertake faithfully to observe and implement its provisions;
- Date and place where the instrument was issued;
- Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal only is not sufficient) or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities.

A model of an Instrument of Accession adapted to the accession to the 1997 Agreement is reproduced below.

MODEL OF AN INSTRUMENT OF ACCESSION

(Model adapted to the accession to the 1997 Agreement)

(To be signed by the Head of State, Head of Government or Minister for Foreign Affairs)

ACCESSION

WHEREAS the Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections, of 1997.

NOW THEREFORE I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs] declare that the Government of[name of State], having considered the above-mentioned Agreement, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

[Accordingly, to Article 2.4 of the Agreement, [name of State] declares that it is not bound by [any/list the Rules] optional (see 2.2 above)].

[In accordance to Article 9, [name of State]declares that it does not consider itself bound by Article 8 of the Agreement] optional see 2.2 above)].

IN WITNESS WHEREOF, I have signed this instrument of accession at [place] on [date]

[Signature]

An instrument of accession becomes effective only when it is deposited with the Secretary-General of the United Nations at United Nations Headquarters in New York City. The date of deposit is normally recorded as that on which the instrument is received at Headquarters. Countries are advised to deliver such instruments to the Treaty Section, Office of Legal Affairs of the United Nations directly to ensure the action is promptly processed.

Furthermore, it should be noted that the 1997 Agreement enters into force on the sixtieth day after the deposit of its instrument of accession. By that time, each country should be in a position to comply with all the provisions of the Agreement.

STEP 4:
SETTING UP A PERIODICAL TECHNICAL INSPECTION CERTIFICATION PROCESS

The main objective of the 1997 Agreement is the granting of Technical Inspection Certificates for registered vehicles having successfully passed PTI and thus ensuring a high level of safety and protection of the environment. Directly derivate from this objective is the mutual recognition of the PTIs certificates.

The Certificates are issued after specific tests as defined in each UN Rule. PTI Centres, which shall be authorized by the National Authority, shall issue a Technical Inspection Certificate.

CONTENT OF THE INTERNATIONAL TECHNICAL INSPECTION CERTIFICATE

Space for the distinguishing sign of the state or of the UN

.....

(Administrative Authority responsible for technical inspection)

..... 1/

CERTIFICAT INTERNATIONAL DE CONTROLE TECHNIQUE 2/

Page 1

1/ Title "INTERNATIONAL TECHNICAL INSPECTION CERTIFICATE" in national language.

2/ Title in French.

INTERNATIONAL TECHNICAL INSPECTION CERTIFICATE

1. Licence plate (Registration) No. .....

2. Vehicle identification No. .....

3. First registration after the manufacture (State, Authority) 1/

4. Date of first registration after the manufacture .....

5. Date of the technical inspection .....

CERTIFICATE OF COMPLIANCE

6. This certificate is issued for the vehicle identified under Nos. 1 and 2 which complies at the date under No 5 with the Rule(s) annexed to the 1997 Agreement on the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections.

7. The vehicle has to undergo its next technical inspection according to the Rule(s) under No. 6 not later than:

   Date: (month/year) .....

8. Issued by.....

9. At (Place) .....

10. Date .....

11. Signature 2/

Page 2

1/ If available, authority and state where the vehicle was registered for the first time after

12. Subsequent periodical technical inspection(s) 1/
12.1. Done by (Technical Inspection Centre) 2/ 12.2. (stamp) 12.3. Date 12.4. Signature 12.5. Next inspection due not later than: (month/year)
Page 3

1/ Items 12.1 to 12.5 to be repeated if the Certificate is to be used for subsequent annual periodical technical inspections.

2/ Name, Address, State of the Technical Inspection Centre accredited by the competent Authority.

NOTE: This International Technical Inspection Certificate can be replaced by the National one provided it contains at least the same information and had been communicated to the WP.29 secretariat. The secretariat will circulate the National Certificate for information to the other Contracting Parties to the Agreement

Consequently, the Competent Authority shall be responsible for setting-up a Technical Certification process for the PTI Centres authorized. For the designation of a net of PTI Centres see paragraph 4.1 below.

4.1 DESIGNATION OF A NETWORK OF TECHNICAL CENTRES FOR CONDUCTING MANDATORY PROCEDURES AND TESTS FOR PTI

To obtain the Technical Certificate, the vehicles shall pass the tests and controls specified in each UN Rule. The tests can only be conducted at the PTI Centres previously authorized by the National Authority in accordance with the conditions fixed in the 1997 Agreement (see also R.E,6). These conditions imply that the PTI Centres shall be equipped with the necessary apparatus for conducting the tests and their staff shall have the technical skills and knowledge to be able to conduct them.

Typical PTI for passenger vehicles / Picture courtesy of itvasa of its facilities

Contracting Parties can designate PTI Centres to operate in the country either owned by the government, any public agency or by private companies. In any case, the Competent Authority is responsible for the designated Technical Centres and shall verify that they are properly conducting the tests established in the UN Rules.

Regarding the staff needed, in addition to the Director of the Technical Centre, engineers as well as technicians are required. In addition, administrative personnel are needed, proportionally to the size and needs of the Centre.

The Resolution R.E.6 provides recommendations regarding: a) the minimum requirements concerning technical inspection facilities and test equipment; b) the minimum requirements concerning the competence, training and certification of inspectors; and c) provisions and procedures concerning supervising bodies established by Contracting Parties.

Not all PTI centres have a rectangular shape © Picture courtesy of itvasa of its facilities

4.2 SETTING UP 1997 AGREEMENT EXPERT WORKSHOPS/SEMINARS

Even if the 1997 Agreement does not mandate to have workshops/seminars to form experts for the application of the provisions of the Agreement itself or those of the UN Rules annexed to it, it is advisable to organize expert workshops/seminars to form the different stakeholders that will be implied in the application and enforcement of the provisions of the 1997 Agreement and its annexed UN Rules.

It is necessary that the inspectors conducting PTIs be continuously formed in the techniques of new vehicles technologies and on how test them.

Workshops/seminars should be addressed to the staff working in the PTI Services and should focus on how to deal with the administrative process of granting the Technical Inspection Certificate. The R.E.6 part on training of inspectors provides further guidance on training and certifications of inspectors.

4.3 PROCEDURES TO BE FOLLOWED

The UN Rules annexed to the 1997 Agreement establish in detail the methods and procedures that should be followed for the PTI of vehicles. The procedures of the 2 UN Rules are complemented with those of Resolution R.E.6.

4.4 CREATE A RELIABLE DATABASE OF VEHICLES TO REGISTER THEIR SITUATION REGARDING THEIR PTI STATUS

To increase vehicles safety and to guarantee that all the vehicles of the national fleet are in compliance with the obligation of the PTI it is essential to establish a national database on which all the results of the PTI be included. The database should include not only the positive results of the PTI, but also the negative results.

All the PTI centres should be interconnected to this database allowing any technical centre to know the PTI history of any vehicle. The database should be managed by the national competent authority and be also accessible to the traffic police for verification that vehicles are covered by a valid PTI certificate.

The 1997 Agreement imposes that an International Technical Inspection Certificate, as reproduced in Appendix 2 to the 1997 Agreement, is mandatory on each vehicle. But the 1997 Agreement stipulates that the periodical inspection reports which are in use in the Contracting Parties to the Agreement may be used as an alternative. A sample of them shall be transmitted to the Secretary-General of the United Nations for information to the Contracting Parties. A link to the WP.29 website, where all the national certificates are provided, is available in the annex to this Road Map.

STEP 5: ENFORCEMENT

Each vehicle registered in a country and being part of the scope of the national PTI legislation shall have a valid PTI Certificate.

5.1 INTRODUCE OR AMEND LAWS FOR ENFORCEMENT ACTIVITIES

competent authority, take into consideration the enforcement aspects at their respective national level and define an enforcement strategy.

Each Contracting Party shall take all appropriate measures to ensure observance of the provisions of the 1997 Agreement.

As mentioned before, the mandatory application of a UN Rule needs a legal positive action by the Contracting Party. Consequently, one of the first modifications of the national legislation shall be to make mandatory those selected UN Rules that the party applies.

As the Rules annexed to the 1997 Agreement are updated to new provisions and new technologies, it shall be convenient to establish a procedure on how to update the national law to incorporate the references to the new amendments to the Rules adopted by the World Forum WP.29 and entered into force.

5.2 ESTABLISHMENT OF APPROPRIATE TRAINING

Law enforcers should be trained for both the understanding of the provisions of the 1997 Agreement and for the enforcement of it.

A non-exhaustive list of the training methods for such purposes would include:

- Seminars
- On-site demonstration with other Contracting Parties having an adequate PTI system in force

Seminar of employees / Courtesy of ITVASA of its facilities

SUMMARIZED ROAD MAP TABLE OF ACTIONS

UNECE

EuroMed Transport SUPPORT PROJECT

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PREPARATION FOR ACCESSION		ACCESSION	IMPLEMENTATION	
STEP 1	STEP 2	STEP 3	STEP 4	STEP 5

NR	STEPS	TIME OF COMPLETION	RESPONSIBLE	REMARKS
STEP 1: Preparing for accession				
1.1	Coordination and responsibilities at national level	Planning period	Highest government level	
1.2	Overall coordination and supervision	Planning period	Highest government level	
1.3	Establishment of a competent authority	Planning period	Highest government level	
STEP 2: Addressing strategic issues prior to accession				
2.1	Studying the 1997 Agreement and related national legislation	Planning period	Highest government level / National Focal Point Competent Authority / National Experts	
2.2	Deciding the scope and applicability of the 1997 Agreement and its annexed UN Regulations	Planning period	Highest government level / National Focal Point	
STEP 3: Accession to the 1958 Agreement				
-	-	After planning period	Highest government level	
STEP 4: Setting up a Type Approval Certification process				
4.1	Designation of a net of Technical Services for conducting mandatory tests	Within 3 months of accession	National Focal Point / Competent authority	
4.2	Setting up 1997 Agreement expert workshops	Within 6 months of accession	National Focal Point / Competent authority	
4.3	Procedures to be followed	Within 9 months of accession	National Focal Point / Competent authority	
4.4	Create a reliable database accessible by all parties	Within first year of accession	Competent authority	
STEP 5: Enforcement				
5.1	Introduce or amend laws for enforcement activities	Within 3 months of accession	Law-making authority	
5.2	Train control officers appropriately	Within 6 months of accession	National Focal Point / Competent authority	

ANNEXES AND BACKGROUND DOCUMENTS

NOTE: All documents annexed to the present will be made available only in the electronic version of the Road Map, while they can also be found in the UNECE website.

I. Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections, of 1997 (Done at Vienna on 13 November 2018):

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp291997.html

II. UN Rules annexed to the 1997 Agreement:

http://www.unece.org/wp29/wp29wgs/wp29gen/wp291997_rules.html

III. Resolution R.E.6 on the administrative and technical provisions required for carrying out the technical inspections according to the technical prescriptions specified in Rules annexed to the 1997 Agreement:

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html

IV. Status of the 1997 Agreement and of the UN Rules annexed to it:

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp291997_stts.html

The status of the 1997 Agreement includes in addition to the status of the Agreement and its UN Rules the following information:

(a) The list of Contracting Parties to the 1997 Agreement

(b) List of Countries Signatories Pending Ratification

(c) Notifications by the Contracting Parties regarding the Administrative Authorities and Technical Services

(d) National Technical Inspection Certificates which are in use in the Contracting Parties as an alternative to the model of Appendix 2 of the Agreement (in accordance with paragraph 4 Appendix 2 of the Agreement)

http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp291997_insp_certif.html

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UNECE-EU-EUROMED TRANSPORT SUPPORT PROJECT ROAD MAPS

FOR ACCESSION TO AND IMPLEMENTATION OF THE UN 1958 AND 1997 AGREEMENTS

FOR SAFER AND CLEANER VEHICLES

ROAD MAPS

for accession to and implementation of the United Nations 1958 and 1997 Agreements

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