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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe on proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171, on proposals for a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant; on proposals for modifications to UN global technical regulation Nos 6, 7, and 14; on a proposal for an amendment to the consolidated resolution on the common specification of light source categories; on a proposal for an amendment of UN mutual resolution No 1; and on a proposal for a terms of reference of the informal working group on periodical technical inspections

Delegations will find attached document COM(2024) 486 final.

Encl.: COM(2024) 486 final

EUROPEAN
COMMISSION

Brussels, 22.10.2024
COM(2024) 486 final

2024/0269 (NLE)

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe on proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171, on proposals for a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant; on proposals for modifications to UN global technical regulation Nos 6, 7, and 14; on a proposal for an amendment to the consolidated resolution on the common specification of light source categories; on a proposal for an amendment of UN mutual resolution No 1; and on a proposal for a terms of reference of the informal working group on periodical technical inspections

EXPLANATORY MEMORANDUM

1. SUBJECT MATTER OF THE PROPOSAL

This proposal is for a decision establishing the position to be taken on the EU's behalf in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe (WP.29) on the adoption of modifications to current United Nations (UN) regulations.

2. CONTEXT OF THE PROPOSAL

2.1. The Revised 1958 Agreement and the Parallel Agreement

Two agreements are in place to develop harmonised requirements to remove technical barriers to trade in motor vehicles between the United Nations Economic Commission for Europe (UNECE) contracting parties, and to ensure that motor vehicles offer a high level of safety and environmental protection. These are:

– the Agreement of the UNECE on the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions (the 'Revised 1958 Agreement'); and

– 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 (the 'Parallel Agreement').

The agreements entered into force for the EU on 24 March 1998 and 15 February 2000 respectively. Work related to these agreements is overseen by WP.29.

2.2. The World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe

WP.29 provides a unique framework for globally harmonised regulations on vehicles. WP.29 is a permanent working party in the UN institutional framework with a specific mandate and specific rules of procedure. It works as a global forum enabling open discussions on motor vehicle regulations and on the implementation of the Revised 1958 Agreement and the Parallel Agreement. Any UN member and any regional economic integration organisation set up by UN members may fully participate in the activities of WP.29 and become a contracting party to the agreements on vehicles overseen by WP.29. The EU is a party to these agreements[1].

UNECE WP.29 meets three times a year, in March, June and November. To reflect technical progress, at each meeting, WP.29 can adopt:

new UN regulations;

new UN resolutions;

[1] Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') (OJ L 346, 17.12.1997, p. 78).
Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of 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 ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12).

new UN global technical regulations (UN GTRs);

modifications to UN regulations and resolutions under the Revised 1958 Agreement; and

modifications to UN GTRs and resolutions under the Parallel Agreement.

Before each WP.29 meeting, dedicated subsidiary bodies of WP.29 discuss these modifications at technical level.

Subsequently, WP.29 can adopt proposals:

by a qualified majority of the contracting parties present and voting for proposals under the Revised 1958 Agreement; or

by a consensus vote of the contracting parties present and voting for proposals under the Parallel Agreement.

Before each WP.29 meeting, a Council Decision under Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) establishes the position to be taken on behalf of the EU on:

new UN regulations, UN GTRs and UN resolutions; and

amendments, supplements and corrigenda to UN regulations, UN GTRs and UN resolutions.

2.3. The envisaged act of WP.29

From 12 to 15 November 2024, during its 194th session, WP.29 may adopt:

proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 32, 33, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171;

proposals for a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant;

proposals for modifications to UN global technical regulation (GTR) Nos 6, 7, and 14;

a proposal for an amendment to the consolidated resolution on the common specification of light source categories;

a proposal for an amendment of UN mutual resolution No 1; and

a proposal for a terms of reference of the informal working group on periodical technical inspections.

3. POSITION TO BE TAKEN ON THE EU'S BEHALF

The WP.29 system strengthens international harmonisation of vehicle standards. The Revised 1958 Agreement plays a key role in achieving this objective. EU manufacturers can use a common set of type approval regulations knowing that contracting parties will recognise their products as compliant with their national legislation.

This made it possible for Regulation (EC) No 661/2009 on the general safety of motor vehicles to repeal more than 50 EU directives and replace them with corresponding regulations developed under the Revised 1958 Agreement.

Regulation (EU) 2018/858 of the European Parliament and of the Council[2] follows a similar approach. It lays down administrative provisions and technical requirements for type approval and placing on the market of all new vehicles, systems, components and separate technical units. This Regulation incorporates regulations adopted under the Revised 1958 Agreement in the EU type approval system, either as requirements for type approval or as alternatives to EU legislation.

Once WP.29 has adopted a proposal for a new UN regulation or for modifications to an existing UN regulation, UNECE's Executive Secretary notifies the corresponding act to the contracting parties. Unless a blocking minority of contracting parties objects within 6 months, the act enters into force. Then, each contracting party can transpose the act into its applicable national rules. In the EU, the act's publication in the *Official Journal of the EU* completes the transposition process.

The EU's position needs to be established on the following acts:

– proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171 to update provisions on:

  – international whole-vehicle type-approval - the proposed amendments aim to introduce new transitional provisions;

  – electromagnetic compatibility - the proposed amendments aim to introduce new transitional provisions for radiated immunity tests. In addition, the proposal aims to clarify the minimum number of steady state operating conditions of vehicle propulsion systems which must be considered in the test plan. The proposal also proposes to extend the frequency range of electromagnetic immunity test. The proposal also introduces new emission limits for vehicles which are charged only in non-residential environments;

  – heavy vehicle braking - the proposed amendments aim to improve consistency in the interpretation of the Annex 18 requirements, align the text in UN regulation No 13 with that of Annex 6 to UN regulation No 79 and require the same assessment procedures for both electronic control systems and complex electronic control systems. The proposed amendments also aim to introduce new transitional provisions. The proposed amendments aim to clarify the need to apply, when relevant, the Type II test for alternative brake lining purposes;

  – braking of passenger cars - the proposed amendments seek to permit the use of braking systems that rely purely on the use of stored electrical energy, controlled by the driver, to provide the service braking performance prescribed in this regulation. The proposal mirrors, where appropriate, the changes proposed for UN regulation No 13 and includes additional provisions that require the energy management system to display a warning at the start of a use cycle;

  – anchorages of safety-belts - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration

[2] Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– safety-belts - the proposed amendments seek to update specific requirements, including transitional provisions, and approval process of safety-belts and restraint systems only, following the decision to move the requirements for the installation of safety-belts and restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems and safety-belt reminders into two new UN regulations. The proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– strength of seat - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– interior fittings - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– head restraints - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– cabs of commercial vehicles - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– safety-glazing - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– devices for indirect vision - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated

resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations. In addition, the proposal aims to clarify the requirements applicable to camera-monitor systems and resolves the issue for vehicles carrying dangerous goods, equipped with a feature to enable the de-energization of the electrical circuits;

– installation of lighting and light-signalling devices for mopeds - the proposed amendments seek to introduce new requirements with regard to the installation of optional direction indicators on bicycles, including vehicles with a maximum design speed not exceeding 25 km/h;

– strength of seats and their anchorages (buses) - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– installation of lighting and light-signalling devices for agricultural vehicles - the proposed amendments seek to introduce technical clarifications and provide editorial corrections with respect to geometric visibility of lamps, including their number and location;

– frontal collision protection - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– lateral collision protection - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– electric power trained vehicles - the proposed amendments seek to extend the scope of application of the regulation to vehicles of category O (trailers/semi-trailers);

– compressed natural gas and liquified natural gas vehicles - the proposed amendments seek to modify marking requirements when more than one UN regulation applies to one component, thus aligning the requirements of UN regulation No 110 to UN regulations Nos 67, 107 and 158;

– airbag module for a replacement airbag system - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– anti-theft and alarm systems - the proposed amendments seek to reintroduce the reference to vehicle alarms systems approved in accordance with the provisions of UN regulation No 163, which were mistakenly omitted following the split of UN regulation No 116 into UN regulations No 161, 162 and 163;

– fire resistance of interior materials - the proposed amendments seek to modify marking requirements when more than one UN regulation applies to one component, thus aligning the requirements of UN regulation No 118 to UN regulations Nos 67, 107 and 158;

– forward field of vision of drivers - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations. The transitional provisions are aligned with the entry into force of the new UN regulation and the specific field of vision assistant requirements;

– pedestrian safety - the proposed amendments aim to clarify how to determine the thirds of the windscreen test area;

– enhanced child restraint systems - the proposed amendments aim to correct an inconsistency, so that all anchorages fulfil the requirement for two adjacent child restraint systems' positions. The proposed amendments seek to specify transitional provisions for the acceptance of type-approvals issued according to preceding versions of the regulation and update Annex 27 to be consistent with the latest version of the 03 series of amendments;

– hydrogen and fuel cells vehicles - The proposed amendments aim to clarify the requirements related to the thermally activated pressure relief device and the required supply lines;

– pole side impact (PSI) - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– frontal impact with focus on restraint systems - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations. In addition, the proposal aims to amend the requirement for the thorax compression criterion of the 5th female dummy in the case of vehicles of category N1;

– ISOFIX anchorage systems, ISOFIX top tether anchorages and i-Size - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global

technical regulations is consistent and gives consistent test results among all regulations;

– mechanical couplings for agricultural vehicles - the proposed amendments aim to remove the possibility of different technical requirements being applied by type approval authorities when mechanical couplings for agricultural tractors with a maximum speed in excess of 60 km/h are submitted for type approval testing. The proposal also seeks to align requirements with EU approvals which are accepted to be technically correct in design and safe to use at all speeds;

– light-signalling devices - the proposed amendments seek to clarify the requirements in relation to luminous intensities for daytime running lamps;

– road illumination devices - the proposed amendments seek to introduce the linearity measurement method to obtain comparable measurement results in all laboratories;

– fuel system integrity and electric power train safety at rear-end collision - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations. In addition, the proposal aims to update the requirements on post-crash electrical safety in order to align them with other crash regulations on post-crash safety;

– automated lane keeping systems (ALKS) - the proposed amendments seek to clarify that the effectiveness of the system shall not be adversely affected by magnetic or electrical fields both when the ALKS is operational and deactivated;

– reversing motion - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– vulnerable road users in front and side close proximity - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations;

– vulnerable road users direct vision - the proposed amendments seek to align the requirements with the latest amendment (revision 7) of consolidated resolution on the construction of vehicles (R.E.3), introducing a calibration procedure, assuring that the 3-D "H"-point machine used for all testing in UN regulations and UN global technical regulations is consistent and gives consistent test results among all regulations. In addition, the proposal seeks to render the visible volume requirements to the front of the vehicle

technology neutral and improves direct vision directly in front of the vehicle; and

- driver control assistance systems (DCAS) - the proposed amendments seek to provide additional editorial corrections and clarifications;

- proposals for:
  - a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems - this proposal for a new regulation intends to introduce specific requirements and approval process of a vehicle type with regard to safety-belts and child restraint systems installation, based on the requirements derived from UN regulation No 16;
  - a new UN regulation on safety-belt reminders - this proposal for a new regulation intends to introduce specific requirements and approval process of a vehicle type with regard to its safety-belt reminders, based on the requirements derived from UN regulation No 16;
  - a new UN regulation on uniform provisions for the approval of acceleration control for pedal error - this proposal for a new regulation aims to introduce new requirements that limit the effect of an accelerator pedal application by the driver preventing collisions caused by unintended acceleration; and
  - a new UN regulation on field of vision assistant - this proposal for a new regulation seeks to introduce new requirements that ensure that the field of vision assistant assists the driver in performing the task of driving while limiting the obstruction and the possible distraction it may cause; and
- proposals for modifications to UN global technical regulation (GTR) Nos 6, 7, and 14 to update provisions on:
  - safety glazing - the proposed amendments seek to update and transfer the specifications of the 3-D "H"-point machine to M.R.1. A calibration procedure has been added to ensure that the 3-D "H" point machine used for all testing in UN regulations and UN global technical regulations is consistent and provides consistent test results across regulations;
  - head restraints- the proposed amendments seek to update and transfer the specifications of the 3-D "H"-point machine to M.R.1. A calibration procedure has been added to ensure that the 3-D "H" point machine used for all testing in UN regulations and UN global technical regulations is consistent and provides consistent test results across regulations; and
  - pole side impact - the proposed amendments seek to update and transfer the specifications of the 3-D "H"-point machine to M.R.1. A calibration procedure has been added to ensure that the 3-D "H" point machine used for all testing in UN regulations and UN global technical regulations is consistent and provides consistent test results across regulations.

WP.29 plans to vote on these proposals at its meeting of 12 to 15 November 2024.

In addition, the EU's position needs to be established on:

- a proposal for an amendment to the consolidated resolution on the common specification of light source categories - the proposed amendments aim to introduce

an alternative configuration for the light emitting diode replacement light source category H11, based on the principle of "intelligent equivalence";

– a proposal for an amendment of UN mutual resolution No 1 - the proposed amendments seek to introduce provisions for the specifications and calibration procedure of the 3-D "H"-point machine and the procedure for determining the "H"-point and the actual torso angle for seating positions in motor vehicles, to be used in all referenced UN regulations and GTRs; and

– a proposal for a terms of reference of the informal working group on periodical technical inspections (IWG on PTI) - the proposal seeks to modify the rules of procedure allowing the extension of the mandate of IWG on PTI, removing, in the light of the Russian Federation's war of aggression against Ukraine, the Russian co-chair position and nominating a single chair of IWG on PTI from Finland. The Finnish proposal, which replaces the other two proposals for a terms of reference submitted by IWG on PTI and by the Russian Federation, will permit IWG on PTI to continue with the work on whole-life compliance of vehicles. WP.29 will organise a vote on 3 proposals for a terms of reference[3] of IWG on PTI. The Council Decision will allow the European Commission to take a vote on behalf of seven EU Member States (counting for 7 votes) that are contracting parties to 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').

The EU should support the above acts as they are in line with its internal market policy on the automotive industry regarding safety, automation, and emissions, as well as its geopolitics, transport, climate and energy policies.

All of these acts have a very positive impact on the competitiveness of the EU automotive sector and on international trade. A vote in favour of these acts would foster technological progress, provide economies of scale, prevent fragmentation of the internal market and ensure that automotive standards are applied equally across the EU.

External expertise is not relevant for this proposal. However, the Technical Committee on Motor Vehicles has reviewed this proposal.

4. LEGAL BASIS

4.1. Procedural legal basis

4.1.1. Principles

Article 218(9) TFEU states that the Council adopts decisions establishing 'the positions to be adopted on the Union's behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.'

The concept of 'acts having legal effects' includes acts that have legal effects because of the rules of international law governing the body in question. The concept of 'acts having legal effects' also includes instruments that do not have a binding effect under international law,

[3] ECE/TRANS/WP.29/2024/88, ECE/TRANS/WP.29/2024/158 and ECE/TRANS/WP.29/2024/159

but that are 'capable of decisively influencing the content of the legislation adopted by the EU legislature'[4].

4.1.2. Application to the present case

WP.29 is a body in which the UNECE contracting parties discuss the implementation of the Revised 1958 Agreement and the Parallel Agreement.

The acts that WP.29 is called upon to adopt are acts that have legal effects.

The UN regulations set out in the envisaged act will be binding on the EU. Together with the UN resolution and UN GTRs, they will be able to decisively influence the content of EU legislation in the field of vehicle type approval.

The envisaged acts do not supplement or amend the institutional framework of the Agreement.

Therefore, the procedural legal basis for the proposed decision is Article 218(9) TFEU.

4.2. Substantive legal basis

4.2.1. Principles

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act on which a position is taken on the EU's behalf.

An envisaged act can have two aims or components, one of which can be identified as the main one and the other as merely incidental. In this case, the decision under Article 218(9) TFEU must be founded on a single substantive legal basis, namely the one for the main or predominant aim or component.

4.2.2. Application to the present case

The main objective and content of the envisaged act is the approximation of laws. Therefore, the substantive legal basis of the proposed decision is Article 114 TFEU.

4.3. Conclusion

The legal basis of the proposed decision should be Article 114 TFEU, read in conjunction with Article 218(9) TFEU.

[4] Judgment of the Court of Justice of 7 October 2014, *Germany* v *Council*, C-399/12, ECLI:EU:C:2014:2258, paragraphs 61 to 64.

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on the position to be taken on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe on proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171, on proposals for a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant; on proposals for modifications to UN global technical regulation Nos 6, 7, and 14; on a proposal for an amendment to the consolidated resolution on the common specification of light source categories; on a proposal for an amendment of UN mutual resolution No 1; and on a proposal for a terms of reference of the informal working group on periodical technical inspections

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, read in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By Council Decision 97/836/EC[1], the Union acceded to the Agreement of the United Nations Economic Commission for Europe (UNECE) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement'). The Revised 1958 Agreement entered into force on 24 March 1998.

(2) By Council Decision 2000/125/EC[2], the Union acceded to 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 ('Parallel Agreement'). The Parallel Agreement entered into force on 15 February 2000.

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[1] Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') (OJ L 346, 17.12.1997, p. 78, ELI: http://data.europa.eu/eli/dec/1997/836/oj).

[2] Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of 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 ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12, ELI: http://data.europa.eu/eli/dec/2000/125/oj).

(3) Regulation (EU) 2018/858 of the European Parliament and of the Council[3] lays down administrative provisions and technical requirements for type approval and placing on the market of all new vehicles, systems, components and separate technical units. This Regulation incorporates regulations adopted under the Revised 1958 Agreement ('UN regulations') in the EU type approval system, either as requirements for type approval or as alternatives to Union legislation.

(4) Pursuant to Article 1 of the Revised 1958 Agreement and Article 6 of the Parallel Agreement, the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29) may adopt proposals for modifications to UN regulations, UN global technical regulations (GTRs) and UN resolutions, and proposals for new UN regulations, UN GTRs and UN resolutions on the approval of vehicles. Moreover, pursuant to those provisions, UNECE WP.29 may adopt proposals for authorisations to develop amendments to UN GTRs or to develop new UN GTRs, and may adopt proposals for the extension of mandates for UN GTRs.

(5) From 12 to 15 November 2024, during the 194th session of the UNECE World Forum for Harmonization of Vehicle Regulations, WP.29 may adopt: proposals for modifications to UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 32, 33, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171; proposals for a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant; proposals for modifications to UN global technical regulation (GTR) Nos 6, 7, and 14; a proposal for an amendment to the consolidated resolution on the common specification of light source categories; a proposal for an amendment of UN mutual resolution No 1; and a proposal for a terms of reference of the informal working group on periodical technical inspections.

(6) The UN regulations will be binding on the Union. Together with the UN resolutions and UN GTRs, they will be able to decisively influence the content of EU legislation in the field of vehicle type approval. Therefore, it is appropriate to establish the position to be taken on the Union's behalf in WP.29 on the adoption of those proposals[4].

(7) To reflect field experience and technical developments, the requirements for certain aspects or features covered by UN regulation Nos 0, 10, 13, 13-H, 14, 16, 17, 21, 25, 29, 43, 46, 74, 80, 86, 94, 95, 100, 110, 114, 116, 118, 125, 127, 129, 134, 135, 137, 145, 147, 148, 149, 153, 157, 158, 166, 167, and 171, UN GTR Nos 6, 7, and 14, the consolidated resolution on the common specification of light source categories; and UN mutual resolution No 1 need to be amended or supplemented.

(8) In order to allow for technical progress and in order to improve safety, a new UN regulation on the installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems, a new UN regulation

[3] Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/858/oj).

[4] UN Regulation Nos 32 and 33 are not applicable for the purpose of EU type approval.

on safety-belt reminders, a new UN regulation on uniform provisions for the approval of acceleration control for pedal error, and a new UN regulation on field of vision assistant need to be adopted.

(9) In order to ensure the continuation of work of the informal working group on periodical technical inspections (IWG on PTI) in relation to whole-life compliance of vehicles, the Finnish proposal for a terms of reference needs to adopted, while rejecting the proposals for a terms of reference submitted by IWG on PTI and by the Russian Federation.

(10) These proposals are in line with the EU internal market policy on the automotive industry regarding safety, automation, and emissions, as well as its geopolitics, transport, climate and energy policies and have a very positive impact on the competitiveness of the EU automotive sector and on international trade.

(11) In light of the benefits mentioned it is suggested to vote in favour of these proposals.

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the 194th session of the UNECE World Forum for Harmonization of Vehicle Regulations to be held from 12 to 15 November 2024 shall be to vote in favour of the proposals listed in the Annex to this Decision.

Article 2

This Decision is addressed to the Commission.

Done at Brussels,

For the Council
The President