

Type-Approval Procedure

Information System of the German Type-Approval Authority

Application of UNECE-Regulations containing transitional provisions

Question or Problem:

Usually series of amendments do contain transitional provisions. In some cases Supplements to UNECE-Regulations are containing transitional provisions as well. The question has been raised whether a transitional provision of a series of amendments or Supplement has to be applied for later Supplements, not containing transitional provisions, (e.g. R 48) as well. This would imply that these later Supplements have to be applied according to previous transitional provisions.

Conclusion:

1. In principle the application of the UNECE-Regulation as amended by the latest Supplement including all preceding Supplements is always possible but not always required. If this is done always the amendment that entered into force at last has to be confirmed (e.g. currently Supplement 12 to the 02 Series of amendments of Regulation No. 48).
2. The requirements stated by the transitional provisions have to be fulfilled at least. Thus, a Regulation No. 48 02 - approval may be granted for new types in conformity with Supplement 4 up to 16 July 2006 and with Supplement 6 up to 26 August 2006 although Regulation No. 48 02 at the moment has already been amended by Supplement 12.
3. If the requirements mentioned in item 2 are only completely fulfilled by applying the transitional provisions tests and confirmations referring to Supplements later than the skipped ones are possible as well. In this case the test report may contain a remark concerning the fulfilled requirements of later Supplements as long as the remark is not part of the final statement but separately and clearly identified by the title "remark". In this case however, presently only Supplement 4 or 6 to the 02 Series of amendments of Regulation No. 48 may be indicated by the type-approval certificate.
4. If the requirements of later but not mandatory applicable Supplements as mentioned in item 3 directly minimize the mandatory applicable requirements, a separate decision will be needed.

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