DECISIONS

COUNCIL DECISION (EU) 2020/848

of 16 June 2020

on the position to be taken on behalf of the European Union in the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe as regards the proposals for modifications to UN Regulations Nos 13, 14, 16, 22, 30, 41, 78, 79, 83, 94, 95, 101, 108, 109, 117, 129, 137, 138, 140 and 152, as regards the proposals for modifications to Global Technical Regulations Nos 3, 6, 7, 16 and 19, as regards the proposal for amendments to Consolidated Resolution R.E.3. and as regards the proposals for five new UN Regulations in relation to safety, emissions and automation in the area of motor vehicles

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, 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 those prescriptions (the '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 establishment 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 Parallel Agreement entered into force on 15 February 2000.

(3) Directive 2007/46/EC of the European Parliament and of the Council ([3]) replaced the approval systems of the Member States with a Union approval procedure and established a harmonised framework containing administrative provisions and general technical requirements for all new vehicles, systems, components and separate technical units. That Directive incorporated 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. Since the adoption of Directive 2007/46/EC, UN Regulations have increasingly been incorporated into Union legislation.

(4) Pursuant to Article 1 of the Revised 1958 Agreement and Article 6 of the Parallel Agreement, the UNECE World Forum for Harmonisation of Vehicle Regulations (UNECE WP.29) may adopt proposals for modifications to UN Regulations, UN Global Technical Regulations (UN GTRs) and UN Resolutions as well as proposals for new UN Regulations, UN GTRs and UN Resolutions concerning 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 amendments to UN GTRs and may adopt proposals for the extension of mandates for UN GTRs.

([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).

([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).

([3]) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

(5) UNECE WP.29, during its 181st session to be held on 23 June 2020, may adopt the proposals for modifications to UN Regulations Nos 13, 14, 16, 22, 30, 41, 78, 79, 83, 94, 95, 101, 108, 109, 117, 129, 137, 138, 140 and 152, the proposal for a new UN Regulation concerning the approval of vehicles with regard to fuel system integrity and safety of electric power train in the event of a rear-end collision, the proposal for a new UN Regulation on Worldwide harmonized Light vehicles Test and a modification to that UN Regulation, the proposal for a new UN Regulation on uniform provisions concerning the approval of vehicles with regards to cyber security and cyber security management system, the proposal for a new UN Regulation on uniform provisions concerning the approval of vehicles with regards to software update and software update management system, the proposal for a new UN Regulation on uniform provisions concerning the approval of vehicles with regards to Automated Lane Keeping System, the proposals for modifications to UN GTRs Nos 3, 6, 7, 16 and 19, and the proposal for amendments to Consolidated Resolution R.E.3. on the Construction of Vehicles. Moreover, UNECE WP.29 is to adopt the proposal for the extension of the mandate for UN GTR No 9 and the proposal for authorisations to develop an amendment to UN GTR No 8 and to develop a new UN GTR on in-vehicle battery durability.

(6) It is appropriate to establish the position to be taken on the Union's behalf in UNECE WP.29, as regards the adoption of those proposals, as the UN Regulations will be binding on the Union and, together with the UN GTRs and the Consolidated Resolution R.E.3, capable of decisively influencing the content of Union law in the field of vehicle type-approval.

(7) In the light of experience and technical developments, the requirements relating to certain elements or features covered by UN Regulations Nos 14, 16, 22, 30, 41, 78, 79, 83, 94, 95, 101, 108, 109, 117, 129, 137, 138, 140 and 152, as well as by Consolidated Resolution R.E.3., need to be amended or supplemented.

(8) In addition, certain provisions in UN GTRs Nos 3, 6, 7, 16 and 19 need to be amended.

(9) UN Regulation No 13 needs to be corrected, although the changes concern the Russian language version only.

(10) In order to allow for technical progress and in order to improve vehicle safety and testing of emissions, five new UN Regulations on fuel system integrity and safety of electric power train in the event of a rear-end collision, on a Worldwide harmonized Light vehicles Test, on cyber security and cyber security management system, on software update and software update management system and on Automated Lane Keeping System need to be adopted. In parallel, an amendment to the new UN Regulation with regard to Worldwide harmonized Light vehicles Test needs to be adopted, as this will separately permit a full mutual recognition for the Contracting Parties opting to apply new requirements going beyond the original 00 series of the Regulation, which covers regional requirements only.

(11) In order to allow for further development of technical requirements, the proposals to extend the mandate for UN GTR No 9 and to authorise the development of an amendment to UN GTR No 8 and of a new UN GTR on in-vehicle battery durability need to be adopted on the basis of the requests either by the UNECE Contracting Parties sponsoring the work on UN GTRs or by the dedicated subsidiary bodies of UNECE WP.29.

(12) On 27 February 2020, the Council adopted Decision (EU) 2020/287 ([4]) on the position to be taken on UN GTRs Nos 3, 6 and 16 for the 180th session of UNECE WP.29, which was held between 10 and 12 March 2020. However, WP.29 was not in position to take a vote in that session and decided to resubmit the proposals for a vote at the June session,

([4]) Council Decision (EU) 2020/287 of 27 February 2020 on the position to be taken on behalf of the European Union in the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for modifications to UN Regulations Nos 10, 26, 28, 46, 48, 51, 55, 58, 59, 62, 79, 90, 106, 107, 110, 117, 121, 122, 128, 144, 148, 149, 150, 151 and 152, as regards the proposals for modifications to Global Technical Regulations Nos 3, 6 and 16, as regards the proposal for amendments to Consolidated Resolution R.E.5, and as regards the proposals for authorisations to develop an amendment to GTR No 6 and to develop a new GTR on the Determination of Electrified Vehicle Power (OJ L 62, 2.3.2020, p. 26).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the 181st session of the UNECE World Forum for Harmonisation of Vehicle Regulations to be held on 23 June 2020 as regards the proposals for modifications to UN Regulations Nos 13, 14, 16, 22, 30, 41, 78, 79, 83, 94, 95, 101, 108, 109, 117, 129, 137, 138, 140 and 152, as regards the proposals for modifications to Global Technical Regulations Nos 3, 6, 7, 16 and 19, as regards the proposal for amendments to Consolidated Resolution R.E.3. and as regards the proposals for five new UN Regulations in relation to safety, emissions and automation in the area of motor vehicles ([5]) shall be to vote in favour.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 16 June 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

([5]) See document ST 8471/20 on http://register.consilium.europa.eu.