

MARKINGS IN GTRS, THEIR INTERACTION WITH THE MARKING OF UNECE  
REGULATIONS AND ANY OTHER REGULATORY SYSTEM, AND THEIR LEGAL  
IMPLICATION ON TYPE APPROVAL AND SELF CERTIFICATION SYSTEMS

Comments to the EU proposal ECE/TRANS/WP.29/2007/38

Submitted by the representative of OICA

Introductory remarks

OICA understands that the issue of marking in the framework of global technical regulations under the 1998 Agreement starts to be discussed from a general point of view, following first exchanges of views in the draft gtr on glazing materials.

OICA wishes to stress that some basic principles need to be observed before reaching any conclusions:

1. Any marking requirements in a gtr should not lead to a duplication of marking, in addition to other existing marking requirements at national or UNECE level.
2. Any marking requirement in a gtr should be aimed at facilitating mutual recognition, when the gtr is implemented into national/regional rulemaking.
3. Marking is an inherent part of the certification process and this certification process is anyway not addressed by the 98 Agreement.
4. As a consequence, the whole issue of marking in a gtr is linked to the national or regional transposition of the gtr: any "gtr marking" would not mean anything if this marking is not equally transposed nationally or regionally.
5. For harmonisation, the best solution would obviously be that the gtr marking would fully replace all existing national or regional markings. However, such a situation would only work in the case that the gtr is fully transposed into the national/regional law of every contracting party, without any change.

## OICA position

1. OICA is of the firm opinion that as long as the 98 Agreement does not address certification, there is no benefit in having marking requirements in a gtr
2. For OICA, the priority is to work on the global harmonisation of the technical requirements; marking issues can be reviewed in a 2nd step, whenever addressing the whole issue of certification procedures
3. Simply having a gtr marking in a gtr does not solve anything, since all depends on the transposition of the gtr into national/regional law and since such gtr marking today cannot be used in a mutual recognition process
4. Based on all the above consideration, OICA considers that further consideration is needed before the EU or any other proposal can be agreed upon. As concerns the EU proposal ECE/TRANSWP29/2007/38, OICA has identified the following issues:
  - a. It would in effect lead to products with a multiplication of different markings: the gtr mark, the existing UNECE mark, and any potential additional national mark
  - b. Furthermore, Contracting Parties would even be free to choose a different order (place) of the various markings, leading to the possibility of a variety of different products for different countries, where the only difference is the order or position of the markings.  
This of course would be the complete opposite of harmonisation

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