

REGULATION No. 90  
(Replacement brake linings)

Proposal for draft amendments to Regulation No. 90  
(Replacement brake linings)

Submitted by the expert from OICA

The text reproduced below was prepared by the expert from OICA in order to amend the informal document GRRF-65-7 transmitted by the Chairman of the informal group RD&D. The modifications to the existing text of the Regulation are marked in strike-out characters.

A. PROPOSAL

Paragraph 1.2., amend to read:

- “1.2. Original brake discs and brake drums, fitted at time of manufacturing of the vehicle are not subject to this regulation.  
Original brake discs and brake drums intended for replacement and servicing of the vehicle are not subject to this regulation if the manufacturer has affixed ~~in such a way as to be indelible and clearly legible~~ at least a replacement code as defined in paragraph 2.3.3.”

Paragraph 2.3.3., amend to read:

- “2.3.3 “Replacement Code” identifies a brake disc or brake drum as an original replacement part. It contains at least the manufacturer’s trade name or trade mark and an identification number.  
~~The vehicle manufacturer shall provide to the technical service and/or approval authority the necessary information in electronic format, which makes the link between the replacement code and the braking system type approval documentation.”~~”

B JUSTIFICATION

GRRF agreed at its 63<sup>rd</sup> session that original replacement discs and drums, either mounted on new vehicles or sold as original replacement parts, are out of the scope of regulation UNECE 90.

**Introduction of replacement code**

The question aroused how those parts can be identified as original replacement parts. This identification is necessary because the proposed amendment to regulation UNECE 90 foresees for the type-approval of replacement parts a comparison test between the original part and the replacement part. The solution proposed by the GRRF informal group RD&D is that an original replacement part must bear a “replacement code” which allows identifying it as an original

replacement part at the point of sale. In this case, it is excluded from the scope of regulation UNECE 90.

### **Impact for Countries inside the European Union**

For the contracting parties of the 1958 agreement which are also part of the European Union, the new European Framework Directive 2007/46/EC does also apply to replacement parts. The expert of the European Commission responsible for the Framework Directive confirmed that, with the entry into force of the proposed amendment to regulation UNECE 90, a replacement brake disc or drum will become a "separate technical unit". This is due to the definition of "separate technical unit" which is a device intended to be part of a vehicle which may be type-approved separately, but only in relation to one or more specified types of vehicle.

The marking requirements for separate technical units are defined in article 19 of the framework directive: "...Where no EC type-approval mark is required, the manufacturer shall affix at least his trade name or trade mark, and the type number and/or an identification number." The expert of the European Commission confirmed that, where no EC type-approval mark is required, this article does not require a permanent marking but the possibility to identify a part as a separate technical unit at the point of sale.

### **OICA concerns on current text proposal**

OICA does not challenge the introduction of a replacement code for original replacement discs and drums. We accepted this solution in a spirit of compromise, despite the intrinsic inconsistency of mandating provisions in regulation UNECE 90 for parts which are excluded from the scope of the regulation.

The actual text proposal, however, contains two points which need to be corrected:

#### 1) Replacement Code permanently affixed on original replacement parts

According to the European Framework Directive, the manufacturer shall affix an identification number on separate technical units where no EC type-approval mark is required. In this special case, no permanent marking is required. In consequence, we suggest deleting the supplement "in such a way as to be indelible and clearly legible". If this supplement was not deleted, all original replacement discs and drums would have to be permanently marked with the replacement code at the date of entry into force of the amendment to regulation UNECE 90 which is unfeasible for the current production of original discs and drums which will still be in place at the entry into force.

#### 2) Requirements for braking system type approval documentation in UNECE 90

With the informal documents GRRF-65-8 and -9, the link between the replacement code and the braking system type approval documentation is assured inside regulations UNECE 13 and 13H. A requirement in UNECE 90 for the braking system type approval is not coherent.

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