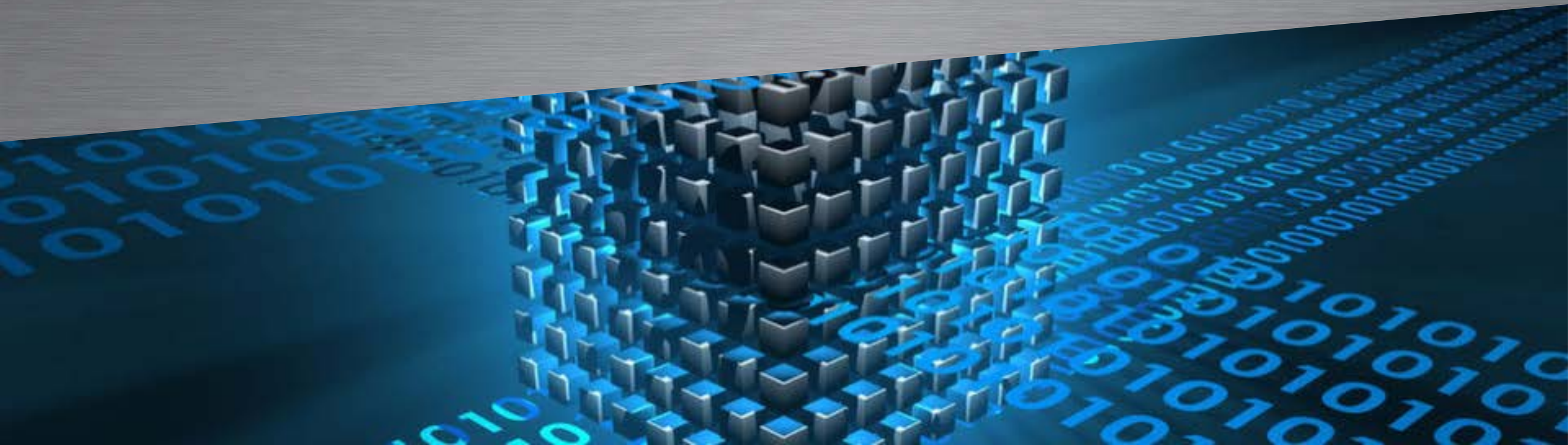


DAIMLER

DETA: how are access rights regulated by 58A rev.3 ?

Martin Kulms, Daimler AG

16.10.2018



Extracts from 58 Agreement (1/3)

- **Article 5:**

1. *The approval authorities of each Contracting Party applying UN Regulations [...]*
2. *In addition, **on receiving a request** from another **Contracting Party applying a UN Regulation**, it shall send forthwith, **in accordance with the provisions of Schedule 5** annexed to this Agreement, to that Contracting Party **a copy of all relevant information on which it based its decision to grant, refuse to grant, or to withdraw** an approval of a wheeled vehicle, equipment or part pursuant to that UN Regulation.*
3. *The paper copy **may be replaced by an electronic file in accordance with Schedule 5** annexed to this Agreement.*

- **Schedule 2** (Assessment, designation and notification of **Technical Services**):

- 1.2. *The Technical Services shall carry out themselves, or supervise, the **tests required for approval or inspections specified in UN Regulations**, except where **alternative procedures are specifically permitted**. They **may not conduct tests or inspections for which they have not been duly designated**.*
- 3.2. *A Technical Service **may conduct the activities** described in paragraph 1 **for the purposes of UN type-approval only if it has been notified** to the UNECE secretariat.*

Extracts from 58 Agreement (2/3)

- **Schedule 3** (Procedures for UN type-approvals):

1.11. The approval authority shall ensure that the following is included in the approval documentation:

*(a) a **record of the worst-case selection** and the justification for that selection. This may include information provided by the manufacturer;*

*(b) a **record of any significant technical interpretation** made, different test methods applied, or new technology introduced;*

*(c) a **test report** from the Technical Service that includes recorded values achieved for measurements and tests as required by the UN Regulation;*

*(d) **information documents** from the manufacturer, properly specifying the characteristics of the type to be approved;*

*(e) a **statement of compliance with the conformity of the production** requirements of Schedule 1 annexed to the 1958 Agreement, detailing which of the arrangements referred to in paragraph 1.3 of Schedule 1 annexed to the 1958 Agreement have been taken into account as the basis for the initial assessment as well as the date of the initial assessment and any surveillance activities;*

*(f) the **type-approval certificate**.*

*2.7. **Confirmation or refusal of amending the UN type-approval**, specifying the alterations, shall be communicated to the Contracting Parties to the 1958 Agreement **applying the UN Regulation** by means of a communication form. [...]*

Extracts from 58 Agreement (3/3)

- **Schedule 5** (Circulation of approval documentation):
 1. **Where an approval authority is required to or is requested to provide a copy of an approval and its attachments, it shall send the documents as paper copies, or by email in electronic format, or by utilising the secure internet database** established by the United Nations Economic Commission for Europe.
 2. **Documents stored on the secure internet database shall consist of at least the documents specified in each UN Regulation.** These shall include documentation communicating to Contracting Parties notice of approval, of extension, of refusal or withdrawal of approval [...]
 3. If the type-approvals [...] are stored on the secure internet database, then the approval markings required by UN Regulations may be replaced by a Unique Identifier (UI) preceded by the symbol xxx, unless specified otherwise in the UN Regulations. [...]
 4. **All Contracting Parties applying a UN Regulation shall have access** to the information for that UN Regulation contained in the database **by using the Unique Identifier** and this will provide access to the relevant information relating to the specific approval(s).
 5. UN Regulations annexed to the 1958 Agreement may require the **circulation of type-approvals by electronic copies utilising the secure internet database**, where necessary for the efficient operation of the approval process, **subject to the access rights as defined by the Contracting Parties.**

Summary

- At least all documents specified in the corresponding regulation shall be stored in DETA (Schedule 5, § 2).
- In addition, the approval granting authority must keep the reasons for the worst-case selection, the reasons for any interpretations and a CoP compliance statement (Schedule 3, § 1.11). This could also be done in DETA.
- An access of other approval authorities on documents stored in DETA is only foreseen for Contracting Parties applying the regulation (Article 5, § 2 and Schedule 3, § 2.7 and Schedule 5 § 4).
 - This means: access ist not foreseen for non-CP's and not for CP's not applying the regulation.
- UN Regulations may require the circulation of type-approvals by using DETA, where necessary for the efficient operation of the approval process, subject to the access rights as defined by the Contracting Parties (Schedule 5, § 5).
 - This means: Additional access to DETA must be required by a UN regulation, must be necessary for an efficient approval process and must be in line with the access rights as defined by the CP's.
- In the context of type-approval, Technical Services shall only carry out/supervise the type approval tests. They must be notified to UNECE secretariat and shall not conduct inspections for which they were not designated (Schedule 2, §§ 1.2 + 3.2).
 - This means: Technical Services shall only have access on DETA where necessary to perform the tests and to compile and store the test documentation.