

ANNEX 4-A

COOPERATION IN THE FIELD OF MOTOR VEHICLE REGULATIONS*Article 1***Objectives and purpose**

1. The Parties note the cooperation between Canada and the European Commission in the area of science and technology.
2. The Parties affirm their joint commitment to improve vehicle safety and environmental performance, and to the harmonisation efforts pursued under the framework of the 1998 *Global Agreement administered by the World Forum for the Harmonization of Vehicle Regulations (WP.29)* (the '1998 *Global Agreement*') of the United Nations Economic Commission for Europe ('UNECE').
3. The Parties note their commitment to enhance their efforts in the area of regulatory cooperation under this Chapter and Chapter Twenty-One (Regulatory Cooperation).
4. The Parties recognise the right of each Party to determine its desired level of health, safety, and environmental and consumer protection.
5. The Parties desire to enhance cooperation and to increase the efficient use of resources in matters that relate to motor vehicle technical regulations, in a manner that does not compromise each Party's ability to fulfill its responsibilities.
6. The purpose of this Annex is to strengthen cooperation and communication, including the exchange of information, on motor vehicle safety and environmental performance research activities related to the development of new technical regulations or related standards, to promote the application and recognition of the Global Technical Regulations under the framework of the 1998 *Global Agreement* and possible future harmonisation, between the Parties, concerning improvements and other developments in the areas of motor vehicle technical regulations or related standards.

*Article 2***Areas of cooperation**

The Parties shall endeavour to share information and cooperate on activities in the following areas:

- (a) the development and establishment of technical regulations or related standards;
- (b) the post-implementation reviews of technical regulations or related standards;
- (c) the development and dissemination of information for consumer use related to motor vehicle regulations or related standards;
- (d) the exchange of research, information and results linked to the development of new vehicle safety regulations or related standards, and advanced emission reduction and electric vehicle technologies; and
- (e) the exchange of available information on the identification of safety-related or emission-related defects and non-compliance with technical regulations.

*Article 3***Forms of cooperation**

The Parties shall endeavour to maintain an open and ongoing dialogue in the area of motor vehicle technical regulations or related standards. To this end, the Parties shall endeavour to:

- (a) meet at least annually (including meetings held on the margins of WP.29 Sessions), by video-conference or, if directly, on an alternating basis in Canada and in the European Union;
- (b) share information about domestic and international programmes and agendas, including planning of research programmes linked to the development of new technical regulations or related standards;
- (c) contribute jointly to encourage and promote greater international harmonisation of technical requirements through multilateral fora, such as the *1998 Global Agreement*, including through cooperation in the planning of initiatives in support of such activities;
- (d) share and discuss research and development plans on motor vehicle safety and environmental technical regulations or related standards;
- (e) conduct joint analyses, develop methodologies and approaches, as mutually beneficial, practical and convenient, to assist and facilitate the development of motor vehicle technical regulations or related standards; and
- (f) develop additional provisions for cooperation.

*Article 4***Canada's incorporation of United Nations Regulations**

1. The Parties acknowledge that Canada has incorporated, with the adaptations that it considered necessary, technical regulations contained in United Nations Regulations into its *Motor Vehicle Safety Regulations*, C.R.C., c. 1038, as listed in Annex 4-A-1.
2. Canada maintains its right to modify its law, including by amending or revising which United Nations Regulations are incorporated into its law, or the manner in which or the extent to which these Regulations are incorporated into its law. Before introducing such changes, Canada shall inform the European Union and, upon request, shall be prepared to provide information on the rationale for these changes. Canada shall continue to recognise the relevant United Nations Regulations, unless doing so would provide for a lower level of safety than the amendments introduced, or would compromise North American integration.
3. The Parties shall engage in technical consultations with a view to determining, no later than three years after the entry into force of this Agreement, whether the technical regulations contained in the United Nations Regulations listed in Annex 4-A-2 should also be incorporated into Canada's *Motor Vehicle Safety Regulations*, with any adaptations Canada considers necessary. These technical regulations should be incorporated, unless doing so would provide for a lower level of safety than the Canadian regulations or would compromise North American integration.
4. The Parties shall also engage in further technical consultations to determine whether other technical regulations should be included in Annex 4-A-2.
5. Canada shall establish and maintain a list of technical regulations contained in United Nations Regulations that are incorporated into Canada's *Motor Vehicle Safety Regulations*. Canada shall make that list publicly available.
6. In an effort to promote regulatory convergence, the Parties shall exchange information, to the extent practicable, on their respective technical regulations related to motor vehicle safety.

*Article 5***Positive consideration of the other Party's technical regulations**

When a Party develops a new technical regulation for motor vehicles and their parts, or when it modifies an existing one, it shall consider the technical regulations of the other Party, including those established under the framework of the *UNECE World Forum for the Harmonization of Vehicle Regulations (WP.29)*. A Party shall provide, at the request of the other Party, an explanation on the extent to which it considered the technical regulations of that other Party when it developed its new technical regulations.

*Article 6***Cooperation with the United States of America**

The Parties recognise their mutual interest to cooperate with the United States of America in the field of motor vehicle technical regulations. If the European Union and the United States conclude an agreement or an arrangement on the harmonisation of their respective technical regulations related to motor vehicles, the Parties shall cooperate with a view to determining whether they should conclude a similar agreement or arrangement.

ANNEX 4-A-1

List referred to in Article 4.1 of Annex 4-A

United Nations Regulation	Title of United Nations Regulation	Canadian Regulation into which the United Nations Regulation is incorporated, in whole or in part	Title of Canadian Regulation into which the United Nations Regulation is incorporated, in whole or in part
No. 98	Uniform provisions concerning the approval of motor vehicle headlamps equipped with gas-discharge light sources	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 112	Uniform provisions concerning the approval of motor vehicle headlamps emitting an asymmetrical passing-beam or a driving-beam or both and equipped with filament lamps and/or LED modules	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 113	Uniform provisions concerning the approval of motor vehicle headlamps emitting a symmetrical passing-beam or a driving-beam or both and equipped with filament, gas-discharge light sources or LED modules	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 51	Uniform provisions concerning the approval of motor vehicles having at least four wheels with regard to their noise emissions	CMVSS 1106 (*)	Noise Emissions
No. 41	Uniform provisions concerning the approval of motor cycles with regard to noise	CMVSS 1106 (*)	Noise Emissions
No. 11	Uniform provisions concerning the approval of vehicles with regard to door latches and door retention components	CMVSS 206 (*)	Door Locks and Door Retention Components
No. 116 (immobilizer only)	Uniform provisions concerning the protection of motor vehicles against unauthorized use (Immobilizer only)	CMVSS 114 (*)	Theft Protection and Roll-away Prevention
No. 42	Uniform provisions concerning the approval of vehicles with regard to their front and rear protective devices (bumpers etc.)	CMVSS 215 (*)	Bumpers
No. 78	Uniform provisions concerning the approval of vehicles of categories L1, L2, L3, L4 and L5 with regard to braking	CMVSS 122 (*)	Motorcycle Brake Systems

United Nations Regulation	Title of United Nations Regulation	Canadian Regulation into which the United Nations Regulation is incorporated, in whole or in part	Title of Canadian Regulation into which the United Nations Regulation is incorporated, in whole or in part
No. 8	Uniform provisions concerning the approval of motor vehicles headlamps emitting an asymmetrical passing beam or a driving beam or both an equipped with halogen filament lamps (H1, H2, H3, HB3, HB4, H7, H8, H9, HIR1, HIR2 and/or H11)	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 20	Uniform provisions concerning the approval of motor vehicles headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen filament lamps (H4 lamps)	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 31	Uniform provisions concerning the approval of power-driven vehicle's halogen sealed-beam headlamps (HSB) emitting an European asymmetrical passing-beam or a driving-beam or both	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 57	Uniform provisions concerning the approval of headlamps for motor cycles and vehicles treated as such	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 72	Uniform provisions concerning the approval of motor cycle headlamps emitting an asymmetrical passing beam and a driving beam and equipped with halogen lamps (HS1 lamps)	CMVSS 108 (*)	Lighting System and Retroreflective Devices
No. 13H (electronic stability control only)	Uniform provisions concerning the approval of passenger cars with regard to braking (electronic stability control only)	CMVSS 126	Electronic Stability Control Systems
No. 60	Uniform provisions concerning the approval of two-wheeled motor cycles and mopeds with regard to driver-operated controls including the identification of controls, tell-tales and indicators	CMVSS 123	Motorcycle Controls and Displays
No. 81	Uniform provisions concerning the approval of rear-view mirrors of two-wheeled power-driven vehicles with or without side car, with regard to the mounting of rear-view mirrors on handlebars	CMVSS 111	Mirrors

(*) As the regulation read on 13 February 2013.

ANNEX 4-A-2

List referred to in Article 4.3 of Annex 4-A

United Nations Regulation	Title of United Nations Regulation
No. 12	Uniform provisions concerning the approval of vehicles with regard to the protection of the driver against the steering mechanism in the event of impact
No. 17	Uniform provisions concerning the approval of vehicles with regard to the seats, their anchorages and any head restraints
No. 43	Uniform provisions concerning the approval of safety glazing materials and their installation on vehicles
No. 48	Uniform provisions concerning the approval of vehicles with regard to the installation of lighting and light-signalling devices
No. 87	Uniform provisions concerning the approval of daytime running lamps for power-driven vehicles
No. 53	Uniform provisions concerning the approval of category L3 vehicles with regard to the installation of lighting and light-signalling devices
No. 116	Uniform technical prescriptions concerning the protection of motor vehicles against unauthorized use
No. 123	Uniform provisions concerning the approval of adaptive front-lighting systems (AFS) for motor vehicles