# TECHNICAL REGULATIONS IN THE AREA OF VEHICLE HOMOLOGATION - 1958 AGREEMENT AND FORMER YUGOSLAVIA

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**Abstract—**Vehicles which are sold and put into service in a country have to meet the regulations and standards of that country. The registration procedure of that country requires the approval of the vehicle and/or its components. The existence of separate national regulations and approval procedures in different countries requires expensive design modifications, additional tests and duplicating approvals. Thus, there is the need to harmonise the different national technical requirements for vehicles and to elaborate a unique international regulation. Once the vehicle or its equipment and parts are manufactured and approved according to that regulation, they can be internationally traded without further tests or approvals. Furthermore, these regulations have to be continuously adapted to the technical progress and to the new requirements regarding safety and environmental protection. With the purpose of overcoming international trade barriers and promoting global trade of vehicles and their components, efforts are being made to harmonise vehicle regulations worldwide. This paper deals with technical regulations in the area of vehicle type approval, and conditions for importing vehicles. The territory analysed comprises the region of Southeast Europe, that is all former Yugoslav republics. The paper is based on two key, parallel systems which define the conditions and criteria for importing vehicles on the territory of the above-mentioned countries, namely on: regulations of the United Nations Economic Commission for Europe, and European Union regulations. Both groups of regulations which are rather compatible, have been thoroughly analysed with a special emphasis on their application on the territory of Southeast Europe, through the analysis of regulations of all countries and territories individually.

**Index Terms—** Importing Vehicles, Southeast Europe, UN Regulations, Vehicle Type Approval

## I. GENERAL INFORMATION ON THE 1958 AGREEMENT

If we are to consider technical regulations in the area of vehicle homologation on the territory of former Yugoslavia, we can say that the 1958 Agreement is the key international contract to be analysed. It is one of the UNECE agreements (United Nations Economic Commission for Europe) the purpose of which is to establish uniform standards for vehicles and their components, relative to requirements of safety, environment protection and energy efficiency. It was passed on 20 March 1958 in Geneva, pursuant to the proposal of the Federal Republic of Germany, and it came into force on 20 June 1959, after it had been approved by several European countries. Initially, it was named "Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts". In its original form, the Agreement permitted the participation of UNECE members only. In 1967, the first minor revision was made to the Agreement, while the second one was made in 1995, when its name was partially changed into the present one – "Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions". The goal of the latter revision was, among other things, to promote the inclusion of countries outside Europe, into a uniform homologation system, and raise the Agreement to the global level. This mission was accomplished to a large extent. Namely, the revised Agreement recognises self-certification (certification by the manufacturer, without any preliminary administrative control) as an alternative to the type approval, thus not excluding the possibility for countries whose laws and regulations are carried out through the system of self-certification to become Contracting parties to the Agreement.

So far, 50 United Nations members (10 of which are non-European) have joined this Agreement, together with one regional Integration organisation (European Union). The latest Contracting party is Egypt, which joined the Agreement at the beginning of 2013, which proves that the Agreement is becoming more widely accepted and that it accomplishes its mission. The list of all Contracting parties, their ECE designation, as well as the date of joining the Agreement, is given in Table I. Of all European UNECE members, only 7 have not signed the 1958 Agreement. Precisely speaking, those are the smallest European countries which have no influence in automotive industry (Andorra, Iceland, Liechtenstein, Monaco, San Marino), or their geopolitical position dictates their current status within the Agreement (Israel, Moldavia). A more important fact for the 1958 Agreement and its expansion is that both UNECE members from the North American continent (Canada and USA) have not signed the Agreement.

A comprehensive importance of the Agreement itself can only be grasped if one considers the fact that, apart from almost all European countries which have acceded to the Agreement, the 10 countries outside of Europe which have joined it, include some of the most prominent automobile manufacturers (Japan, The Republic of Korea, Thailand, Malaysia, Australia), as well as the European Union, certainly the most influential regional organisation, globally speaking. All current EU member states (28 of them) have acceded to the Agreement, which is of great importance for decision-making in WP.29 (The UNECE World Forum for Harmonization of Vehicle Regulations). When it comes to the automotive sector, the most important countries which apply the system of self-certification are USA and The Republic of Korea. On the other hand, The Republic of Korea is the contracting party to the 1958 Agreement, unlike USA, and it applies the type approval system for vehicles which are manufactured in this country, but are intended for European market.

## II. UN (UNECE) REGULATIONS

The principal result of the development of 1958 Agreement are UN Regulations. Within UNECE, WP.29 and its bodies develop UN Regulations, in cooperation with all Contracting parties to the Agreement and NGOs. UN Regulations are not applicable on mandatory basis, but if a Contracting party decides to apply a Regulation, then it becomes a mandatory act. A contracting party which adopted a certain Regulation based on the Agreement, is allowed to grant the type approval in accordance with this Regulation, and is required to accept the type approval of any other Contracting party which has adopted the same Regulation. It is rather important to point out that up till 2011, UN Regulations were prefixed UNECE or simply, ECE Regulations. This change, which was adopted by WP.29, and which is an indicator of the revision and transformation of the 1958 Agreement, was not only of lexical nature, but clearly showed the intention of the World Forum for Harmonisation of Vehicle Regulations to give the Agreement a global application. After all, the Agreement long ago surpassed the borders of UNECE member states – currently as many as 9 Contracting parties to the 1958 Agreement are countries outside the UNECE region. Each Regulation is issued as a separate annex to the Agreement. At this point, there are 133 UN Regulations.

## III. 1958 AGREEMENT AND FORMER YUGOSLAVIA

The Federal People's Republic of Yugoslavia (FPRY) acceded to the Agreement based on the Decree on Ratification dated 15 April 1962 (Official Journal of FPRY No /62), and was allocated the ECE designation of E10 (later on, this designation was passed on to Serbia). All former Yugoslav republics joined the 1958 Agreement, following the official acceptance into UN membership, and their ECE designations are:

E10 – Serbia (acceded to on 12.03.2001)
E25 – Croatia (acceded to on 08.10.1991)
E26 – Slovenia (acceded to on 25.06.1991)
E31 – Bosnia and Herzegovina (acceded to on 06.03.1992)
E40 – Former Yugoslav Republic of Macedonia (acceded to on 17.11.1991)
E56 – Montenegro (acceded to on 03.06.2006)

**Table I – Contracting Parties of the 1958 Agreement***

| ECE DESIGNATION | Contracting party | Date of joining |
|---|---|---|
| E1 | Germany | 28.01.1966 |
| E2 | France | 20.06.1959 |
| E3 | Italy | 26.04.1963 |
| E4 | Holland | 29.08.1960 |
| E5 | Sweden | 20.06.1959 |
| E6 | Belgium | 05.09.1959 |
| E7 | Hungary | 02.07.1960 |
| E8 | Czech Republic | 01.01.1993 |
| E9 | Spain | 10.10.1961 |
| E10 | Serbia | 12.03.2001 |
| E11 | UK | 16.03.1963 |
| E12 | Austria | 11.05.1971 |
| E13 | Luxembourg | 12.12.1971 |
| E14 | Switzerland | 28.08.1973 |
| E16 | Norway | 04.04.1975 |
| E17 | Finland | 17.09.1976 |
| E18 | Denmark | 20.12.1976 |
| E19 | Romania | 21.02.1977 |
| E20 | Poland | 13.03.1979 |
| E21 | Portugal | 28.03.1980 |
| E22 | Russia | 17.02.1987 |
| E23 | Greece | 05.12.1992 |
| E24 | Republic of Ireland | 24.03.1998 |
| E25 | Croatia | 08.10.1991 |
| E26 | Slovenia | 25.06.1991 |
| E27 | Slovakia | 01.01.1993 |
| E28 | Belarus | 02.07.1995 |
| E29 | Estonia | 01.05.1995 |
| E31 | Bosnia and Herzegovina | 06.03.1992 |
| E32 | Latvia | 18.01.1999 |
| E34 | Bulgaria | 21.01.2000 |
| E35 | Kazakhstan | 08.01.2011 |
| E36 | Lithuania | 29.03.2002 |
| E37 | Turkey | 27.02.1996 |
| E39 | Azerbaijan | 14.06.2002 |
| E40 | FYR Macedonia | 17.11.1991 |
| E42 | European Union | 24.03.1998 |
| E43 | Japan | 24.11.1998 |
| E45 | Australia | 25.04.2000 |
| E46 | Ukraine | 30.06.2000 |
| E47 | South Africa | 17.06.2001 |
| E48 | New Zealand | 26.01.2002 |
| E49 | Cyprus | 01.05.2004 |
| E50 | Malta | 01.05.2004 |
| E51 | The Republic of Korea | 31.12.2004 |
| E52 | Malaysia | 04.04.2006 |
| E53 | Thailand | 01.05.2006 |
| E54 | Albania | 05.11.2011 |
| E56 | Montenegro | 03.06.2006 |
| E58 | Tunis | 01.01.2008 |
| E62 | Egypt | 03.02.2013 |

*** Updated list of Contracting parties is available on the following webpage: http://www.unece.org/trans/conventn/agreem_cp.html#18**

## IV. BASIC CHARACTERISTICS OF GEO-ECONOMIC REGION OF FORMER YUGOSLAVIA

The introductory part of this review contains basic statistical data on countries and territories which derived from the former federal country. In the brackets, after a specific name, there is the year which a particular datum refers to. Furthermore, all the data have been taken from the official UN brochures, and most of them come from the brochure "UNECE Countries in Figures 2013" [1].

**SERBIA** [b)]

| | |
|---|---|
| Population (2011): | 7.258.745 |
| Capital (2010): | Belgrade (1.639.505 residents) |
| Area: | 88.361 $km^2$ |
| GDP – total (2011): | 83.189 x $10^6$ $ |
| GDP – per capita (2011): | 11.433 $ |
| Unemployment rate (2011): | 23.0 % |
| Acceded to UN: | 1 November 2000 |
| Traffic accidents [a)]: | 100.3 |
| Length of motorways (2010): | 495 km |
| Length of railways (2010): | 3.809 km |

**KOSOVO** [c)]

| | |
|---|---|
| Population (2011): | 1.739.825 |
| Capital (2010): | Prishtina |
| Area: | 10.908 $km^2$ |
| GDP – total (2011): | 4.776 x $10^6$ $ |
| GDP – per capita (2011): | 2.650 $ |
| Unemployment rate (2011): | > 40.0 % |
| Acceded to UN: | - - |
| Traffic accidents [a)]: | - - |

**FORMER YUGOSLAV REPUBLIC OF MACEDONIA**

| | |
|---|---|
| Population (2011): | 2.058.539 |
| Capital (2011): | Skopje (316.849 residents) |
| Area: | 25.713 $km^2$ |
| GDP – total (2011): | 24.794 x $10^6$ $ |
| GDP – per capita (2011): | 12.036 $ |
| Unemployment rate (2011): | 31.4 % |
| Acceded to UN: | 8 April 1993. |
| Traffic accidents [a)]: | 83.6 |
| Length of motorways (2010): | 251 km |
| Length of railways (2010): | 699 km |

**BOSNIA AND HERZEGOVINA**

| | |
|---|---|
| Population (2011): | 3.839.737 |
| Capital (2011): | Sarajevo (305.242 residents) |
| Area: | 51.197 $km^2$ |
| GDP – total (2011): | 34.138 x $10^6$ $ |
| GDP – per capita (2011): | 7.636 $ |
| Unemployment rate (2011): | 27.6 % |
| Acceded to UN: | 22 May 1992 |
| Traffic accidents [a)]: | 90.1 |
| Length of motorways (2010): | 90.10 km |
| Length of railways (2010): | 1.017 km |

**SLOVENIA**

| | |
|---|---|
| Population (2011): | 2.052.843 |
| Capital (2011): | Ljubljana (272.554 residents) |
| Area: | 20.253 $km^2$ |
| GDP – total (2011): | 57.092 x $10^6$ $ |
| GDP – per capita (2011): | 27.812 $ |
| Unemployment rate (2011): | 8.2 % |
| Acceded to UN: | 22 May 1992 |
| Traffic accidents [a)]: | 68.7 |
| Length of motorways (2010): | 771 km |
| Length of railways (2010): | 1.228 km |

**CROATIA**

| | |
|---|---|
| Population (2011): | 4.405.144 |
| Capital (2011): | Zagreb (792.875 residents) |
| Area: | 56.542 $km^2$ |
| GDP – total (2011): | 88.277 x $10^6$ $ |
| GDP – per capita (2011): | 20.574 $ |
| Unemployment rate (2011): | 13.5 % |
| Acceded to UN: | 22 May 1992 |
| Traffic accidents [a)]: | 94.9 |
| Length of motorways (2010): | 1126 km |
| Length of railways (2010): | 2.722 km |

**MONTENEGRO**

| | |
|---|---|
| Population (2011): | 620.556 |
| Capital (2011): | Podgorica (180.810 residents) |
| Area: | 13.812 $km^2$ |
| GDP – total (2011): | 8.503 x $10^6$ $ |
| GDP – per capita (2011): | 12.878 $ |
| Unemployment rate (2011): | 19.7 % |
| Acceded to UN: | 28 June 2006 |
| Traffic accidents [a)]: | 83.8 |
| Length of motorways (2010): | 0 km |
| Length of railways (2010): | - - |

**TOTAL:**

| | |
|---|---|
| Total number of residents: | **21.975.389** |
| Total area: | **255.878 $km^2$** |
| Average GDP – per capita: | **13.687 $** |

a) mortality per million residents (for 2011)
b) data do not include Kosovo, except for the area
c) territory under international government; 1244 Resolution (1999) of UN Security Council authorised the Secretary General to establish international civil presence, with the assistance of relevant international organisations, with the purpose of enabling temporary administration for Kosovo, under which residents of Kosovo would be able to enjoy considerable autonomy within the Federal Republic of Yugoslavia (from 2003 to

2006 – the State Union of Serbia and Montenegro; from 3 June 2006 – the Republic of Serbia).

## V. APPLICATION OF 1958 AGREEMENT IN THE REPUBLIC OF SERBIA

The situation in the Republic of Serbia regarding the homologation regulations and the application of 1958 Agreement is conditioned by the fact that this country practically took over all regulations and international obligations of the former federal state. According to the International Organization for Standardization (ISO), as early as in 1939, in the then Kingdom of Yugoslavia, there was an institutionalised form of national standardisation. The basic legal and sub-legal acts which, among other things, regulate rules in the area of vehicle homologation in the Republic of Serbia are "The Law on Road Traffic Safety" (Official Journal of the Republic of Serbia No. 41/2009), as well as "Regulation on Distribution of Motor Vehicles and Trailers and Technical Conditions for Vehicles in Road Traffic" (Official Journal of the Republic of Serbia No. 102/2012). Furthermore, towards the end of 2011, the National Assembly of Serbia adopted "The Law on Confirming the Agreement on Adoption of Uniform Technical Regulations for Wheeled Vehicles, Equipment and Components Which Can be Installed and/or Used on Wheeled Vehicles and Conditions for Bilateral Recognition of Issued Homologations Based on These Regulations", by which the Republic of Serbia ratified the 1958 Agreement, that is its 1995 Revision (Official Journal of the Republic of Serbia – International Contracts No. 11/2011).

Road Traffic Safety Agency is in charge of the 1958 Agreement application, as well as of the complete procedure of applying this Agreement in the Republic of Serbia. The Republic of Serbia has officially adopted 57 UN Regulations, while another 35 have been notified [2]. The previously mentioned 57 UN Regulations have been published in Official Journals in three different forms, and thus have been introduced into our judicial legal system – through the Decree on Ratification (International contracts and other agreements, until 1975), Injunction on Mandatory Homologation (until 1992), and Injunction on Homologation (in 2002). During that time, from FPRY accession to the 1958 Agreement, our country changed its name twice, into the Socialist Federal Republic of Yugoslavia and Federal Republic of Yugoslavia. The praxis of publishing UN Regulations in the Official Journals practically disappeared in 1992, at the time of the warfare commencement on the territory of former Yugoslavia and introduction of UN sanctions to the Federal Republic of Yugoslavia. With the exception of 2002, this praxis has not been resumed till the present day for a number of reasons: the breakup of the Federal Republic, reorganisation of state administration, vague legal jurisdiction of the Institute for Standardization of Serbia [3], inertness of the state administration etc.

Meeting the requirements of the adopted UN Regulations in the Republic of Serbia is mandatory for all domestic and imported products that a specific UN Regulation refers to. Homologation must be performed prior to launching the vehicle, equipment and components manufactured in the Republic of Serbia, that is before they are imported. The procedure of conformity control is therefore part of the customs protocol, and therefore it is completed before a vehicle passes customs procedure. Authorised laboratories are included into the process of conformity control of vehicles and documentation (CIAH Laboratory of the Faculty of Mechanical Engineering in Belgrade; Motor and Vehicle Centre – the Institute of Nuclear Sciences Vinca). Road Traffic Safety Agency issues Certificate of Homologation ("Certificate of Conformity with Regulations on Homologation for New Imported Vehicles, Components and Equipment"), based on the Report of an authorised laboratory. Application of Euro 5 air-pollution standard for new M1 category passenger vehicles has been mandatory since 1 April 2011, while application of Euro 6 standard for the same category of vehicles will be mandatory as of 1 September 2015. Euro 3 has been defined as the minimal standard for air-pollution for used vehicles imported in the Republic of Serbia. Otherwise, importing used vehicles is, unfortunately, a political rather than technical issue in the majority of analysed states and territories, which leads to the following illogicality in the Republic of Serbia: a new passenger vehicle of M1 category has to meet the air-pollution standard of Euro 5, and for a used passenger vehicle, it is Euro 3, which means that the vehicle can be more than fifteen years old.

To sum up, there are authorised technical services for 24 UN Regulations in the Republic of Serbia. The procedure of authorising technical services for a few more Regulations is under way. It is not to be expected that our country, bearing in mind its area and industrial output, will have adequate testing facilities for all UN Regulations. It is realistic that for a number of UN Regulations, our Competent Authority, that is the Road Traffic Safety Agency, will authorise a foreign laboratories, especially for more complex technical testing. The procedure of authorising the Spanish laboratory Idiada, as the technical service in the Republic of Serbia for the UN Regulation No. 117 (tyres with regard to rolling sound emissions and/or to adhesion on wet surfaces and/or to rolling resistance), is in the final stages.

As previously stated, all former Yugoslav republics have acceded to the Agreement, except for the Serbian Province of Kosovo, which cannot, since it is not a UN member. For that reason, as well as due to the fact that Kosovo is a territory under international administration, no Regulation, nor any Act of this

Agreement, is currently applied on the territory of Kosovo.

## VI. APPLICATION OF 1958 AGREEMENT IN SOUTHEAST EUROPE

Although it acceded to the 1958 Agreement, Montenegro currently does not apply any limitations required by UN Regulations for importing new vehicles. "Decision on Conditions to be Met by Used Motor Vehicles Imported into the Republic of Montenegro" (Official Journal of the Republic of Montenegro No. 46/2007). It defines Euro 3 air-pollution standard as the minimum condition for imported vehicles, but only for used ones. This Decision contains certain conditions to do with noise, as well as with other UN Regulations, but they do not apply to newly manufactured vehicles. The Ministry of Transport and Maritime Affairs [4] of Montenegro passed "The Book of Regulations on Ways of Conformity Control, Certificate Form and Content, and the Fee for Used Motor Vehicles to be Imported" (Official Journal of the Republic of Montenegro No. 16/2008), which relies on the previously mentioned Decision, but the title itself clearly points to the fact that the Book of Regulations refers to used vehicles only.

After a few years of harmonising, towards the middle of 2012, an umbrella legal act was adopted in the area of Traffic Safety – "Law on Road Traffic Safety" (Official Journal of the Republic of Montenegro No. 33/2012). Article 244 of the Law establishes that motor vehicles and trailers which are imported, that is placed for the first time on the market of Montenegro, including their components, devices and equipment, must be harmonised with technical requirements and conditions by their design and safety characteristics. Establishing and control of compliance of design and vehicle safety characteristics, that is vehicle homologation, is carried out at the request of a juridical or natural person importing the vehicle, that is manufacturer of the vehicle registered in Montenegro. Apart from the official request, the applicant encloses the necessary technical documentation. After performing homologation for vehicles which meet the required technical requests and conditions, a certificate is issued on vehicle type homologation, that is certificate on single vehicle homologation, in accordance with the law regulating technical conditions for products and conformity assessment. The technical conditions and requirements, a more precise content of the request and technical documentation, the way of performing homologation for vehicles, their components and equipment, the content and form of the certificate, that is the receipt on homologation, the manner of its issuing, the content and manner of record-keeping, are defined by the state authority in charge of traffic affairs. Carrying out the procedure of vehicle homologation in the Republic of Croatia is the obligation of The State Office for Metrology [5]. The system of vehicle homologation in this former Yugoslav republic was originally regulated by the "Standardisation Act" and regulations deriving from this Act. The implementation of this standard started in 1997. The basic legal and sub-legal acts which regulate the issue of homologation in the Republic of Croatia today are [6] the "Law on Road Traffic Safety" (People's Journal No. 67/08), "Regulation on Establishing Conformity of Motor Vehicles and Trailers" [7], "Regulations on Establishing Conformity of Agriculture and Forestry Tractors" (People's Journal No. 80/13) and "Regulation on Establishing Conformity of Two-Wheeled or Three-Wheeled Vehicles and Quadricycles" (People's Journal No. 80/13).

The list of Regulations and decrees on homologation which are in force in the Republic of Croatia can be found on the Internet page of the State Office for Metrology. Application of the 1958 Agreement in this country is regulated through the Decision on its publishing (People's Journal – International Contracts No. 10/95). By passing the Decree on Homologation of Vehicle Components and Equipment, the total number of 95 UN Regulations have been transposed by the State Office into the national legislation. Adhering to the obligations deriving from the Agreement on Stabilisation and Association between the Republic of Croatia and European Union, the State Office started transposing and implementation of EU Directives and Decrees on road vehicles homologation as early as in 2004, following the National programme for the association of the Republic of Croatia to EU. This Agreement binds the Republic of Croatia to harmonise with European legislation in the area of road vehicles and to establish the infrastructure for applying these regulations. The above mentioned harmonisation was performed by passing 175 special Regulations (TPV) by the end of 2011, through which the total number of 225 EU Directives, that is Decrees, were transposed into the national legislation. This comprehensive process will, on 1 July 2013, when the Republic of Croatia joined European Union, completely harmonise homologation regulations in the Republic of Croatia with the relevant regulations in EU member states. By passing the above mentioned regulations, a number of previously valid homologation regulations were gradually declared null and void.

It is important to point out that the "Regulation on Establishing Conformity of Motor Vehicles and Trailers" refers to both new and used vehicles. A used vehicle is the one which has been registered for at least 6 months. The air–pollution level of Euro 3 has been defined as the minimum standard for importing used vehicles in the Republic of Croatia (for M1 and N1 vehicle categories), that is level Euro 2 (for M2, M3, N2 and N3 categories). With vehicles of L category, there are no limitations when it comes to

importing used vehicles. As for new vehicles, there are identical requirements regarding air-pollution standard, to those in EU member states: Euro 5 (for M1 and N1 categories), Euro 6 (for M2, M3, N2 and N3 categories), Euro 3 (for L3 category), that is level Euro 2 (for other vehicles of L category).

When it comes to applying the 1958 Agreement in Bosnia and Herzegovina, it is primarily regulated through [8] "Law on Traffic Safety Fundamentals on Roads in Bosnia and Herzegovina" (Official Gazette of Bosnia and Herzegovina No. 6/2006), as well as through "Regulation on Homologation of Vehicles, Components, Devices and Equipment" (Official Gazette of Bosnia and Herzegovina No. 41/2008). Based on those, the Ministry of Communication and Transport [9] passed the "Decision on the Minimum Technical Requirements for Newly Manufactured and Used Vehicles in Vehicle Type Homologation and Single Vehicle Homologation" [10] (hereinafter – Decision), "Instruction on Performing the Procedure for Vehicle Type Homologation" and "Instruction on Performing the Procedure for Single Vehicle Homologation" (Official Gazette of Bosnia and Herzegovina No. 89/2010), as well as relevant Decrees on Homologation according to all UN Regulations accepted in Bosnia and Herzegovina.

The Decision more narrowly defines all technical conditions for vehicles imported into Bosnia and Herzegovina. The complete list of mandatory UN Regulations in Bosnia and Herzegovina, for both newly manufactured and used vehicles, is comprised by this Decision (Appendix 1 and 2). It is important to note Regulation No. 83 (vehicle air-pollution), included in this list, as it states that the minimum standard of air-pollution for new vehicles is Euro 4. Since there is a greater interest for newly manufactured passenger vehicles of M1 category, it is important to note that the Decision for this category of vehicles came into force on 1 December 2010. In Bosnia and Herzegovina, the air-pollution standard of Euro 3 has been defined as the minimum for used vehicles. The procedure and conditions for importing used vehicles have also been thoroughly defined by the above mentioned Decision. It is interesting to point out that the above mentioned Decision defines a used vehicle as the one which was registered for the first time at least three months earlier and which traversed at least 3000 km. This definition differs from all similar in legal documents of neighbouring countries.

After accession to the 1958 Agreement in 1991, the Republic of Slovenia ratified its new 1995 revision, through the Decree on Ratification (Official Journal of the Republic of Slovenia No. 104/2010). Over the past few years, the old legal framework for the broad area of Traffic Safety in Slovenia ("Law on Road Traffic Safety", Official Journal of the Republic of Slovenia No. 83/ 2004), which, apart from the aspect of vehicles, treated the aspect of drivers, traffic regulations and public roads, was substituted by the new legal framework ("Law on Motor Vehicles", Official Journal of the Republic of Slovenia No. 106/2010), which exclusively deals with vehicles. That law came into force during 2011. Apart from the Law, as the basic document, the application of the 1958 Agreement in the Republic of Slovenia has been enforced through the "Regulation on EU Motor Vehicles Homologation" (Official Journal of the Republic of Slovenia No. 31/2009), "Regulation on Vehicle Conformity Control" (Official Journal of the Republic of Slovenia No. 105/2009), "Regulation on Preparing and Publishing Technical Specifications for Motor Vehicles" (Official Journal of the Republic of Slovenia No. 1/2012), "Regulation on Vehicle Components and Equipment" (Official Journal of the Republic of Slovenia No. 44/2013), as well as through "Technical Specifications for Motor Vehicles and Trailers". Apart from these sub-legal acts, there is a whole range of other documents which tackle the matter in question.

In essence, homologation regulations in the Republic of Slovenia are completely harmonised with those in European Union, and therefore acts of specific UN Regulations come into force at the same time as in other EU member states. The Ministry of Infrastructure of the Republic of Slovenia [11] is in charge of enforcing the 1958 Agreement, as well as of the complete procedure of applying this Agreement in the Republic of Slovenia. The list of all Technical Specifications for Vehicles (TSV), together with UN Regulations they rely on, can be found in the official Internet presentation of the Ministry of Infrastructure. So far, 98 Technical Specifications for vehicles have been passed.

When it comes to applying the 1958 Agreement in the Former Yugoslav Republic of Macedonia [12], it is regulated through the following legal and sub-legal acts:

- Law on Vehicles (Official Gazette of the Republic of Macedonia No. 140/2008),
- Regulation on Approving New Motor Vehicles and Trailers, Systems, Components and Independent Technical Units Intended for Those Vehicles (Official Gazette of the Republic of Macedonia No. 132/2009),
- Regulation on Single Vehicle Approval (Official Gazette of the Republic of Macedonia No. 16/2010), and
- Technical Specifications.

The system of technical specifications is almost identical to the corresponding system in the Republic of Slovenia, probably because of the significant influence of Slovenian consultants in the FYRM. However, the political and economic conditions in these two countries are rather different, so there is a reasonable doubt that this solution may not be good for FYRM. The "Regulation on the Approval of New Motor Vehicles and Trailers, Systems, Components and Independent Technical Units Intended for Those Vehicles" more precisely defines all the conditions

and procedures for new vehicles to be imported in Macedonia, regarding homologation regulations. The complete list of mandatory UN Regulations in Macedonia is comprised by the above mentioned Regulation (pp. 214 – 217). It is important to observe UN Regulation No. 83 (vehicle air-pollution) in this table, where Euro 4 has been defined as the minimum standard for air-pollution for new vehicles. Since M1 category of vehicles is of greatest interest for general population, it is important to point out that, for this category, the Regulation came into force on 29 April 2009. By the end of 2014, Euro 2 was defined as the minimum air-pollution standard for used vehicles.

## VII. INSTEAD OF CONCLUSION - SHORT-TERM PREDICTIONS REGARDING CHANGES OF REGULATIONS IN COUNTRIES OF SOUTHEAST EUROPE

If we observe the key challenges that UNECE Transport Sector is to face in the future, we can see how much importance is attributed to them in our region, that is Southeast Europe. It is explicitly mentioned in two out of six challenges:

- Insufficient and inadequate infrastructure, especially in East Europe, Caucasus Region and central Asia;
- Old, unsafe and environmentally unacceptable vehicle fleets, especially in East and Southeast Europe, Caucasus Region and Central Asia, which results in the increased number of traffic accidents and considerable air-pollution.

The best prevention, especially regarding this second challenge, is harmonising regulations in the area of vehicles, with the purpose of raising the level of their safety and environmental performance. International harmonisation of regulations definitely leads to expansion of markets and liberating from certain barriers.

The aim of this paper is the analysis of technical regulations in the area of vehicle homologation on the territory of Southeast Europe, as well as the analysis of conditions for importing vehicles in this region. Since the quantity and quality of the above mentioned regulations vary from one country to another, certain observations and conclusions are brought based on the authors' expert estimation. The status of the countries and territories in question within UN and EU is rather diverse, hence the regulations in the area of vehicle homologation in certain countries are more or less restricted.

For the past few years, it has become evident that harmonisation of regulations to do with vehicle homologation, has been showing the tendency of substituting EU Directives by UN Regulations. This can be explained by the growing importance of the 1958 Agreement. It is evident that, within the whole vehicle type approval, a great number of vehicle manufacturers from the European Union has an increasing number of single approvals based on UN Regulations, and fewer approvals based on EU Directives. The reason for this is the fact that, apart from all countries which have acceded to the Agreement, there is active participation of USA, China and India in the work of the World Forum for Harmonisation of Vehicle Regulations, countries whose importance in automotive industry is indisputable, as well as the participation of numerous international NGOs. This will be in greater detail discussed in final considerations.

When it comes to our region, all countries and territories have acceded to the 1958 Agreement, except for Kosovo. The status of Kosovo in this sense is rather uncertain, since the Agreement can be acceded to only by a UN member state. Perhaps the key indicator for the development of vehicle technical regulations in the region of Southeast Europe is, more or less, expressed intention of all countries and territories of this region to be part of European Union. Slovenia and Croatia are already the members, while the status of remaining states and territories is different – FYRM, Serbia and Montenegro have the status of candidate, while Bosnia and Herzegovina is a potential candidate; Kosovo, as the territory the status of which was defined by 1244 Resolution of UN Security Council, is also a potential candidate for EU membership. However, every country for itself, whether it is an EU member or not, must sign the 1958 Agreement if it wants to apply it. On the other hand, many countries which have not acceded to the 1958 Agreement, recognise it unilaterally and apply UN Regulations as the equivalent to national regulations, which resulted in homologated vehicles representing a harmonised level of quality on international market for vehicles, equipment and components.

Rather important for the analysis of our region is the CEFTA Agreement (Central European Free Trade Agreement) from 2006, which included all countries and territories founded after the disintegration of former Yugoslavia, except for Slovenia (Croatia had already signed the CEFTA Agreement). This Agreement might definitely have certain influence on regulations regarding homologation and importing vehicles, especially since it includes numerous bilateral agreements. Fig. 1 shows in great detail members of different international organisations and agreements of European continent. Furthermore, European Commission provides financial support for regional cooperation of West Balkan countries, through variously useful IPA (Instrument for Pre-accession Assistance) project programmes [13]. Between 2007 and 2013, about 4.5 billion Euros were distributed through this fund to different kinds of projects in the countries of our region, one third of which approximately was directed to Serbia. Yet, the entire process of joining EU involves two opposites when it comes to vehicle market. On the one hand, EU will certainly demand the harmonisation of all national regulations with its own, which includes

regulations related to vehicles. On the other, used vehicles from EU countries must find markets where they can be sold, and in praxis it is impossible and economically infeasible to maintain the big difference between regulations for importing new and used vehicles in one country.

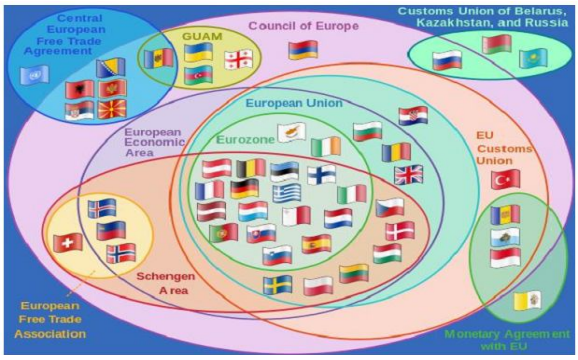



**Fig. 1 – Members of Different International Organisations and Agreements of European Continent**

Although regulations on homologation, formally speaking, are of technical nature, it is evident that their change is considerably influenced by global and regional political tendencies. Since automotive industry represents an important element of any economy, even when a specific country has no vehicle manufacturer of its own, regulations related to importing vehicles always have rather broad importance and great influence on any society (tax policy, customs regulations, vehicle registration, environmental regulations, international transport…). Therefore, it is important to point out that general political and economic circumstances on the Balkan Peninsula have always been turbulent and changeable, so it is difficult to make precise long-term predictions about the development of any regulations, those on importing and homologating vehicles included, regardless of the current situation. Yet, this problem must be approached with a certain degree of optimism, and belief in market stabilisation and economic prosperity of this region. Short-term predictions (by the end of 2015) in the remainder of this text, are based partly on realistic and precisely defined legal and sub-legal acts, and on the previously mentioned expert estimates.

Except for minor shifting of time frames in the period of joining EU (e.g. air-pollution standard of Euro 5 for new vehicles of M1 category registered for the first time-valid from 1 January 2012), all the other homologation regulations in the Republic of Croatia are practically identical to those in EU countries, and this has especially been the case since the date of its accession to EU, that is 1 July 2013. The same goes for regulations in the Republic of Slovenia [14].

A rather similar situation to that in Croatia and Slovenia, at least when it comes to time frames for applying certain homologation regulations, is in the Republic of Serbia [15], regardless of the fact that in our country, at least formally speaking (through international contracts, legal decisions and decrees), only UN Regulations are in force. There are certain imprecisions in this observation, since the Regulation on the Distribution of Motor Vehicles and Trailers and Technical Conditions for Vehicles in Road Traffic defines the concept of homologation in the following way: Homologation of vehicles, equipment or vehicle components is the procedure of type approval, establishing their conformity with the requirements of corresponding regulations based on the Agreement on accepting uniform conditions for homologation and reciprocal recognition of homologation of equipment and motor vehicle components, that is corresponding EU Regulations, the procedure of issuing relevant documents and monitoring production with the purpose of ensuring conformity with the homologated type. In this way regulations are indirectly harmonised with those in EU, pursuant to 1958 Agreement. In any case, the official state policy of the Republic of Serbia is directed to European integration and joining EU, so it is logical to expect complete harmonising of all homologation regulations in this area with those in EU.

When it comes to Montenegro and short-term predictions regarding changes or passing the regulations in question by the end of 2015, the situation is rather clear. Firstly, Montenegro has joined the 1958 Agreement, but more importantly, at this point, it is a candidate for EU membership, so we can expect its fast adjustment and embracement of EU regulations. However, the coming period of 12 months is rather short (when it comes to such obligations), and the journey from translating Directives to their publishing, and especially to their application, is rather difficult.

By the Decision of the Ministry of Traffic, Maritime Affairs and Telecommunications No. 01-4245/1 of 18 October 2010, a working party was formed for the task of designing the plan and the dynamics of enforcing the system of vehicle homologation in Montenegro, that is performing homologation of vehicles, equipment and components (when the vehicle or vehicle parts are manufactured in Montenegro), that is control of conformity with homologation conditions for the type (for importing new vehicles) and control of conformity with homologation conditions for a single imported vehicle (for used vehicles). The national programme for joining Montenegro to EU contains a detailed outline of the sub-legal acts in question and the dynamics of their creating. However, there is obvious tardiness with all these steps. Based on the ”Law on Road Traffic Safety”, and the ”Law on Technical Requirements for Products and Conformity Assessment” (Official Journal of the Republic of Montenegro No.53/2011), the Ministry of Traffic and Maritime Affairs prepared the ”Regulation on Technical Requirements and Conditions for Vehicles Which are Imported or Placed for the First Time on

the Market of Montenegro and the Conditions to be Met by Juridical Person Authorised for Vehicle Homologation". However, adoption of this Regulation is conditioned by the amendments to the "Law on Road Traffic Safety", which should enable its passing. The Regulation in question defines Euro 5 as the minimum air-pollution standard for new vehicles, while Euro 3 is defined as the minimum air-pollution standard for used vehicles.

In FYRM, the level Euro 2 was defined as the minimum air-pollution standard for used vehicles, but only till the end of 2014, after which it was changed into Euro 3. There is a plan to raise this new level of air-pollution to Euro 4 for used vehicles, after 30 June 2016, precisely speaking. Naturally, it is possible to have minor shifts in these time frames, for previously mentioned reasons. It is logical to accompany raising the minimum air-pollution standard for used vehicles, at least partly, by corresponding steps for new vehicles, but this considerably depends on the policy of this and any other country, that is, on whether these moves will stimulate purchasing new vehicles.

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