

中国 WTO/TBT 国家通报咨询中心

China WTO/TBT National Notification & Enquiry Center

No.20,Hepingli East Street, Dongcheng District, Beijing,China,Tel: 86-10-57954638 Fax:86-10-57954689

FAX

TO: USA WTO/TBT Enquiry Point	Email: usatbtep@nist.gov
Date: Sep.22, 2025	Number of pages: 2+2
Copies: Department for WTO Affairs, Ministry of Commerce of P.R. China	Fax: +86 10 65197726;65128304 E-mail: dingtao@mofcom.gov.cn
Permanent Mission of P. R. of China to WTO	Fax: +41-22-9097688 E-mail: ysroger@sohu.com
From: China WTO/TBT National Notification & Enquiry Center.	Tel: 86-10-57954638 Fax: 86-10-57954689 E-mail: tbt@customs.gov.cn
Subject: Comments from P. R. China on Notification G/TBT/N/USA/1881/Add.2 Agency Information Collection Activities; Notice and Request for Comment; Event Data Recorders	

Comments from P. R. China on Notification

G/TBT/N/USA/1881/Add.2

Agency Information Collection Activities; Notice and Request for Comment; Event
Data Recorders

Dear Sir or Madam,

We appreciate the opportunity to submit comments on the notified draft proposed by USA.

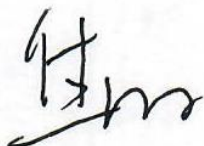
Enclosed please find comments in English and Chinese.

Please acknowledge receipt of the comments by e-mail to tbt@customs.gov.cn.

Thank you very much in advance for USA taking into account comments from P.R. China. Your formal reply will be appreciated.

Best regards,

Jiao Yang



Deputy Director General
China WTO/TBT National Notification & Enquiry Center
No.20, Hepingli East Street, Dongcheng District, Beijing
Post Code: 100013
Tel: 86-10-57954605
Fax: 86-10-57954683
E-mail: tbt@customs.gov.cn

Comments from P. R. China on Notification

G/TBT/N/USA/1881/Add.2

Agency Information Collection Activities; Notice and Request for Comment; Event Data Recorders

The People's Republic of China appreciates USA for fulfilling the transparency obligation under WTO, as well as for the opportunities for other WTO Members to make comments on the notification G/TBT/N/USA/1881/Add.2. According to Article 2.9.4 of the WTO/TBT Agreement "without discrimination, allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account", China would like to put forward the following comments on the notified regulations and hope USA take these comments into consideration. The detail comments as follows:

1. With regard to the data elements collected by the EDR, it is recommended that a detailed list of the vehicle data collection elements be provided.

It is mentioned on page 2 of the full notification that voluntary EDRs installed in vehicles with a gross vehicle weight rating (GVWR) of 3,855 kg (8,500 pounds) or less must record 15 basic data elements; if the vehicle is capable, up to 30 additional data elements must be recorded, but these basic data elements are only partially enumerated. The UN R160 regulation of the United Nations Economic Commission for Europe (UNECE) has clear technical requirements for EDR, and 15 mandatory data elements are required to be recorded, which are applicable to M1 (passenger cars) and N1 (light trucks) vehicles equipped with EDR. The Korea Ministry of Land Infrastructure and Transport (MOLIT) has also issued EDR regulations, which are similar to UN R160. The Chinese national standard GB 39732 -2020 adopts the A/B level classification and directly lists the data items that are compulsorily recorded. Therefore, China suggests that the United States supplement the detailed list of data elements collected by EDR to ensure the consistency of the record.

2. With regard to EDR data storage and survivability, it is suggested the United States to improve the relevant standards of data storage and survivability and increase emergency measures under extreme conditions.

It is mentioned on page 3 of the full notification that the EDR must remain functional during and after compliance testing under FMVSS No.208 and No.214, and that the stored data must be available for download within 10 days of the crash test. For light-duty and heavy-duty vehicles, the European Union requires EDR to be able to store data after power failure. China's national standard GB 39732-2020 requires that EDR data should be recorded in non-volatile memory, and the EDR system itself should have power supply capability to ensure the recording of critical data when the power supply is interrupted due to collision. US Part 563 ensures a basic level of functionality and survivability, but does not guarantee the data survivability of an EDR in an extremely severe event such as a fire or inundation. Therefore, China suggests that the relevant standards of data storage and survivability should be improved in 49 CFR part 563, and increase data protection

measures to deal with extreme conditions, such as backup power supply and protection devices, to ensure the integrity and accessibility of data in various complex scenarios.

Comments in Chinese are in below:

中国对 G/TBT/N/USA/1881/Add.2 通报的评议意见

中国政府赞赏美国履行 WTO 透明度义务，给予其他 WTO 成员评议 G/TBT/N/USA/1881/Add.2 通报的机会，根据 WTO/TBT 协定 2.9.4 条“无歧视地给予其他成员合理的时间以提出书面意见，并对这些书面意见和讨论的结果予以考虑的规定”，请美国对中方的评议意见予以考虑并做出答复。中方具体意见如下：

1.关于 EDR 收集的数据元素，建议详细列举车辆数据收集元素清单

通报法规第 2 页中提到，车辆额定总重（GVWR）为 3855kg（8500 磅）或以下的车辆中自愿安装的 EDR 必须记录 15 个基本数据元素；如果车辆有能力，则记录多达 30 个额外的数据元素，但是这些基本数据元素仅做了部分简单列举。联合国欧洲经济委员会（UNECE）UN R160 法规对 EDR 有明确的技术要求，强制要求记录的数据元素有 15 项，适用于配备 EDR 的 M1 类（乘用车）和 N1 类（轻型货车）车辆；韩国国土交通部（MOLIT）也发布了 EDR 法规，内容与 UN R160 较为接近；中国国家标准 GB 39732 - 2020 采用 A/B 级分类，直接列出了强制记录的数据项。因此，建议美国补充列举 EDR 详细的收集数据元素清单，以确保记录的一致性。

2. 关于 EDR 数据存储和生存能力，建议美国完善数据存储和生存能力的相关标准，增加极端条件下的应急措施。

通报法规第 3 页中提到，EDR 在第 208 号和第 214 号 FMVSS 规定的符合性试验期间和之后必须保持功能正常，并且存储的数据必须在碰撞试验后 10 天内可下载。欧盟针对轻型车和重型车，要求 EDR 在断电后仍能保存数据；中国国家标准 GB 39732-2020 要求 EDR 数据应记录在非易失性存储器中，碰撞导致供电中断时，EDR 系统自身应具有供电能力，确保记录关键数据。《美国联邦法规》第 49 篇第 563 部分的规定要求并不能保证 EDR 在火灾或淹没等极端严重事件中的数据生存能力，建议完善数据存储和生存能力的相关标准，增加应对极端条件的数据保护措施，如配备备用电源和防护装置，保障数据在各类复杂场景下的完整性和可获取性。