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AMENDMENTS

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Draft report

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Type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users

Proposal for a regulation

(COM(2018)0286 – C8-0194/2018 – 2018/0145(COD))

Amendment 1
Mireille D'Ornano

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Over the past decades, developments in vehicle safety have ***contributed significantly to*** the overall reduction in the number of road fatalities and severe injuries. However, these reductions have recently stalled in the Union due to various factors, such as structural and behavioural factors, and without new initiatives on general road safety, the safety effects of the current approach will no longer be able to off-set the effects of increasing traffic volumes. Therefore, the safety performance of vehicles needs to be further improved as part of an integrated road safety approach and in order to protect vulnerable road users better.

Amendment

(3) Over the past decades, developments in vehicle safety have ***played a more significant role than any other factor in*** the overall reduction in the number of road fatalities and severe injuries. However, these reductions have recently stalled in the Union due to various factors, such as structural and behavioural factors, and without new initiatives on general road safety, the safety effects of the current approach will no longer be able to off-set the effects of increasing traffic volumes. Therefore, the safety performance of vehicles needs to be further improved as part of an integrated road safety approach and in order to protect vulnerable road users better, ***particularly cyclists and pedestrians.***

Or. fr

Amendment 2
Mireille D'Ornano

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) Technical progress in the area of advanced vehicle safety systems offers new possibilities for reducing casualty numbers. In order to minimise the number of fatalities, some of the relevant new technologies need to be introduced.

Amendment

(4) Technical progress in the area of advanced vehicle safety systems offers new possibilities for reducing casualty numbers. In order to minimise the number of fatalities ***and injuries***, some of the relevant new technologies need to be introduced.

Or. fr

Amendment 3
Luke Ming Flanagan

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The introduction of event (accident) data recorders storing a range of crucial vehicle data over a short timeframe before, during and after a triggering event (for example, the deployment of an airbag) is a valuable step in obtaining more accurate, in-depth accident data. Motor-vehicles should therefore be required to be equipped with such recorders. It should also be a requirement that such recorders are capable for recording and storing data in such a way that the data can be used by Member States to conduct road safety analysis and assess the effectiveness of specific measures taken.

Amendment

(7) The introduction of event (accident) data recorders storing a range of crucial vehicle data over a short timeframe before, during and after a triggering event (for example, the deployment of an airbag) is a valuable step in obtaining more accurate, in-depth accident data. Motor-vehicles should therefore be required to be equipped with such recorders. It should also be a requirement that such recorders are capable for recording and storing data in such a way that the data can be used by Member States to conduct road safety analysis and assess the effectiveness of specific measures taken, ***including the cost-effectiveness***.

Or. en

Amendment 4
Mireille D'Ornano

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) Any processing of personal data, such as information about the driver processed in event (accident) data recorders or information about the driver on drowsiness and attention monitoring or advanced distraction recognition, ***should*** be carried out in accordance with EU legislation on data protection, in particular the General Data Protection Regulation²⁸. In addition, the processing of personal data collected through the 112-based eCall in-vehicle system is subject to specific safeguards²⁹.

Amendment

(8) Any processing of personal data, such as information about the driver processed in event (accident) data recorders or information about the driver on drowsiness and attention monitoring or advanced distraction recognition, ***must*** be carried out in accordance with EU legislation on data protection, in particular the General Data Protection Regulation²⁸. In addition, the processing of personal data collected through the 112-based eCall in-vehicle system is subject to specific safeguards²⁹.

²⁸ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.

²⁹ Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC, OJ L 123, 19.5.2015, p. 77.

²⁸ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

²⁹ Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC (OJ L 123, 19.5.2015, p. 77).

Or. fr

Amendment 5 **Mireille D'Ornano**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) Regulation (EC) No 661/2009 exempted vans, sport utility vehicles (SUVs) and multi-purpose vehicles (MPVs) from safety requirements due to seating height and vehicle mass characteristics. Given the increased rate of market penetration of such vehicles (up from only 3% in 1996 to 14% in 2016) and the technological developments in post-crash electric safety checks, those exemptions are outdated and unjustified. Therefore, the exemptions should be removed and the whole range of advanced vehicle system requirements should be applied to those vehicles.

Amendment

(9) Regulation (EC) No 661/2009 exempted vans, sport utility vehicles (SUVs) and multi-purpose vehicles (MPVs) from safety requirements due to seating height and vehicle mass characteristics. Given the increased rate of market penetration of such vehicles (up from only 3% in 1996 to 14% in 2016) and the technological developments in post-crash electric safety checks, those exemptions are ***most likely*** outdated and unjustified. Therefore, the exemptions should be removed and the whole range of advanced vehicle system requirements should be applied to those vehicles.

Or. fr

Amendment 6

Luke Ming Flanagan

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Historically, Union rules have limited the overall length of truck combinations which resulted in the typical cab-over-engine designs as they maximise the cargo space. However, the high position of the driver led to an increased blind spot area and poorer direct visibility around the truck cab. This is a major factor for truck accidents involving vulnerable road users. The number of casualties could be reduced significantly by improving direct vision. Requirements should therefore be introduced to improve the direct vision.

Amendment

(15) Historically, Union rules have limited the overall length of truck combinations which resulted in the typical cab-over-engine designs as they maximise the cargo space. However, the high position of the driver led to an increased blind spot area and poorer direct visibility around the truck cab. This is a major factor for truck accidents involving vulnerable road users. The number of casualties could be reduced significantly by improving direct vision. Requirements should therefore be introduced to improve the direct vision. ***In any event, where a blind spot still exists this should be addressed by video electronic means such that the driver can see fully all such spots.***

Or. en

Amendment 7

Mireille D'Ornano

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Given the emphasis of EU vehicle safety regulations to protect vulnerable road users, inter alia, by ensuring adequate visibility for drivers, public and private entities should ***refrain from requiring*** the affixing of any kind of label, vignette or sticker meant for whichever purpose to any part of the transparent surface of the vehicles' glazing. Furthermore, national authorities should enforce that windscreens and side windows are indeed kept clear of labels, vignettes, stickers and any other vision impairing items as to not negate the effectiveness of the Union law on visibility

Amendment

(16) Given the emphasis of EU vehicle safety regulations to protect vulnerable road users, inter alia, by ensuring adequate visibility for drivers, public and private entities should ***undertake to keep to a minimum*** the affixing of any kind of label, vignette or sticker meant for whichever purpose to any part of the transparent surface of the vehicles' glazing. Furthermore, national authorities should enforce that windscreens and side windows are indeed kept clear of labels, vignettes, stickers and any other vision impairing items as to not negate the effectiveness of

for drivers.

the Union law on visibility for drivers.

Or. fr

Amendment 8
Luke Ming Flanagan

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) Automated and connected vehicles may be able to make a huge contribution in reducing road fatalities since in the region of 90 per cent of road accidents are estimated to result from human error. As automated vehicles will gradually be taking over tasks of the driver, harmonised rules and technical requirements for automated vehicle systems should be adopted at Union level.

Amendment

(17) Automated and connected vehicles may be able to make a huge contribution in reducing road fatalities since in the region of 90 per cent of road accidents are estimated to result from human error. As automated vehicles will gradually be taking over tasks of the driver, harmonised rules and technical requirements for automated vehicle systems should be adopted at Union level. ***Such automated vehicles must first have been independently fully tested and proven to meet all operating safety regulations.***

Or. en

Amendment 9
Luke Ming Flanagan

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Since the objective of this Regulation, namely ensuring the proper functioning of the internal market through the introduction of harmonised technical requirements concerning the safety and environmental performance of motor vehicles and their trailers, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in

Amendment

(24) Since the objective of this Regulation, namely ensuring the proper functioning of the internal market through the introduction of harmonised technical requirements concerning the safety and environmental performance of motor vehicles and their trailers, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in

accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. ***Additionally, this Regulation should also apply to motor vehicles and their trailers entering the European Union from non Member States for the collection and/or the delivery of goods.***

Or. en

Amendment 10
Luke Ming Flanagan

Proposal for a regulation
Article 1 – paragraph 1 – point 1

Text proposed by the Commission

1. for the type-approval of vehicles, and systems, components and separate technical units designed and constructed for vehicles, with regard to their general characteristics and safety, and to the protection of vehicle occupants and vulnerable road users;

Amendment

1. for the type-approval of vehicles, and systems, components and separate technical units designed and constructed for vehicles, with regard to their general characteristics and safety, and to the protection of vehicle occupants and vulnerable road users, ***and applies particularly to those vehicles operating within the European Union, whether based inside or outside the Union borders;***

Or. en

Amendment 11
Jens Gieseke

Proposal for a regulation
Article 3 – paragraph 2 – point 3

Text proposed by the Commission

(3) 'intelligent speed assistance' means a system to aid the driver in observing the appropriate speed for the road environment

Amendment

(3) 'intelligent speed assistance' means a system to aid the driver in observing the appropriate speed for the road environment

by providing ***haptic feedback through the accelerator pedal with*** speed limit information obtained through observation of road signs and signals, based on infrastructure signals or electronic map data, or both, made available in-vehicle;

by providing speed limit information obtained through observation of road signs and signals, based on infrastructure signals or electronic map data, or both, made available in-vehicle;

Or. en

Justification

Keep solution technology neutral.

Amendment 12

Jens Gieseke

Proposal for a regulation

Article 3 – paragraph 2 – point 6

Text proposed by the Commission

Amendment

(6) *'advanced distraction recognition' means a system capable of recognition of the level visual attention of the driver to the traffic situation and warning the driver if needed;*

deleted

Or. en

Justification

No reliable technology available to clearly indicate that a driver is being distracted.

Amendment 13

Jens Gieseke

Proposal for a regulation

Article 3 – paragraph 2 – point 8

Text proposed by the Commission

Amendment

(8) *'reversing detection' means a camera or monitor, optical or detection system to make the driver aware of people and objects at the rear of the vehicle with the primary aim to avoid collisions upon reversing;*

(8) *'reversing detection' means a system to make the driver aware of people and objects at the rear of the vehicle with the primary aim to avoid collisions upon reversing;*

Justification

The definition should be technology neutral. Any system making the driver aware of obstacles should be supported.

Amendment 14
Luke Ming Flanagan

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Manufacturers shall ensure that vehicles are designed, constructed and assembled so as to minimise the risk of injury to vehicle occupants and vulnerable road users.

Amendment

4. Manufacturers shall ensure that vehicles are designed, constructed and assembled so as to minimise the risk of injury to vehicle occupants and vulnerable road users. ***This applies particularly to the elimination of 'blind spots', by video electronic means if necessary, for the protection of vulnerable pedestrians and cyclists;***

Or. en

Amendment 15
Jean-François Jalkh

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. Vehicles shall be equipped with an accurate tyre pressure monitoring system capable of giving an in-vehicle warning to the driver when a loss of pressure occurs in a tyre, in the interests of optimum fuel consumption and road safety, over a wide range of road and environmental conditions.

Amendment

1. Vehicles shall be equipped with an accurate tyre pressure monitoring system capable of giving an in-vehicle warning to the driver when a loss of pressure occurs in a tyre, in the interests of optimum fuel consumption and road safety, ***taking into account all components of the vehicle's operating environment***, over a wide range of road and environmental conditions.

Or. fr

Justification

Regardless of the terrain or the kind of users present in the vehicle's traffic environment; other motorists in their vehicles and vulnerable road users (pedestrians, cyclists, etc.).

Amendment 16

Jens Gieseke

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Tyre pressure monitoring systems shall be designed to avoid resetting or recalibration at a low tyre pressure. *deleted*

Or. en

Justification

The requirement should be technology neutral. However, the provision here would request direct systems.

Both direct and indirect systems have been proven to be equally effective in the field.

Amendment 17

Jens Gieseke

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) advanced distraction recognition; *deleted*

Or. en

Justification

No reliable technology available to clearly indicate that a driver is being distracted.

Amendment 18

Jean-François Jalkh

Proposal for a regulation

Article 6 – paragraph 2 – point a

Text proposed by the Commission

(a) it shall be possible for the driver to feel through the accelerator pedal that the applicable speed limit is reached or exceeded;

Amendment

(a) it shall be possible for the driver to feel through the accelerator pedal, **and using the speedometer on the dashboard**, that the applicable speed limit is reached or exceeded;

Or. fr

Justification

The simple sensation of the foot on the accelerator pedal is very relative and approximate: a speed display on the dashboard must correspond to the action exerted on the accelerator pedal.

Amendment 19 Jens Gieseke

Proposal for a regulation Article 6 – paragraph 2 – point a

Text proposed by the Commission

(a) it shall be possible for the driver to **feel through the accelerator pedal** that the applicable speed limit is reached or exceeded;

Amendment

(a) it shall be possible for the driver to **recognize** that the applicable speed limit is reached or exceeded;

Or. en

Justification

The proposed definition of the “intelligent speed assistance” that provide haptic feedback through the accelerator pedal does not reflect the technological solutions that are currently available and mature for vehicles and should not be implemented as mentioned in the proposal.

Amendment 20 Jens Gieseke

Proposal for a regulation Article 6 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) it shall **not** be possible to switch off **or suppress** the system;

(b) it shall be possible to switch off **the system**; the system **shall be active at ignition on**;

Or. en

Justification

It should be possible to switch off intelligent speed assistance systems.

Amendment 21

Jens Gieseke

Proposal for a regulation

Article 6 – paragraph 2 – point c

Text proposed by the Commission

(c) it shall be possible for the driver to override the system's prompted vehicle speed smoothly **through normal operation of the accelerator pedal without need for kick-down**;

Amendment

(c) it shall be possible for the driver to override the system's prompted vehicle speed smoothly;

Or. en

Amendment 22

Jens Gieseke

Proposal for a regulation

Article 7 – paragraph 4 – point c a (new)

Text proposed by the Commission

Amendment

(c a) lane-keeping systems should apply dynamic corrections to the vehicle's path from 70 km/h onwards;

Or. en

Justification

The lane keeping systems might cause safety issues especially for vulnerable road users if used in urban areas (narrow streets, complex road markings when lane fusion or new lane apparition). Therefore, it is proposed that this system is activated from 70km/h onwards.

Amendment 23
Jens Gieseke

Proposal for a regulation
Article 7 – paragraph 6

Text proposed by the Commission

Amendment

6. Vehicles of categories M1 and N1 shall be designed and constructed so as to provide for an enlarged head impact protection zone with the aim of enhancing the protection of vulnerable road users and mitigating their potential injuries in the event of a collision. **deleted**

Or. en

Justification

Automated emergency braking addresses pedestrian protection in a more effective way than an enlargement of the head impact zone which is not fully effective because it is for example restricted by several exemption zones like A-pillar.

Amendment 24
Jean-François Jalkh

Proposal for a regulation
Article 9 – paragraph 4 – point a

Text proposed by the Commission

Amendment

(a) it shall be possible to switch off systems only one at a time, and only at standstill with the parking brake engaged, by a complex sequence of actions to be carried out by the driver;

(a) it shall be possible to switch off systems only one at a time, and only at standstill with the parking brake engaged, by a complex sequence of actions to be carried out by the driver; ***the display on the dashboard or by voice announcement of the actions to be carried out will assist the driver to perform this complex sequence of actions properly;***

Or. fr

Justification

With a view to reducing any risk of manual error when carrying out the series of actions, the driver will be able to rely on instructions displayed on the dashboard or given by voice announcements.

Amendment 25
Luke Ming Flanagan

Proposal for a regulation
Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) systems to replace the driver's control of the vehicle, including steering, accelerating and braking;

Amendment

(a) systems to replace the driver's control of the vehicle, including steering, accelerating and braking, ***all of which must be independently tested and proven;***

Or. en

Amendment 26
Jens Gieseke

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

It shall apply from [PO: Please insert the date 36 months following the date of entry into force of this Regulation].

Amendment

It shall apply from [PO: Please insert the date 36 months following the date of entry into force of this Regulation]. ***The delegated acts referred to in article 12 shall be published at least 24 months before their application.***

Or. en

Justification

New or updated requirements need a reasonable period of time for manufacturers to make sure to comply with these regulations. If there is an unspecified time period to adopt delegated acts, there is a high risk that affected manufacturers cannot react within the remaining time slot until the date of application.