

# Road vehicles: new emissions and safety regulations

## Page 2: Personal details

Q1. Your:	
<b>name?</b>	Joshua Harris
<b>email address?</b>	jharris@brake.org.uk

Q2. Are you responding:
on behalf of an organisation?

## Page 3: Organisational details

Q3. Name of organisation
Brake

## Page 4: Defeat devices

Q4. A defeat device is software or features that circumvent regulations, for example by sensing that a regulatory test is being carried out on the vehicle. We are proposing that supplying a vehicle fitted with a defeat device will be made an offence. Do you agree that supplying a vehicle fitted with a defeat device should be an offence?
Yes

## Page 5: Defeat devices offence

Q5. Do you agree that the offence should be made so that (you can check more than one option):
<input type="checkbox"/> the manufacturer could be found guilty?
<input type="checkbox"/> the importer could be found guilty?
<input type="checkbox"/> the dealer could be found guilty?

## Page 6: Fuel consumption labelling

Q6. Under the proposals published official fuel consumption information for all new cars will change to that obtained from the new worldwide harmonised light vehicles test procedure (WLTP). Do you agree that this should take effect from 1 January 2019?
Yes

Q7. Under the proposals published specific CO2 emissions for all cars will change to those obtained from the new WLTP testing. Do you agree that this should take effect from 6 April 2020?

Yes

## Page 7: Heavy duty: emissions standards for national schemes

Q8. Do you agree with the introduction of Euro 6 (heavy duty) emissions standards for buses in both national small series type approval (NSSTA) and individual vehicle approval (IVA) schemes?

Yes

Q9. Do you agree with the introduction of Euro 6 (heavy duty) emissions standards for trucks in both national small series type approval (NSSTA) and individual vehicle approval (IVA) schemes?

Yes

Q10. Do you support the proposed introduction date of 3 months after these regulations are signed (an expected date of approximately 1 July 2018)?

Yes

## Page 8: Light duty: emissions standards for national schemes

Q11. Do you agree with the introduction of WLTP in NSSTA for light vehicles built after 1 September 2018?

Yes

Q12. Do you agree with the introduction of WLTP in IVA for light vehicles built after 1 July 2018?

Yes

Q13. Do you agree with our proposal to cater for companies converting light vehicles (multi-stage build), permitting an increase in unladen weight, on condition that emissions control devices are not removed?

Yes

Q14. Do you agree with our proposal to cater for companies converting light vehicles (multi-stage build), permitting an increase in frontal area, on condition that emissions control devices are not removed?

Yes

## Page 9: Kit cars: emissions standards for national schemes

Q16. Do you agree with requiring kit cars submitted for IVA to meet the latest MOT standards, thereby removing the rule that kit cars are IVA tested to MOT standards according to engine age?

Yes

## Page 10: Emissions standards for national schemes: dual fuel

Q17. Do you agree we should approve vehicles running on a mixture of diesel and hydrogen (dual fuel)?

Yes

## Page 13: Emissions standards for national schemes: range extender

Q20. Do you agree we should approve electric heavy duty vehicles with Range Extender engines taken from light duty vehicles?

Yes

## Page 16: Safety standards for national schemes

Q23. Do you agree with our proposal to require an advanced emergency braking system (AEBS) on certain heavy goods vehicles, minibuses and coaches?

Yes

### Your reasons are?

Brake believes that the Government should require AEBS and LDWS on all HGVs and minibuses/coaches to ensure the safety of all road users. The consultation document outlines that AEBS and LDWS are "designed to improve safety on high speed multi-lane dual carriageways" and therefore any vehicle which is permitted to travel on these roads, should be required to fit these technologies. In 2016, HGVs were involved in 38 fatal crashes and 1,209 crashes of all severities on British motorways [1]. The Department for Transport (DfT) estimates the "average value of prevention [2]" of each fatal crash on the road at £2,053,814, therefore, the total value of prevention of fatal crashes involving HGVs on motorways in the UK in 2016 was £78,044,932. This figure starkly illustrates the societal and economic cost of HGV crashes and provides a clear rationale for mandating lifesaving AEBS and LDWS technologies on these vehicles [3]. References: [1] RAS20004, DfT Reported Road Casualties in Great Britain, 2016 [2] The DfT states that "Prevention can be interpreted in two ways here: on the one hand it is the amount of money the Government should spend to likely prevent all road accidents. On the other hand it can be considered as the loss to society due to the current level of road accidents."

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244913/rrcgb2012-02.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244913/rrcgb2012-02.pdf) [3] Equivalent data for coaches and minibuses is not available in the dataset used, DfT Reported Road Casualties in Great Britain, 2016

Q24. Do you agree with our proposal to require a lane departure warning system (LDWS) on certain heavy goods vehicles, minibuses and coaches?

Yes

**Your reasons are?**

Brake believes that the Government should require AEBS and LDWS on all HGVs and minibuses/coaches to ensure the safety of all road users. The consultation document outlines that AEBS and LDWS are “designed to improve safety on high speed multi-lane dual carriageways” and therefore any vehicle which is permitted to travel on these roads, should be required to fit these technologies. In 2016, HGVs were involved in 38 fatal crashes and 1,209 crashes of all severities on British motorways [1]. The Department for Transport (DfT) estimates the “average value of prevention [2]” of each fatal crash on the road at £2,053,814, therefore, the total value of prevention of fatal crashes involving HGVs on motorways in the UK in 2016 was £78,044,932. This figure starkly illustrates the societal and economic cost of HGV crashes and provides a clear rationale for mandating lifesaving AEBS and LDWS technologies on these vehicles [3]. References: [1] RAS20004, DfT Reported Road Casualties in Great Britain, 2016 [2] The DfT states that “Prevention can be interpreted in two ways here: on the one hand it is the amount of money the Government should spend to likely prevent all road accidents. On the other hand it can be considered as the loss to society due to the current level of road accidents.” [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244913/rrcgb2012-02.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244913/rrcgb2012-02.pdf) [3] Equivalent data for coaches and minibuses is not available in the dataset used, DfT Reported Road Casualties in Great Britain, 2016

Q25. Do you agree with the proposed exemptions for vehicles based on car (M1) and van (N1) chassis?

No

**Your reasons are?**

Brake does not believe that any vehicle which is permitted to travel on high speed multi-lane dual carriageways, and which therefore may do so, should be exempt from the requirement to fit these lifesaving technologies. Furthermore, the Government should, at a minimum, follow the safety standards and timing for implementation for AEBS and LDWS as detailed under EU Regulation 347/2012. The proposal detailed in this consultation is not acceptable, with the UK lagging three years behind the EU implementation timetable in phase 1, and two years in phase 2. The latest DfT statistics [1] illustrate that British road safety is in decline, with 4% more road deaths and 9% more serious injuries in 2016 than in 2015. The fatal crash involvement rate for HGVs and buses or coaches indicates that these vehicles are high-risk, with an HGV fatal crash involvement rate of 16 per billion vehicle miles and a bus/coach rate of 23. These figures have plateaued in recent years and remain significantly higher than those for cars (7.7) and for vans/ LGVs (3.8) [2]. The UK Government must do all in its power to increase the safety of these vehicles, minimising the tragedy of road deaths, which, all too often, cause devastation to families and communities across the UK. The use of lifesaving vehicle technologies, such as AEBS and LDWS, has a role to play in preventing such tragedies and therefore should be mandated for all vehicles. References: [1] DfT Reported Road Casualties in Great Britain, 2016 [2] RAS20001, DfT Reported Road Casualties in Great Britain, 2016

Q26. Do you agree with our proposed exemptions for vehicles produced by a manufacturer making fewer than 1000 chassis per year?

No

**Your reasons are?**

Brake does not believe that any vehicle which is permitted to travel on high speed multi-lane dual carriageways, and which therefore may do so, should be exempt from the requirement to fit these lifesaving technologies. Furthermore, the Government should, at a minimum, follow the safety standards and timing for implementation for AEBS and LDWS as detailed under EU Regulation 347/2012. The proposal detailed in this consultation is not acceptable, with the UK lagging three years behind the EU implementation timetable in phase 1, and two years in phase 2. The latest DfT statistics [1] illustrate that British road safety is in decline, with 4% more road deaths and 9% more serious injuries in 2016 than in 2015. The fatal crash involvement rate for HGVs and buses or coaches indicates that these vehicles are high-risk, with an HGV fatal crash involvement rate of 16 per billion vehicle miles and a bus/coach rate of 23. These figures have plateaued in recent years and remain significantly higher than those for cars (7.7) and for vans/ LGVs (3.8) [2]. The UK Government must do all in its power to increase the safety of these vehicles, minimising the tragedy of road deaths, which, all too often, cause devastation to families and communities across the UK. The use of lifesaving vehicle technologies, such as AEBS and LDWS, has a role to play in preventing such tragedies and therefore should be mandated for all vehicles. References: [1] DfT Reported Road Casualties in Great Britain, 2016 [2] RAS20001, DfT Reported Road Casualties in Great Britain, 2016

Q27. Are there any other exemptions for AEBS and LDWS that you would like to see?

No

**If yes, what are they and why?**

As noted in the response to question 14, Brake does not believe that any vehicle which is permitted to travel on high speed multi-lane dual carriageways, and which therefore may do so, should be exempt from the requirement to fit these lifesaving technologies.

## Page 17: Safety standards for national schemes

Q28. Do you agree with our proposals for more stringent rules on heavy goods vehicle mirrors?

Yes

**Your reasons are?**

This consultation details that UNECE R46 was introduced at UK initiative and that, at UK urging, it has been in force in the EU for all new registrations since 1 July 2016. However, the consultation outlines that the UK is only now proposing to require fitment of the new mirrors to HGVs that were built after 1 July 2018. Brake supports the mandatory fitment of HGV mirrors but questions why the UK has been so late in adopting these rules, particularly in light of the UK leading the way in calling for change. British road safety suffered a deeply concerning decline in 2016 and the UK Government must be proactive in taking steps to reverse this trend. Brake is also calling for HGVs submitted for approval under domestic schemes to be required to have the new mirrors fitted. This consultation document states that whilst the Government “anticipates that heavy goods vehicles submitted for approval under domestic schemes would have the new mirrors fitted, it is currently not obligatory.” Being reliant upon the goodwill of operators/ manufacturers for UK road safety is not enough and therefore HGVs submitted for approval under domestic schemes should be mandated to fit the new mirrors.

Q29. Do you agree with our proposals for more stringent rules on heavy goods vehicle rear under-run?

Yes

**Your reasons are?**

b) Brake supports the compulsory fitment of rear under-run protection devices (RUPD) on tipper lorries, making common practice the law and improving the safety of these heavy vehicles. Brake also understands that the UNECE has recommended increasing the strength of rear under-run devices, with better vertical alignment (ensuring that passenger car bumpers contact the guard) and that the European Commission is proposing to adopt these changes into the General Safety Regulation (GSR). Brake welcomes this development and urges the UK to support and implement these changes.

### Q30. Do you have any other comments on how we might improve heavy goods vehicle safety?

Yes

#### If yes, provide details.

Brake believes there are three key areas in which action should be delivered to improve HGV vehicle safety for all road users: the overall reduction in numbers of HGVs on our roads through the movement of freight from road to rail; policy interventions which follow the safe systems approach (in particular, mandating the latest vehicle safety technologies and implementing safer speed limits); and increased enforcement and tougher penalties for illegal HGV operation.

Firstly, it is important to assess the risks HGVs pose to road user safety, in comparison with other vehicles.

The nature of HGVs, their size, weight, manoeuvrability, and the driver's vision, make them a significantly higher road safety risk compared with other vehicles and this is borne out by the statistics. Analysis by the Campaign for Better Transport illustrates that HGVs are considerably more likely to be involved in fatal accidents compared with the average for all vehicles – 2016 data shows HGVs are nearly three times as likely to be involved in a fatal crash on motorways (292%), more than three times as likely on A roads (320%) and nearly seven times as likely on minor roads (685%) [1].

It can therefore be seen that the most effective way to improve the risk posed by HGVs to road user safety is to minimise the numbers of these vehicles on our roads and, to this end, Brake is supportive of the movement of freight from road to rail. The DfT's Rail Freight Strategy highlights the safety and environmental benefits such a shift can bring, noting that each tonne of freight transported by rail reduces carbon emissions by 76% compared with road, and each freight train removes between 43 and 76 lorries from the roads [2].

Policy measures that follow the safe systems approach are also key to improving HGV safety. However, despite the heightened dangers of HGVs, as illustrated in the above dataset, in recent years the Government has implemented a number of policy changes that actually increase the risks posed, such as increasing HGV speed limits and trialling longer lorries. The HGV speed limit change was introduced in 2015, with limits for HGVs weighing more than 7.5 tonnes increasing from 40mph to 50mph on single carriageways, and from 50mph to 60mph on dual carriageways. Speed is always a factor in road crashes as the faster a vehicle is travelling, the longer it takes to stop and the greater the impact in a crash. Increasing speed limits for HGVs was therefore a backward step for road safety and one which the Government should reverse. The Government's rationale for the change was informed by a desire to reduce dangerous overtaking manoeuvres by vehicles stuck behind HGVs. However, a safer approach to this issue would have been the lowering of speed limits for other vehicles. Brake calls for safer default national speed limits, reducing those in urban areas to 20mph and on rural roads to 50mph.

Vehicle design and the implementation of new technology also has a significant role to play in ensuring the HGVs on our roads are safe. The European Commission will shortly publish proposals to update the General Safety Regulation (GSR) and Passenger Safety Regulation (PSR) and the UK Government must be proactive in ensuring that such proposals mandate the latest technologies and most stringent safety standards. The UK Government must also commit to transposing any EU law of relevance to road safety onto the UK statute book, following the UK's withdrawal from the EU.

At a local level, Transport for London's development of the Driver Vision Standard for HGVs is a positive step to reducing those killed or seriously injured by HGVs in London - over the past three years, HGVs were involved in 20% of pedestrian deaths and more than 70% of cyclist deaths, despite HGVs only contributing 4% of road miles travelled in London. The Government should look to follow TfL's lead and mandate the highest driver vision standards for HGVs in operation in the UK.

With regards to the safe operation of HGVs on UK roads, the Fleet Transport Association's (FTA) Logistics Dashboard highlights the prevalence of HGVs being driven in dangerous and illegal condition:

[3]

2015 data (UK drivers only)

HGV roadside encounter failure rate for weight checks 45.5%

HGV roadside encounter prohibition rate for mechanical checks 30.1%

and HGV roadside encounter failure rate for drivers' hours checks 7.1%

Although the FTA's dashboard highlights a gradual improvement in these indicators on previous years' data, these figures are still deeply concerning, with nearly half of HGVs tested being overloaded and nearly a third failing mechanical checks. This is a clear indication of the need for more and stricter enforcement alongside tougher penalties that truly deter illegal HGV operation.

References:

[1] HGV fatal collision rates, MTRU for Campaign for Better Transport, November 2017

[2] <https://tfl.gov.uk/info-for/deliveries-in-london/delivering-safely/direct-vision-in-heavy-goods-vehicles>

[3] Source data taken from FTA Logistics Report 2017

## Page 18: Safety standards for national schemes

Q31. Do you agree with introducing EU and UNECE regulations on electric vehicles?

Yes

## Page 26: Other miscellaneous questions

Q40. Are you content with our proposal as regards administrative provisions governing the national small series type approval (NSSTA) scheme with regard to framework directive 2007/46?

No

**Your reasons are?**

No. Increasing the number of vehicles not subject to the more stringent ECWVTA rules will be detrimental to UK road safety and should be avoided.

## Page 27: EU Exit

Q42. What would you like to see in this area of regulation following Brexit and do you have any views on whether the UK should continue to follow the EU type approval scheme after Brexit?

At a minimum, the UK should implement and follow the safety standards and regulations set by the EU post-Brexit. However, the recent plateau and now decline in UK road safety indicates that more must be done if we are to achieve the vision of zero road deaths and serious injuries on our roads. The UK should therefore seek to implement higher safety standards and Brake recommends the setting of tough road safety targets, requiring commitment to road safety improvement across Government.