



Institute of Transportation Engineers Australia & New Zealand Section

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MVSA Review Team
Surface Transport Policy, Vehicle Regulation Reform Branch
Department of Infrastructure and Regional Development
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Dear Sir/Madam

Thank you for the opportunity to submit our comments on the review of the *Motor Vehicle Standards Act 1989* (the Act).

The Institute of Transportation Engineers Australia and New Zealand Section (ITEANZ) is part of the international Institute of Transportation Engineers (ITE) which is a community of transport professionals including transport engineers, transport planners, consultants, educators and researchers. ITE has nearly 17,000 members in more than 90 countries.

ITEANZ's members have a keen interest in road safety and the contribution of vehicles to road safety outcomes means that updates to the Act are therefore of interest to our members.

Australia's *National Road Safety Strategy 2011-2020* sets out a clear vision that ***no person should be killed or seriously injured on Australia's roads***. The Strategy adopts the Safe System approach and identifies the three key principles behind that approach:

1. ***"People make mistakes. Humans will continue to make mistakes, and the transport system must accommodate these. The transport system should not result in death or serious injury as a consequence of errors on the roads.***
2. ***Human physical frailty. There are known physical limits to the amount of force our bodies can take before we are injured.***
3. ***A 'forgiving' road transport system. A Safe System ensures that the forces in collisions do not exceed the limits of human tolerance. Speeds must be managed so that humans are not exposed to impact forces beyond their physical tolerance. System designers and operators need to take into account the limits of the human body in designing and maintaining roads, vehicles and speeds."***

Safer vehicles will play a critical role in reducing the frequency of crashes that result from human error and in reducing the severity of those crashes to keep collision forces within human tolerances. The role of vehicles in road safety is recognised by the inclusion of ***safe vehicles*** as one of four cornerstones in the *National Road Safety Strategy*. Specifically, the Strategy calls for ***"vehicles which not only lessen the likelihood of a crash and protect occupants, but also simplify the driving task and protect vulnerable users. Increasingly this will involve vehicles that communicate with roads and other vehicles, while automating protective systems when crash risk is elevated."***

Any changes to the *Motor Vehicle Standards Act 1989* must contribute to the achievement of the national road safety vision by increasing the penetration of safer vehicles into the Australian vehicle fleets. With this in mind, we provide the following comments on the Options Discussion Paper:

Option 1 - Do nothing

Not supported. There are too many opportunities for reform and improvement to the current system.

Option 2 - Repeal the legislation

Not supported. The legislation is too important as a means of improving road safety outcomes. Market forces are not sufficient to ensure that the most cost-effective safety standards are incorporated into Australian motor vehicles.

Option 3 - Modernise the legislation

Supported.

Option 4 - Strengthen the legislation

Supported. ITEANZ fully supports having nationally consistent motor vehicle safety standards. Local state or territory safety standards undermine this consistency.

Option 5 - Harmonisation of Australian vehicle standards with international standards

Conditional support. Where safety standards in the UN Regulations and the ADRs are equivalent, there is clearly a case for harmonisation. However, for matters in which Australia's requirements achieve a higher level of safety than the UN Regulations, adopting the lower standard would be counter-productive. The value of safer vehicles in avoiding and minimising road trauma far outweighs the economic cost of compliance. This will be increasingly the case as more effective safety features become available with new technologies.

We strongly oppose the option of removing the ADRs and replacing them with a legislative reference to UN Regulations. The starting point for any new system should be to ensure that existing safety standards are not compromised. For example, child restraints (ADR 34) and bus occupant protection (ADR 67) are important safety requirements that must not be diminished.

We would however support reasonable streamlining of ADRs so that differences between Australian and international requirements are minimised in areas that do not diminish safety.

Option 6 - Streamline new vehicle certification processes

No comment.

Option 7 - Reduce the barriers to personal importation of new vehicles and the importation of quality second-hand vehicles

Not supported. All new and near new vehicles imported into Australia should be required to comply with the ADRs. This maximises the level of vehicle safety and ensures a level playing field in the motor vehicle market. While there could be more flexibility with second-hand vehicles, there still need to be controls in place to ensure such vehicles have an appropriate level of safety for their age.

Option 8 - Reduce/consolidate concessional arrangements

No comment.

In addition to general comments on the Options Discussion paper, ITEANZ has identified some specific areas in which we wish to provide input.

Vehicle Automation

The high profile publicity around the Google car means that vehicle automation is often thought about in terms of self-driving cars. This simplification loses sight of the benefits available from lower levels of automation, including some which are mandatory on new vehicles in Australia. The US National Highway Traffic Safety Administration (NHTSA) has set out five levels of vehicle automation:

- Level 0: No-Automation
- Level 1: Function-specific Automation
- Level 2: Combined Function Automation
- Level 3: Limited Self-Driving Automation
- Level 4: Full Self-Driving Automation

Level 1 technologies include Electronic Stability Control (ESC) and Auto Emergency Braking (AEB) which both have demonstrated clear safety benefits. ESC has already been made mandatory in Australia and AEB is currently the focus of an advocacy campaign.

In order to support the *National Road Safety Strategy*, the Act must continue to allow Australia to mandate level 1 automation functions for new vehicles even where this is not yet mandatory in international standards.

Cooperative ITS (C-ITS)

Austrroads Cooperative ITS (C-ITS) Strategic Plan identified C-ITS as *“an emerging platform that can be applied to motor vehicles and roadside infrastructure to enable direct two-way communication between them... because C-ITS enables connectivity between road users through wireless communication, it can provide real-time information about the road environment (such as potential incidents, threats and hazards) with an increased time horizon and awareness distance that is beyond both what in-vehicle technologies (such as radars and cameras) and the driver can visualise. In this sense, C-ITS has the potential to deliver significant safety outcomes.”*

The additional safety that C-ITS provides over other vehicle technologies means that changes to the Act must support the adoption of C-ITS within Australia. The reliance of Cooperative ITS on communications between vehicles and between vehicles and infrastructure introduces a new area of required standardisation not necessarily covered in UNECE regulations.

In order to support the *National Road Safety Strategy*, the Act must consider international standards for C-ITS in addition to those referenced by UNECE regulations and/or ADRs.

ITEANZ again thanks the Department for the opportunity to provide a submission and welcomes any further discussion with the Department on our submission.

Yours sincerely,



David Nash
Secretary
on behalf of the board and members of the ITEANZ