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### Economic Commission for Europe

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#### Working Party on Road Traffic Safety

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##### Convention on Road Traffic 1949

##### Consistency between the Convention on Road Traffic (1949) and Vehicle Technical Regulations

### Amendments to Article 8 and Article 22 of the Convention on Road Traffic (1949)

#### Submitted by the Governments of Austria, Belgium, France and Italy

This document proposes amendments to the 1949 Convention on Road Traffic to include systems which influence the way vehicles are driven and to take account of recent technical developments.



## I. Convention on Road Traffic of 19 September 1949

### A. Proposed amendment of Article 8:

A new paragraph (i.e. paragraph 6) is to be inserted into Article 8. The new paragraph 6 shall read as follows (in bold):

#### **Article 8**

1. Every vehicle or combination of vehicles proceeding as a unit shall have a driver.
2. Draught, pack or saddle animals shall have a driver, and cattle shall be accompanied, except in special areas which shall be marked at the points of entry.
3. Convoys of vehicles and animals shall have the number of drivers prescribed by domestic regulations.
4. Convoys shall, if necessary, be divided into sections of moderate length, and be sufficiently spaced out for the convenience of traffic. This provision does not apply to regions where migration of nomads occurs.
5. Drivers shall at all times be able to control their vehicle or guide their animals. When approaching other road users, they shall take such precautions as may be required for the safety of the latter.
6. **Vehicle systems which influence the way vehicles are driven shall be deemed to be in conformity with paragraph 5 of this Article and with Article 10, when they are in conformity with the conditions of construction, fitting and utilization according to international legal instruments concerning wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles.\***

**Vehicle systems which influence the way vehicles are driven and are not in conformity with the aforementioned conditions of construction, fitting and utilization, shall be deemed to be in conformity with paragraph 5 of this Article and with Article 10, when such systems can be overridden or switched off by the driver.**

### B. Proposed amendment of Article 22

Paragraph 2 of Article 22 which currently reads:

2. In addition, every motor vehicle, or trailer and its equipment shall conform to the provisions of Annex 6 and the driver of every motor vehicle shall observe the rules set out therein.

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\* **The UN Regulations annexed to the "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" done at Geneva on 20 March 1958.**

**The UN Global Technical Regulations developed in the framework of the "Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles" done at Geneva on 25 June 1998.**

is to be appended by the following text:

**When these vehicles are fitted with systems, parts and equipment that are in conformity with the conditions of construction, fitting and utilization according to technical provisions of international legal instruments referred to in Article 8, paragraph 6 of this Convention, they shall be deemed to be in conformity with Annex 6.**

## II. Justification

### Article 8, paragraph 6

1. Drivers' skills vary substantially; human failure is by far the predominant cause of traffic accidents. Vehicle systems such as Driver Assistance Systems support the driver in their driving task. They may also influence the way vehicles are driven. Thus, they have the potential to immediately benefit road safety or to do the same by reducing drivers' workload. Yet, in the recent past, technical developments have given rise to doubt and uncertainties whether all vehicle systems available today are in concordance / consistency with traffic regulations. The above amendment resolves this concern.

2. Keeping the driver in a superior role is a guiding principle of road traffic regulations. Therefore, over-rideability as well as the possibility for the driver to switch systems off ensure that the driver's will is put forth. Nevertheless, there may be such vehicle systems which do not – temporarily or constantly – allow overriding of their interventions at any time or for switching them off completely (e.g. brake assist, a system which supports the driver in an emergency brake situation by applying – in case of an emergency braking manoeuvre – the maximum braking deceleration). Such system design may be rooted in the fact that a driver might not show appropriate actions or reactions in a potentially dangerous driving situation which might even aggravate when trying to override a vehicle system's intervention (e.g. by overriding/aborting an emergency braking intervention or by overriding/aborting an emergency swerving intervention). Such vehicle systems – even though the override option may not be available at all times or even not switched off completely – may help the driver to maintain the vehicle under control in dangerous driving situations.

3. Therefore, vehicle systems shall be deemed to be in conformity with the principles of Article 8, paragraph 5 and Article 10 of the Convention on Road Traffic (1949) if they are in conformity with the conditions of construction, fitting and utilization according to international legal instruments concerning wheeled vehicles, equipment and parts — in particular, the regulations annexed to the Agreements of 1958 and 1998 (listed in the footnote of the new paragraph 6 of Article 8 of the Convention).

4. The driver's obligation to monitor and control any kind of action taken by a vehicle system is addressed by the guiding principle underlying all road traffic rules. The systems are not designed to overrule decisions taken by sane, accountable drivers.

### Article 22, paragraph 2

The technical requirements set out in Annex 6 of this Convention have never been modified in relation to the numerous technical developments.

The purpose of the amendment is, therefore, to consider vehicles that are in conformity with the requirements contained either:

- in the UN Regulations annexed to the "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

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Recognition of Approvals Granted on the Basis of these Prescriptions" done at Geneva on 25 March 1958;

or

- in the UN Global Technical Regulations developed in the framework of the "Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles" done at Geneva on 25 June 1998,

to be in conformity with to the provisions of Annex 6.

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