

# The scope of the Taskforce on Security/Update

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Washington, 20 Febr. 2018

# background

- There is a repetitive discussion within the Taskforce where contracting parties suggest requirements beyond the phase of type approval, and industry is objecting that these requirements are out of scope because the taskforce should only be limited to type approval/certification

# Guiding Principles Taskforce

- Moral objective(s)
- Legal requirements

# Moral guidelines (1)

- The **purpose** of the UNECE activities is to improve safety and sustainability. Legislation/Harmonisation is a **support** to achieve this. When, for instance due to fast technological developments, legislation has a backlog, this should not be misused by any party involved to abstain from responsibilities and adequate adaptation of legislation should be supported.

# Moral guidelines (2)

- UNECE Special Envoy on Road Safety:  
“It is within this context that the United Nations Secretary-General is appointing a Special Envoy for Road Safety to help to mobilize sustained political commitment towards making road safety a priority”  
“Advocating the accession to, and **more effective implementation** of, United Nations road safety legal instruments”

# Legal requirements

- WP29 (58 Agreement, 97 Agreement)
- Requirements on complex electronic systems
- ToR

# 58 Agreement

- Preamble (rev. 3):  
“ RECOGNISING the importance of safety, environmental protection, energy efficiency and anti-theft performance of wheeled vehicles, equipment and parts, which can be fitted and/or be used on wheeled vehicles for the development of regulations that are technically and economically feasible and adapted to technical progress “

# 97 Agreement

- Preamble:

“DESIRING to achieve greater uniformity in the rules governing road traffic in Europe and to ensure a higher level of safety and protection of the environment”



# UNECE requirements on complex electronic systems

R13, Annex 18, R79 Annex 6:

- Art 3.1: “**For periodic technical inspections**, the documentation shall describe how the current operational status of "the system" can be checked.”
- Art 3.3.5.1: “The identification defines the hardware and software version and, where the latter changes such as to alter the function of the unit as far as this Regulation is concerned, this identification shall also be changed”

# UNECE requirements on **in-service conformity**

R49 and R83:

- **1. Scope:** “In addition, this Regulation lays down rules for in-service conformity, durability of pollution control devices and On-Board Diagnostic (OBD) systems”
- **9. In-service conformity:** “9.2.1. Measures to ensure in-service conformity of vehicles or engine systems type approved under this Regulation shall be taken in accordance with Appendix 2 to the 1958 Agreement (E/ECE/324//E/ECE/TRANS/505/Rev.2) and complying with the requirements of Annex 8 of this Regulation in the case of vehicles or engine systems type-approved under this Regulation
- **Annex 8: Conformity of in-service engines or vehicles:** “2.1. The conformity of in-service vehicles or engines of an engine family shall be demonstrated by.....”

# ToR

- The ToR is not restricted to Type Approval or the 58 Agreement
- The definition of Manufacturer includes parties involved after type approval:  
“The automotive industry ” shall be considered to include: “Manufacturers, suppliers, **maintenance providers and providers of systems and services that interact with the vehicles** (e.g. back end systems and 3<sup>rd</sup> party systems)”
- “Software updates shall include : Consider the implications related to **post-registration regulatory compliance** and conformity to the type approved”

# Conclusion

- The ToR does not restrict the Taskforce to only Type Approval requirements
- Existing regulations contain references to requirements beyond the Type Approval phase (eg PTI)
- There are several moral and legal grounds to set requirements for the lifetime safety and sustainability of the vehicle, and UNECE treaties do stimulate adaptation to technical developments.



# 2014/45/EU

- Art. 17: “For the inspection of vehicles, and especially for their electronic safety components, it is crucial to have access to the technical specifications of each individual vehicle. Consequently, vehicle manufacturers should provide the data needed for verification of the functionality of safety and environment-related components.”