Proposed amendments to the “Introduction” as proposed
by Germany in document AEBS/LDWS-10-05 and
used in subsequent regulation proposals.

0. Introduction

The intention of this regulation is to establish uniform provisions for the ~~layout and~~ performance of automatic emergency braking systems fitted to motor vehicles of the category M_2; M_3; N_2 and N_3 used on the road.

The system shall automatically detect a potential forward collision, provide the driver with a warning and activate the vehicle braking system to decelerate the vehicle with the purpose of avoiding or mitigating the severity of a collision in the event that the driver does not respond to the warning.

The system shall only operate in driving situations where braking will avoid or mitigate the severity of an accident, and should take no action in normal driving situations.

~~In the case of a defect or failure in the system,~~ **T**he ~~safe~~ **normal** operation of the vehicle shall not be endangered ~~and the full functionality of all other vehicle systems maintained~~ **in the case of a defect or failure in the system**

The driver may have the possibility to switch off the system. In such a case, the driver shall receive an indication when the system is inactive~~. So as to ensure the long term benefit for traffic safety~~, **and** the system shall be automatically re-activated on each ~~start-up~~ **new ignition-on**.

The system shall provide **as a minimum** an acoustic or haptic warning, which may also be a sharp deceleration, so that a driver who is inattentive ~~– has been driving for a long period of time without, e.g. actively using the brakes –~~ is made aware of a critical situation.

During any action taken by the system (the warning and emergency braking phases) the driver can, at any time through a conscious action, e.g. by a steering action or an accelerator kick-down, take control and override the system ~~to avoid the accident~~.

~~Because of the fact that the emergency braking is done when an accident can not be avoided by an active intervention of the driver, the responsibility for the vehicle etc clearly lies with the driver.~~

~~As the system is only active in an emergency situation, there is also no connection with the subject “autonomous driving or braking”. The responsibility for the vehicle, as with active operation of the automatic emergency braking system, rests with the driver~~

At all times the responsibility for the vehicle and its safe operation rests with the driver and the emergency braking function only takes place when an accident is unavoidable. As the driver has let the situation occur, the driver's responsibility for the safe operation of the vehicle is in no way reduced by the operation of the automatic emergency braking system.

While the regulation can not, due to the complexity of road traffic conditions – overtaking, oncoming traffic, traffic travelling in the same direction to the right and left, crossing traffic, moving and stationary traffic – and road infrastructure features – curves, junctions, bridges, roadside guardrails, roadside signs, manholes – include all such conditions and features in the type-approval process, they are **inherently** part of an automatic emergency braking system. Such conditions and features should not result in false warnings to the extent that they encourage the driver to switch the system off.

~~To only fulfil the type-approval conditions is not sufficient;~~ **T**he vehicle manufacturer ~~has to~~ **shall** ensure the overall suitably of the vehicle for use ~~on the road~~ **in real world driving conditions, in addition to fulfilling the type approval requirements of this regulation**.

Justification

Grammatical and technical changes aimed at improving/clarifying the text without changing the objective of having an informative introduction which provides an overview of what is expected from an advanced emergency braking system.