

Driver Assistance Systems - DAS

Implications between legal texts and technical requirements
an overview

Two main sources:

- Convention on Road Traffic 1968 +
European Agreement supplementing it (WP.1)
- 1958 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 +
Technical Regulations, adopted by the World Forum for Harmonization of Vehicle Regulations (WP.29)

Raising the discussion:

WP.29 pointed out discrepancies between the 1968 Convention and the already existing technical regulations.

A small group was formed to examine the matter more closely.

Some fields where the problem of these discrepancies were most apparent were identified. Among these was the item of DAS.

The challenge

The main challenge to be faced up is to match the legal instruments such as Vienna Convention with technology available on board of vehicles, enhancing driver's performances, assisting the driving in dire circumstances, or other specific situation . In the current relation, the Road Safety Forum, and by inference the related small group has been called to consider the gap between the technical provisions (WP.29) updating vehicle's standards and the Vienna Convention.

Art. 8 of the 1968 Convention

DAS, although covered by technical regulations, are moulded in other regulatory sets of rules , starting from the 1968 Vienna Convention on road Traffic, which indeed at Art. 8 , para. 5 speaks of “Driver in control” :

- Art. 8 “Drivers”
- 1. Every moving vehicle or combination of vehicles shall have a driver...
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- 5. Every driver shall at all times be able to control his vehicle
... .

Long standing discussion to amend the 1968 Vienna Convention, Art. 8

- Discussion focusses on two main points:
 - Is there a need to amend Art. 8?
 - How to define DAS?

Amendment of Art. 8?

Pros and cons

- Pros:
 - Road safety matters should always be discussed in WP.1
 - As DAS are a road safety matter, they cannot be ignored by the Convention
 - Focus of WP.29 is different (harmonization vs. road safety)
- Cons:
 - In 1968, Art. 8 was not drafted with today's technology in mind but referred to the physical ability of the driver
 - As DAS are a technical matter, they should be decided upon by the WP.29
 - All technical issues covered by a regulation should be considered as being in line with road safety requirements.

Where are we now?

- a compromise solution

A general clause to be introduced into Art. 8, both referring to technical regulations as well as trying to find a definition of „DAS“.

Looking forward to a lively discussion!