

Informal document **GRVA-17-30**  
17<sup>th</sup> GRVA, 25-29 September 2023  
Agenda item 5(a)

Submitted by

**CEMA**



# **CEMA proposal in response to GRVA-17-13 with regard to T, R, S category machinery**

17<sup>th</sup> GRVA session, September 2023

# CEMA proposal in response to GRVA-17-13 with regard to T, R, S category machinery



Alternative amendment proposal in response to GRVA-17-13.

## 1. Scope

(proposal to amend para 1.2 as follows – addition in **Red**)

1.2 This Regulation also applies to vehicles of the Categories **T, R, S**, L<sub>6</sub> and L<sub>7</sub> if equipped with automated driving functionalities **intended for operation on public roads** from level 3 onwards, as defined in the reference document with definitions of Automated Driving under WP.29 and the General Principles for developing a UN Regulation on automated vehicles (ECE/TRANS/WP.29/1140).

# CEMA proposal in response to GRVA-17-13 with regard to T, R, S category machinery



## Justification

1. Cybersecurity is essential for all machinery and equipment whether running on or off roads.
2. Categories T, R and S fall under the scope of the EU Cyber Resilience Act and the EU Machinery Regulation for cybersecurity requirements.
3. **Our primary opinion still remains, that it would be better to wait till the EU CRA is published and its impact and overlap with the Agricultural machinery sector – i.e. T, R, S categories and beyond is understood. E.g. we already know that the CRA is by far the most suitable solution for SME's. In this respect it must also be mentioned that the UK-FR proposal does not even mention the CRA.**
4. Considering the proposal shared by France and the UK, and if it is the desire to use UNR155, we propose to include categories T, R, S in the scope of UNR 155 only while in operation on public roads and applying automation level 3 and above. This means:
  - ▶ For all in-field operations i.e. non-public and non-traffic environment, these categories shall be fully covered by EU CRA and EU Machinery regulation **like all other categories of machines.**
  - ▶ All agricultural machinery AND Tractors / implements need to, and with this proposal would be in scope of the same legislation (preventing from having 2 designs in parallel during for operation and compatibility in-farm).
5. While GRVA does not fully regulate the Ag machinery sector, our proposal is the ONLY solution to cover T, R, S machinery in the scope of Automotive Cybersecurity regulation and avoiding DOUBLE regulation.

# CEMA proposal in response to GRVA-17-13 with regard to T, R, S category machinery



6. Tractors and implements are not designed to transport passengers or goods at high speeds (like M & N categories), but only to transport 'the machine itself' from one point to another.
7. Controlling the non-automated vehicle's lateral and longitudinal motion, monitoring the road environment, responding to events in the road traffic environment, and planning and signaling for maneuvers is fully governed by a 'driver' while using public roads, and at limited speeds.
8. On the farms, the machinery 'not intended' for automated driving on public roads or interaction with smart infrastructure in its entirety shall be covered by the CRA in the EU, or other regional legislations applicable to machinery respectively in the region it belongs.
9. As we understand, the purpose of this committee is the safe deployment of AVs in traffic environment. A farm is not a traffic environment. And our proposal fully considers applicability of UNR 155 if Ag vehicles come at par with AVs and start operating on public roads with such functionality.
10. Also, as highlighted in earlier discussions, we FEAR a double regulation not just in EU, but in rest of the world as well because the departments and regulations that target 'machinery' have been, and are, different from the ones that handle 'automotive requirements'. We all are already aware of this severe challenge we face to attain this alignment in the EU. the rest of the world might be an even bigger challenge!