

Future of transport regulatory review: modernising vehicle standards

Introduction

Thank you for responding to our consultation, your views will assist in developing a national framework allowing us to adapt the regulation of vehicles.

The closing date is 22 November 2021.

View all the questions

This survey provides questions based on user choice, a [full copy of the questions is available \(opens in a new window\)](#).

You

1. Your (used for contact purposes only):

Name

Email

2. Are you responding: *

	as an individual? (Go to 'Modernising vehicle standards')
	on behalf of an organisation?

Organisation details

3. What is the name of your organisation?

PACTS

4. Your organisation is in:

academia?

industry?

the public sector?

a non-governmental organisation?

a charity?

another type of organisation?

5. How many people does your organisation represent?

0 people

1 to 10 people

11 to 50 people

51 to 100 people

101 to 1,000 people

Above 1,000 people

We have over 100 member organisations which have many members themselves. We do not claim to represent their exact views on all issues, but they are usually supportive of what we do and leave us to respond to DfT on some technical matters.

PACTS gratefully acknowledges the assistance that we have had in completing this response from key individuals in TRL, Thatcham Research, Global NCAP and others with technical expertise. The final submission does not necessarily represent their view and is the responsibility of PACTS.

Modernising vehicle standards

We intend to develop a national framework allowing us to adapt the regulation of vehicles. This is essential for the safe deployment of automated and other innovative vehicles. We will also implement improved environmental standards and enforcement to better meet current and future challenges.

There are 4 areas where we are proposing to make changes. We are seeking views on:

- providing a modern framework for modern vehicles – regulating safety, security and environmental performance
- establishing a flexible, proportionate, and responsive approach to regulating safety, security and environmental performance of vehicles
- tackling tampering
- improving compliance, safety and security

6. Do you agree or disagree with our overall intention relating to modernising vehicle standards?

 Strongly agree

 Agree

 Neither agree nor disagree

 Disagree

 Strongly disagree

 Don't know?

Overall, what are your comments on our intention?

Britain has been at the leading-edge of development of vehicle safety standards for many years. The new GB national type-approval scheme must commit to the continuing adoption of best practice vehicle safety standards in Great Britain.

New standards are being implemented at EU level (including in Northern Ireland) from July 2022. Great Britain must at least match these and preferably go beyond them. These standards align well with the UK's CAV and net zero emissions agendas and will assist Britain to maintain its leadership role in these areas.

Regulation must ensure safety, security and environmental performance throughout the lifetime of the vehicle, while giving manufacturers freedom to innovate to improve on current standards and reduce costs to themselves and consumers.

It is also important the legislation is harmonised where possible, e.g. via the UN WP.29, because this minimises the cost to the consumer of delivering safety, security and environmental performance.

A modern framework for tomorrow's vehicles – regulating safety, security and environmental performance

We are seeking powers to amend (or repeal and replace) retained relevant sections of EU law. This would allow such legislation to be updated to reflect technological changes and ensure GB law continues to be fit for purpose. This would enable us to make regulations on the approval of the design, construction, marking and labelling of:

- vehicles
- vehicle parts and equipment
- engines for non-road mobile machinery

In this context, the term 'vehicle' includes not only passenger and goods vehicles but trailers, 2 and 3 wheeled vehicles and quadricycles, agricultural and forestry tractors and their equipment.

We need the requirements and powers to be wider than those in the [Road Traffic Act 1988 \(opens in a new window\)](#) to reflect the rapidly developing technological landscape which was not envisaged when the legislation was enacted

We want to ensure we have powers to introduce provisions to permit the safe introduction of new technologies and new vehicle categories that do not meet existing approval requirements.

We also want to develop consumer information schemes such as tyre labelling.

We propose to create:

- an approval scheme for automated vehicles to set requirements for safety, security and in-use monitoring – this will cover systems, sub-systems and manufacturers' processes across the vehicle lifecycle (design, development, manufacturing and in-use operation)
- new technical regulations for road vehicles, such as approval and in-use obligations for software and cyber-security requirements over vehicle life – this will include the ability to direct vehicle manufacturers and suppliers of replacement parts to act where needed
- powers to ensure the correct maintenance and use requirements, most notably for connected and automated vehicles
- improved powers for monitoring and enforcement of in-use compliance and market surveillance activities – this will include requirements for manufacturers to provide information (such as technical specifications, performance data and access to embedded software)
- powers for the Secretary of State for Transport to amend, by statutory instrument, retained EU legislation on the type-approval of vehicles and non-road mobile machinery – for example, the EU type-approval framework regulations and regulations covering engine pollutants and emissions

7. Overall, do you agree or disagree with the package of proposals stated?

The picture can't be displayed. Strongly agree

The picture can't be displayed. Agree

The picture can't be displayed. Neither agree nor disagree

The picture can't be displayed. Disagree

The picture can't be displayed. Strongly disagree

The picture can't be displayed. Don't know?

Why and what are your comments on any of the specific proposals?

The national approval scheme should state the objective, following in Britain's tradition, of adopting a *best practice approach to vehicle safety regulation*. By combining mandatory minimum levels of protection with consumer information, public procurement and industry innovation, the government can ensure that road users in Britain enjoy the best means of avoiding road crashes or death and serious injury if a collision occurs.

The safety benefits for GB are substantial and have a high benefit cost ratio.

The full package of measures is required – a pick and mix approach will fail. This is because

- the safety measures are designed to work together, not individually
- The mandated technologies such as ISA are seen as vital to the effective operation of 20mph speed limits, and cited as such by the of Welsh Government and TfL. Effective lower urban speed limits are crucial to achieving the increases in active travel, planned by the Government in *Gear Change* and the *Transport Decarbonization Plan*.
- the majority of GB vehicle and component exports are exported to the EU. Different GB standards would disadvantage British manufacturers
- Not adopting the full package of measures would give vehicle imports from outside the EU a competitive advantage over British industry.

New powers and directions will also require increased in-house vehicle safety capacity. In addition, consideration might be given to the establishment a new advisory body of independent vehicle safety experts.

We have two more particular comments, on vans and HGVs:

Light commercial vehicle (LCVs <=3.5tonnes) sales have increased by 20% over the past 5 years. Time sensitive door to door deliveries are now a key part of our towns and cities and should be a particular area of focus. LCVs experience collision patterns very similar to those of passenger cars but they have been much more lightly regulated from a safety point of view with many enjoying exemption from key passive safety regulations.

Recent work by Euro NCAP has highlighted that 5* cars perform considerably less well in collisions with a van than they do in collisions with another car and that vans are also very rarely equipped with comparable active safety features to help them avoid collisions in the first place. Recent tests by Euro NCAP of the top 30 vans showed that few have any of the

standard safety equipment fitted to passenger cars from the same manufacturer. Left unchecked, this situation will get significantly worse because, for a range of economic reasons, the use of vans is increasing substantially.

DfT statistics

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/978087/van-statistics-2019-to-2020.pdf show that total van mileage increased by 106% in the 25 years from 1994 to 2019 and this growth shows no signs of slowing. Over the period 2017-2019, LCVs were involved in almost 9% of GB road fatalities. The measures outlined in the revised EU General Safety Regulation (GSR2) represents a substantial improvement in van safety and should be fully adopted within the national approval regime.

PACTS recognises the vital role that Heavy Goods Vehicles (HGVs>3.5t) play in the GB economy and the difficulties faced by HGV drivers. HGVs represent 1.3% of licensed vehicles in the UK and are undertake 5.8% of all traffic (vehicle miles), However, they are involved in collisions resulting in more than 14 % of all fatalities (collisions involving no more than 2 vehicles).

Substantial reductions in road death and injury will not be achieved without tackling HGV safety. London (TfL) has led the way in Europe, taking very strong action on the high-profile problem of pedestrians and cyclists killed by HGVs as they make turns or move off from rest. TfL has introduced requirements for direct vision and close proximity warning systems. Even upgrading indirect vision requirements meanwhile would improve matters before full re-design of HGVs can be implemented on time. These measures are also mandated by the EU GSR2.

In addition to mandating these measures for HGVs in the GB approval scheme, Government could consider making the pedestrian AEB requirements in the revision to UNECE Regulation 131 mandatory in the UK and give strong consideration to how to incentivise a wide range of other possible improvements either through regulatory means or through the strong support of voluntary mechanisms such as Euro NCAP and supporting the integration of such standards in access or pricing schemes of the future (e.g. congestion zones, London HGV safety permit, any future road tolling scheme).

We would like to see the HGV safety standards (already operating in London) introduced sooner across the whole of the UK, perhaps in 2026, thus giving UK hauliers and manufacturers a head start over other parts of Europe.

8. What aspects or potential applications of the proposed powers do you think:

are particularly important for us to take forward and why?

A clear and appropriate approval scheme for automated vehicles would allow GB to take a leading role in development of global regulatory requirements at UN level.

could create difficulties and why?

See below

could be excessively costly for industry to meet and why?

Local deviations from harmonised international regulations for series type-approval, such as those at UN level, tend to increase complexity for industry, increase consumer costs and decrease consumer choice. This is because unique certification for a relatively small proportion of global vehicle sales either adds costs or discourages manufacturers from making affected products available in that market.

Not adopting standards at least equal to those of the General Safety Regulation revisions may put UK industry at a competitive disadvantage. The majority of British built vehicle exports (the SMMT says 55%) are to the EU, so many vehicles developed and built in the UK will have to be designed to comply with GSR; imports from non-EU regions, that are not designed to comply with GSR, could therefore be brought into the UK market at a lower price, disadvantaging UK industry.

9. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?

[Attach any evidence to your response]

Comments:

At the European level, comprehensive information on the benefit-to-cost ratio, as well as the considerable fatal and serious injury casualty savings, can be found in the report: [Cost-effectiveness analysis of policy options for the mandatory implementation of different sets of vehicle safety measures](#). It is worth noting that this work was undertaken in the UK by TRL. The new safety standards are described by TRL as the most important safety measure since the introduction of the seat belt, some 40 years ago.

For this consultation, at the request of PACTS, TRL has provided the following estimate: savings

“Calculating the casualty benefits associated with GSR is complex, not least because since TRL originally undertook the impact assessment [*Cost-effectiveness analysis of Policy Options for the mandatory implementation of different sets of vehicle safety measures – Review of the General Safety and Pedestrian Safety Regulations*] for the EC, the UK has left the EU and it is not known what proportion of vehicles sold in GB from 2022 will meet EU requirements going forward. The risk is that without adopting GSR and PSR the fleet composition will change with potentially more imports from outside the EU that have lower safety standards and EU based manufacturers selling different specification vehicles in GB than in the EU.

However, keeping things simple, we can say that if GB fully follows the EU requirements the total savings will be in the range of:

- Fatalis prevented: 1,762
- Serious Casualties prevented: 15,612

A total KSI cost saving of approximately £ 6,788,261,290 (ie £6.8 billion).

This was calculated over a 16-year time frame, but given the UK's decarbonisation targets there is now the opportunity to achieve these reductions over a significantly shorter timescale as the fleet is electrified.

It is also worth noting that GB has significantly more collisions involving vulnerable road users (pedestrians 26% compared to 21%) and therefore it is likely that the GSR and PSR package of measures that work as a system will be more effective in GB than the EU. The adoption of ISA, AEB for all other road users, truck direct vision standards, car and light van improved pedestrian protection are examples of measures that will have a proportionally greater benefit in GB than the rest of the EU, because of the EU collision typology upon which the baseline benefits are based on.

The cost benefit arguments are that the casualty savings for GB will be the most significant ever seen, surpassing front seat belt legislation and having a positive benefit to cost ratio.”

(Calculation undertaken by Richard Cuerden, Academy Director, TRL)

10. Are any of the proposed requirements expected to:

give rise to challenges and why?

No, for the reasons staged above. The opposite is more likely.

be excessively costly to comply with and why?

No, for the reasons staged above. The opposite is more likely.

A flexible, proportionate, and responsive approach to regulating safety, security, and environmental performance of vehicles

We anticipate a greater range of new and innovative road vehicle designs and associated technologies.

We propose a flexible, proportionate and responsive approach to allow safe, secure and environmentally friendly vehicles to come to market. These vehicles need to be registered for use on our roads without undue delay.

At the same time, we want to ensure that we can respond quickly to address any new and emerging security threats and safety risks. Flexibility will enable us to be responsive to developments and learn from the deployment of new technologies such as vehicle automation. This may be important for maintaining safety where new and previously unforeseen risks arise.

We propose to:

- revise the existing provisions around prototype vehicles and vehicle orders to better accommodate the registration and use of innovative vehicle designs
- create a power for the Secretary of State for Transport to issue guidance covering matters which may not be suitable for secondary legislation

Proposed revisions regarding vehicle orders include:

- enabling orders to apply to vehicles operated on behalf of specified persons
- applying order-making powers to retained EU approval legislation
- extending order-making powers to allow the registration and use of small volumes/small series innovative vehicles that do not comply with all type approval requirements subject to alternative safety/environmental/security measures being included

Such provisions should allow manufacturers and system suppliers to easily place new vehicles and technologies produced in limited numbers on the market. This will be subject to controls and conditions which maintain safety, security and environmental performance.

We propose giving power to the Secretary of State for Transport to issue guidance, supplementing vehicle approval regulations. This power is considered necessary to enable the regulator to respond appropriately and in a timely manner to:

- emerging technologies undergoing rapid advancements
- the latest knowledge and best-practice
- the latest methodologies for assessing vehicle safety and security

Example applications of this power could include:

- interpreting existing technical requirements and test procedures to enable application to new technologies
- best-practice for the use of virtual testing (for example, the validation of simulation-based testing)

ensuring consistent and safe behaviours of automated vehicles under certain scenarios

We anticipate establishing appropriate consultation procedures to ensure the measures are proportionate and balanced.

11. Overall, do you agree or disagree with the package of proposals stated?



Strongly agree



Agree



Neither agree nor disagree



Disagree



Strongly disagree



Don't know?

Why and what are your comments on any of the specific proposals?

The proposal is a welcome support for innovation by GB companies and supports inward investment from other regions, for example to allow trials of new vehicles at on-road CAM Testbed UK facilities such as the Smart Mobility Living Lab in London. Rapid development and deployment of new technologies, that improve safety and security and reduce emissions, can help deliver Britain's Vision Zero and Net Zero ambitions. A responsive approach will allow regulators to learn quickly from limited deployment of prototype vehicles and technologies, rapidly feeding lessons learned into the development and updating of type approval requirements for deployment at scale.

It may also offer an opportunity to develop and implement a better and more transparent approach to regulating not just prototypes, but also innovative vehicle safety, environmental and security systems that would previously have been approved under Regulation (EU) 2018/858 Article 39 (Exemptions for new technologies or new concepts). A well-defined and transparent approach, if implemented, will support public confidence in new technologies, especially vehicle automation, and give manufacturers and developers clarity to support investment decisions – which will help attract inward investment to GB.

The proposal indicates that prototypes registered under the new regulation will be subject to controls and conditions which 'maintain safety, security and environmental performance'. It is understood that this means that prototypes registered through this route must demonstrate equivalent safety, security and environmental performance as vehicles subject to full type approval. The type approval requirements are designed to ensure minimum safety, security and environmental performance, and to be cost-effective. It is not clear how a process that is both quicker and easier will maintain the desired performance levels. As a minimum, this will need appropriate and adequate oversight. For example, assessment of a prototype automated vehicle may require evaluation of a safety

case and supporting evidence similar to that which would be reviewed by a type approval authority for an ALKS system under UN Regulations 157 (Automated Lane Keeping Systems), 156 (Software update and software update management system) and 155 (Cyber security and cyber security management system).

TRL therefore looks forward to the opportunity to consult further on the measures that will be used to ensure that registration of prototype vehicles maintains safety, security and environmental standards.

12. What further provisions, beyond those proposed, relating to prototype vehicles or vehicle orders would better-enable the registration and use of innovative vehicles?

In any testing or trials by members of the public, including when those members of the public serve as vehicle drivers or riders, it is vital to prepare a detailed safety case in advance of the trial so as to guard against the possibility of serious injury or fatality.

There should be no “open door” to trials on public roads with pre-production systems that are not type-approved without an obligation to prepare a safety case that can be assessed by a competent authority. Very recently, NHTSA in the United States has felt obliged to intervene with a vehicle manufacturer which was effectively using members of the public as test drivers when driving on public roads with “beta” (i.e. not finalised) software for driving assistance systems (see <https://static.nhtsa.gov/odi/inv/2021/INOT-PE21020-85593P.pdf>).

The UK should continue its existing practice of not permitting tests of prototype or pre-production systems and technologies on public roads without a documented approval process.

13. Are there any areas of type approval where you think it may be appropriate to issue technical guidance in place of, or to supplement, secondary legislation?



Yes



No



Don't know?

What type approvals and why?

14. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?

[Attach any evidence to your response]

Comments:

See above from TRL

15. Are any of the proposed requirements expected to:

give rise to challenges and why?

Implementing a process to register and use prototype vehicles on public roads that is both easier and quicker than type approval, yet maintains expected standards of safety, security and environmental performance may be very challenging.

be excessively costly to comply with and why?

Tackling tampering

We will create new offences for tampering with a system, part or component of a vehicle intended or adapted to be used on a road. This will enable us to address existing gaps in the legislation, ensuring cleaner and safer vehicles. We will also create new offences for tampering with non-road mobile machinery (NRMM), and for advertising ‘tampering’ services or products.

This will strengthen our ability to enforce compliance in this area.

Specifically, we would look to create:

- a specific offence for supplying, installing and/or advertising, a ‘tampering product’ for a vehicle or NRMM – this would apply where a principal effect of the product is to bypass, defeat, reduce the effectiveness of or render inoperative a system, part or component (the product may be physical part or component, hardware and/or software)
- a specific offence for removing, reducing the effectiveness of, or rendering inoperative a system, part or component for a vehicle, NRMM and advertising such services
- a specific offence for using, allowing for use or providing a vehicle or NRMM that has had the operations described in the previous 2 points performed on it
- a new power to require economic operators to provide information, where a service/product they have supplied amounts to or enables ‘tampering’ with a vehicle or NRMM – this would apply in any of the above senses and include requirements to provide relevant information on the quantities of products sold or modified
- if legislation can accommodate it, we would like it be permissible for after-market safety improvements, such as ISA, to be retrofitted. These would require official prior approval.

16. Overall do you agree or disagree with the package of proposals stated?

 Strongly agree

 Agree

 Disagree

 Strongly disagree

 Don't know?

Why and what are your comments on any of the specific proposals?

We agree that tackling tampering is very important to ensure that every vehicle continues to provide the intended safety, security and environmental performance throughout its lifetime, i.e. that it continues to perform as type-approved.

This will be increasingly important as vehicles become more complex. Recent UN and EU regulations of complex safety and emissions control systems require the manufacturer to evidence how they will ensure the safety and environmental performance of the vehicle beyond type-approval; in part this could be how they ensure the vehicle cannot be tampered with. However, this needs support from regulators to ensure that tampering is strongly discouraged.

However, we are concerned that the definition may not cover after-market systems that work alongside or in addition to vehicle systems provided by the manufacturer. An example would be after-market mobile phone-based and similar systems that plug into the OBD II port and are advertised as providing hands-off adaptive cruise control with lane centring. In some vehicles, such a system would defeat one or more of the vehicle manufacturer's own systems – and therefore be covered by the proposed definition – but this may not always be the case. If it is argued that a system like this *adds* to the functionality of the vehicle, then the proposed wording above may not be sufficient. It should be noted that systems like this do not meet any approvals and are unregulated; for systems that control the vehicle, this is a huge gap in the safety approval performance of the vehicle.

We welcome the proposals to tackle tampering with e-scooters.

Tackling tampering

We define a system, part or component as:

"software and/or hardware that impacts on:

- the environment;
- road safety; or
- security"

This would include examples such as those which assist or fulfil the driving task, control power, speed or emissions, protects road users or protects the vehicle from tampering.

17. Do you agree or disagree with this definition?



Strongly agree (Go to 'Tackling tampering')



Agree (Go to 'Tackling tampering')



Neither agree nor disagree (Go to 'Tackling tampering')



Disagree



Strongly disagree

Disagree with tampering definition

18. Why and how would you define it?

We agree with the overall Tackling Tampering proposals but with some caveats:

In the announcement on the DfT website, though not here, it says:

We would like to emphasise that our policy intention is to prevent modifications that have a negative impact on road safety, vehicle security and the environment.

We do not intend our proposals to:

- prevent legitimate motorsport activities
- prevent restoration, repairs or legitimate improvements to vehicles, such as classic cars or motorbikes
- negatively impact businesses involved in these activities

While this omits specific mention of activities of some SMEs that have developed and will develop innovative advanced safety assistance systems well ahead of any device or vehicle type approval stage, and eventually lead to widespread adoption and safety benefits. Most act entirely responsibly and take due care but need some form of risk assessment and possibly official endorsement without excessive financial and resource barriers. These actors must be treated differently from more casual and unregulated entities or individuals who do not perceive or account for risks and unintended consequences. This is a grey area which may require more scrutiny in regulations.

Tackling tampering

For our purposes the scope of the measure is tampering with a system, part or component of a vehicle or NRMM.

19. Provide any information on how widespread tampering is.

[Attach any evidence to your response]

Comments:

PACTS is investigating the safety of e-scooters and has found evidence of significant levels of tampering, with serious safety outcomes: [‘The safety of private e-scooters – interim report’ from PACTS - PACTS](#)

20. What, if any, other:

services could be inadvertently affected by the proposals on tampering?

Many vehicles, especially heavy commercial vehicles, use aftermarket systems to provide additional support to the driver. These may be strongly encouraged by local authority standards and licencing requirements. Care should be taken to ensure that there is a route to deploying appropriate and well-validated systems where this has a safety or environmental benefit.

Similarly, alcohol interlocks can be fitted to many current vehicles and efforts have been made to ensure that they remain an option in future vehicle types (under EU legislation). Alcohol interlocks are not widely used in GB at the moment, but care should be taken to ensure that their use would not be prevented by the proposed tampering legislation.

products could be inadvertently affected by the proposals on tampering?

As above

exemptions should we consider on tampering?

See above

21. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?

[Attach any evidence to your response]

Comments:

A Nathanson, MMcCarthy, R Cuerden, B Lawton, I Knight, and P Morgan (2012). L-category tampering report. TRL Published Project Report PPR634 ([TRL | Tampering prevention in L-category vehicle approval legislation: Impact assessment on powertrain tampering prevention with recommendations for cost effective measures](#))

22. Are any of the proposed requirements expected to:

give rise to challenges and why? _____

be excessively costly to comply with and why? _____

Improving compliance, safety and security

We are seeking powers to enable the Secretary of State for Transport to set out in secondary legislation a new automotive recall regime.

This will mean we can require a manufacturer or supplier to recall and/or remove from sale, vehicles and other automotive products.

This will apply when the vehicle or product is found not to comply with type approval, safety or security standards.

The regime will require manufacturers to identify and report any vehicles that do not meet safety or cyber-security standards. The Secretary of State for Transport would have the power to issue a recall notice.

The manufacturer would be required to achieve a minimum recall rate in respect of any unsafe vehicles or components. They might also be required to compensate vehicle owners.

Failure to comply with such a notice, including a failure to achieve the minimum recall rate, would be enforced through civil penalties.

We propose a power for the Secretary of State for Transport to direct vehicle manufacturers and system suppliers to address urgent safety, security, or environmental issues.

23. Overall do you agree or disagree with the package of proposals stated?

 Strongly agree

 Agree

 Neither agree nor disagree

 Disagree

 Strongly disagree

 Don't know?

Why and what are your comments on any of the specific proposals?

PACTS agrees with the need for the Secretary of State to set out in legislation powers to order recalls of vehicles that are found to be not comply with type approval, safety, or security standards, and recommend that environmental standards are also included.

We also agree with the proposal that manufacturers would be required to identify and report non-conformances. However, this is only one mechanism for identifying vehicles that do not comply with the requirements against which the vehicle was type approved. We strongly recommend that the government develops the capacity to and undertakes monitoring of vehicles that are in-service in order to check continued compliance with the conditions of type-approval. This will also allow the government to ensure that updates to

vehicles, which may be performed Over The Air with many modern vehicles, achieve what they are intended to achieve and do not introduce unintended consequences that would be contrary to the safety, security and environmental intent of the original type approval.

Consideration should also be given to controlling the import of vehicles that don't meet the standards laid down in the new type approval requirements.

DVLA record content, accuracy and access – this should be covered under existing regime but there can be gaps between registration numbers and VINs.

Bodies responsible for recalls must include importers and vendors.

As vehicles become increasingly complex, the role and scope of Periodic Technical Inspection (e.g. the MOT test) will need review, along with the technical, resource and enforcement capacity of those tasked to carry them out.

24. What, if any, barriers or reasons exist which prevent manufacturers from recalling certain vehicles and which we should consider when setting minimum recall rates?

Consideration should be given to how to handle manufacturers, importers and vendors no longer trading in UK – transfer of onus may be absent or avoided in the case of acquisitions and continued operation, or disposal of assets.

25. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?

[Attach any evidence to your response]

Comments:

26. Are any of the proposed requirements expected to:

give rise to challenges and why?

be excessively costly to comply with and why?

Public Sector Equality Duty

The [Public Sector Equality Duty \(PSED\) \(opens in a new window\)](#) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

As a part of this duty we are asking for any evidence on the potential impacts of these proposals on individuals or groups within society. The [Equality Act \(opens in a new window\)](#) lists the protected characteristics of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This evidence will be anonymised and retained after the retention period of this consultation information.

27. Supply any data or evidence you have about any of the proposals discussed that you think would positively or negatively impact on individuals with protected characteristics.

[Attach any evidence to your response]

Comments:

The balance of road casualties is increasingly moving towards vulnerable road users – pedestrians, cyclists, older people, those with disabilities (such as the visually impaired) and those living in more deprived communities.

Whereas traditional vehicle safety engineering has focused on protection for vehicle occupants, the new vehicle technologies and safety standards are designed to avoid collisions with VRUs and to mitigate the consequences of collisions that do occur.

Poorer people, in so far as they can afford to own or drive cars, are more likely to have an older, less safe car or a model without optional safety features. Fitting safety as standard will particularly benefit them.

All this should have positive equality impacts for the young, elderly, deprived and others who have previously not benefited.

Final comments

28. Any other comments?

The UK has led the world in the field of vehicle safety over several decades – crash testing, NCAP etc. It has also had a good overall road safety record, though now slipping.

The Future of Transport Regulatory Review is a critical opportunity for the UK government to place the UK, UK road users and UK industry at the forefront once again. It is entirely consistent with the Government's wide policies on Global Britain, levelling up, building back better and greener, net zero carbon and more. PACTS urges the government to seize the opportunity.