



Notification Number: 2017/562/UK

The Road Vehicles (Construction and Use) (Amendment) Regulations 2018

Date received : 29/11/2017

End of Standstill : 01/03/2018

Message

Message 001

Communication from the Commission - TRIS/(2017) 03123

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelerítés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2017/0562/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201703123.EN)

1. Structured Information Line

MSG 001 IND 2017 0562 UK EN 29-11-2017 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Energy and Industrial Strategy
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3. Originating Department

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4. Notification Number

2017/0562/UK - T40T

5. Title

The Road Vehicles (Construction and Use) (Amendment) Regulations 2018

6. Products Concerned

The draft Statutory Instrument exempts a driver from being in contravention of Regulation 110 of the Road Vehicles (Construction and Use) Regulation 1986, when using a hand held device to remote control park their vehicle. The amendment aims to provide clarity for both consumers and law enforcement as to when use of a mobile phone in certain situations can be used.

The regulation prescribes parameters of use when using a remote control parking device and function. Whilst the requirements for the device and function are transposed from the international standard (UNECE Regulation 79.02); we are reporting this regulation as it may create a use standard for vehicles already being sold with the feature that pre-date the international standard, and may operate outside the given parameters.

7. Notification Under Another Act

- Subject to certain exceptions, Directive 2015/1535 requires all “technical regulations” to be notified to the Commission in draft.

8. Main Content

The draft Statutory Instrument exempts a driver from being in contravention of Regulation 110 of the Road Vehicles (Construction and Use) Regulation 1986, when using a hand held device to remote control park their vehicle (in compliance with the requirements of the section).

The remote control parking device (RCP) falls within the definition of a product under the Directive. As does the vehicle which has the functionality for the RCP built into it.

The draft amendment imposes requirements upon the device, for it to fall within the exemption to the mobile phone driving offence.

The draft regulation amendments states as follows: (see full text enclosed)

(5A) A person does not contravene a provision of this regulation if, at the time of the alleged contravention—

(a) the person is using a hand-held mobile telephone or other hand-held device only to perform a remote controlled parking function of the vehicle; and

(b) the hand-held device only enables the car to move if:

(i) there is continuous activation of the device’s remote control application by the driver; and



- (ii) the signal between the vehicle and device is maintained; and
- (iii) the distance between the vehicle and device is not more than 6 metres.

9. Brief Statement of Grounds

The international standard for steering and braking has recently been updated (UNECE 79.02) to include a new standard for remote control parking and motorway assist technologies. The regulation includes provisions that enable the use of automatically commanded steering functions (ACSF) at speeds above 10kmph (6.2mph). This amendment came into force on 10 October 2017.

Manufacturers are now ready to roll out some of these technologies. To maintain pace with these developments, and to demonstrate we are committed to enabling the use of such automated vehicle technologies, we need to make sure our law enables their use once these vehicles are available on the UK market.

10. Reference Documents - Basic Texts

References of the Basic Texts: -Road Vehicles (Construction and Use) Regulations 1986 (full regulation) - <http://www.legislation.gov.uk/ukxi/1986/1078/contents/made>

-The Road Vehicles (Construction and Use)(Amendment) (No. 4) Regulations 2003 (the amendment that brought regulation 110 into force) - <http://www.legislation.gov.uk/ukxi/2003/2695/regulation/2/made>

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - The draft is in conformity with an international standard

SPS aspect



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

No - The draft is not a sanitary or phytosanitary measure

European Commission

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