



Notification Number: 2018/419/UK

Direct Vision Standard ("DVS") Technical Protocol and HGV Safety Standard Permit Scheme ("HSSP") for London (UK)

Date received : 22/08/2018

End of Standstill : Closed

Message

Message 001

Communication from the Commission - TRIS/(2018) 02285

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2018/0419/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: 201802285.EN)

1. Structured Information Line

MSG 001 IND 2018 0419 UK EN 22-08-2018 UK NOTIF

2. Member State

UK

3. Department Responsible

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4. Notification Number

2018/0419/UK - B20

5. Title

Direct Vision Standard ("DVS") Technical Protocol and HGV Safety Standard Permit Scheme ("HSSP") for London (UK)

6. Products Concerned

Heavy Goods Vehicles ("HGVs") of 12 tonnes (gross vehicle weight) and above

7. Notification Under Another Act

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8. Main Content

Notification of proposals under Directive 2015/ 1535

1. The following matters are notified under the terms of Directive 2015/ 1535:

- a. The proposed HGV Safety Standard Permit Scheme: Amended 1985 Traffic Order - the 'draft text'.
- b. The proposed policy statements set out at paragraphs 3, 4, 5 and 7 below.
- c. The proposed Direct Vision Standard (DVS) Technical Protocol (draft) at Appendix A.
- d. The proposed "Safe System Conditions" set out in Appendix B: Direct Vision Standard: Guidance for Operators (draft).

2. The proposals for the Direct Vision Standard (DVS) Protocol and the Heavy Goods Vehicle (HGV) Safety Standard Permit (HSSP) Scheme involve the following proposals set out below. These proposals would apply to all HGVs irrespective of national-origin or registration of a weight of 12 tonnes (metric) gross vehicle weight (GVW) and above operating within the area of Greater London. The domestic legal implementation mechanism will be a traffic regulation order (TRO), which can impose mandatory legal requirements on vehicle movements and vehicle equipment, the contravention of which leads to the issue of a civil penalty.

Matters notified under Directive 2015/ 1535

3. The HSSP Scheme will operate a policy that sets a minimum star-rating HGVs measured under the DVS Protocol. HGVs rated the minimum DVS rating threshold will be granted a HSS Permit/ Permission, but it will be issued subject to conditions that will require the fitting, or retrofitting, of additional equipment and measures to the vehicle to improve its safety regarding vulnerable road users. These conditions are referred to as the "Safe System Conditions" and are set out in Appendix B: Direct Vision Standard: Guidance for Operators (draft). It is proposed that the Conditions set out in that document will apply from 26 October 2020 until such time as they are reviewed and varied (see paragraph (7) below). This minimum star rating policy and the Safe System Conditions are subject to notification under Directive 2015/ 1535.

4. From 26 October 2020 every 12t HGVs would be required by the relevant domestic implementation legislation – the 1985 Order referred to below - to have applied for and been granted a HSS Permit/ Permission before it



can lawfully operate in Greater London. The requirement to have obtained a Permit/ Permission will apply irrespective of the star-rating of a HGV under the DVS Protocol. There will be provision for a review and appeal to an independent tribunal if an application for a Permit/ Permission is refused.

5. Between 26 October 2020 and 26 October 2024 the HSSP Scheme will operate a policy that sets the minimum acceptable star rating for operating a HGV in Greater London at 1 Star (one). This policy is subject to notification under Directive 2015/ 1535.

6. All HGVs rated 1 Star and above will be granted a HSS Permit/ Permission to which no Safe System Conditions will be attached. 1 and 2 Star vehicles will be granted a permit valid until 26 October 2024. 3, 4 and 5 Star vehicles will be granted permits valid until 26 October 2030. They will be able to operate without fitting or retro-fitting additional equipment to the vehicle.

7. The HSSP Scheme will operate a policy that between the same dates requires those HGVs rated at 0 Star (zero) to be issued with a HSS Permit/ Permission that expires on 26 October 2024 that is granted subject to the Safe System Conditions. (This date expiry is inked to the further proposals described in paragraph 10 below.) Such Zero Star HGVs will be able to operate in Greater London but only if they fit or retrofit additional safety equipment to the vehicle. This policy is subject to notification under Directive 2015/ 1535.

8. From 26 October 2020 it would be a contravention of the relevant domestic legislation implementing the HSSP Scheme - the 1985 TRO mentioned below - to either:

- (a) operate a 12t HGV anywhere in Greater London without a Permission/ Permit (irrespective of its star-rating under the DVS Protocol) and/ or
- (b) with a zero star rated vehicle, to operate it in contravention of the Safe System Conditions that the Permit/ Permission was granted subject to.

9. Under that legislation a contravention of the above requirements of the HSSP Scheme would lead to the imposition of a civil penalty (by a penalty charge notice: PCN) on the:

- (a) vehicle's operator of £550 per vehicle or
- (b) its driver of £130 (in both instances reduced by 50% if paid within 14 days).

10. There will be the facility for independent appeal against the issue of a PCN to an independent tribunal.

9. Brief Statement of Grounds

London has a particular problem with vulnerable road users (VRUs) and heavy goods vehicle (HGV) collisions, compared with the UK and other cities. In 2016, 23 per cent of pedestrian and 50 per cent of cyclist deaths involved a HGV, despite HGVs making up only 4 per cent of road miles in London. Between 2014 and 2016, 149 pedestrians and cyclists were killed or seriously injured in collisions with goods vehicles over 3.5 tonnes.

There is no single cause of the high fatality rates involving HGVs. However, analysis of the UK accident database (STATS19) shows that poor vision (cited as 'vehicle blind spot' or 'failed to look properly') is a commonly cited cause of HGV incidents. In London, between 2010 and 2016, 662 cyclist and 331 pedestrian collisions with HGVs (over 3.5t) were attributed to 'failed to look properly' or 'vehicle blind spot'.

STATS19 data further shows that most fatalities involve HGVs in excess of 7.5t. This led to the proposal that DVS should only apply to larger vehicles. The mass threshold chosen was 12 tonnes to coincide with EU type approval definitions of larger HGVs (category N3). STATS19 does not divide vehicles at 12 tonnes, however, only a relatively small proportion of GB HGVs will have a maximum mass between 7.5 and 12 tonnes.

The case for direct vision shows that enhanced direct vision is the future in creating safer vehicles and safer urban environments. Not only do pedestrians and cyclists feel safer and more confident in navigating the urban



street network when they have established direct eye contact with a HGV driver, drivers themselves, despite initial scepticism, reported greater confidence in seeing a VRU and thus preventing collisions when driving a cab with greater direct vision. This is further backed up by a faster reaction time and reduced stopping distance with direct as opposed to indirect vision.

Direct vision is hence a key component in achieving London's Vision Zero. However, for this change to be implemented effectively will require a certain lead in time; the time required to introduce regulation at European Union level; time for the next generation of cab design to be available on the market; and time for operators' fleet turn over.

As HGV collisions with pedestrians and cyclists present a significant problem on London's roads today, we cannot afford to wait for this change to take place. The introduction of a safe system as part of the HGV safety permit scheme serves as a mitigation to enhance vehicle safety on London's roads today until the more fundamental change of increased direct vision is achieved.

10. Reference Documents - Basic Texts

References of the Basic Texts: Proposed HGV Safety Standard Permit Scheme: Amended 1985 Traffic Order (draft indicating changes as if approved following statutory consultation)

Appendix A: Direct Vision Standard: Technical Protocol ("DVS Protocol") (draft)

Appendix B: Direct Vision Standard: Guidance for Operators (draft)

Basic 3 Impact Assessment See box 15

Basic 4 Impact Assessment See box 15

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

Yes

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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