

[REDACTED]

Van: [REDACTED]
Verzonden: woensdag 10 november 2021 9:26
Aan: [REDACTED]
Onderwerp: FW: Feedback to Dutch Safety Board Report "Who is in control"

Van: Johannes Peter BAUER [REDACTED]
Datum: vrijdag 26 feb. 2021 6:13 PM
Aan: [REDACTED]@onderzoeksraad.nl>
Onderwerp: Feedback to Dutch Safety Board Report "Who is in control"

Dear [REDACTED],

First of all, I hope you and your colleagues are healthy and well.

In your report "Who is in control? Road safety and automation in road traffic" you asked OICA and ACEA to forward feedback to

"Demonstrate that the development and introduction of ADAS is taking place according to the principles of responsible innovation".

You forwarded your report to us even before it's been officially released. We appreciate your very obliging approach and want again to thank you for that.

After reading the report we got immediately in contact with you, your colleagues and members of RAI and FIA and organized meetings at ACEA in Brussels. The exchange between all participants been very positive and fruitful. We presented to you in general how vehicles are developed and what strategies the companies follow when it comes to safety on the road. As you know we can only speak for the 15 ACEA members and not for other companies which been used as samples in your report and could have different strategies in development and for their systems. We also offered to visit one manufacturer where we can show you live and in detail how development is organized and what standards are set. Due to Covid-19 this been not possible but we would keep that offer open when face to face meetings and traveling are allowed again.

The members of ACEA are worldwide the leading innovators in vehicle industry and committed to road safety in all areas. It is our target to improve road safety globally and to support the United Nations General Assembly Resolution 74/299 from 31st of August 2020.

Vehicle development is a very complex process running over many years until a vehicle is ready for the market. During this period of development, all manufacturers follow extreme high standards for quality. With intensive simulation, part and vehicle checks on test benches, closed tracks and from a certain point (with approval by authorities) also on real roads each manufacturer validates hard- and software according to these standards.

All manufactures are bound by law how to bring vehicles to European market and how to make sure that they comply to these rules and standards at all time. These rules been defined by EU 2007/46 and since 1st of September 2020 by EU 2018/858.

Article 1 of EU 2018/858 says:

This Regulation lays down the administrative provisions and technical requirements for the type-approval and placing on the market of all new vehicles, systems, components and separate technical units, referred to in Article 2(1), and for individual vehicle approvals.

This Regulation also lays down provisions for the placing on the market and the entry into service of parts and equipment that may pose a serious risk to the correct functioning of the essential systems of the vehicles referred to in Article 2(1).

Article 13 and here foremost paragraph 6 and 7 describes the General Obligations of Manufactures.

6. Manufacturers shall establish procedures to ensure that series production of vehicles, systems, components and separate technical units remains in conformity with the approved type.

*7. Manufacturers shall examine any complaints they receive relating to risks, suspected incidents or non-compliance issues with the vehicles, systems, components, separate technical units, parts and equipment that they have placed on the market. L 151/22 EN Official Journal of the European Union 14.6.2018
Manufacturers shall keep a record of such complaints, including for each complaint a description of the issue and the details needed to precisely identify the affected type of vehicle, system, component, separate technical unit, part or equipment, and, in the case of substantiated complaints, manufacturers shall keep their distributors and importers informed thereof*

Article 14 describes the obligations of a manufacturer concerning their vehicles, systems, components, separate technical units, parts and equipment that are not in conformity or that present a serious risk.

Paragraph 2 says:

2. Where the vehicle, system, component, separate technical unit, part or equipment presents a serious risk, the manufacturer shall immediately provide to the approval authorities and market surveillance authorities detailed information on the risk and on any measures taken in relation thereto.

With this overview, the meetings we held and hopefully have in the future we hope to show you that all members of ACEA are developing on principles of reasonable innovation.

If you would have further questions, we are more than happy to provide information to you and your team.

Best regards

Johannes Peter BAUER

Safety Director

European Automobile Manufacturers' Association – ACEA

Avenue des Nerviens 85 | B-1040 Brussels | www.acea.be | [@ACEA_eu](https://twitter.com/ACEA_eu)

