
RACQ comments on - Regulatory Impact Statement

For Safety Assurance for Automated
Driving Systems

- *Submission*

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Thank you for the opportunity to comment on the Regulatory Impact Statement for Safety Assurance for Automated Driving Systems.

The Royal Automobile Club of Queensland has been advocating on behalf of its members since 1905, currently represents the interests of approximately 1.7 million Queensland motorists and is widely regarded as Queensland's premier motoring authority.

We note that submissions from other organisations offer some very technical discussion and opinion about the options proposed in the Regulatory Impact Statement, however as a consumer advocate, RACQ's primary concern is for the safety of its members and the public, therefore this submission will focus on the importance of satisfying consumer expectations about the safety of these vehicles, and the ability for the proposed options to address the identified problem statements including:

- Automated driving systems (ADS)s may fail to deliver reasonable safety outcomes;
- A lack of consumer confidence in the safety of ADSs may reduce or delay their uptake; and
- Automated Driving System Entities (ADSE)s may face inconsistent/and or uncertain regulation to supply ADSs to the Australian market.

Autonomous Vehicles hold great promise for a range of reasons, not the least of which is their potential road safety benefit, though we acknowledge that this benefit is yet to be proven, particularly for Level 2-4 AVs. However, feedback from our membership clearly indicates that the public holds strong concerns about the safety of these vehicles. We therefore believe it is essential that any regulation of these vehicles is designed not only to reassure the public that there is proper oversight of their safety, and that they can be assured that their investment in them is protected, but also that they are safe for use in Australia's unique road environment.

We strongly believe that the automotive industry and the Australian public can ill afford another Takata type event, where a widely promoted safety technology, designed to reduce the risk of death and injury, actually caused the outcome it was intended to prevent.

Failure to adequately address these issues will, at best, result in:

- Barriers to their take-up;
- Potential for negative impacts to road network operations; and
- Delays in improving road safety outcomes.

Given the very real safety and reputational risks involved, we believe there is more than adequate justification for a high regulatory standard, and for this reason we support Option 4 of the Regulatory Impact Statement.

We note concerns that introducing onerous regulatory requirements could reduce the range of models available to Australian buyers and/or delay introduction of AVs to Australian buyers. While we accept that there is a possibility that this could occur, we've seen nothing to support this view in the automotive sector and note that Australia already experiences a lag in access to newer vehicle technologies which may negate the perceived risk of delay. Furthermore, the compliance arrangements between Options 2 – 4 do not vary according to regulatory burden on OEMs, rather the Options vary according to the inclusion of safety oversight provisions and functions. Additionally, we'd balance objections to increasing oversight of safety by suggesting that there could be a positive to such delays as it could be argued that a delay has the potential to provide Australian buyers with a better, more advanced, and proven product.



We also believe that a failure of these vehicles to offer acceptable reliability and safety once in the marketplace will result in much bigger delays to their roll out and greater barriers to future take up. While we take some comfort in the knowledge that vehicle manufacturers have a strong background in safety critical matters, we have concerns that technology based ADSEs and emerging players in the AV field, may not have the same background and experience in quality testing and proactively resolving serious issues. i.e. a fatal computer error can have very different consequences to a fatal Autonomous Driving System problem.

Setting a high initial regulatory standard may allow for some winding back of the process once confidence in the technology has been demonstrated and the technology has matured. It would be very much more difficult and damaging to have to increase oversight after a critical event has occurred.

The absence of harmonisation is more likely to negatively impact the deployment of AVs into the Australian market and therefore we suggest that it is important to all stakeholders that there is consistent Federal legislation to cover these vehicles rather than potentially variable State and Territory legislation. Vehicle manufacturers are also likely to appreciate having a defined structure to work in, and there certainly needs to be consistency in how the jurisdictions view these vehicles.

Should more information or clarification be required please contact Russell Manning on 07 3666 9708 or russell.manning@racq.com.au