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Dedicated to a better Brisbane

2 July 2018

Ms Rahila David
Project Manager
National Transport Commission
Level 3/600 Bourke Street
MELBOURNE VIC 3000

Dear Ms David

Thank you for the opportunity to provide comments on the *Safety Assurance for Automated Driving Systems Consultation Regulation Impact Statement – May 2018 (RIS)*.

'Safe transport networks' is one of the sub-themes in Brisbane City Council's (Council) *Draft Transport Plan for Brisbane – Strategic Directions*. Council is keen to see a robust safety regulatory system that supports our objectives for safe transport networks in Brisbane but does not constrain innovation and the opportunity for Australian industry to participate in the development of new technologies.

One of the greatest challenges for the wide acceptance of automated vehicles is not only consumer safety but also safety of other road users, particularly pedestrians and cyclists. Getting the framework right requires the balance of maximising the benefits on roads, the expectations of consumers, and the laws and regulations needed to protect people and property. Council believes that Option 4 in the RIS provides Council with the greatest confidence that automated vehicles can be introduced safely in our city.

If you have any further questions about our submission, please contact Ms Marie Gales, Manager, Transport Planning and Strategy and Congestion Reduction Unit, Brisbane Infrastructure, on (07) 3178 1418.

Yours sincerely

Colin Jensen
CHIEF EXECUTIVE OFFICER

Att.

COUNCIL'S RESPONSE ON THE NATIONAL TRANSPORT COMMISSION'S SAFETY ASSURANCE FOR AUTOMATED DRIVING SYSTEMS CONSULTATION REGULATION IMPACT STATEMENT – MAY 2018

Towards the aim of ensuring safe transport networks, Council would like to indicate support for **Option 4 – Legislative safety assurance system plus primary safety duty**. Option 4 would provide Council with the highest level of confidence because it is expected to capture and address new or unexpected safety risks and manage emerging safety risks before an incident occurs.

Consultation questions:

1. To what extent has the consultation RIS fully and accurately described the problem to be addressed?	Council believes the problem to be addressed has been fully and accurately described in the consultation RIS. The document has highlighted safety as the key outcome (particularly in an emerging industry) and the need to develop the confidence of consumers in the technology.
2. What other factors should be considered in the problem statement?	Another factor that should be considered is the role and responsibilities/liabilities for road authorities given the greater degree of interaction between the automated driving system and fixed road infrastructure including cooperative intelligent transport systems.
3. Has the consultation RIS provided sufficient evidence to support the case for government intervention? What else should be considered and why?	Yes, Council believes the consultation RIS has provided sufficient evidence through highlighting the need to grow the industry as well as maintaining consumer safety.
4. To what extent have the community and industry expectations of a regulatory response been accurately covered?	Council believes the community and industry expectations of a regulatory response have been met.
5. Are the four options clearly described? If not, please elaborate.	The options are clearly described.
6. Are the proposed safety criteria and obligations on ADSEs (detailed in chapter 4 and Appendix C) sufficient, appropriate and proportionate to manage the safety risk?	The safety criteria and obligations on the Automated Driving System Entity (ADSE) are sufficient, appropriate and proportionate to manage the safety risk.
7. Are there any additional criteria or other obligations that should be included?	There are no additional criteria or other obligations that should be included.
8. Do you agree with the impact categories and assessment criteria? If not, what additional impact categories or assessment criteria should be included?	There are no additional impact categories or assessment criteria that need to be included.
9. Has the consultation RIS captured the relevant individuals or groups who may be significantly affected by each of the options? Who else would you include and why?	Yes, Council is not a major stakeholder in this consultation given we have no role in legislating or licensing for Automated Driving Systems. Council, however, needs to feel completely confident that the safety assurance framework put in place can ensure that any vehicle on our roads is safe and has been assessed and monitored to remain so over time.
10. Does our analysis accurately assess the road safety benefits for each reform option? Please provide any further information or data that may help to clearly describe or quantify the	At this early stage in the deployment and management of automated vehicles, it is difficult to assess road safety benefits, but with the current levels of information available, Council

road safety benefits.	believes the benefits have been sufficiently assessed.
11. What additional safety risks do you consider the primary safety duty in option 4 would address compared with option 3?	Option 4 provides Council with the confidence that safety risks will be addressed that may not have been specifically covered or identified at first supply and also that the ADSE has the responsibility to address safety risks before they eventuate.
12. Does our analysis accurately assess the uptake benefits for each reform option? Please provide any further information or data that may help to clearly describe or quantify the uptake benefits.	Although the safety assurance process is only one variable in predicting uptake of automated vehicles, it will be the highest priority for purchasers of this new technology. The relationship between safety, consumer confidence and the uptake benefits have been accurately assessed.
13. Does our analysis accurately assess the regulatory costs to industry for each reform option? Please provide any further information or data that may help to clearly describe or quantify the regulatory costs.	Council has no relevant data to address the regulatory costs in this context.
14. Are there any specific regulatory costs to industry that we have not considered?	There are no specific regulatory costs to industry that can be identified.
15. Does our analysis accurately assess the costs to government for each reform option? Please provide any further information or data that may help to clearly describe or quantify the costs to government.	As many of the reform options will not impact local government, Council cannot comment on this issue.
16. Does our analysis accurately assess the flexibility and responsiveness for each reform option? Please provide any further information or data that may help to clearly describe or quantify the flexibility and responsiveness of the options.	Although Council considers that the analysis accurately assesses the flexibility and responsiveness for each reform option, Council has no information or data to provide that is relevant.
17. Do you consider the relevant factors and conditions for government in choosing an option to be valid? Are there any factors and conditions you do not agree with?	The relevant factors and conditions used are valid. There are no factors or conditions that Council does not agree with.
18. Do you agree with our view on the relevant factors and conditions for government in choosing an option?	The safety of the road network will always be the highest priority and this is reflected in the factors and conditions.
19. Has the consultation RIS used an appropriate analytical method for assessing the benefits and costs of the options? What else should be considered?	Given the state of development in this industry, evaluation of options can only be undertaken qualitatively and at a high level. The analytical method used is considered appropriate.
20. On balance, do you agree that the preferred option best addresses the identified problem? If not, which option do you support?	The preferred option is the option that best addresses an industry which is in the early stage of development and where the potential but significant safety risks are still being identified.
21. How does your choice of option better address the problem than the preferred option?	Not applicable.