



# Position Paper

## **Consumer expectations from the “Proposal for a Regulation of the European Parliament and of the Council on the protection of pedestrians and other vulnerable road users”**

**30 April 2008**

ANEC-TRAF-2008-G-008

## List of contents

1. Background
2. Executive Summary
3. Consumer expectations

Acknowledgements

Annex

- A.1 About ANEC
- A.2 Contact person at the ANEC Secretariat

## 1. Background

---

This paper refers to the Proposal for a Regulation on pedestrian protection which was adopted by the European Commission on 3 October 2007. This Regulation repeals the current Directive on the protection of pedestrians and other vulnerable road users (Directive 2003/102/EC) and the Directive relating to the use of frontal protection systems on motor vehicles (Directive 2005/66/EC).

The European Commission has also been negotiating a new Global Technical Regulation (GTR) on pedestrian safety on the international level through the UNECE forum in Geneva. The GTR will only be voted on when the European institutions will pass the European regulation, which should be in line with the GTR.

## **2. Executive Summary**

---

ANEC, the European Consumer Voice in Standardisation welcomes the Commission proposal for a regulation on the protection of pedestrians and other vulnerable road users. This regulation aims to update the existing related regulation which requires manufacturers to produce vehicles whose fronts will be 'safer', less aggressive (more forgiving) for the most vulnerable users of roads.

Whereas we welcome this proposal, we question its relevance and ambition. For instance, designing less aggressive car fronts has shown to be feasible and efficient to protect vulnerable in case of accidents. However, instead of setting up strong, strict requirements for the design of cars, the proposed regulation favors the use of other 'active' measures to avoid accidents. In our view, such measures, including brake assist technology and collision avoidance systems, should only be used as a complement – not as an alternative - to a change of car front design in order to ensure the highest level of safety for vulnerable.

### 3. Consumer expectations

---

ANEC would like to draw particular attention to the following aspects of this proposed regulation:

#### 3.1. Timeframe for implementation

According to the original timetable, the review of the Directive on pedestrian protection was scheduled for 2006. Over the last two and a half years, this review was constantly delayed and pushed back, without transparency from the Commission on the link with the Global Technical Regulation on pedestrian protection that was simultaneously being worked on at the international (UNECE) level. Now that Phase two has been replaced by this new proposed EU Regulation, there is still no clarity on its immediate timeframe. Our understanding is that the date of implementation is five years from adoption, which takes us to 2014 at the earliest. This delay of eight years (2006-2014) with a watered down proposal is simply unacceptable. Hence, ANEC is fully supporting the proposal made by the European Parliament Committee on Transport and Tourism to shorten the implementation time.

#### 3.2. Choice of active safety measures

The main active safety measures proposed are brake assist technology and collision avoidance systems. We believe that there is too much focus on brake assist technology. We question the likely impact of brake assist, and what definition and test procedure has been used to measure the potential benefit of this technology. Do the benefits apply equally to braking at low and high speeds? We also wonder what the difference is between the systems evaluated by the feasibility study and those included in the new Commission's proposal.

Collision avoidance systems are technologically far in the future and thus not a solution for the present day. They also bring with them questions of reliability and potential liability.

Finally, day time running lights (DRL) was a key feature of the active safety measures proposed in Phase two of the original Directive. However, this proposed Regulation does not award it the same importance. The reason for this apparent change in priorities is not clear.

#### 3.3. Passive safety measures should not be forgotten

The head mass and bonnet leading to upper edge test have been remarkably watered down in this proposal as opposed to what was planned for Phase two of the original Directive. It is disappointing that the impact speed has been reduced from 40 km/h to 35 km/h, but the mass of the child headform impactor is now heavier (3.5 kg instead of 2.5 kg). We wonder what the technical justification is to reduce the impact speed and increase the mass of the child headform impactor.

We are extremely concerned that the Regulation proposal keeps the bonnet leading edge to upper leg test only for monitoring purposes. We believe that this proposal is based on a false interpretation of the recommendations of the feasibility report. We strongly believe that a high level of safety will only be possible if the bonnet leading edge test is retained as a mandatory requirement for all cars. If this test is not kept as a standard, the most aggressive contact point of cars could migrate from the bumper leading edge upwards to the bonnet leading edge. Maintaining the bonnet leading edge test, even a revised version, as a mandatory requirement will ensure that injury levels would decrease rather than injury patterns change. Moreover, as shown by several accident studies, the bonnet leading edge contributes to a decrease of injuries<sup>1</sup>.

#### **3.4. Trade off between active and passive safety measures**

Once again we would like to reiterate our concern that active safety measures should be additional and not substitute passive safety measures as also proposed by the European Parliament Committee on Transport and Tourism.

---

<sup>1</sup> GTR, ECE/TRANS/WP.29/2007/94, 23 July 2007, page 15 paragraph 66

## Acknowledgements

---

This position paper has been prepared in consultation with the ANEC membership.

ANEC wishes to thank those who have actively contributed to the drafting of this position paper.

## Annex

---

### **A.1 About ANEC**


ANEC is the European Consumer voice in standardisation, representing and defending consumer interests in standardisation and certification, and in policy and legislation related to standardisation. Our aim is a high level of consumer protection. ANEC was set up in 1995 as an international non-profit association under Belgian law. It represents consumer organisations from the European Union Member States and the European Free Trade Association (EFTA) countries. Our General Assembly is composed of one national member per country, nominated jointly by the national consumer organisations in their country.


### **A.2 Contact person at the ANEC Secretariat**

Ayse Sumer, Assistant to the Secretary-General


More information about ANEC and its activities is available at [www.anec.eu](http://www.anec.eu)

Should you have any problems in accessing the documentation, please contact the ANEC Secretariat.

 +32/2-743 24 70

 +32/2-706 54 30

 [anec@anec.eu](mailto:anec@anec.eu)

 Avenue de Tervueren 32, box 27 – BE-1040 Brussels, Belgium

This document is available in English upon request from the ANEC Secretariat or from the ANEC website at [www.anec.eu](http://www.anec.eu)

© ANEC 2008

This document may be quoted and reproduced, provided the source is given.