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Truck Industry Council Response to:

**Cooperative ITS Regulatory Policy Issues Discussion Paper,
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Background

The Truck Industry Council (TIC) is the peak industry body representing manufacturers and distributors of heavy commercial vehicles (that is, with Gross Vehicle Mass above 3,500 kg) in Australia. Since 2001, TIC has collaborated with the National Transport Commission (NTC) on various Policy, Reform and regulatory matters. The primary aim of this collaboration is to develop improvements in safety and productivity to road transport in a sustainable and coordinated manner.

The field of Cooperative Intelligent Transport Systems (C-ITS) is beginning to affect a wide range of stakeholders world-wide. The emergence of C-ITS encompasses technologies added to, or embedded in, road infrastructure, road vehicles of all types, warning signs and other types of signalling.

The NTC's Discussion Paper examines Regulatory Policy issues that come with the introduction of C-ITS to Australia. It is a timely study of the issues involved, in particular the ownership and privacy issues surrounding the data that is exchanged in a functioning C-ITS environment. Another key issue of concern to TIC members and their parent companies is that of driver distraction from the primary task at hand. This document provides the TIC initial response to the questions raised in the NTC Discussion Paper and some general comments in conclusion.

General Comments

TIC members recognise that while there is a strong heavy truck manufacturing sector in Australia (with around 50% of heavy duty truck segment new sales being manufactured locally), most new vehicle technologies, including in-vehicle telematics systems are designed and developed overseas. As such, our nation is a "technology taker", and Australian truck suppliers do not usually have the local new vehicle sales volumes to justify significant departures from the electronic systems developed overseas. Accordingly, TIC's main theme in this response is to strongly encourage all Australian stakeholders to view all local C-ITS projects and decisions in an international context. That is, consistency of policy, technical standards and inter-node / inter-vehicle compatibility should be "front-of-mind" when any such project or trial is considered.

TIC commends the authors of the NTC Discussion Paper on its comprehensive nature, especially the breadth and depth of issues covered in relation to C-ITS. TIC recognises that vehicle manufacturers are one group of stakeholders in the C-ITS field, and has restricted its responses to matters in which its members can play their part.

TIC will also continue to work closely with NTC, the C-ITS Industry Advisory Group, ITS Australia and other stakeholders to ensure that the development of C-ITS systems in Australia is world best practice.

Discussion Paper Section 2, Privacy: Questions for consideration

- 1) Should privacy protection for C-ITS be explicitly regulated?
- 2) If so, what limits should be placed on the collection, use and disclosure of personal information generated by C-ITS?
- 3) Should other, non-regulatory, controls be pursued?

TIC Responses:

1. Privacy protection for users of C-ITS is a matter that affects operators more than the supplier of the vehicle. TIC simply offers a comment in that Australian policy on privacy should take into consideration those policies that are being developed overseas, especially in the USA and EU. Consistent policy should lead to consistency in the systems that are developed to support the policy. The resultant regulation, if required, could mirror that developed overseas, in much the same way that Australian Design Rules (ADRs) usually refer to the relevant UN ECE standard.

2. Comment as above. It is going to be difficult to separate personal information from safety-related information, especially if all of the data is collected/generated in a single, multi-purpose system on board the vehicle.

3. No further comment.

Discussion Paper Section 3, Liability: Questions for consideration

- 1) Are current laws around liability sufficient to manage the roll out of C-ITS applications?
- 2) Is further guidance required for industry or for road agencies on managing liability risks?

TIC Responses:

1. TIC has no specific comment, except to concur with the comments in the Discussion Paper relating to technology advancing faster than laws.

2. Yes. Industry needs to have very clear guidelines on liability before technology suppliers will accept the risk of providing systems that may increase their liability. In fact, without further guidance on product liability specific to the use of in-vehicle C-ITS technology, the development and rollout of these C-ITS technologies (that can potentially save many lives) may be hindered.

Discussion Paper Section 4, Driver Distraction & Information Display: Questions for consideration

- 1) To what extent should regulatory tools be used to set uniform standards to minimise the driver distraction risks of C-ITS applications?
- 2) Are there any other driver distraction and information display issues relevant to C-ITS that have a potential safety risk, but that have not been identified in this paper?

TIC Responses:

1. TIC considers that Australia should adopt an international standard for an in-vehicle input / display device which utilises multiple applications (under development). It will specify the number of data inputs required, and the type of communications protocol, but will then be less specific regarding software platform and applications. Such applications can include (but are not limited to) heavy vehicle charging, fleet management tools, Electronic Work Diaries, Intelligent Access Schemes, and C-ITS tools. The international standard is expected to be quite broad in nature, but will allow applications to be added and developed well beyond the specification date. The key requirement is that one large, high quality display will prioritise only necessary information for the driver, depending on urgency, to minimise driver distraction.

There is an opportunity for Australia to lead the way in developing the international standard for such in-vehicle systems, however any project must be done with consultation and co-development with overseas agencies, to prevent an isolated unique system that is incompatible with those in the EU or USA. TIC members can consult with their overseas parent companies to help facilitate this opportunity, by accessing any government / industry partnerships already in place. TIC offers its services in providing key links for this vital area.

2. The paper identifies the issues well. In principle, truck manufacturers are working on systems that minimise driver distractions through providing a single, multi-purpose display unit. Industry needs to have very clear guidelines on liability before technology suppliers will accept the risk of providing systems that may otherwise increase their exposure to lawsuits.

Discussion Paper Section 5, Compliance & Enforcement: Questions for consideration

- 1) Is there a need for clarification over how data from C-ITS systems (both from in- vehicle units and roadside units) will be used and for what purposes?
- 2) Do limits need to be placed on the use of data from C-ITS systems?
- 3) If so what limits are appropriate? For what purposes should C-ITS data be available to be used? Should there be limits on how long data can be kept?

- 4) Should government, including police and road agencies, have restrictions placed on the access and use of C-ITS personal information for law enforcement purposes? If so, how, if at all, should these restrictions vary between general law enforcement activities and the investigation of a criminal act?

TIC Responses:

1. *TIC members and their customers would prefer to have very clear guidelines as to the extent to which any data will be used. However, as previously stated, it is going to be difficult to separate personal information from safety-related information, especially if all of the data is collected/generated in a single, multi-purpose system on board the vehicle.*
2. *Limits need to be stated, however must be open to change in the future, as the on-board vehicle systems are adopted for a broader range of uses.*
3. *TIC does not provide specific guidance for appropriate limits and duration for keeping records, as other stakeholders will have more to say on this matter. From a technology perspective, the range of purposes that the C-ITS data can be used for will expand over time, so limits need to be sufficiently flexible.*
4. *No TIC comment.*