

**Intelligent Transport Systems and Incompatible Vehicles**

**For the consideration of WP29 and the ITS Informal Working Group**

Transmitted by the International Motorcycle Manufacturers' Association (IMMA) with the support of the Association des Constructeurs Européen de Motocycles (ACEM) and by the Federation of European Motorcyclists' Associations (FEMA) with the support of the American Motorcyclists' Association (AMA) and the Motorcycle Riders' Foundation (MRF) of the United States of America and the Commission for Mobility and Transport of the Fédération Internationale de Motocyclisme (FIM-CMT).

**Introduction**

In submitting this paper the above named parties, all of whom are recognized as representative non-governmental organisations by the United Nations, welcome the consideration being given to Intelligent Transport Systems (ITS) by the UN-ECE's Inland Transport Committee and its Working Groups.

Whilst an understanding of what is meant by ITS is not generally accepted or the technological parameters of ITS are not clearly defined, the impact that ITS will have in the future is beyond doubt. The potential for ITS to make road systems, and the vehicles that use them, safer, is considerable.

**Preparing for the ITS Round Table**

We believe that the proposed ITS Round Table has provided a most helpful focus for consideration of this crucial subject. Whilst it has been necessary to postpone the Round Table, the progress that has been made to date in the informal group has been significant and whilst conclusions have yet to be reached it is apparent that there exists potential for consensus to be reached.

The Round Table will greatly assist in developing the understanding of ITS and its potential, by defining what is meant by ITS, and considering the arrangements by which ITS applications can be evaluated and regulations that will cover their use can be developed and applied.

**Powered Two-Wheelers and ITS**

As the representatives of the motorcycling community the parties to this paper wish to clearly state that we welcome the application of advanced, "intelligent", technologies to road vehicles and road systems of the future.

We believe that a number of developments currently grouped under the general heading of ITS, have the potential to significantly improve road safety and to assist in the management of road transport systems in ways that will benefit all road users and the society of which they are part.

We accept that many ITS applications will encompass all categories of vehicles and be of benefit to the owners and users of powered two-wheeled vehicles, along with all other road users. We also recognise that some ITS applications will need specific development and adaptation to enable them to be used by motorcyclists.

Notwithstanding this we believe that the very nature and dynamics of powered two-wheelers will mean that they will not be able to be directly included in a number of ITS applications.

#### **Recognition of "Incompatibility"**

It is obvious that this situation will also apply to other types or categories of vehicles. For example vehicles of any category that were manufactured before future construction and use regulations require the fitting of specific ITS applications.

We would therefore wish to propose that the United Nations' Economic and Social Commission, through the Inland Transport Committee and its appropriate Working Groups, formally recognizes that there will be vehicles that will not be compatible with certain ITS applications.

#### **The right to access all road systems**

The recognition that certain types of vehicles will not be compatible with some ITS applications, requires that the rights of the owners and users of such vehicles be considered.

Central to the development and application of vehicle technical regulations has been the general principle that they are not retrospectively applied. It has been accepted that provided a vehicle continues to comply with the technical requirements that were in force at the time of its manufacture, its owner can continue to use it on public roads.

It has also been accepted that vehicle technical regulations are vehicle category specific. This has meant that when a development has been applied to one category of vehicle it has not resulted in the owner or user of another category of vehicle being disadvantaged.

Accordingly the parties to this paper wish to propose that the United Nations' Economic and Social Commission, through the Inland Transport Committee and its appropriate Working Groups, formally recognizes the following principle. That where a vehicle or a category of vehicles are not compatible with an ITS application, it is accepted that the vehicles' incompatibility will not result in it being excluded from any part of the road system that utilizes that ITS application.

#### **In conclusion**

In concluding this paper we believe that it is important to consider the proposals for recognizing that there are, or will be, ITS non-compatible vehicles and for formal accepting that their users have the right to continue to use road systems that utilize ITS applications, in a time significant context.

If the designers and developers of ITS applications do not consider the needs of non-compatible vehicles from the beginning of developing the applications, it is very likely that the consequences and costs of subsequently accommodating non-compatible vehicles will be prohibitive.

If, however, the need for ITS applications to be tolerant of non-compliant vehicles, is recognized at the design stage. Then the likelihood of having an application's use frustrated by a group of road users refusing to be excluded, or alternatively to be utilized at the cost of citizens losing their right to use their chosen mode of transport, will very likely be avoided.