



DfI

Department
for Infrastructure

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Remote Control Parking and Motorway Assist

Regulatory Impact Assessment

JANUARY 2018

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| Title: Remote Control Parking and Motorway Assist: Proposals to amend domestic legislation and the Highway Code for Northern Ireland | Regulatory Impact Assessment (RIA) | |
| | Date: 1 February 2018 | |
| | Type of measure: Subordinate Legislation | |
| Lead department or agency: Department for Infrastructure | Stage: Draft | |
| | Source of intervention: Domestic NI | |
| Other departments or agencies: | Contact details: Dorcas Cutrona | |
| | Ext. 41074 | |
| | | |

Summary Intervention and Options

| | | | | |
|---|---|---|--|---|
| What is the problem under consideration? Why is government intervention necessary? (7 lines maximum) Remote Control Parking is a type of ADAS (Advanced Driver Assistance System) which allows a driver to carry out a parking manoeuvre from either inside or outside a vehicle by issuing commands from a mobile device. The current wording within Regulation 125A of the Construction and Use Regulations prohibits the use of a hand-held mobile communications device whilst driving. The use of such a device to park a vehicle therefore lends uncertainty as to whether enforcement authorities or the Court could interpret this as being in contravention of this regulation. | | | | |
| What are the policy objectives and the intended effects? (7 lines maximum) The draft legislation and changes to the Highway Code for Northern Ireland are intended to provide certainty that the driver of a vehicle will not be in contravention of the law when performing a type approved remote control parking manoeuvre. This change will remove the barrier to uptake of innovative, internationally approved new vehicle technologies and could lead to environmental benefits and financial benefits for both business and drivers, especially those with mobility issues. | | | | |
| What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) (10 lines maximum) Option 1: Do nothing Option 2: Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation. Option 3: (Preferred Option) Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation and make appropriate changes to the Highway Code clarifying how drivers should monitor vehicle when using technology | | | | |
| Will the policy be reviewed? No | | | If applicable, set review date: N/A | |
| Cost of Preferred (or more likely) Option | | | | |
| Total outlay cost for business | | Total net cost to business per year | | Annual cost for implementation by Regulator £ |
| | | | | |
| Does Implementation go beyond minimum EU requirements? | | | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| Are any of these organisations in scope? | Micro Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Small Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Medium Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Large Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

The final RIA supporting legislation must be attached to the Explanatory Memorandum and published with it.

Approved by: Liz Loughran

Date: 1 February 2018

Description:

Change regulation with use of SI and make appropriate changes to the Highway Code

ECONOMIC ASSESSMENT (Option 3)

| Costs (£m) | Total Transitional (Policy) (constant price) | Years | Average Annual (recurring) (excl. transitional) (constant price) | Total Cost (Present Value) |
|----------------------|---|-------|---|-------------------------------|
| Low | Optional | | Optional | Optional |
| High | Optional | | Optional | Optional |
| Best Estimate | | | | |

Description and scale of key monetised costs by 'main affected groups' Maximum 5 lines

This is a deregulatory measure and no additional obligations are being imposed on businesses or drivers. The use of the technology is not mandatory and hence the choice to purchase vehicle with the technology installed will be purely down to the preference of businesses and drivers.

Other key non-monetised costs by 'main affected groups' Maximum 5 lines

| Benefits (£m) | Total Transitional (Policy) (constant price) | Years | Average Annual (recurring) (excl. transitional) (constant price) | Total Benefit (Present Value) |
|----------------------|---|-------|---|----------------------------------|
| Low | Optional | | | |
| High | Optional | | | |
| Best Estimate | 0 (all recurring) | | | |

Description and scale of key monetised benefits by 'main affected groups' Maximum 5 lines

Potential monetary benefits for manufacturers involved in the development of these new technologies. Possible decrease in insurance payouts by companies and therefore a possible decrease in future premiums for consumers. Also could lead to possible savings in fuel costs for drivers due to less time spent searching for suitable parking spaces.

Other key non-monetised benefits by 'main affected groups' Maximum 5 lines

Drivers may spend less time in looking for suitable parking spaces. This could have a benefit for the environment as less fuel is being used. Town centres could become more accessible to disabled people and those with mobility issues.

Key Assumptions, Sensitivities, Risks Maximum 5 lines

Technology could be expensive which could have an impact on some of its benefits.

BUSINESS ASSESSMENT (Option 3)

| | | | |
|---|--------------------|---------------|--|
| Direct Impact on business (Equivalent Annual) £m | | | |
| Costs: £ | Benefits: £ | Net: £ | |

Cross Border Issues (Option 3)

How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland) Maximum 3 lines

Regulations in Northern Ireland will be aligned with those in the UK and EU.

Evidence Base

1. Problem under consideration.

- 1.1. This Regulatory Impact Assessment concerns the amendment of the regulatory framework and changes to the Highway Code to enable drivers in Northern Ireland to carry out remote parking manoeuvres from either inside or outside a vehicle, using a mobile device, without fear of contravention of the law.
- 1.2. Remote control parking enables the driver to get out of the vehicle and, using a mobile device (such as a dedicated remote control, a smart phone, or even a smart watch), command it to automatically drive itself into, or out of, a parking space. While the control button on the device is activated, the vehicle will manoeuvre automatically at very low speed while monitoring its surroundings for pedestrians, other road users or any other hazards.
- 1.3. If a person or hazard is detected, or if the remote control button is accidentally or intentionally deactivated, the vehicle will come to an immediate stop. Equally, to ensure that the driver can exert control at all times, the system will not function if the driver is outside a certain range.
- 1.4. The current wording within Regulation 125A of the Construction and Use Regulations prohibits the use of a hand-held mobile communications device (such as a phone, tablet) while driving. The use of a hand-held device to park the vehicle therefore lends uncertainty as to whether enforcement authorities or the Court could interpret this as being in contravention of this regulation.

2. Reasons for intervention

- 2.1. The Department is clear on the laws regarding mobile phone use, and the damage that can be caused by those who use a mobile phone whilst driving. A review of the existing mobile phone offence and associated penalties which apply in Northern Ireland is currently in progress. This review, which is independent of this consultation exercise, will consider the advances in autonomous vehicle technology including the use of a mobile phone in remote control parking. When used appropriately and safely to facilitate a controlled manoeuvre such as parking, there is scope for legitimate use of such a device.
- 2.2. The policy intent of this consultation therefore is to provide clarity on appropriate use of this technology and to provide certainty that a driver will not be in contravention of the law when using a mobile device to carry out parking manoeuvre.

3. Policy objectives

3.1. The policy objectives are:

- Provide an exemption in Regulation 125A of the Construction and Use Regulations to permit the use of a hand-held mobile device as a means of performing remote control parking manoeuvres.
- Remove barrier to the uptake of innovative, internationally approved new vehicle technology.
- Provide clarity for manufacturers intending to utilise the remote control parking function for cars that are type approved for sale in Northern Ireland.

4. Description of options considered

4.1. The following options were considered in the development of this policy:

Option 1

Do Nothing. The existing restrictions would remain in force.

Option 2

Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation.

Option 3

Preferred Option. Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation and make appropriate changes to the Highway Code clarifying how drivers should monitor vehicle when using technology.

5. Costs and benefits

Option 3

Costs

5.1 As the preferred option is de-regulatory, and no evidence has been provided or otherwise identified that suggests any significant quantifiable additional safety (accident/casualty) or other costs, the impact assessment assumes negligible costs. The familiarisation costs will be negligible as the rules in NI will be aligned with the rest of the UK and the EU. Over time alignment of the Regulations will reduce familiarisation costs to new businesses and retailers that will not have to be aware of separate regulations for different jurisdictions in the UK.

Benefits

5.2 The Department is committed to CAV technology, and supports its use in Northern Ireland. Therefore, domestic law needs to be maintained and updated to enable the use

of such technologies. There are many benefits for facilitating safe, appropriate use of remote control parking technology.

- 5.3 Due to the increased size of automotive vehicles in recent years, coupled with the rising number of vehicles on our roads, it is believed that adequate space to exit, enter and manoeuvre is fast becoming an issue. This can be added to increased pressure on car-parking spaces in a city like Belfast. Remotely parking a vehicle offers a convenient alternative way of being able to park in confined spaces, potentially reducing the time needed to find a suitable spot. This could lead to drivers spending less time in future in looking for suitable parking spaces. This then could lead to a decrease in fuel consumption which will benefit both the driver and the environment.
- 5.4 From a safety perspective, using a remote control to park may reduce the likelihood of accidental contact of other vehicles, both when carrying out the manoeuvre itself, and when opening the door upon exit in tight spaces. This convenience is further recognised for inexperienced drivers, or those drivers with young families.
- 5.5 Benefits could also potentially be realised for people with mobility impairments or drivers of Motability-equipped vehicles. These vehicles are specially adapted for drivers with disabilities. Whilst these vehicles enable people to drive, parking remotely would result in greater flexibility for drivers when accessing suitable parking.
- 5.6 The potential benefits of motorway assistance technology include fuel efficiency (smoother and more precise use of throttle to maintain a given speed than a human driver is capable of), safety (with insurers already recognising that cars equipped with AEBS are less prone to collisions than ones without, we can expect the same kinds of benefits for ADAS), and traffic flow, as well as potential economic and social benefits.
- 5.7 There has been increased pressure on car-parking spaces in town centres in Northern Ireland in recent years. For example, in Belfast City Centre in recent years, pressure on parking spaces has increased due to bus lanes, loading bays and the increasing number of taxi ranks – one of the reasons that people may be discouraged by coming into Belfast City Centre.
- 5.8 There could also be potential financial benefits for both consumers and the car insurance industry. Remote parking could in future lead to less accidents on our roads. This could possibly lead to less pay-outs on claims for insurance companies, which may in turn lead to reduced insurance premiums for consumers.

6. Wider Impacts

6.1 *Competition Assessment*

In view of the deregulatory nature of the preferred option, which does not entail any costs, it is considered that there are no competition impacts.

6.2 *Small and Micro Business Assessment*

This measure is beneficial to business. Therefore, no businesses are exempt from this measure to ensure that the full range of businesses can benefit.

6.3 *Equalities Assessment*

Benefits may be realised for people with mobility issues or drivers of Motability-equipped vehicles. These vehicles are specially adapted for drivers with disabilities. The ability to park remotely would allow greater flexibility for such drivers in accessing suitable parking.

6.4. *Policy Review*

As the preferred option is deregulatory, review after a particular period is not considered necessary.

7. Summary

7.1. Remote Control Parking is a type of ADAS (Advanced Driver Assistance System) which allows a driver to carry out a parking manoeuvre from either inside or outside a vehicle by issuing commands from a mobile device. The current wording within Regulation 125A of the Construction and Use Regulations prohibits the use of a hand-held mobile communications device (such as a phone, tablet) while driving. The use of a hand-held device to park the vehicle therefore lends uncertainty as to whether enforcement authorities or the Court could interpret this as being in contravention of this regulation. The policy intent of this consultation therefore is to provide clarity on appropriate use of this technology and to provide certainty that a driver will not be in contravention of the law when using a mobile device to carry out parking manoeuvre. The following options were considered in the development of this policy;

Option 1 - Do Nothing. The existing restrictions would remain in force.

Option 2 - Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation.

Option 3 – (Preferred Option) Amend regulatory framework to provide clarity to manufacturers and drivers on the use of remote control parking and Motorway Assist with changes to statutory legislation and make appropriate changes to the Highway Code clarifying how drivers should monitor vehicle when using technology.

7.2 Pending validation of the Impact Assessment, the draft Regulations will be finalised for implementation subject to Ministerial and Assembly approval.