The Society of Motor Manufacturers and Traders Limited
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PEDESTRIAN PROTECTION DIRECTIVE -II PHASE

SMMT response to the European Commission consultation on the feasibility study on measures to be implemented under phase II of the Pedestrian Protection Directive 2003/102/EC

SMMT welcomes the opportunity to comment on the European Commission's recently completed feasibility study on the second phase of the Pedestrian Protection Directive 2003/102/EC, which requires new cars to be designed so as to reduce the severity of injuries suffered by pedestrians in accidents.

The SMMT is the leading trade association for the UK automotive industry. SMMT provides expert advice and information to members as well as to external organisations. It represents some 600 member companies ranging from vehicle manufacturers, component and material suppliers to power train providers and design engineers. The motor industry is an important sector of the UK economy. It generates a manufacturing turnover approaching £45 billion and supports around 850,000 jobs.

SMMT agrees with the need for vehicles to be designed and manufactured to provide high levels of protection to both occupants and pedestrians in the event of an accident. Industry has committed itself to delivering real improvement in this aspect of vehicle front end design, and to work constructively to find the best combination of Pedestrian Protection and accident avoidance measures to ensure that the required safety benefits are delivered.

The conclusion of the TRL feasibility study that the current phase II requirements as specified in the Pedestrian Protection Directive are not feasible is welcomed by SMMT. However, whilst being a move in the right direction, the recommendations relating to Phase II testing requirements are not sufficient to make them fully feasible.

In particular the upper leg impact to the bonnet leading edge test should be withdrawn as studies on real world injuries do not show this to be an issue. The results of these studies are generally accepted by the international research community. The inclusion of such a test would still pose feasibility problems for which no solutions currently exist.

The head impact speed should be reduced to 35km/h which is likely to be the actual head impact speed when a real world impact occurs with a vehicle at 40km/h. An impact of 40km/h is unlikely to result in a head impact to the bonnet but would probably result in a non survivable secondary impact with the ground.

The recommendation to require small series vehicles manufacturers to demonstrate that they have paid due care and attention to pedestrian protection is neither feasible nor appropriate. In the case of vehicles produced as small series it should be recognised that these vehicles currently represent less than 0.05 per cent of annual production and that the pattern of use of these vehicles means that they generally see a low annual mileage compared with mainstream vehicles. Thus the percentage of these vehicles involved in such accidents is statistically very small. Vehicles currently in production by small series manufacturers often remain the same for much longer than would be normal for a mass produced vehicles and it is likely that vehicles currently in production would be expected to be still in production in ten to fifteen years time.

Industry agrees with the analysis of the feasibility study that for low volume manufacturers it would be unduly expensive to meet the requirements of pedestrian protection. Applying requirements for pedestrian protection to these vehicles whilst adding significantly to costs would not contribute to the reduction of pedestrian causalities. Nevertheless industry would agree that for new vehicle designs every possible care should be taken to provide as much protection for pedestrians as is possible.

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Whilst agreeing that small car manufacturers should consider pedestrian protection in the design of any future models industry does not believe that there is a need for any legislative requirement and cannot see how any such requirements would be justified. It would be unworkable and unacceptable to try to make small series apply to independent manufacturers only. A proposed definition of a small series manufacturer is contained in the 70/156 Recast Directive and it should be the definition used, irrespective of the vehicle approval route.

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