

European Commission
Directorate general for Energy and Transport
Road safety Unit
"Blind Spot"
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Dear Sirs

COMMENTS: FITTING BLIND-SPOT MIRRORS ON EXISTING TRUCKS

Question 1: Do the benefits of retrofitting existing trucks built in or after 1998 outweigh the costs?

Yes. Additionally, we believe that the requirement should be extended to include trucks built before 1998, because the benefits of retrofitting these trucks also outweigh the costs.

In addition to the cost/benefit analysis presented in the Jacobs report:

- a) We believe that the Jacobs report under-estimates the number of lives that could be saved.
 - (i) Accidents with pedestrians are excluded – wrongly, we believe.
 - (ii) Off-road accidents do not seem to be included at all, yet may account for a high number of incidents. As an example, Road Accident Great Britain (RAGB) statistics underestimate the number of reversing accident fatalities by 90%, because they are compiled only from police figures – which come only from on-road accidents. It can be expected that slow speed manoeuvres in garages and on industrial estates will also result in side-turn accidents.

- b) The cost/benefit analysis in the Jacobs report looks only at the cost of fatalities. It does not include:
 - (i) The cost of serious and slight injuries
 - (ii) The cost of damage repair to own and third party vehicles
 - (iii) The cost to hire replacements for damaged vehicles
 - (iv) Penalty clause costs for missed/late deliveries
 - (v) Third party and administration costs following an accident

The case for retrofitting all existing trucks built in or after 1998 is clear, even without the above additional considerations. When these are also added into the equation, the argument not only becomes irrefutable, it also makes sound economic sense for truck operators.

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Question 2: Is the approach, including the discussion of alternative solutions, the correct one?

No.

There are misleading statements and wording in the Consultation Paper, and the current approach introduces restrictive practice and is anti-competitive.

It is critical that the final directive specifies only the area that should be directly or indirectly visible to the driver – and NOT the method by which this is achieved.

Replacement of the current Class IV mirror glass is only one way to achieve the desired visibility. There are several other current options, most of which offer a wider and more complete area of visibility. It is, therefore, completely unacceptable to consider reducing the required field of vision simply because one of the possible compliance options cannot easily be applied to some vehicles. The mere fact that the Consultation Paper considers this as a possibility demonstrates the current bias towards replacement of the existing mirrors as a solution. This bias has no place in a directive, and should be removed.

It is also critical that a directive does not preclude the use of other technologies or solutions that may not yet be available.

Specific comments and issues:

- a) The current directives 2003/97/EC and 2005/27/EC relating to the type approval of devices for indirect vision and of vehicles equipped with these devices make it very clear that mirrors are not the only solution.

2003/97/EC states; "...the term "rear-view mirrors" shall be replaced by "devices for indirect vision"; and, under DEFINITIONS; "Devices for indirect vision" means devices to observe the traffic area adjacent to the vehicle which cannot be observed by direct vision. These can be conventional mirrors, camera-monitors or other devices able to present information about the indirect field of vision to the driver."

Therefore, we propose that the title of the consultation paper and the proposed directive should be changed to: FITTING DEVICES FOR INDIRECT VISION TO EXISTING TRUCKS. This:

- (i) Follows the wording of the existing directives 2003/97/EC and 2005/27/EC for new vehicles.
- (ii) Removes the current strong bias towards mirrors as the preferred solution (such a bias is anti-competitive, and introduces restrictive trade).

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- b) In point 3.2 of the Consultation Paper, it states that; “.....it is technically possible to replace mirrors of existing HGV by new mirrors in compliance with the requirements of Directive 2003/97/EC, in many cases without even changing the mirror housings.” To this should be added: “Alternatively, the existing mirrors can be unchanged and additional mirrors or camera-monitors or other devices able to present information about the indirect field of vision to the driver can be fitted. These may provide a wider viewing angle than replacement of the existing mirrors alone, thus removing or reducing to a minimum the blind spot.”
- c) In point 3.2 of the Consultation Paper, it further states; “The technical solution for the lateral field of indirect vision described in Directive 2003/97/EC foresees a clearly defined field of vision which has to be covered by a class IV and a class V mirror with a certain maximum curvature.” This is not correct. The field of vision may be covered by a mirror or by a “device for indirect vision”. The wording should be changed to remove this bias towards mirrors.
- d) In point 3.2 of the Consultation Paper, it further states; “Directive 2003/97/EC does not foresee an alternative to this combination of Class IV and V mirrors in order to cover the lateral field of indirect vision....Alternative solutions for other fields of vision could be radar systems, additional mirrors or camera systems. This is not correct. Directive 2003/97/EC DOES foresee the possibility of using “devices for indirect vision” as an alternative to the Class IV and V mirrors, and these “devices for indirect vision” are not restricted in use just to “....other fields of vision....”. Therefore, this paragraph should be removed or modified.
- e) The general comments in point 3.2 of the Consultation Paper regarding preliminary discussions with the truck manufacturers regarding the costs and practicalities of replacing the standard mirrors may have relevance to this discussion document, but have no place in the eventual Directive. Again, this shows a heavy bias towards replacement of the existing class IV and V mirrors – which bias should be removed.
- f) The final paragraph of point 3.2 of the Consultation Paper states that; “Another 25% could be equipped with new glasses if the requirements for retrofitting with regard to the field of vision were reduced and the class IV and V mirror field of vision are considered without the overlapping. Such a **reduced field of vision**.....”. As a statement of fact, this may be correct. But to give serious consideration to reducing the required field of vision from that of 2003/97/EC - simply because it is difficult on some trucks to achieve compliance with one of the several possible solutions – would be iniquitous, unnecessary, and completely unacceptable. Any reduction in the required field of vision will increase the risk of fatal injuries due to ‘blind spot’ accidents. Again, this shows an unacceptable bias towards replacement of the existing class IV and V mirrors – which bias should be removed.

- g) In point 3.3 of the Consultation Paper, it states: “.....camera systems do not play a major role for the lateral field of vision.” This is not correct.

Side view cameras have been available for several years in Europe, and are widely used. These are available from at least 4 major suppliers of Vehicle CCTV systems, including Brigade Electronics Plc, Orlaco, and Mekra-Lang, as well as several smaller suppliers. The use of camera systems for side and front viewing is increasing exponentially, as transport operators see the cost and safety benefits of fitting these systems. Such cameras may be mounted in one of three main positions:

- (i) Towards the front of the passenger (and driver) door, in the region of the existing mirror bracket, looking backwards. With a horizontal viewing angle of, for example, 95 degrees, the driver will be able to see the entire ‘blind’ area to the side of the vehicle – with no ‘blind spots’ in the majority of cases. See the attachment herewith for a sketch of the typical viewed area – which is much greater than what can be achieved by changing the curvature of the existing mirrors.
- (ii) High on the passenger side of the truck, just behind the passenger door, looking downwards. This gives a clear view of the whole area normally covered by the Class V close proximity mirror – plus a large part of the ‘blind’ area outside this zone (and not covered by the class IV mirror).
- (iii) High on the passenger side top front corner of the truck, looking downwards. With the right viewing angle, this can give the driver a complete view of the class VI front zone AND the class V close proximity zone – plus more – in a single image (which may enhance safety).

Furthermore, the use of split-screen technology means that multiple images may be viewed on a single monitor.

- h) In point 3.3 of the Consultation Paper, it further states: “The additional blind spot mirror may have an advantage, although it was not retained by the Directive 2003/97 as the best solution.” Stating that “...it was not retained as the best solution” should be removed from all text, because it is not correct. Directive 2003/97/EC does not preclude the use of the additional blind spot mirror, and nor does it state that any system is in any way better or worse than any other system. It merely sets out criteria for the areas that must be visible to the driver.

Indeed, as can be clearly seen from Fig 2 in the Consultation Paper, the blind spot mirror covers much more of the ‘blind area’ than the new class IV wide angle mirror....so one may deduce that it is, in fact, a better solution...!

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- i) In point 6 Conclusion of the Consultation Paper, it states 3 requirements – the first two of which specify the means by which compliance must be achieved.

This is completely unacceptable. No directive should ever be written around the performance characteristics of an existing product. Directives should specify the required outcome, and leave free the method of achieving this outcome. In the case of this particular directive, it is only the required field of vision that should be specified. It is up to the operator to decide how best to achieve compliance. Anything else is anti-competitive and creates restrictive trade – both of which are unacceptable.

Specific comments and issues:

- (i) “Requirements: 1. Standard technical solution”; It is unacceptable to specify the means to achieve the desired outcome. This requirement should be removed. In its place should be a requirement based solely on the required field(s) of vision.
- (ii) “Requirements: 2. Reduced standard technical solution”. This is unacceptable for the reasons stated in my point (f) above, and unnecessary if the directive specifies only the required field of vision.
- (iii) “Requirements 3. Exceptional solutions”. This is unnecessary if the directive correctly states only the required field of vision, so should be removed from an amended draft of the directive.

Question 3: We have no comment.

Question 4: Do you have any other comments or questions?

I would be keen to join any working party or committee that is drafting this new directive. I am currently a participant in an International Standards Organisation (ISO) Working Group that is updating standard ISO 9533, so have some experience in similar matters.

I look forward to your soonest possible comments in this respect, and would be happy to provide further assistance as may be required.

Yours faithfully

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Managing Director

Encs:

cc: Mary Williams, BRAKE
Robert Gifford, Parliamentary Advisory Council for Transport Safety