

# Future of transport regulatory review: modernising vehicle standards

## Introduction

Thank you for responding to our consultation, your views will assist in developing a national framework allowing us to adapt the regulation of vehicles.

The closing date is 22 November 2021.

## View all the questions

This survey provides questions based on user choice, a [full copy of the questions is available \(opens in a new window\)](#).

## Print or save a copy of your response

When you get to the end of this questionnaire, you will be offered the chance to either print or save a copy of your response for your records. This option appears after you press 'Submit your response'.

## Save and continue option

You have an option to 'save and continue' your response at any time. If you do that you will be sent a link via email to allow you to continue your response where you left off.

It's very important that you enter your correct email address if you choose to save and continue. If you make a mistake in the email address you won't receive the link you need to complete your response.

## Accessibility statement

Read our [accessibility statement for SmartSurvey forms \(opens in a new window\)](#).

## Confidentiality and data protection

This consultation by the Department for Transport is about gathering views to assist in developing a national framework allowing us to adapt the regulation of vehicles.

We are asking for:

- your name and email address, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions)
- whether you are representing an organisation or yourself
- the total number of employees in your organisation, to weigh your response accordingly

- the region your organisation is based in, to understand the bearing your regional location may have on your response
- the type of work of your organisation in order to better understand your relationship with the issue

Your consultation response and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. DfT will, under data protection law, be the controller for this information. [DfT's privacy policy \(open in new window\)](#) has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

Your personal data is processed on behalf of DfT by Smartsurvey, with respect that they run the survey collection software only, your personal data will not be shared with any other third parties, even those employed for the purpose of analysis.

We will not use your name or other personal details that could identify you when we report the results of the consultation. Any information you provide through the online questionnaire will be moved to our internal systems within 2 months of the consultation end date. The information will be kept securely and destroyed within 12 months of the closing date, with the exception of information and evidence of the Public Sector Equality Duty.

## You

### 1. Your (used for contact purposes only):

name?

email?

### 2. Are you responding: \*

- as an individual? (Go to 'Modernising vehicle standards')
- on behalf of an organisation?

## Organisation details

### 3. What is the name of your organisation?

#### 4. Your organisation is in:

- academia?
- x  industry?
- the public sector?
- a non-governmental organisation?
- a charity?
- another type of organisation?

#### 5. How many people does your organisation represent?

- 0 people
- 1 to 10 people
- 11 to 50 people
- 51 to 100 people
- 101 to 1,000 people
- x  Above 1,000 people

## Modernising vehicle standards

We intend to develop a national framework allowing us to adapt the regulation of vehicles. This is essential for the safe deployment of automated and other innovative vehicles. We will also implement improved environmental standards and enforcement to better meet current and future challenges.

There are 4 areas where we are proposing to make changes. We are seeking views on:

- providing a modern framework for modern vehicles – regulating safety, security and environmental performance
- establishing a flexible, proportionate, and responsive approach to regulating safety, security and environmental performance of vehicles
- tackling tampering
- improving compliance, safety and security

**6. Do you agree or disagree with our overall intention relating to modernising vehicle standards?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know?

Overall, what are your comments on our intention?

Current vehicle standards have evolved from internal combustion-powered motor vehicles and have been driven by two main factors: road safety (with consideration to the operator, other road users and pedestrians) and emissions. The regulatory framework has therefore never had to cater for new vehicle types or innovations, to be used on the road, in the way it now needs to.

Our traffic mix will continue to change, especially given the move toward active travel and smaller, more efficient vehicle types. As such, safety considerations will necessarily have to change given fewer large cars and vans will be used in favour of smaller and lighter electric vehicles.

MCIA believes the L-Category sector requires a wholesale review so that new innovations and powertrains can be brought to market within a regulatory framework that allows for a different approach to type approval. We believe light electric, two, three and four-wheeled vehicles are instrumental to the decarbonisation agenda, as recognised in the Transport Decarbonisation Plan.

**MCIA proposals**

However, to fully harness their benefits, the Government must update regulation to cater for this ever-evolving market, in doing so providing greater consumer choice, beyond just the car in the traditional sense, be it electric or otherwise. MCIA has conducted a comprehensive review of the current regulation 168/2013 and has put forward several

proposals that we believe will help to address both the issues above and the Government's desire to provide more affordable and accessible forms of personal mobility.

We propose the Government amends the existing 168/2013 type approval framework to create a new, lower-powered, light electric moped, granting access to users aged 14 in line with pedal assisted electric bicycles, which have the same speed restrictions.

Alongside this, we propose including e-step scooters into the 168/2013 framework (should the Government consider legalising them) to ensure their safe design, durability, and quality in meeting the test standards that are required for the use of motor vehicles on public roads in the UK.

Electric step scooters are lightweight, personal electric vehicles with low maximum speed, usually operated within an urban environment ideal for shorter commutes. They are also clean and relatively low-cost. Vehicles within the L0e-category, as would be the case under MCIA's proposals, would fall under the guise of a powered light vehicle (PLV), currently being trialled across the UK as part of e-step scooter sharing schemes.

Privately owned e-step scooters are currently illegal for use on non-private land. However, they are readily available for sale and are being ridden illegally in just about every city in the UK. These privately owned e-step scooters are easily tampered with and can perform way beyond their design capability. By including e-step scooters in the 168/2013 type approval framework, strict anti-tampering measures can be mandated to ensure the safety of riders and other road users (including pedestrians).

By applying regulation for the purposes of addressing current concerns with private e-step scooters, but also for the purposes of future-proofing regulation to cater for the evolution of products, the Government can help manufacturers bring new products to market. Once defined, these new vehicle categories can stimulate innovation and design, leading to UK manufacturing and new technology development which is why it is essential the Government moves quickly to create a technical and legal space for providers to place these new innovative products on the market.

## **A modern framework for tomorrow's vehicles – regulating safety, security and environmental performance**

We are seeking powers to amend (or repeal and replace) retained relevant sections of EU law. This would allow such legislation to be updated to reflect technological changes and ensure GB law continues to be fit for purpose. This would enable us to make regulations on the approval of the design, construction, marking and labelling of:

- vehicles
- vehicle parts and equipment
- engines for non-road mobile machinery

In this context, the term 'vehicle' includes not only passenger and goods vehicles but trailers, 2 and 3 wheeled vehicles and quadricycles, agricultural and forestry tractors and their equipment.

We need the requirements and powers to be wider than those in the [Road Traffic Act 1988 \(opens in a new window\)](#) to reflect the rapidly developing technological landscape which was not envisaged when the legislation was enacted

We want to ensure we have powers to introduce provisions to permit the safe introduction of new technologies and new vehicle categories that do not meet existing approval requirements.

We also want to develop consumer information schemes such as tyre labelling.

We propose to create:

- an approval scheme for automated vehicles to set requirements for safety, security and in-use monitoring – this will cover systems, sub-systems and manufacturers' processes

across the vehicle lifecycle (design, development, manufacturing and in-use operation)

- new technical regulations for road vehicles, such as approval and in-use obligations for software and cyber-security requirements over vehicle life – this will include the ability to direct vehicle manufacturers and suppliers of replacement parts to act where needed
- powers to ensure the correct maintenance and use requirements, most notably for connected and automated vehicles
- improved powers for monitoring and enforcement of in-use compliance and market surveillance activities – this will include requirements for manufacturers to provide information (such as technical specifications, performance data and access to embedded software)
- powers for the Secretary of State for Transport to amend, by statutory instrument, retained EU legislation on the type-approval of vehicles and non-road mobile machinery – for example, the EU type-approval framework regulations and regulations covering engine pollutants and emissions

#### 7. Overall, do you agree or disagree with the package of proposals stated?

- Strongly agree
- x  Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know?

Why and what are your comments on any of the specific proposals?

Regulatory divergence from the EU market will create significant difficulties for the L-Category sector and so, where possible, the UK Government must use existing EU legislative tools (e.g. European Transparency Regulations), or even those used by the UN. The UK market is small in comparison to mainland Europe and the EU market is small in comparison to other emerging economies. Whilst it is agreed the developed world should lead the way, it is imperative the UK does not move too quickly, meaning regulation becomes too specific to the UK, therefore making our market unattractive. Any regulatory amendments must be focused on market need and not purely a technical standpoint. If divergence is unavoidable, at the very least it should be justified by increased safety or financial reasons.

The technologies referenced at this point do not directly relate to systems that are usually found on L-Category vehicles. There is a risk that L-Category would be brought into scope without need. For example, in the EU, L-Category vehicles are not subject to the same

cyber security for cars as they simply don't have the same level of technology. It is therefore important L-Category remains separate and has its own regulatory approach.

An important point to consider will be how any new systems and technologies will interact with other vehicles, including L-Category types and how regulation will cover this matter.

Referring to the above, there may be an indirect impact that needs to be addressed. L-Category vehicles are categorised within the vulnerable road user group. This extra vulnerability needs to be considered for systems integrated into other vehicles for systems that perform certain functions, especially autonomy. For example, should an issue occur on the road, there is the potential for increased risk (over and above that which already exists) to L-Category vehicles and their operators.

The introduction of new technology could also create situations which did not exist before. For example, whilst greater vehicle and other network integration may provide safety/performance improvements, this may open the door to interference (especially deliberate acts by vehicle operators, or remotely by third parties) which either circumnavigates or modifies these regulated systems. It may be that some systems, whilst providing vehicle operation improvements, are at higher risk of hacking/third party interference in order that system (and therefore vehicle) tampering can be more easily carried out. Certain technologies out pace regulation/cyber security, therefore, enforcement and some areas of market surveillance must keep pace. This could be addressed within MOT regulation. An arbitrary, over simplified regulatory route should be avoided, and penalties enforced.

This could result in extraordinary efforts being required by system designers/manufacturers to ensure this risk is reduced, whereby the efforts in creating the system are dwarfed by the efforts needed to protect them under legislation. Excessive requirements for the provision of information by manufacturers/suppliers which has been created by compliance surveillance may create a situation where an inordinate amount of time would be required to supply specifications and performance data which, in turn, may end up delaying or impeding new technology introduction.

Vehicles with such systems need to be surveyed, either remotely (historically) or remotely in real-time, or efficiently through robust spot-check procedures and processes. All technically relevant systems information should be provided to authorities within regulation which would support all surveillance activities required for such systems (as deemed necessary).

## 8. What aspects or potential applications of the proposed powers do you think:

are particularly important for us to take forward and why?

Introduction of new technology may create problems. For new technologies to be considered for integration into vehicles, a full understanding of what the technology does and how it does it, is vital. Equally important is an understanding of its design and architecture and how it affects or works with other systems (especially where high integration occurs).

It is also necessary to establish where the weaknesses and potential flaws may be in the designs, the integration and operational use. Robust measures should then be introduced to counter these system/vehicle performance or behaviour issues. For this to be possible, it will be necessary for manufacturers to provide all technical/non-technical information on the systems being brought to market, including perceived system weaknesses and potential flaws (no matter the risk associated – the final 'real world' operational risk would be up to the authorities to decide).

could create difficulties and why?

There could be issues with manufacturers wanting to release all technical information on systems to authorities (fear of intellectual property loss) or they might not correctly identify all technical information or data required to be able to robustly assess the risks involved with new vehicle technology. Regulation would therefore be based on an incomplete or erroneous dataset/technical specification.

There could also be unknown issues with systems and vehicle integration, as well as integration onto the road network which only become apparent at a later stage (although a thorough risk analysis at the point of conception and during the design and integration phases of system introduction, as well as a robust test philosophy and regime, should reduce this potential issue). This has the potential to impact regulation created for such a system prior to issues becoming apparent.

There could also be issues where technologies integrated into different vehicles by different manufacturers, causing issues with each other's systems. This may be very difficult to identify and establish prior to regulation being drafted.

could be excessively costly for industry to meet and why?

It is possible additional costs will be incurred. The level of evidence required for a system or integrated vehicle which would satisfy the requirements for consideration before regulation, may be sizable. It is likely this would depend on what the system does, how much integration has taken place in the final vehicle design and the risk involved with vehicle system operation. For example, a newly integrated window tint/vehicle illumination system (within the bounds of legal tint/lighting requirements) may not have the same burden of proof required for system robustness as an integrated electrically driven autobrake/adaptive cruise control integrated system.

With the above in mind, the cost of such systems and integration into vehicles for use on UK roads should be weighed against the risk of the newly regulated system. If it offers tangible benefits regarding road safety, especially for vulnerable groups, then the cost may be worth covering. This would very likely be on a case-by-case basis and would require a vigorous review of what needs to be done to satisfy the required level of evidence as the same kinds of systems are reviewed from different manufacturers. Alignment and a common process for similar systems, once established, may reduce costs as the process/understanding of new systems improves.

**9. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?**

[Attach any evidence to your response]

Comments:

MCIA has no further comment (this would be more appropriate to those designing and integrating new systems into vehicles).

**10. Are any of the proposed requirements expected to:**



give rise to challenges and why?

MCIA has no comment. We hope our manufacturer members will respond directly relative to their own position.

be excessively costly to comply with and why?

MCIA is not able to comment or quantify what these costs may be.

## **A flexible, proportionate, and responsive approach to regulating safety, security, and environmental performance of vehicles**

We anticipate a greater range of new and innovative road vehicle designs and associated technologies.

We propose a flexible, proportionate and responsive approach to allow safe, secure and environmentally friendly vehicles to come to market. These vehicles need to be registered for use on our roads without undue delay.

At the same time, we want to ensure that we can respond quickly to address any new and emerging security threats and safety risks. Flexibility will enable us to be responsive to developments and learn from the deployment of new technologies such as vehicle automation. This may be important for maintaining safety where new and previously unforeseen risks arise.

We propose to:

- revise the existing provisions around prototype vehicles and vehicle orders to better accommodate the registration and use of innovative vehicle designs
- create a power for the Secretary of State for Transport to issue guidance covering matters which may not be suitable for secondary legislation

Proposed revisions regarding vehicle orders include:

- enabling orders to apply to vehicles operated on behalf of specified persons
- applying order-making powers to retained EU approval legislation
- extending order-making powers to allow the registration and use of small volumes/small series innovative vehicles that do not comply with all type approval requirements subject to alternative safety/environmental/security measures being included

Such provisions should allow manufacturers and system suppliers to easily place new vehicles and technologies produced in limited numbers on the market. This will be subject to controls and conditions which maintain safety, security and environmental performance.

We propose giving power to the Secretary of State for Transport to issue guidance, supplementing vehicle approval regulations. This power is considered necessary to enable the regulator to respond appropriately and in a timely manner to:

- emerging technologies undergoing rapid advancements
- the latest knowledge and best-practice
- the latest methodologies for assessing vehicle safety and security

Example applications of this power could include:

- interpreting existing technical requirements and test procedures to enable application to new technologies
- best-practice for the use of virtual testing (for example, the validation of simulation-based testing)
- ensuring consistent and safe behaviours of automated vehicles under certain scenarios

We anticipate establishing appropriate consultation procedures to ensure the measures are proportionate and balanced.

#### 11. Overall, do you agree or disagree with the package of proposals stated?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know?

Why and what are your comments on any of the specific proposals?

MCIA agrees regulation must be able to accommodate new vehicle types and innovation. However, established manufacturers must not be disadvantaged by having to meet the existing and restrictive criteria that then allows new operators to enter the market by short cutting and compromising standards which will then result in lower costs and therefore an unfair marketplace. To prevent this, any changes must be equitable between all those involved in the process.

All the considerations for prototype, or limited production vehicles, must consider the fact they will likely be used on public roads, shared with vulnerable road user groups (such as L-Category) and, therefore, any final decisions on vehicles/systems under this topic should consider fully the wider scope of potential impact and not just that of the prototype/low volume vehicle regulatory

requirements themselves.

**12. What further provisions, beyond those proposed, relating to prototype vehicles or vehicle orders would better-enable the registration and use of innovative vehicles?**

See question 6.

**13. Are there any areas of type approval where you think it may be appropriate to issue technical guidance in place of, or to supplement, secondary legislation?**

Yes

No

Don't know?

What type approvals and why?

Whilst this is specifically aimed towards low-volume prototype vehicles, care should be taken regardless and would depend on the system, what it does or the technical area under discussion.

For example, for low criticality safety and performance systems/low technical areas, this might be appropriate. For high criticality safety and performance systems/high technical areas, this is likely inappropriate. This may be dependent on a component/system/technical/vehicle integration review (same system, different vehicle/manufacturers) which would decide the appropriateness of the level of regulation or guidance.

**14. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?**

[Attach any evidence to your response]

Comments:

MCIA is not able to make an informed comment.

**15. Are any of the proposed requirements expected to:**

give rise to challenges and why?

MCIA is not able to make an informed comment.

be excessively

MCIA is not able to make an informed comment.

costly to comply  
with and why?

## Tackling tampering

We will create new offences for tampering with a system, part or component of a vehicle intended or adapted to be used on a road. This will enable us to address existing gaps in the legislation, ensuring cleaner and safer vehicles. We will also create new offences for tampering with non-road mobile machinery (NRMM), and for advertising 'tampering' services or products.

This will strengthen our ability to enforce compliance in this area.

Specifically, we would look to create:

- a specific offence for supplying, installing and/or advertising, a 'tampering product' for a vehicle or NRMM – this would apply where a principal effect of the product is to bypass, defeat, reduce the effectiveness of or render inoperative a system, part or component (the product may be physical part or component, hardware and/or software)
- a specific offence for removing, reducing the effectiveness of, or rendering inoperative a system, part or component for a vehicle, NRMM and advertising such services
- a specific offence for using, allowing for use or providing a vehicle or NRMM that has had the operations described in the previous 2 points performed on it
- a new power to require economic operators to provide information, where a service/product they have supplied amounts to or enables 'tampering' with a vehicle or NRMM – this would apply in any of the above senses and include requirements to provide relevant information on the quantities of products sold or modified

We would like to emphasise that our policy intention is to prevent modifications that have a negative impact on road safety, vehicle security and the environment.

We do not intend our proposals to:

- prevent legitimate motorsport activities
- prevent restoration, repairs or legitimate improvements to vehicles, such as classic cars or motorbikes
- negatively impact businesses involved in these activities

### 16. Overall do you agree or disagree with the package of proposals stated?

- Strongly agree  
x  Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know?

Why and what are your comments on any of the specific proposals?

One of the main issues regarding tampering is the open advertising, or selling of, devices, components, software, support, services and/or literature supporting such activities. MCIA views tampering as the supply and fit of defeat devices, or modifications to vehicle systems that create a defeat device function.

MCIA in no way advocates improper advertising of such products and those that do deliberately tamper and/or advertise their products improperly outside the current legal framework should be penalised. We agree with the Government's focus on tackling tampering to realise its ambitions on climate change, ensuring vehicles remain safe and devices designed to circumnavigate security systems and emissions controls remain off the market (unless advertised for non-road use only).

We have major concerns relating to the aftermarket and how future regulation might unintentionally impact our sector. If the regulation is not properly scoped or does not adequately consider aftermarket practice concerns, the overarching desire to penalise those that tamper could have the reverse effect on businesses.

Specifically, given many users of L-Category vehicles enjoy personalising their vehicle and having access to replacement parts other than those supplied by OEMs, any new regulation must be prescriptive with what it does and doesn't cover and why. This then begs the question as to who is liable, the consumer or dealer, should a component be used improperly. This will depend on how future regulation is configured and where the Government decides to pinpoint liability. If the seller, this could mean significant extra administrative burden on businesses (beyond that which they are already doing in accordance with current regulation) in terms of how they bring products to market and the extent to which the sales process will need to be clearer in terms of purpose of use.

Equally, industry has concerns about noise, for example, given the significant investment it has made in designing exhaust systems that comply with current noise standards and emission levels. As stated, we believe consumers should have choice when it comes to aftermarket components, but it is essential these components meet the same standards of those fitted from new and policed accordingly. UK suppliers who have invested heavily in homologated parts and therefore legitimate after market should be protected over those companies that flout with the law.

We also have concerns about the extent to which these proposals will be able to tackle the purchasing of defeat devices from external global suppliers e.g. eBay and other on-line platforms and direct to customer retailers. Most devices are 'plug and play' and so easily purchased on the web and fitted at home. As well as being difficult to police, this may create an unfair marketplace, and so any future regulation must address this.

For private settings (e.g. motorsport), we do not believe it is right to restrict market practice for performance and tuning purposes. To avoid unintended consequences in this example, future regulation must be clear that an economic operator can market and sell goods that are not for road use and therefore not be in fear of prosecution as the items being sold are for competition / not for road use.

Furthermore, with respect to the mapping of vehicle ignitions and other electrical systems that are designed to enhance performance, MCIA is concerned that practice in this area may be

restricted. New regulation must consider this sector by stating that, providing the emission standards remain as per the type-approved limits, mapping and modification of systems will still be allowed.

All economic operators involved in the supply of defeat devices, or supporting vehicle tampering, should be made to submit any information requested by authorities to combat vehicle tampering.

## Tackling tampering

We define a system, part or component as:

"software and/or hardware that impacts on:

- the environment;
- road safety; or
- security"

This would include examples such as those which assist or fulfil the driving task, control power, speed or emissions, protects road users or protects the vehicle from tampering.

### 17. Do you agree or disagree with this definition?

- Strongly agree (Go to 'Tackling tampering')
- Agree (Go to 'Tackling tampering')
- Neither agree nor disagree (Go to 'Tackling tampering')
- Disagree
- Strongly disagree

## Disagree with tampering definition

### 18. Why and how would you define it?

na

# Tackling tampering

For our purposes the scope of the measure is tampering with a system, part or component of a vehicle or NRMM.

## 19. Provide any information on how widespread tampering is.

[Attach any evidence to your response]

Comments:

MCIA does not believe there is a significant tampering issue in our sector that affects the security, safety, or emissions standards (other than the fitment of non-road legal exhausts).

MCIA agrees that regulation must make clearer to the consumer that fitting items that negatively affect the safety, security, and emission regulatory standards (other than those items intended for competition purposes only) should carry appropriate penalties.

## 20. What, if any, other:

services could be inadvertently affected by the proposals on tampering?

Performance tuning and vehicle mapping.

products could be inadvertently affected by the proposals on tampering?

Aftermarket and customising accessories.

exemptions should we consider on tampering?

Exemptions should be extended to all components that do not have a primary intention to affect the security, emissions, and safety systems on the vehicle.

## 21. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?

[Attach any evidence to your response]

Comments:

na

## 22. Are any of the proposed requirements expected to:

give rise to challenges and why?

Performance tuning and vehicle mapping.

Would require proper policing and a robust process to meet the requirements.

be excessively costly to comply with and why? na

## Improving compliance, safety and security

We are seeking powers to enable the Secretary of State for Transport to set out in secondary legislation a new automotive recall regime.

This will mean we can require a manufacturer or supplier to recall and/or remove from sale, vehicles and other automotive products.

This will apply when the vehicle or product is found not to comply with type approval, safety or security standards.

The regime will require manufacturers to identify and report any vehicles that do not meet safety or cyber-security standards. The Secretary of State for Transport would have the power to issue a recall notice.

The manufacturer would be required to achieve a minimum recall rate in respect of any unsafe vehicles or components. They might also be required to compensate vehicle owners.

Failure to comply with such a notice, including a failure to achieve the minimum recall rate, would be enforced through civil penalties.

We propose a power for the Secretary of State for Transport to direct vehicle manufacturers and system suppliers to address urgent safety, security, or environmental issues.

### 23. Overall do you agree or disagree with the package of proposals stated?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know?

Why and what are your comments on any of the specific proposals?

MCIA believes the current "code" recall system works well. Manufacturers do all they can to ensure their customers respond to recall notices promptly. The execution of recalls in a timely manner is not normally a failing of the manufacturer, but the end user failing to react.

ii. We therefore think penalties should be introduced where an end-user fails to react to a safety recall notice. This could be a simple procedure where the manufacturer updates the relevant authorities on which vehicles remain outstanding with supporting evidence of the communications sent. At this stage authorities could then address the end user directly, offering them time to get the vehicle rectified or face prosecution.



**24. What, if any, barriers or reasons exist which prevent manufacturers from recalling certain vehicles and which we should consider when setting minimum recall rates?**

MCIA does not believe there are barriers that would prevent a manufacturer enacting a recall. Manufacturers sometimes face difficulties surrounding component availability to complete recalls within an ideal timeframe, exemptions should be considered on recalls that do not impact on safety.

There is considerable cost involved in contacting customers when a recall is issued which can add significant and additional administrative burden on manufacturers. The Government should look to support manufacturers as much as possible in helping to manage a recalls process as otherwise the extra burden risks acting as a deterrent for proper recalls.

MCIA does not believe minimum recall rates/targets should be introduced. Levels of completed recalls are rarely the fault of the manufacturer.

**25. What data or evidence can you provide, or direct us to, that would allow us to assess the potential costs and benefits of the proposals put forward?**

[Attach any evidence to your response]

Comments:

MCIA is not able to make an informed comment.

**26. Are any of the proposed requirements expected to:**

give rise to challenges and why?

MCIA is not able to make an informed comment.

be excessively costly to comply with and why?

MCIA is not able to make an informed comment.

## Public Sector Equality Duty

The [Public Sector Equality Duty \(PSED\)](#) (opens in a new window) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

As a part of this duty we are asking for any evidence on the potential impacts of these proposals

on individuals or groups within society. The [Equality Act \(opens in a new window\)](#) lists the protected characteristics of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This evidence will be anonymised and retained after the retention period of this consultation information.

**27. Supply any data or evidence you have about any of the proposals discussed that you think would positively or negatively impact on individuals with protected characteristics.**

[Attach any evidence to your response]

Comments:

## Final comments

**28. Any other comments?**

With the move to more electrification of vehicles and higher systems integration, the risk of tampering which could cause serious problems regarding vehicle operational safety, increases.

Vehicle systems need robust anti-tamper protocols and systems protections, which provide an acceptable and manageable safety buffer. And whilst it is likely no vehicle/system/component can ever truly be 100% anti-tamper, the harder it is to tamper with a vehicle and the more vigorous the actions taken to control/stop tamper components and services being available for the market, the lower the overall tampering rate.