



Centre for Connected  
& Autonomous Vehicles

# Remote Control Parking and Motorway Assist: Proposals for Amending Regulations and the Highway Code



December 2017

The Department for Transport and the Centre for Connected and Autonomous Vehicles have actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard, please contact the Department.

Department for Transport  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR  
Telephone 0300 330 3000  
Website [www.gov.uk/dft](http://www.gov.uk/dft)  
General enquiries: <https://forms.dft.gov.uk>



© Crown copyright 2017

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos or third-party material) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk)

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

# Contents

<b>Foreword</b>	<b>4</b>
<b>Glossary of Terms</b>	<b>5</b>
<b>Executive summary</b>	<b>6</b>
<b>How to respond</b>	<b>8</b>
Freedom of Information	8
<b>1. Proposal</b>	<b>9</b>
Overview of the advanced driver assistance systems (ADAS)	9
Safety	10
Benefits of remote control parking and motorway assist	10
Changes to mobile phone offences	11
Other regulatory changes (previous consultation)	12
Amendments to the Rules of the Highway Code	13
<b>2. What will happen next</b>	<b>18</b>
<b>Annex A - Response pro-forma</b>	<b>19</b>
Personal details	19
<b>Annex B - Consultation principles</b>	<b>23</b>

# Foreword

Over the next few years, advances in connected and automated vehicle technologies will have a profound impact on our transport system. They have the potential to deliver major benefits: fewer crashes on our roads, greater freedom to travel for those who currently find that difficult, more efficient transport networks that are safer, smoother, and swifter, and new high-value jobs in the technology and automotive sectors.

Manufacturers have been capitalising on such technologies for some time, by including automated functions in new vehicles such as emergency braking systems, lane departure warnings and parking assist systems. These systems can all contribute to drivers' safety and well-being.

Being able to park via remote control can potentially assist in how vehicles are utilised and parked for thousands of UK drivers, providing extra convenience and flexibility. This technology should also provide great benefit for drivers with mobility impairments, enabling and empowering users to park in confidence where once it may have been challenging to do so. Motorway assist technology can help in providing greater fuel efficiency, through smoother and more precise use of throttle, and greater safety, due to an expected lower occurrence of collisions from enhanced collision detection systems.

Without necessary provision and regulatory change, these technologies will not be able to be utilised on British roads effectively. On the international stage, new standards incorporating this technology, along with increased scope for motorway assistance systems, came into force in October 2017; Great Britain must be ready to adopt these to ensure a smooth transition to increasingly automated vehicles.

Your comments are invited and would be welcomed on the changes proposed within this consultation. It represents a significant step on the pathway to fully automated cars; ensuring continuation of our programme of reform that will keep our regulations up to date. This will enable us to continue to safely take advantage of what automated vehicles can offer by utilising near-to-market advanced driver assistance technologies such as remote control parking and motorway assist systems.



**Jesse Norman MP**  
Parliamentary Under Secretary of State DfT

# Glossary of Terms

This consultation document uses some terms which might not be readily understood by every reader. In most cases, we explain the terms when we use them, and this glossary below is intended to assist any reader who is new to the broader issues associated with advanced driver assistance systems or with how Government works.

<b>Term</b>	<b>Meaning</b>
<b>ACC</b>	Adaptive Cruise Control
<b>ADAS</b>	Advanced Driver Assistance Systems - in-car systems designed to help the driver in the driving process. When designed with a safe human-machine interface, car safety and road safety in general should increase.
<b>AEBS</b>	Advanced Emergency Braking Systems
<b>Automated Vehicle</b>	Means any vehicle equipped with technology that has the capability of operating or driving the vehicle for all or part of the journey without the active physical control or monitoring of a natural person, whether or not the technology is engaged.
<b>Construction and Use Regs</b>	UK Regulations that govern the construction, use and maintenance of vehicles.
<b>DVLA</b>	The agency responsible for licensing and registering motor vehicles which are used in the road.
<b>In-the-loop driving</b>	Where the driver retains responsibility for the monitoring and execution of the overall driving task, even if they are assisted by ADAS so that they might not be in direct physical control
<b>MIB</b>	Motor Insurers' Bureau
<b>Motorway Assist system</b>	Motorway Assist, in its different forms, builds on existing systems such as ACC, AEBS and Active Lane Keeping Assist (LKA) to take control of the vehicle's position and speed while driving along a high-speed road, such as a motorway.
<b>Road Traffic Act</b>	The principal piece of legislation in Great Britain that sets out the rules and requirements for motor insurance and other road traffic laws
<b>UNECE</b>	United Nations Economic Commission for Europe - encourages economic cooperation among Member States. It is the body bringing forward international standards that facilitates the type approval of remote control parking.
<b>V2V</b>	Vehicle to Vehicle
<b>Type approval</b>	Official confirmation from a government or other body that a manufactured item meets required specifications.

# Executive summary

- 1 In our previous consultation; the *Pathway to Driverless Cars: Proposals to support advanced driver assistance systems and automated vehicle technologies*<sup>1</sup>, stakeholders strongly supported our agile approach to regulating for CAVs<sup>2</sup>. In particular, they supported our focus on facilitating near to market technologies.
- 2 There will be a transitional period in the arrival of new vehicle technology where we will have a shifting mixture of conventional cars, cars with increasingly sophisticated advanced driver assistance systems (ADAS) such as adaptive cruise control, and ultimately, fully automated vehicles. Therefore, it is important that we continue developing policy and making appropriate regulatory changes to facilitate the safe use of this technology in a responsive and evidence-based manner.
- 3 Remote control parking (RCP) is a type of ADAS that allows the driver to carry out a parking manoeuvre from either inside or outside the vehicle, by issuing a command from an external device. The device may either be one supplied with the vehicle, or through a manufacturer-endorsed application installed on a device such as a smartphone. UNECE will include provisions in Regulation 79 (as amended by the 02 series of amendments) that enable the use of automatically commanded steering functions (ACSF) at speeds above 10kmph (6.2mph), and will facilitate both motorway pilot and RCP systems. With these new international regulations (included in the annex) for RCP due to come in to force in October 2017, we want people and businesses across the UK who buy type approved cars fitted with RCP and motorway assist technologies to use them in a safe, legally compliant manner.
- 4 The current wording within Regulation 110 of the Construction and Use Regulations prohibits the use of a hand-held mobile communications device (such as a phone, tablet) while driving<sup>3</sup>. 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.
- 5 This consultation<sup>4</sup> seeks agreement on our draft statutory instrument, applicable to Great Britain, to facilitate the use of remote parking. Draft amendments to the Highway Code<sup>5</sup>, specifically rules 149, 150, 160 and 239<sup>6</sup>, have also been included to reflect this regulatory change and provide clarity to drivers within Great Britain; relevant legislation for Northern Ireland is referenced where appropriate.
- 6 The draft SI and changes to the Code are intended to provide certainty that the driver of the 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 these innovative, internationally approved new vehicle technologies.

---

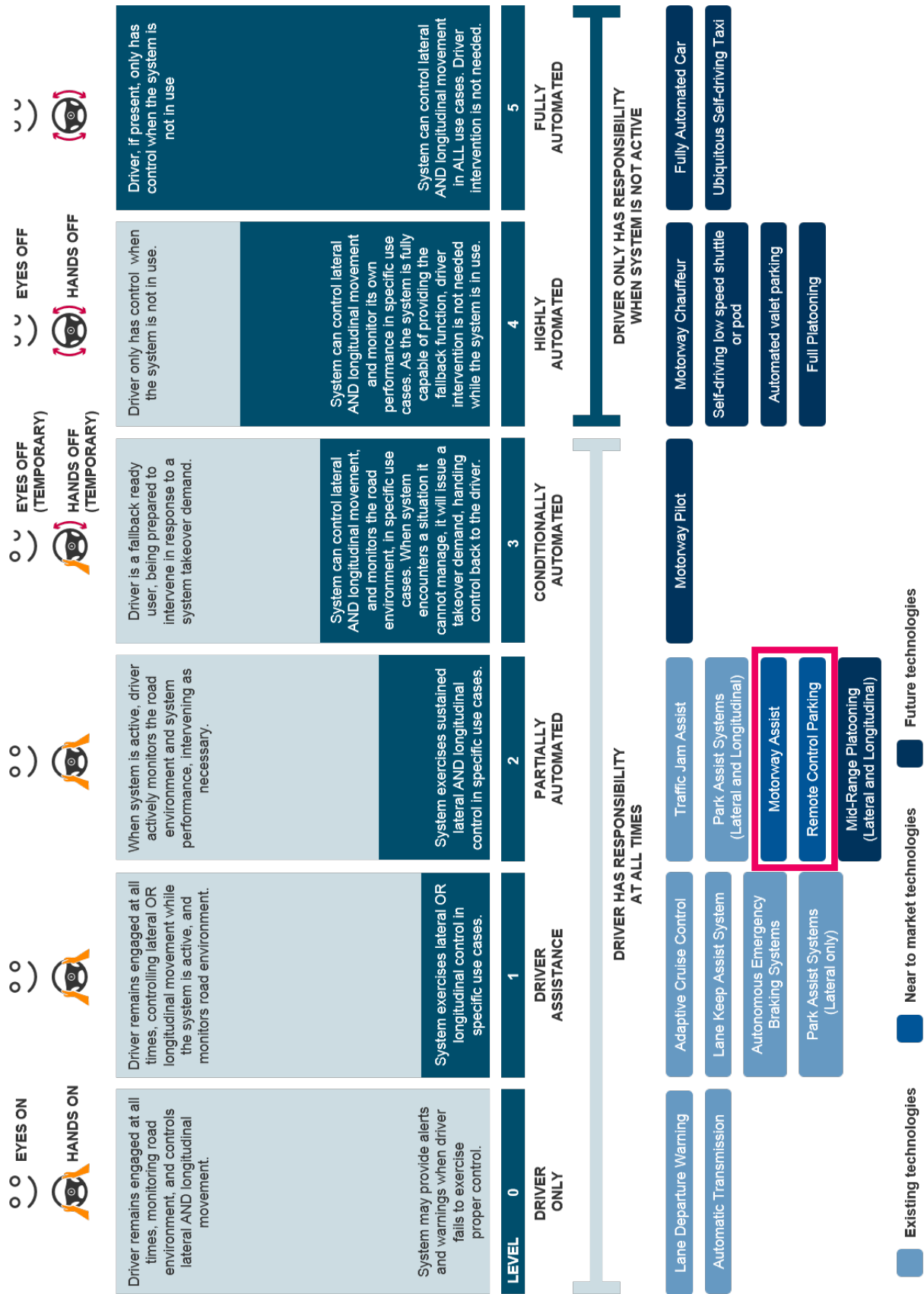
<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/536365/driverless-cars-proposals-for-adass-and\\_avts.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/536365/driverless-cars-proposals-for-adass-and_avts.pdf)  
<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/581577/pathway-to-driverless-cars-consultation-response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/581577/pathway-to-driverless-cars-consultation-response.pdf)

<sup>3</sup> The Northern Ireland equivalent is Regulation 125A of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999  
<sup>4</sup> As required by Section 195 of the Road Traffic Act 1988 (RTA), as part of the Secretary of State's power to amend or create new legislation. As part of Section 41(2B) of the same Act, Scottish Ministers must also be consulted.

<sup>5</sup> The Northern Ireland equivalents are: the Road Traffic (Northern Ireland) Order 1981; the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999, as amended; and the Highway Code For Northern Ireland

<sup>6</sup> <https://www.gov.uk/browse/driving/highway-code-road-safety>. Highway Code for Northern Ireland equivalents are 149, 150, 160 and 239 respectively

# Levels of vehicle automation<sup>7</sup>



<sup>7</sup> This infographic is adapted from the Society of Automotive Engineers J3016 Standard "Taxonomy and Definitions for Terms Related to On-Road Motor Vehicle Automated Driving Systems" ([http://standards.sae.org/j3016\\_201609/](http://standards.sae.org/j3016_201609/))

# How to respond

The consultation period began on 19 December 2017 and will run until 30 January 2018. Please ensure that your response reaches us before the closing date. If you would like further copies of this consultation document, it can be found on the [CCAV website](#). Please contact us if you need alternative formats (Braille, audio CD, etc.).

It would be helpful if you would respond [online](#). Alternatively, you can send the completed response pro-forma at Annex A and send your response to:

Matthew Eglinton  
Centre for Connected and Autonomous Vehicles  
Department for Transport  
Zone 1/33 Great Minster House  
33 Horseferry Road  
London SW1P 4DR  
Email: [consultation@ccav.gov.uk](mailto:consultation@ccav.gov.uk)

When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear whom the organisation represents and, where applicable, how the views of members were assembled.

## Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department or CCAV.

The Department and CCAV will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.



# 1. Proposal

## Overview of the advanced driver assistance systems (ADAS)

- 1.1 All vehicle technology can be sold and used in this country if the vehicle complies with our road traffic laws, has received type approval, and that the driver uses it in a safe, legal manner.
- 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 **Motorway Assist** systems builds on existing systems such as Adaptive Cruise Control (ACC), Advanced Emergency Braking System (AEBS) and Active Lane Keeping Assist (LKA) to take full control of the vehicle's position and speed while driving along a high-speed road, such as a motorway.
- 1.5 Manufacturers are already producing low-speed variants of this system for use in start-stop traffic situations (sometimes known as Traffic Jam Assist), providing assisted steering to maintain lane position and speed control up to 40mph. The EU proposals currently being consulted on are for ADAS that can operate at speeds of up to 81mph. The driver must continue to monitor the system and confirm this through regular interaction with it.
- 1.6 The United Nations Economic Commission for Europe (UNECE) Regulation 79 (as amended by the 02 series of amendments)<sup>8</sup> contains provisions for construction, fitting and performance requirements of automatically commanded steering function (ACSF) technology, including remote control parking function and its control device. With these regulations, due to come into force in October 2017<sup>9</sup>, vehicles type approved after 1 April 2018 will have to comply with these new standards set out in Regulation 79.02. A link to these regulations can be found [here](#).

---

<sup>8</sup> <https://circabc.europa.eu/sd/a/b6f6de76-184e-4967-93dd-9d7f1e1e3984/item%204-2017-01%20Commission%20study%20on%20vehicle%20certification.pdf>

<sup>9</sup> [http://www.unece.org/fileadmin/DAM/trans/main/wp29/wp29regs/2017/March\\_2017-Adopted-proposals--Situation-of-EIF.pdf](http://www.unece.org/fileadmin/DAM/trans/main/wp29/wp29regs/2017/March_2017-Adopted-proposals--Situation-of-EIF.pdf)

## Safety

- 1.7 The Government is clear on the laws regarding mobile phone use when driving. They can distract drivers, as highlighted within the successful THINK! campaign<sup>10</sup>, and have been a factor in some fatal car collisions<sup>11</sup>.
- 1.8 The Department for Transport regularly reviews existing regulations to reduce the number of people who use hand-held mobile phones while driving, to ensure UK roads are as safe as possible. More stringent punishments were introduced in March 2017 to further discourage drivers from using a mobile device whilst in control of a vehicle<sup>12</sup>. Additional work is also planned to further address the ongoing challenges of drivers who still think it is not dangerous to use a hand-held mobile phone; and those who are confident that they won't get caught.
- 1.9 However, when used appropriately and safely to facilitate a controlled manoeuvre such as parking, there is scope for legitimate use of such a device. The policy intent of this consultation and the proposed SI is to provide clarity on appropriate use of this technology, rather than to water down existing offences to use of mobile phone whilst driving. These two topics should be viewed as wholly separate.

## Benefits of remote control parking and motorway assist

- 1.10 We are a world leader on connected and automated vehicles. We have one of the most open regulatory environments in the world for testing, a thriving automotive sector, and an excellent research base and innovation infrastructure.
- 1.11 To maintain pace and demonstrate we are committed to CAV technology, and to support their use in the UK, we need to make sure our law enables the use of such technologies. There are many benefits for facilitating safe, appropriate use of remote control parking technology, and we want people in this country to enjoy these benefits.
- 1.12 Due to the increased size of automotive vehicles in recent years, coupled with the rising number of vehicle on our roads, adequate space to exit, enter and manoeuvre is rapidly becoming a premium. A 2013 study carried out by British Parking Association suggested that the average driver spends 106 days of their life searching for an appropriate parking spot<sup>13</sup>. 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.
- 1.13 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 realised for nervous or inexperienced drivers, or ones with young families.
- 1.14 Benefits could also potentially be realised for people with mobility impairments or drivers of Motability-equipped vehicles<sup>14</sup>. 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.

---

<sup>10</sup> <http://think.direct.gov.uk/mobile-phones.html>

<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/568484/rrcgb-2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/568484/rrcgb-2015.pdf)

<sup>12</sup> <https://www.gov.uk/using-mobile-phones-when-driving-the-law>

<sup>13</sup> <http://www.britishparking.co.uk/News/motorists-spend-nearly-four-days-a-year-looking-for-a-parking-space>

<sup>14</sup> <http://www.motability.co.uk/>

1.15 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 Advanced Emergency Braking Systems are less prone to collisions than ones without, we can expect the same kinds of benefits for Advanced Driver Assistance Systems), and traffic flow, as well as potential economic and social benefits.

## Changes to mobile phone offences

- 1.16 Regulation 110 of the Construction and Use Regulations currently states: *'that no person shall drive a motor vehicle on a road if he/she is using a device, other than a two-way radio, which performs an interactive communication function by transmitting and receiving data.'* Using a 'remote control device', such as a mobile phone, during a parking task lends uncertainty as to whether enforcement authorities or the Court could interpret this as being in contravention of this regulation.
- 1.17 To achieve our policy objectives and facilitate the introduction of approved remote control parking systems, we have drafted an amendment to the Road Vehicles (Construction and Use) Regulation 1986. This inserts a new paragraph (5A) after paragraph (5) of Regulation 110 of the Road Vehicles (Construction and Use) Regulations 1986. This provides an exemption into this Regulation to permit the use of hand-held and mobile communications devices as a means of performing remote control parking manoeuvres.
- 1.18 The amended regulations will impose a limit on the device only operating if a command is activated within 6 metres of the vehicle, established in the UNECE Regulations as the distance from which a manoeuvre can be safely performed. This serves as a clear performance limitation and will be useful in informing the public of the safe use parameters in line with international rules. This limit would also ameliorate any concern over the proximity of the operator of the remote control device in relation to the car.
- 1.19 A further requirement imposed upon the use of the device, is that it will only operate when continuously activated throughout the full manoeuvre (for example, it is required to have a 'dead man's switch'). It will serve to reassure the public that this kind of system will not be abused.
- 1.20 It is intended that amending this legislation will remove the barrier to uptake of an innovative, internationally approved new vehicle technology; going no further than is necessary to meet the requirements to allow this to happen. It is anticipated that the amendment will come into force in spring 2018; this will provide clarity for manufacturers intending to utilise the remote control parking function for cars that are type approved for sale in the UK.
- 1.21 Subsequent iterations of this regulatory programme will likely take into account future remote control systems such as valet parking, where it is expected that the vehicle could be out of the driver's sight while the parking manoeuvre is completed. This will dovetail with further work on international type approval regulations.

## Exemption to Regulation 110 of the Construction and Use Regulations

1.22 To ensure that remote control parking can be used in compliance with the law, we are proposing to amend Regulation 110 of the Road Vehicles (Construction and Use) Regulations with a Statutory Instrument (SI). This will insert a new paragraph (5A) after paragraph (5) to create additional exemptions:

### Mobile Phones

(5) A person does not contravene a provision of this regulation if, at the time of the alleged contravention -

- (a) he is using the telephone or other device to call the police, fire, ambulance or other emergency service on 112 or 999;
- (b) he is acting in response to a genuine emergency; and
- (c) it is unsafe or impracticable for him to cease driving in order to make the call (or, in the case of an alleged contravention of paragraph (3)(b), for the provisional licence holder to cease driving while the call was being made).

(5A) A person does not contravene a provision of this regulation if, at the time of the alleged contravention—

- (a) the person is using a hand-held mobile telephone or other hand-held device only to perform a remote controlled parking function of the vehicle; and
- (b) the hand-held device only enables the car to move if:
  - (i) there is continuous activation of the device's remote control application by the driver;
  - (ii) the signal between the vehicle and device is maintained; and
  - (iii) the distance between the vehicle and device is not more than 6 metres.

## Other regulatory changes (previous consultation)

1.23 Our previous consultation; *the Pathway to Driverless Cars: Proposals to support advanced driver assistance systems and automated vehicle technologies* asked for stakeholders' opinions on making other regulatory amendments, in addition to Regulation 110, to facilitate remote control parking and motorway assist:

- Regulation 104 requires *'that a driver must always be in a position to have full control of the vehicle and full view of the road and traffic ahead'*;
- Regulation 107 requires *'that a driver must switch off the engine when not attending a vehicle'*.
- Regulation 109 states: *'the driver must not be in a position to see (directly or by reflection) a television set or similar screen showing moving images, in order to prevent driver distraction.'* Contemporary communication devices such as

mobile phones invariably are equipped with a screen that is capable of reproducing moving images. To carry out a remote control parking manoeuvre through a communication device such as a mobile phone, a user would have to interact with the screen to park their vehicle.

- 1.24 Whilst there may be a good case for also amending Regulations 104 and 107 for the sake of further clarity, amending Regulation 110 takes precedence over the other regulations highlighted above, given the international standard for RCP is coming into force imminently. It has been demonstrated within our published Regulatory Triage Assessment<sup>15</sup> that the most appropriate course of action is to amend as few pieces of legislation as possible. This will help to avoid any risk of complex, unaccounted for secondary impacts as a result of changing legislation.
- 1.25 Our consultation also brought about responses from a large majority of respondents from the automotive industry and road safety groups who did not think we should amend Regulation 109. Rule 150 of the Highway Code has already been amended to provide best practice on not being distracted by screens or devices capable of showing moving images such as satellite navigation systems.
- 1.26 Whilst there is a case for future amendment of this regulation, there appears to be limited value in amending this regulation for remote control parking now. The Government has agreed with this position in the consultation document; therefore, we are not amending any other regulation at this time as part of this consultation.

## Amendments to the Rules of the Highway Code<sup>16</sup>

- 1.27 The Highway Code is an essential guide for all road users, summarising key road traffic law and providing further guidance about desirable and appropriate behaviours for drivers and other road users. It is based on several pieces of UK legislation (including, amongst others, the Construction and Use Regulations 1986 ([C&U](#)), Road Vehicle Lighting Regulations 1979 ([RVLR](#)) & The Road Traffic Act 1988 ([RTA](#))).
- 1.28 Many of the rules in the Code are legal requirements. Although failure to comply with the other rules of the Code will not, in itself, cause a person to be liable to criminal or civil proceedings. The Highway Code may be used in evidence in court proceedings under the Traffic Acts to establish liability. This is stated in The Road Traffic Act 1988<sup>17</sup>.
- 1.29 It is important, therefore, that as well as reflecting legislative changes, the guidance in the Code reflects any implications of new technologies for drivers, their behaviour and other road users. We cover a range of amendments in relation to the Highway Code. Each item is relevant and has implications for the safe deployment of ADAS and automated vehicle technology.
- 1.30 We want to clarify the Rules to make it clearer how drivers can safely and legally use these systems. This clarity will aid both the manufacturers of these systems and their customers.

---

<sup>15</sup> This can be found at [www.gov.uk/ccav](http://www.gov.uk/ccav)

<sup>16</sup> Northern Ireland has its own Highway Code For Northern Ireland <https://www.nidirect.gov.uk/sites/default/files/publications/The-Official-Highway-Code-for-Northern-Ireland.PDF>

<sup>17</sup> "A failure on the part of a person to observe a provision of The Highway Code shall not of itself render that person liable to criminal proceedings of any kind but any such failure may in any proceedings (whether civil or criminal, and including proceedings for an offence under the Traffic Acts, the [1981 c. 14.] Public Passenger Vehicles Act 1981 or sections 18 to 23 of the [1985 c. 67.] Transport Act 1985) be relied upon by any party to the proceedings as tending to establish or negative any liability which is in question in those proceedings."

1.31 In addition to amending the above Rules, we are also seeking agreement about including in the Highway Code a recommendation that vehicle operators confirm with the manufacturer if the device/app they plan to use is compatible with the international standard.

### ***Mobile phones and in-vehicle technology***

1.32 The Highway Code addresses the use of a mobile phone and in-vehicle technology in Rule 149<sup>18</sup>. We propose including a new sentence with the aim of providing clarity on the blanket rule of not using a mobile phone when driving (except in a genuine emergency.)

#### **The Highway Code Rule 149**

You **MUST** exercise proper control of your vehicle at all times. You **MUST NOT** use a hand-held mobile phone, or similar device, when driving or when supervising a learner driver, except to call 999 or 112 in a genuine emergency when it is unsafe or impractical to stop. Never use a hand-held microphone when driving. Using hands-free equipment is also likely to distract your attention from the road. It is far safer not to use any telephone while you are driving or riding - find a safe place to stop first or use the voicemail facility and listen to messages later.

You can park your vehicle via remote control, using a legally compliant parking application or device in an appropriate way which does not endanger others.

(Laws: [Road Traffic Act 1988 sects 2 & 3](#), & [Construction and Use Regulations 104 & 110](#))

1.33 This amendment makes a clear distinction when it would be appropriate to use a device, which could include a communication device such as a mobile phone.

---

<sup>18</sup> The Northern Ireland equivalent is Rule 149 of the Highway Code For Northern Ireland, Laws RTO 1995 Arts 10, 12 & 56A, & CUR regs 120 & 125A



1.34 The Highway Code currently addresses the use of driver assist technology in the context of driver distraction in Rule 150<sup>19</sup>. The proposed changes are highlighted in red below:

### The Highway Code Rule 150

There is a danger of driver distraction being caused by in-vehicle systems such as satellite navigation systems, congestion warning systems, PCs, multi-media, etc. You **MUST** exercise proper control of your vehicle at all times. Do not rely on driver assistance systems such as **motorway assist, lane departure warnings, or remote control parking**. They are available to assist but you should not reduce your concentration levels. Do not be distracted by maps or screen-based information (such as navigation or vehicle management systems) while driving or riding. If necessary find a safe place to stop.

**If you are using advanced driver assistance systems, like motorway assist, or a remote control parking application or device, then you as the driver are still responsible for the vehicle and **MUST** exercise full control over these systems at all times.**

(Laws: [Road Traffic Act 1988 sects 2 & 3](#), & [Construction and Use Regulations 104 & 110](#).)

- 1.35 The proposal to update this rule, as set out above, is to clarify the appropriate use of driver assist functions, including remote control parking and motorway assist. It is important that drivers use these systems responsibly, and that they do not attempt to use driver assist technology beyond what it is designed for, so that they can contribute to improving road safety.
- 1.36 More advanced automated systems, which allow the driver to be out-of-the-loop and divert their attention away from driving and where the vehicle actively monitors the driving for parts of the journey, will become available in due course. When these are approved and available we will aim to expand on this section of the Highway Code and provide more comprehensive advice for drivers of automated cars and other road users.

---

<sup>19</sup> The Northern Ireland equivalent is Rule 150 of the Highway Code For Northern Ireland, Laws RTO 1995 Arts 10 & 12, & CUR reg 120

### ***Driving with both hands on the wheel where possible***

1.37 Rule 160 of the Highway Code, which states '*drive with both hands on the wheel where possible*', makes it challenging to clarify the position for those using in-the-loop motorway assist and remote control or automated parking<sup>20</sup>. We are proposing the following amendment:

#### **Highway Code Rule 160**

- Once moving, you should drive with both hands on the wheel where possible. This will help you to remain in full control of the vehicle at all times. **You may use advanced driver assistance systems, if used in accordance with the manufacturer's or developer's instructions.**

(Laws: [General Rules](#))

1.38 A statement has been added to provide clarification to cater for situations where technology may mean that hands may be taken off the wheel when providing driver assistance, for example where the driver is outside the vehicle and can control the vehicle through a hand-held device. While this is an important piece of road safety regulation, it would be impossible to have one's hands on the wheel when outside the vehicle for remote parking.

---

<sup>20</sup> The Northern Ireland equivalent is Rule 160 of the Highway Code For Northern Ireland



## Parking

1.39 The Highway Code at Rule 239<sup>21</sup> currently sets out driving behaviours expected of someone when parking their vehicle. The proposed change is highlighted in red overleaf:

### Highway Code Rule 239

Use off-street parking areas, or bays marked out with white lines on the road as parking places, wherever possible.

If you have to stop on the roadside:

- do not park facing against the traffic flow
- stop as close as you can to the side
- do not stop too close to a vehicle displaying a Blue Badge: remember, the occupant may need more room to get in or out
- you **MUST** switch off the engine, headlights and fog lights
- you **MUST** apply the handbrake before leaving the vehicle
- you **MUST** ensure you do not hit anyone when you open your door. Check for cyclists or other traffic
- it is safer for your passengers (especially children) to get out of the vehicle on the side next to the kerb
- put all valuables out of sight and make sure your vehicle is secure
- lock your vehicle.

If you are using a handheld device to carry out a parking manoeuvre, then you must ensure that it is safe to do so before beginning the manoeuvre. and should try to carry out the manoeuvre in the shortest, safest route possible.

When parking, as the driver you **MUST** remain in control of the vehicle at all times; you must not use the device for other functions or in such a way that would cause danger to other road users. You should act in accordance with the manufacturer's or developer's instructions.

(Laws [Construction and Use Regulations 98, 105, 107](#), and [110](#), [Road Vehicle Lighting Regulations reg 27](#) & [Road Traffic Act 1988 sect 42](#))

1.40 The extra paragraph above is designed to capture the necessary steps needed to be followed in order to park a remote control-enabled vehicle safely.

<sup>21</sup> In the Highway Code for NI, this is also Rule 239, Laws CUR regs 113, 121 & 123, RVL R reg 30, RTO 1995 Art 58 & R(RW)O

## 2. What will happen next

2.1 A summary of responses, including the next steps, will be published within three months of the consultation closing on 11:45pm on 30 January 2018: <https://www.gov.uk/government/consultations/remote-control-parking-and-motorway-assist-proposals-for-amending-regulations-and-the-highway-code>. Paper copies will be available on request.

2.2 If you have questions about this consultation, please contact:

Name: Matthew Eglinton

Address Department for Transport, 33 Horseferry Road, Westminster, London, SW1P 4DR

Phone Number: 020 7944 2547

Email address: [consultation@ccav.gov.uk](mailto:consultation@ccav.gov.uk)

Further background information can be found at:

<https://www.gov.uk/government/organisations/centre-for-connected-and-autonomous-vehicles>

# Annex A - Response pro-forma

It would be helpful if you could respond [online](#). In the event that you wish to respond in writing, please use this response pro-forma and send the completed version to:

Matthew Eglinton  
Department for Transport  
Zone 1/33 Great Minster House  
33 Horseferry Road  
Westminster  
London SW1P 4DR  
Email: [consultation@ccav.gov.uk](mailto:consultation@ccav.gov.uk)

## Personal details

Your name:

Your email

Do you live in:

- England?
- Scotland?
- Wales?
- Other? Where?

Are you responding on behalf of:

- Yourself?
- An organisation?

*(If responding on behalf of an organisation) What is the name of your organisation?*

How large is your organisation?

These questions can be found and answered on the following [online](#) survey.

***We are proposing 3 possible options for remote control parking, which is your preferred option?***

- **Option 0:** Change nothing
- **Option 1:** Change regulation with use of statutory instrument
- **Option 2:** Change with use of SI and make appropriate changes to the Highway Code

**Construction and Use Regulations**

***Remote control parking***

**Question 1:** Are you content with the draft amendments to Regulation 110 (not using hand-held mobile phones while driving) to enable remote control parking?

- Yes
- No

*(If no) Why not?*

**Highway Code**

***ADAS guidance***

**Question 2** In addition, should we make changes to the Highway Code to reflect this regulatory change?

- Yes
- No

*(If no) Why not?*

**Question 2A:** Are you content with the text amendments of the Highway Code in a way that would clarify rule:

- 149, related to use of use of a mobile phone and in-vehicle technology?

Yes

No

*(If no) Why not?*

**Question 2B:** Are you content with the text amendments of the Highway Code in a way that would clarify rule:

- 150, related to use of driver assistance systems and distraction?

Yes

No

*(If no) Why not?*

**Question 2C:** Are you content with the text amendments of the Highway Code in a way that would clarify rule:

- 160, relating to driving with both hands on the wheel?

Yes

No

*(If no) Why not?*

**Question 2D:** Are you content with the text amendments of the Highway Code in a way that would clarify rule:

- 239, relating to parking technique?

Yes

No

*(If no) Why not?*

**Question 3:** Should we include a recommendation within the Highway Code that vehicle operators confirm with the manufacturer if the remote-control device/app they plan to use is compliant with the international standard?

**Question 4:** What other advanced driver assistance systems or automated vehicle technologies that are likely to come to the UK market in the next 2-4 years should we be considering? What are these systems?

**Question 5:** Any other comments?

# Annex B - Consultation principles

The consultation is being conducted in line with the Government's key consultation principles. Further information is available at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments about the consultation process, please contact:

Consultation Co-ordinator  
Department for Transport  
Zone 1/29 Great Minster House  
Westminster London SW1P 4DR  
Email [consultation@dft.gsi.gov.uk](mailto:consultation@dft.gsi.gov.uk)