

中国 WTO/TBT 国家通报咨询中心

China WTO/TBT National Notification & Enquiry Center

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Subject: Comments from P. R. China on USA Notification G/TBT/N/USA/1675 Framework for Automated Driving System Safety (18 page(s), in English)	

Comments from P. R. China on USA Notification

G/TBT/N/USA/1675

Framework for Automated Driving System Safety

Dear Sir or Madam,

We appreciate the opportunity to submit comments on the notified draft proposed by United States of America.

Enclosed please find comments in English and Chinese.

Please acknowledge receipt of the comments by e-mail to tbt@customs.gov.cn and liu_jianhua@customs.gov.cn.

Thank you very much in advance for United States of America taking into account comments from P.R. China. Your formal reply will be appreciated.

Best regards,

Zhao Minggang



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Comments from P. R. China on USA Notification

G/TBT/N/USA/1675

Framework for Automated Driving System Safety

The People's Republic of China appreciates USA for fulfilling the transparency obligation under WTO, as well as for the opportunities for other WTO Members to make comments on the notification G/TBT/N/USA/1675. According to Article 2.9.4 of the WTO/TBT Agreement "without discrimination, allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account", China would like to put forward the following comments on the notified regulations and hope USA take these comments into consideration. The detail comments as follows:

1. Question 5. How could the Agency best assess whether each manufacturer had adequately demonstrated the extent of its ADS' ability to meet each prioritized element of safety?

Suggestion: Draft a preliminary safety reference standards, but do not limit other better safety implementation methods. If individual innovation schemes are not within the standard framework, enterprises should be allowed to demonstrate themselves or discuss together.

2. Question 8. At this early point in the development of ADS, how should NHTSA determine whether regulation is actually needed versus theoretically desirable? Can it be done effectively at this early stage and would it yield a safety outcome outweighing the associated risk of delaying or distorting paths of technological development in ways that might result in forgone safety benefits and/or increased costs?

Suggestion: At this early point in the development of ADS, the accident probability of ADS vehicles in actual use should be counted. When the probability exceeds the tolerance, supervision should be implemented.

3. According to Article 2.4 of the WTO/TBT Agreement, it is suggested to take the international standard ISO 26262 as the process control measures to minimize safety risks in the ADS design, development and improvement process.

4. Regarding the implementation and supervision mechanism of the safety framework, as ADS technology is still in the stage of innovative development, it is recommended that a voluntary mechanism should be adopted at this stage. At the same time, it is suggested that NHTSA clarify the registration requirements, regulatory scope and market regulatory measures of ads vehicles and enterprises.

Comments in Chinese are in below:

中国对 G/TBT/N/USA/1675 通报的评议意见

中国政府赞赏美国履行 WTO 透明度义务，给予其他 WTO 成员评议 G/TBT/N/USA/1675 号通报的机会，根据 WTO/TBT 协定 2.9.4 条“无歧视地给予其他成员合理的时间以提出书面意见，并对这些书面意见和讨论的结果予以考虑的规定”，请美国对中方的评议意见予以考虑并做出答复。中方具体意见如下：

1、针对问题 5：美国国家公路交通安全管理局（NHTSA）如何最好地评估每个制造商能充分证明自动驾驶系统（ADS）能力已满足每个优先安全要素？

建议拟定初步的安全参考标准，但不限制其他更优的安全实现方式。对个别创新方案不在标准框架内的，应允许企业自我论证，或共同探讨。

2、针对问题 8：在 ADS 开发的初期，NHTSA 该怎么确定监管规则，而不是停留在理论上需要监管？如何在早期阶段有效地进行监管，产生较好的安全效果，而不是导致相关风险，如放弃安全利益或增加成本导致技术开发路径延迟或扭曲？

建议在开发初期，应统计 ADS 实际使用车辆的安全事故概率，当超出容限概率时，实施监管。

3、针对 ADS 设计、开发和改进过程中安全风险最小化的过程措施，根据 TBT 协定 2.4 条，建议优先对照国际标准 ISO 26262 相关要求作为过程控制措施。

4、针对安全框架的实施和监管机制，由于 ADS 技术尚在创新发展阶段，建议现阶段采用自愿性机制。同时建议 NHTSA 明确 ADS 车辆和企业注册要求、监管范围和市场监管措施。