



Submitted by the experts  
from CLEPA and OICA



Presentation 5 / Rev.1  
6<sup>th</sup> GE.3, 4-5 May 2023  
Agenda item 5(b)

# Industry views on assessment activities towards realising a new legal instrument for automated vehicles in traffic

(GE.3) Group of Experts, Global Forum for Road  
Traffic Safety, 4<sup>th</sup>-5<sup>th</sup> May 2022



# Key highlights from Industry submission in GE3 third session (May 2022)\*

- ❖ Facilitate cross-border traffic via mutual legal recognition between governments of AV safety and operating regimes.
- ❖ Provide legal certainty for operation of L4 and L3 systems by ensuring governments retain suitable legal frameworks.
- ❖ Flexibility in traffic rules enforcement in the context of ambiguous or conflicting traffic laws.
- ❖ Addressing traffic laws governing drivers beyond dynamic driving task provisions, impacting road safety.
- ❖ Avoid road safety risks emerging from nationally led operational design domains (ODDs) and allow manufacturers to set ODDs in alignment with the development of technology.
- ❖ Continued collaboration between WP.1 and WP.29 on areas of common responsibility and interest.



# Additional industry considerations in the development of the new LIAV (Jan - Apr 2023)\*

- ❖ Clarification of provisions when addressing automated vehicles with a driver vs when addressing automated vehicles without a driver.
- ❖ Re-assess the need for new regimes seeking cross-border legal assistance over and above existing regimes and procedures for investigation purposes.
- ❖ Concerns on inclusion of roles and responsibilities which may conflict with existing national frameworks and technical regulations.
- ❖ Provisions on government structures to be set up for AV approval to be streamlined to avoid the development of too many authorities within one jurisdiction.
- ❖ Concerns on inclusion of provisions for remote driving and remote assistance prior to the complete development and exchange at WP.1 and subsidiary forums.



# Industry views on assessment activities towards developing the new LIAV

- ❖ Gap assessment can be categorised into three -
  - With existing international conventions
  - With existing national frameworks
  - With Output documents from FRAV as well as VMAD/other technical workstreams.  
For example, provisions for a safety management system; data collection central repository in the New Assessment Test Methods (NATM) document.
- ❖ Development of a “go-to baseline document” containing the assessment of gaps and outcome of this assessment to achieve cross-border traffic and mutual recognition.
- ❖ Enlist and prioritise traffic rules beyond dynamic driving task affecting road traffic safety to address as part of the new LIAV.
- ❖ Enabling continued exchange and input between WP.1 and WP.29 as key stakeholders.



# Alignment of Industry views with proposal 1 drafted during GE3

## Proposal 1

Industry views

Gap assessment with...	Group 1 – Risk related to the lack of clarity on roles and responsibilities  <b>Proposal 3 (new)</b> Group 3 - Gaps related to entities responsible for automated driving	Group 2 – Risk related to take over request and fallback user expectations during transition demands  <b>Proposal 3 (new)</b> Group 2 – Gaps related to automated vehicles with a driver in the vehicle	Group 3 – Risk related to technical performance and skill of the vehicle automation, mode awareness and data protection and hacking  <b>Proposal 3 (new)</b> Group 1 – Gaps related to safe behaviour of automated vehicles in road traffic  Group 4 – Gaps related to automated vehicles without a driver	Potential Group 4 – focus on a new item to be identified (tour de table)  <b>Proposal 3 (new)</b> Potential Group 5
Existing international conventions	x	x	x	Any other provisions outside of DDT impacting road safety that could impede cross border traffic flow and impact road safety.
Available national frameworks	x	x	x	
WP.29/GRVA technical regulatory work on ADS.	x*	x*	x*	

\*FRAV work ongoing related to user workstream and VMAD coverage of manufacturer responsibility as part of the safety management system. Key exchange with FRAV/VMAD integration work.



THANK YOU