

Requirements for the Driver

The experts agree that the requirement for a driver under both Conventions means that the driver must be a legal person, noting that the definition of a legal person may differ in different CPs.

- Some reported that in their Country, the *current* interpretation of the term “driver” in the Road Traffic Conventions is that it is a natural person. This interpretation may evolve depending on developments at GE.3.
- Some reported that, in the context of ADS in traffic, the term driver relates to performance of the DDT by the ADS. This interpretation considers that the term Driver includes the ADS (or the company that developed the ADS).

(Note: these are view of the individual Contracting Parties)

Human roles **when** the ADS performs the DDT

WP.1 addressed the case when the ADS* performs the DDT*.

- Some experts mentioned the value of clarifying roles while the ADS is performing the DDT; amongst others, concerning **functions** other than performing the DDT (e.g. vehicle loading and roadworthiness).
- Some experts mentioned that the **functions/[roles/obligations]** may vary depending e.g. on ownership models, **use cases** and technological developments.]
- **Some experts pointed at the difference between “who is responsible for accidents” and “who has the obligation to prevent accidents while driving”.**

*: GE.3 to discuss whether they want to refer to the definitions included in the 2018 WP.1 Resolution / Vienna Convention / WP.29 guidance document

Definitions – for reference

2018 Resolution / Vienna Convention amendment	Guidance document WP.29/2024/39
<p>“Automated driving system” refers to a vehicle system that uses both hardware and software to exercise dynamic control of a vehicle on a sustained basis.</p>	<p>“Automated Driving System (ADS)” means the vehicle hardware and software that are collectively capable of performing the entire Dynamic Driving Task (DDT) on a sustained basis</p>
<p>“Dynamic control” refers to carrying out all the real-time operational and tactical functions required to move the vehicle. This includes controlling the vehicle’s lateral and longitudinal motion, monitoring the road [environment], responding to events in the road traffic [environment], and planning and signalling for manoeuvres</p>	<p>“Dynamic Driving Task (DDT)” means the real-time operational and tactical functions required to operate the vehicle.</p> <p>When the ADS is in operation, the DDT is always performed in its entirety by the ADS which means the whole of the tactical and operational functions necessary to operate the vehicle (i.e., the ADS performs “the entire DDT” as stated in the definition of an “Automated Driving System” under para. 3.2.). These functions can be grouped into three interdependent categories: sensing and perception, planning and decision, and control.</p> <p>Sensing and perception include:</p> <ul style="list-style-type: none">-Monitoring the driving environment via object and event detection, recognition, and classification;-Perceiving other vehicles and road users, the roadway and its fixtures, objects in the vehicle’s driving environment and relevant environmental conditions;-Sensing the ODD boundaries, if any, of the ADS feature;-Positional awareness. <p>Planning and decision include:</p> <ul style="list-style-type: none">-Predicting actions of other road users;-Response preparation;-Manoeuvre planning. <p>Control includes:</p> <ul style="list-style-type: none">-Object and event response execution;-Lateral vehicle motion control;-Longitudinal vehicle motion control;-Enhancing conspicuity via lighting and signalling. <p>The DDT excludes strategic functions.</p>

WP.1/GE.3 Assessment
Interim status of the discussion on 29 August 2024 - draft

Input provided during the June/July 2024 intersessional activity:

Traffic rules set as driver/road user requirements

The experts agree that [the use of vehicles with] the ADS is expected [to adhere] to traffic rules applicable in the country/area of operation.

- **[**Some traffic rules may require judgment of individual situations or flexible interpretation e.g. in unusual situations. Hence discussions could be held to check whether they apply *mutatis mutandis* to the ADS.
- Other rules are not related to the ADS performing the DDT e.g. concerning roadworthiness. GE.3 may wish to discuss whether they apply *mutatis mutandis* to the ADS.**]**