

## 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 and responsibilities while the ADS performs the DDT

*Input provided during the June/July 2024 intersessional activity:*

## **Performance of the dynamic driving task (DDT)**

- There was broad support for the concept that a human can delegate the DDT to a (automated driving) system capable of performing it without the need for a human as a fallback for ensuring road safety (as per the 2018 Resolution) – whether legally the human remains the driver or not.
- There was also broad support for ensuring that there is clarity on roles and responsibilities when an ADS is performing the DDT; both relating to the behaviour of the vehicle on the road and wider driver responsibilities (e.g. vehicle loading and roadworthiness).
- Some countries have created legislation to clarify who is the driver, and roles and responsibilities – including transferring responsibilities from a human driver to a company responsible for the performance of the ADS.

*Input proposed on 28 August 2024 based on the above:*

## **[Human roles and responsibilities while the ADS performs the DDT**

WP.1 addressed the case where a human can delegate the DDT to an ADS (as per the 2018 Resolution).

- Some experts mentioned the value of clarifying roles and responsibilities/obligations/duties while the ADS is performing the DDT; amongst others, concerning other responsibilities than driving (e.g. vehicle loading and roadworthiness).
- Some experts mentioned that the responsibilities may vary depending e.g. on ownership models and technological developments.]