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Convention on Road Traffic (1968):

Automated driving

Draft resolution on the deployment of highly and fully automated vehicles in road traffic

Submitted by WP.1 Chair and Deputy Chairs

This document contains draft, work-in-progress resolution on the deployment of highly and fully automated vehicles in road traffic that was elaborated by the Global Forum for Road Traffic Safety (WP.1) during its Special session (Geneva, 6-7 December 2017). It is submitted to the seventy-sixth session for further work.

I. Introduction

Comment: The text below was suggested by the WP.1 Chair and is still pending review by WP.1

The Global Forum for Road Traffic Safety (WP1) of the United Nations Economic Commission for Europe,

- Noting that the 1949 Convention on Road Traffic and 1968 Convention on Road Traffic have had significant bearing in the definition of domestic road traffic policies and have noticeably improved road safety,
- Noting the continuous progress of automotive and digital technological advances,
- Noting that the road safety principles in the 1949 Convention on Road Traffic and 1968 Convention on Road Traffic do not exclude the use of highly and fully automated vehicles in road traffic.
- Acknowledging the importance of setting global road safety principles taking into account the continuous progress of automated road technologies ,
- Recognizing the potential for innovative safety technologies to improve social well-being by preventing motor vehicle crashes, both in ways that can now be foreseen and in ways that cannot yet be predicted, and desiring to avoid further obstacles that could impede the development of such beneficial technologies,
- Recognizing the potential for the mentioned technologies to improve road traffic safety, inclusive mobility, that could help to deliver the United Nations Sustainable Development Goals, and accomplish strategies where safe and efficient mobility is a tool for socio- economic growth and governance,
- Desiring to establish at global level uniformity in the principles relating to the governance of Highly Automated Vehicles in road traffic environment, in order to improve road safety at global level and facilitate international traffic,
- Recommends Governments, which have not done so yet, to ratify or accede to the Convention on Road Traffic done at Geneva on 19 September 1949, and the Convention on Road Traffic done at Vienna on 8 November 1968, that have contributed, and will continue , significantly and promisingly, reduce the number of fatalities and injuries caused by collisions;
- Recommends Governments to take into account for their national legislations relating to traffic and road safety, the principles incorporated in the above mentioned Conventions on Road Traffic and the principles incorporated in this Resolution.

II. Preamble

Comment: The text of this preamble was adjusted to refer to highly and fully automated vehicles.

1. The Consolidated Resolution is intended to guide Parties to the Convention on Road Traffic done at Geneva on 19 September 1949, and the Convention on Road Traffic done at Vienna on 8 November 1968, as well as the European Agreement Supplementing the 1968 Convention on Road Traffic done at Geneva on 1 May 1971 with respect to the safe deployment of highly and fully automated vehicles in traffic environment, to support the enhancement of road traffic safety, mobility and socio-economic progress.

2. This Resolution does not supersede the legal obligations arising from the 1949 and 1968 Conventions and 1971 European Agreement.

3. Rather, this Resolution complements the principles of the 1949 and 1968 Conventions and 1971 European Agreement in the context of facilitating the safe deployment of highly and fully automated vehicles in the road traffic environment.

Comment: Paragraph 4 has not been agreed yet upon by WP.1. Two alternatives are provided below.

Alternative 1:

4. These principles will evolve as technology develops, and as experience and evidence accumulate regarding the deployment of automated vehicle technologies. As this Resolution is continually under development, the explicit inclusion of a principle or topic should not be construed as the implicit exclusion of any other. Nor does it prevent the development of binding legal instruments on similar topics if this is deemed necessary in the future.

Alternative 2:

4. The Resolution offers recommendations which will evolve as technology develops and as experience and evidence accumulate regarding the deployment of highly and fully automated vehicles. Therefore, the explicit inclusion of a principle in this Resolution should not be construed as the implicit exclusion of any other. Moreover, this Resolution may facilitate the development, under the guidance of the Global Forum for Road Traffic Safety, of binding legal instruments on similar topics if this is deemed necessary in the future.

Comment: WP.1 has not yet agreed on the below paragraph 5 nor on its placement in the resolution.

5. Therefore, governments [including those at a sub national level] should work with civil society and industry to ensure that the principles outlined in this Resolution are incorporated into their domestic traffic frameworks in a way that recognises their specific context] – to be worked on.

Comment: WP.1 agreed that a paragraph on the relationship between the resolution and the conventions should be included in the preamble. However, it has not formulated any text to that end.

Insert the text on relationship with the Conventions here.

III. Definitions

Comment: WP.1 has so far agreed to include three definitions as provided below.

(a) **Highly and fully automated vehicle** refers to a vehicle equipped with automated driving system that exercises full dynamic control (without the need for human intervention), for which the system is a fall back, for some or all of a journey.

(b) **Automated driving system** means the combination of hardware and software that exercises dynamic control of a vehicle on a sustained basis.

(c) **“Dynamic control”** means carrying out all the real-time operational and tactical functions required to move the vehicle.

IV. Principles/recommendations for highly and fully automated vehicles

Comment: WP.1 has so far agreed to include recommendations for vehicles as provided below.

Highly and fully automated vehicles should:

- Prioritize road safety
- Endeavour to compensate for human errors of road users (inside and outside of the vehicle),
- Comply with applicable domestic traffic rules, including those referring to:
 - (a) Safe interaction with other road users, road traffic safety agencies, law enforcement authorities; and
 - (b) Maintenance of smooth traffic flow and safe performance of any manoeuvre.
- Only function within their operational design domain.
- React to system malfunctions in a way that minimizes danger to the vehicle's occupants and other road users.
- Be equipped with appropriate, consistent and [preferably internationally standardised] Human Machine Interfaces/displays and controls for communication with their users, other road users, road traffic safety agencies and law enforcement authorities. (*Comment: This point is to be further developed*)

V. Principles/recommendations for users of highly and fully automated vehicles

Comment: WP.1 has so far agreed to include recommendations for users as provided below.

Users of highly and fully automated vehicles should:

- Be aware/informed of the proper use of the vehicle prior to starting the journey.
- Possess the necessary capability to use the vehicle including being able to communicate with it.
- Be able to, and hold the necessary driving permits, to exercise dynamic control so as to begin or complete a journey where the automated driving system is only engaged for some of the journey, unless another user does so.
- Only use a highly and fully automated vehicle within its operational design domain, if they are not able to, or do not hold the necessary permits, to operate the vehicle, unless another user does so.
- Adapt their behaviour [based on the functionalities] of the vehicle and applicable traffic rules. (*Comment: to be further developed on whether this recommendation should refer to functionalities or rather continuation of a journey as a driver*).

VI. Further principles/recommendations

Comment: WP.1 has not agreed yet on any recommendation under this section. There has been only ideas proposed for which alternative text exists.

Comment: There has been alternative text proposed as below regarding performance monitoring/inspection and registration:

Alternative 1

Governments should:

- Adapt vehicle safety performance monitoring to accommodate highly and fully automated vehicles as necessary
- Adapt policies for the registration of highly and fully automated vehicles as necessary

Alternative 2:

Governments may need to adapt their legislation to accommodate highly and fully automated vehicles that conform with any applicable international law for the construction, technical certification and registration of vehicles.

Comment: The text below regarding recording and sharing of data has not been agreed upon. Alternatives are provided as basis to further develop the recommendation on data recording and sharing.

Governments should:

Alternative 1:

- Work [with industry] so that highly and fully automated vehicles record the necessary data related to exercising the dynamic control by the automated driving system, especially in case of an unexpected event that could impact road traffic safety, such as a collision or violation of traffic rules. This data should be recorded, secured and made available, in accordance with regional or domestic privacy regulations, as necessary.

Alternative 2:

- Adopt policies for recording and sharing of data by highly and fully automated vehicles related to the functioning of their automated driving system, especially in case of an unexpected event that could impact road traffic safety, such as a collision or violation of traffic rules. This data should be recorded, secured and made available, in accordance with regional or domestic privacy regulations, as necessary.

Comment: The recommendation below has not been discussed in the context of formulation of recommendations for user of highly and fully automated vehicles.

Governments should:

Adapt the requirements for issuing driving permits to align with technological progress.
