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Convention on Road Traffic (1968)

Autonomous driving

Autonomous driving

Submitted by Spain

This document, submitted by the Government of Spain, contains latest instruction issued in Spain regarding authorization of conduct of tests or research trials of automated vehicles on roads open to general traffic.



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Subject: *Authorization to conduct tests or research trials of automated vehicles on roads open to general traffic*

INSTRUCTION 15/V-113

Article 47 of Royal Decree 2822/1998 of 23 December, approving the General Regulations on Vehicles (hereinafter referred as 'GRV') conferred on the Directorate-General for Traffic (hereinafter referred as 'DGT') the power to grant special authorizations to conduct extraordinary tests or research trials performed by manufacturers, body-builders and official laboratories. Similarly, Instruction 10/TV-66 set out the specific application and granting procedure for such authorizations.

However, technological progress in motor vehicle industry has made possible the design and development of devices and vehicles, which by their very nature and specialities, go beyond the existing regulations. Some of these technologies offer several levels of driving automation, which at their highest degree allow for full automation.

In order to ensure the improvement possibilities that these tests and trials will bring in terms of road safety and safe and sustainable mobility in Spain and, at the same time, to contribute to boosting the automotive industry and investment in research in our country, this instruction is published and aimed at regulating the granting of special authorizations to conduct tests or research trials of automated vehicles on roads open to general traffic.

DEFINITIONS

AUTOMATED VEHICLE: Any motor vehicle equipped with technology that allows its operation or driving without requiring the active control or supervision of a driver, whether such automated technology is enabled or disabled, permanently or temporarily.

For these purposes, active safety or driver assistance systems and equipment included in vehicles that require active human control or supervision for being operated or driven shall not be considered as automated technology.

Vehicles which incorporate technology functions associated with automation levels 3, 4 and 5 listed in Table I are subject to this instruction.

- **AUTOMATED MODE:** driving mode consisting in the operation or driving of the automated vehicle without the active control of a driver when its automated technology is enabled.



- **MANUAL MODE:** driving mode of an automated vehicle in which the automated technology is disabled and its operation or driving must be performed by the active control of a driver.

1. REQUIREMENTS FOR OBTAINING AUTHORIZATION TO UNDERTAKE AUTOMATED VEHICLE TESTING.

Requirements for the authorization applicant

- As provided in the GVR, the following may apply for authorization to conduct tests and trials: manufacturers of automated vehicles, their body-builders and official laboratories. Without prejudice to the foregoing, and by analogy, the following shall likewise be construed as being able to apply for the authorization: the manufacturers or installers of the technology that allows the vehicle to be fully automated, universities and consortia involved in research projects under the terms described herein.
- The applicant must provide the documentation detailed in the GVR, in this instruction and in subsequent legislation which may be applicable.

Requirements for the automated vehicle:

- The vehicles subject to this authorization shall be autonomous vehicles, under the terms provided for in this instruction.
- Each vehicle shall be uniquely identified by the applicant under the terms provided in this instruction.
- The automated vehicle owner or any person having an interest in its insurance shall be obliged to have and keep in force an insurance contract covering the limits of compulsory motor vehicle insurance, as well as civil liability for possible injury or damage to people or property while driving when performing the tests on roads open to general traffic.
- To ensure the maturity, safety and reliability of the automated driving systems, the automated vehicle owner must prove:
 - 1- That the vehicle has passed the procedures listed in Annex II to this instruction in a technical service accredited by the National Accreditation Body (ENAC) or
 - 2- That the competent authority of another Member State of the European Union has issued, through an equivalent prior control procedure, authorization to conduct tests on roads open to general traffic to automated vehicles with technologies and configurations of the same nature.



Requirements for the driver of the automated vehicle:

- The driver of the automated vehicle must be designated and identified by the applicant for the authorization.
- The application may include several drivers.
- The applicant must submit a statement of responsibility on the skills of the designated drivers, accrediting under the applicant's responsibility that the drivers are familiar with the automated technology of the vehicle, have received the training required for the type of test requested and have the ability to drive, operate or control the vehicle safely and under any condition.
- The driver of the automated vehicle shall at all times be the person responsible for driving and operating the vehicle.
- It will be required that during driving the driver shall be ready and able to take full control of the vehicle at any time, whether inside the cabin or driving or operating the vehicle remotely. In any case, the driver shall be obliged to take full control of the vehicle in the event of an incident that poses a risk to the vehicle occupants or other road users.
- The automated vehicle driver must have held a valid driving license for a minimum of two years for the category of vehicle being tested.

2. SCOPE OF THE AUTHORIZATION

This authorization is national in scope and sets out the sections of urban and interurban road on which tests or trials of the vehicle are permitted.

The authorization holders shall be responsible for ensuring that the vehicles fulfil the necessary technical characteristics to be driven on public roads and for compliance with all the requirements laid down in this instruction.

The duration of the authorization shall be for a maximum period of two years and may be extended successively for identical periods of time.

Driving outside the scope of the authorization must always be done in manual mode.

The vehicles must be registered. If not, they must obtain a temporary authorization pursuant to Article 44 of the GVR allowing them to be driven on roads open to general traffic.



3. SUBMISSION OF APPLICATIONS

The applicants shall submit:

- a) Application form completed in accordance with ANNEX I and addressed to the Subdirectorate-General for Mobility Management.
- b) Payment of fee I.4, in accordance with the provisions in Article 6 of Law 16/1979, of 2 October, on the Directorate-General for Traffic fees.
- c) Descriptive report of the tests and trials, including at least the following aspects:
 - Short description of the technology fitted to the vehicle, the principles used to ensure its safety and the autonomous mode activation system; the degree of automation shall be indicated according to the levels of table I.
 - General description of the Training plans given to the drivers of autonomous vehicles.
 - Identification and detailed description of the area requested for testing.
 - General description of the open road trial and test plan.
- d) Certificate for conducting autonomous driving tests, issued by an accredited technical service¹ in accordance with the procedures set out in Annex II or certification of having previously obtained - from the competent authority of another Member State of the European Union - through an equivalent prior control procedure², an authorization to carry out testing of automated vehicles fitted with technologies and configurations of the same nature on roads open to general traffic.

4. FINAL DECISION

The final decision, either granting or refusing the special authorization requested, shall be issued by the Deputy Director-General for Mobility Management within one month of its registration on the Directorate-General for Traffic register.

In the event that the route authorised to conduct testing includes roads under the jurisdiction of other competent administrations with powers in traffic issues, the one-month period for issuing a final decision shall run from the day following receipt of the mandatory report by the relevant administration.

The Authorization granted shall contain the type of trial to be undertaken, its route and all other conditions under which these tests shall be conducted.

¹ A period of one year from the date of publication of this instruction is allowed for adaptation, within which the Technical Services that furnish proof of having submitted an application for accreditation to ENAC and that, by way of a statement of responsibility, can prove that they have technical competence for implementing the activities contained in the certification procedure, may issue this certificate.

² Equivalence of the control procedures shall be assessed by DGT.



The Directorate-General for Traffic shall communicate the authorization to those administrations with powers in traffic issues within the territorial scope of the testing areas.

5. COORDINATION OF PROCEDURES

The Subdirectorate-General for Mobility Management shall coordinate the procedures concerning the authorization of automated vehicle tests or trials on roads open to general traffic and, to this end, may also make amendments to the corresponding Annexes and administrative procedures, where appropriate.

6. ENTRY INTO FORCE

This document is made public for general knowledge and compliance with the rules laid down herein.

Madrid, 13 November 2015

THE DIRECTOR-GENERAL FOR
TRAFFIC



María Seguí Gómez

TO ALL THE UNITS OF THIS PUBLIC BODY