

§6.4. Post-deployment safety

Green means no change to the text (including no numbering change)

Blue means an editorial proposal.

Orange means an open issue or substantive proposal for amendment.

6.	Manufacturer requirements	
6.4.	Post-deployment Safety	
6.4.1.	The requirements of this section are without prejudice to applicable laws governing access to data, availability, and privacy and data protection.	
6.4.2.	The requirements of this section are without prejudice to applicable laws on provision of info to other authorities.	This general requirement is agreed, but it will be moved to another section in the future when the technical requirement will be merged with the administrative procedure.
6.4.3.	The manufacturer shall report, as required by the relevant Authority, on the in-service safety performance of the ADS vehicle and provide confirmatory evidence of the audit results of the Safety Management System.	
6.4.4.	The reporting shall be carried out according to the laws applicable in each contracting party and according to the information available to the manufacturers.	
6.4.5.	The reporting shall include:	

(a) Initial notifications	(a) Initial notifications,	Comma.
(b) Short-term reports	(b) Short-term reports, and	Comma plus “and”.
(c) Periodic reports.		
	6.4.6. The manufacturer shall report the occurrences listed in Annex [x].	Move para. 6.4.9. so it follows directly after the types of reporting. Move the table to an Annex (the table breaks the flow of the requirements, is likely to break between pages, and may be updated in future amendments to the regulations).
6.4.6. The manufacturer shall provide the short term and periodic reports to the relevant Authority in a report (according to reporting templates in the Annex X), that contains a summary and the information relevant to the requirements for reporting.	Relevant authority	
6.4.7. The manufacturer shall provide, upon request of the relevant authority, the supporting data underpinning the report by means of an agreed data exchange mechanism.	Relevant authority	
6.4.8. The manufacturer shall provide the relevant Authority with a description of the data processing (for example: filtering and conditioning) procedure and agree on the steps undertaken to deliver the data supporting the report.	Relevant authority	
6.4.9. The following table provides the list of occurrences to be reported by the manufacturer. For each occurrence and its relevance to the notification/short-term and/or periodic reporting has been flagged.		Sec: Proposal to amend and move the provision (see revised 6.4.6. above).

6.4.10.	The manufacturer shall report on occurrences when at least one of the following is fulfilled:		
	(a) The ADS feature was active when the ADS vehicle was involved in the occurrence, or	Collapse..	
	(b) The ADS feature was active up to 30 seconds prior to the ADS vehicle experiencing the occurrence.		
6.4.11.	[Initial notifications]		Brackets.
6.4.11.1.	The manufacturer shall notify the relevant Authority of a critical occurrence without unreasonable delay in accordance with the applicable laws after becoming aware of it.	Awkward.	Consider uniform phrasing to convey “after becoming aware”, “from knowledge of the matter”, etc.
6.4.11.2.	The initial notification may be limited to high-level data (e.g., location, time, type of accident).		
6.4.12.	Short-term reporting		
6.4.12.1.	The manufacturer shall report on short term basis for the following occurrences:	6.4.12.1. The manufacturer shall furnish short-term reports for the following occurrences:	
	(a) Significant Occurrences	(a) Significant occurrences, and	Capitalisation, comma, conjunction.
	(b) Critical occurrences known to the manufacturer where the ADS was involved		“known to the manufacturer” redundant to 6.4.4. “where the ADS was involved” redundant to 6.4.10.
6.4.12.2.	The manufacturer shall issue a short-term report within 30 days from the knowledge of the matter.		

<p>6.4.12.3. The manufacturer shall report in accordance to the short term template in Annex [X], as required by the relevant Authority, following the occurrences flagged under the “Short term reporting” in [6.4.9].</p>	<p>Occurrence table. Relevant authority.</p>	
<p>6.4.13. Periodic reporting</p>		
<p>6.4.13.1. The manufacturer shall undertake periodic reporting of occurrences to the relevant authority.</p>	<p>Relevant authority.</p>	
<p>6.4.13.2. The periodic report shall provide evidence of the in-service ADS safety performance. In particular, it shall demonstrate that:</p>		<p>Problematic: The reporting provides facts. This provision stipulates that the periodic reporting shall demonstrate that the ADS has no issues. If the periodic reporting indicates a problem, then the manufacturer has violated the provision.</p>
<p>(a) The ADS fulfils the performance requirements as evaluated in the test methods and/or declared in the safety case.</p>		
<p>(b) No inconsistencies have been detected compared to the ADS safety performance declared prior to market introduction.</p>		
<p>(c) Any newly discovered significant ADS safety performance issues that pose an unreasonable risk to safety have been adequately addressed and how this was achieved, including how they were addressed.</p>		
<p>6.4.13.3. The manufacturer shall submit periodic reporting regularly, at least every year, in the form of aggregated data (e.g., per</p>		

hour of operation and distance driven) for ADS-vehicle type and related to ADS operation.		
6.4.13.4. The manufacturer shall report occurrences in accordance with to the periodic reporting template in Annex X, as required by the relevant Authority, for the occurrences flagged under “Periodic reporting” in [6.4.9]	Occurrences table.	