

ADS IWG Working Document
Change Proposal Form
One major comment per form
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Document Reference

ADS-08-18

Date

09 April 2025

Agenda item

ISMR provisions

Proposed by European Commission Joint Research Centre

The following changes reflect the discussions had in the ISMR subgroup during the meetings held between the 7th and 8th ADS IWG

Need to:

- close some open points,
- clarify the text of some requirements
- agree on some definitions,
- fine tune the text,
- ensure consistency with different parts of the Regulation and Annex

Location

(3.16., 3.16.2., 6.4.9, 7.1.4.6, 7.4.1., 7.4.6. Annex [] In-Service Reporting Templates)

Original text

See Table

Revised text

See table

Original Text	Revised text	Rationale
<p>3.16. “<i>Occurrence</i>” means a safety-relevant event during which at least one of the following criteria is fulfilled:</p> <ul style="list-style-type: none"> a) Collision involving the ADS vehicle b) ADS vehicle system/component failure c) ADS vehicle produces a noncompliance with respect to the requirements of this regulation d) Injury/fatality as a result of being in the ADS vehicle or being involved in the event e) Normal operations which are relevant to argument specific ADS design choices and/or the safety case. 	<p>3.16. “<i>Occurrence</i>” means a safety-relevant event involving an ADS vehicle*</p> <p>* The occurrences to be reported are listed in the 6.4.9</p>	<p>This was an open item from the 7th ADS IWG. In some cases:</p> <ul style="list-style-type: none"> 1) the original text was duplicating some occurrences already included in the occurrence list (point b and c) 2) the point e) required further information to clarify the intent. <p>The new proposal tries to use a simplified text for the definition of occurrence. At the same time there is a clear link with the occurrence table in the section 6.4.9</p> <p>The following definition was discussed and agreed by the ISMR subgroup</p> <p>Note: The new definition is the same used in the Integration Document used as base for the ADS regulation</p>
<p>3.16.2. “Critical Occurrence” means an occurrence during which at least one of the following criteria is fulfilled:</p> <ul style="list-style-type: none"> (a) At least one person suffers an injury that requires medical attention or dies as a result of being in the vehicle or being involved in the event. (b) The ADS vehicle, other vehicles or stationary objects sustain physical damage that exceeds a certain threshold. (c) Any vehicle involved in the event experiences a deployment of any non-reversible occupant restraint system, 	<p>3.16.2. “Critical Occurrence” means an occurrence during which at least one of the following criteria is fulfilled*:</p> <ul style="list-style-type: none"> (a) At least one person suffers an injury that requires medical attention or dies as a result of being in the vehicle or being involved in the event. (b) The ADS vehicle, other vehicles or stationary objects sustain physical damage that exceeds a certain threshold. (c) Any vehicle involved in the event experiences a deployment of any non-reversible occupant restraint system, 	<p>The footnote was added to make a link between the conditions reported in the definition of critical occurrence and the thresholds for triggering such conditions which are identified in the annex.</p> <p>This modification improve clarity and ensure consistency.</p> <p>The following proposal was discussed and agreed by the ISMR subgroup</p>

<p>vulnerable road user secondary safety system or the delta-V thresholds to be met, whichever occurs first.</p>	<p>vulnerable road user secondary safety system or the delta-V thresholds to be met, whichever occurs first.</p> <p><i>* The thresholds for critical occurrences are defined in the annex [X]</i></p>	
<p>New definition</p>	<p><i>“Vulnerable road user secondary safety system” means a deployable vehicle system outside the occupant compartment designed to mitigate injury consequences to vulnerable road users during a collision</i></p>	<p>This was an open item from the 7th ADS.</p> <p>During the 7th ADS IWG, It was requested to introduce a definition of “Vulnerable road user secondary safety system”. The proposed definition is the same used in the R160 (EDR regulation).</p> <p>The following proposal was discussed and agreed by the ISMR subgroup</p>
<p>6.4.9</p> <p>Occurrences related to Transfer of Control failure</p>	<p>6.4.9</p> <p>Occurrences related to <i>Failures of System-initiated deactivation of the ADS to a fall-back user</i></p>	<p>This was an open item from the 7th ADS.</p> <p>The proposal aims to use the proper terminology for the transfer of control and to align with the rest of the regulation.</p> <p>The following proposal was discussed and agreed by the ISMR subgroup</p>
<p>7.1.4.6</p> <p>The documentation review shall provide evidence that, at least:</p> <p>(a) Responsibilities and timelines are defined to ensure that the monitoring is applied and effective</p>	<p>7.1.4.6</p> <p>The documentation review shall provide evidence that, at least:</p> <p>(a) Responsibilities and timelines are defined to ensure that the monitoring is applied and effective</p>	<p>The proposal aims to clarify that the intention of the point e) is to ensure that the manufacturer controls the risks over the time</p> <p>The following proposal was discussed and agreed by the ISMR subgroup</p>

<p>(b) Methods for data collection and analysis are adequate to ensure monitoring objectives are fulfilled</p> <p>(c) ADS safety performance will be verified in reference to the safety performance indicators and safety performance targets as indicated in the Safety Case.</p> <p>(d) [the risk assessment, including residual risks, will be evaluated regularly through the information coming from the monitoring activities.]</p> <p>(e) the monitoring takes into account feedback and information received from sources other than the ADS vehicle data</p> <p>(f) the effectiveness of the monitoring activity will be regularly reviewed.</p>	<p>(b) Methods for data collection and analysis are adequate to ensure monitoring objectives are fulfilled</p> <p>(c) ADS safety performance will be verified in reference to the safety performance indicators and safety performance targets as indicated in the Safety Case.</p> <p>(d) The risks are managed and controlled based on the information coming from the monitoring activities</p> <p>(e) the monitoring takes into account feedback and information received from sources other than the ADS vehicle data</p> <p>(f) the effectiveness of the monitoring activity will be regularly reviewed.</p>	
<p>7.4.1. (UNR) The Type Approval Authority or its Technical Service shall receive and review confirmatory evidence produced by that the information provided by the manufacturer during the ADS during its operations (e.g. Notification, short term and periodic reports) is in compliance with and assess that it is in accordance with capabilities described in the manufacturer's SMS [ref. 7.4.1.7-7.4.1.10].</p>	<p>The Type Approval Authority or its Technical Service shall receive information provided by the manufacturer and assess that it is in accordance with the manufacturer's SMS</p>	<p>This was an open item from the 7th ADS.</p> <p>The proposal aims to simplify and clarify the text. The aims of this point is to ensure that the information provided by the manufacturer during the operations are in compliance with ISMR processes included in the SMS.</p> <p>The following proposal was discussed and agreed by the ISMR subgroup</p> <p>Note1: Similar text is used for GTR. The only difference is the use of Assessor to replace Type Approval Authority or its Technical Service.</p> <p>Note2: The text can be revised to target the assessment instead of the Assessor (Open item)</p>

7.4.6. (UNR) If an serious unreasonable safety risk is identified, the Type Approval Authority may inform the Contracting Party on the need of recommend temporary safety measures, including immediately restricting or suspending the relevant operations via remote termination, and on the need to require actions to restore an acceptable level of safety as per the applicable laws.

Alternative for UNR

If an serious unreasonable safety risk is identified, the Contracting Party may recommend temporary safety measures, including immediately restricting or suspending the relevant operations via remote termination, and may require to take actions to restore an acceptable level of safety as per the applicable laws

(GTR) If a serious unreasonable safety risk is identified, the Contracting Party may recommend temporary safety measures, including immediately restricting or suspending the relevant operations via remote termination, and may require to take actions to restore an acceptable level of safety as per the applicable laws.

Alternative proposal UNR/GTR

[If an unreasonable risk to safety is identified, the Contracting Party may carry out its enforcement authorities to the maximum extent under applicable law. Depending on national law, options could include ordering remedies, suspending relevant operations, and recommending or requiring actions to remedy the safety risk]

7.4.6

UNR:

Where ISMR reports show that the ADS presents an unreasonable safety risk, the requirements of Article 4 of the 1958 Agreement shall apply.

GTR:

Where ISMR reports show that the ADS presents an unreasonable safety risk, the Contracting Party may carry out its enforcement authorities to the maximum extent under applicable law.

This was an open item from the 7th ADS.

The proposal aims to use clarify the link between ISMR and already exiting provision to ensure that instances of unreasonable risks will lead to a proper action

Note: below the text of the art. 4 of the 1958 agreement

Article 4
1. Should a Contracting Party applying a UN Regulation find that certain wheeled vehicles, equipment or parts bearing approval markings issued under the said UN Regulation by one of the Contracting Parties, do not conform to the approved type in accordance with the requirements of the said UN Regulation, they shall advise the approval authority of the Contracting Party which issued the approval. The Contracting Party that issued the approval shall take the necessary steps to ensure that the non-conformity is rectified.
2. When the non-conformity is due to non-compliance with the technical requirements specified in a UN Regulation, as referred to in Article 1.2.2(a), the Contracting Party that issued the approval shall immediately inform all other Contracting Parties about the situation and shall provide copies of the steps to be taken, which may include, if necessary, the withdrawal of the approval. After having considered the potential impact on vehicle safety, protection of the environment, energy saving or the performance of anti-theft technology, Contracting Parties may prohibit the sale and use of such wheeled vehicles, equipment or parts in their territory until this non-conformity is rectified. In such a case, these Contracting Parties shall inform the secretariat of the Administrative Committee of the annexes tables. For resolution of disputes between the Contracting Parties, the procedure provided in Article 10.4 shall apply.
3. Notwithstanding the provisions of paragraph 1 of this Article, if a non-conforming product, as referred to in paragraph 2 of this Article, has not been brought into conformity within a period of three months, the Contracting Party responsible for the approval shall temporarily or permanently withdraw the approval. By exception, this period may be extended by a period not exceeding three months unless one or more Contracting Parties applying the concerned UN Regulation object. When the period is being extended, the Contracting Party that issued the approval shall, within the initial three-month period, notify all Contracting Parties applying the concerned UN Regulation of their intention to extend the period in which the non-conformity shall be rectified and provide a justification for such extension.
4. When the non-conformity is due to non-compliance with the administrative provisions, approval markings, conditions for conformity of production or the information document specified in a UN Regulation, as referred to in Article 1.2.1(b) and 1.2.2(b), the Contracting Party that issued the approval shall temporarily or permanently withdraw the approval if the non-conformity has not been rectified within a period of six months.
5. Paragraphs 1 to 4 of this Article also apply in the situation where the Contracting Party responsible for issuing of the approval itself finds that certain wheeled vehicles, equipment or parts bearing approval markings do not conform to the approved type or the equipment of a UN Regulation.

Annex [] In-Service Reporting Templates	Proposal to remove character limit as not necessary for the time being	This will give more freedom to the manufacturer to provide all the information they want without restricting on the number of characters
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