

Colour code explanation

Initial inputs from OPI (Officer of Principle Interest) representatives are highlighted in **turquoise**. These reflect preliminary thoughts. The draft text proposal will be highlighted in **yellow** and finalised text will be highlighted to **green** subject to consensus during formal sessions.

A. Section [5.1.8 (GTR) / 7.1.8 (UNR)] – Management of post deployment safety

1. Paragraph 5.1.8.2 (GTR) / 7.1.8.2 (UNR)

Pr.

High

~~3.2.3., 7.1.8.2., 7.4.3., 7.4.4., 7.4.5., 7.4.7.1. Annex4 and Annex5~~

~~“The processes for ISMR shall demonstrate the capabilities:~~

~~..... (g) To report occurrences to the relevant authority when they occur, and.....”~~

Explanation of the requirement

Topic: Relevant authority

Regulatory text:

UNR 3.2.3. *In the case of ADS with features that can be active in the territory of Contracting Parties other than the Contracting Party issuing the approval, the manufacturer shall provide to the granting approval authority the following information for each territory:*

~~.....~~

(f) *Details of the authorities identified for fulfilling the obligation to provide post-deployment notifications and reports to the **relevant authority**.*

UNR/GTR 5/7.1.8.2. *The processes for ISMR shall demonstrate the capabilities*

~~....~~

(g) *To report occurrences to the **relevant authority** when they occur, and*

UNR/GTR 5/7.4.3. *The manufacturer shall provide initial notifications, short-term reports, and periodic reports to the **relevant authority**.*

UNR/GTR 5/7.4.4. *The manufacturer shall provide the supporting data underpinning the report by means of an agreed data exchange mechanism upon request by the **relevant authority**.*

UNR/GTR 5/7.4.5. *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.*

UNR/GTR 5/7.4.7. *Initial notifications*

UNR/GTR 5/7.4.7.1. *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.*

UNR/GTR Annex 2/4, In-Service Reporting Template: Short-term Reporting

1.1 The following template aims at ensuring that a consistent and comprehensive set of information is delivered to the relevant authority to foster an effective implementation of the short-term reporting ISMR requirements.

UNR/GTR Annex 3/5, In-Service Reporting Template: Periodic Reporting

1.2 The following template aims at ensuring that a consistent and comprehensive set of information is delivered to the relevant authority to foster an effective application of the periodic reporting scheme. Further granularity of the information can be considered depending on the ADS use cases.

Interpretation

The ADS regulation refers to a generic Relevant Authority in the following paragraphs concerning the post deployment safety:

- UNR: 3.2.3., 7.1.8.2., 7.4.3., 7.4.4., 7.4.5, 7.4.7.1. Annex 4 and Annex 5 [SF1][ER2]

- GTR: 5.1.8.2., 5.4.3., 5.4.4., 5.4.5, 5.4.7.1. Annex 2 and Annex 3

[In this regard, Relevant Authority means any authority* as identified in applicable law, for whom the manufacturer is required to provide post-deployment notifications and reports related to the operation of Automated Driving Systems (ADS). [JR3][JR4]

UNR only: Without prejudice to applicable laws, it must be noted that the responsibility for assessing and/or acting upon the content of the post-deployment notifications and reports as per the requirements of this regulation is held by the Granting Type Approval Authority.

The dissemination of information is intended to be limited to the (relevant) authorities for whom such information is relevant. The type of information (e.g. notification, short term and periodic report) provided to each authority can depend on factors such as: the authority's role in approving, verifying compliance or conducting market surveillance of the considered ADS; the area of operation of the considered ADS; legal or contractual confidentiality constraints; and the need to access such information to discharge safety-related responsibilities as defined by the applicable laws.

UNR only:

[The intention for the regulation is to follow the following scheme [ER18][ER19][RD20][RD21][RD22][RD23]

Table 1 Occurrence dissemination

Relevant Authority	Initial Notification	Short term report	Periodic Report
Granting Type Approval Authority*	X	X	X
Authorities in the territory where the occurrence(s) occurred*	X	X	X**
Authorities within the ODD (outside the occurrence territory) *		X***	X**

The table one applies to the requirements 3.2.3., 7.1.8.2., 7.4.3., 7.4.4., 7.4.5, 7.4.7.1. Annex 4 and Annex 5

Concerning the requirement 7.4.4., the relevant authority is intended as Granting Type Approval Authority (GTAA)[RH24] and Authorities in the territory where the occurrence occurred*

Concerning the requirement 7.4.5. the relevant authority is intended as Granting Type Approval Authority and Authorities in the territory where the occurrence occurred*. However, the agreement on the step to be taken is to be reached with the GTAA.

*Including supranational authorities (if any) who need to access such information as per the criteria listed above

** The regulation does not preclude the possibility to provide country specific information at the agreement of the manufacturer and receiving authority

*** limited only to short term reports for which a corrective action is identified[RD25]

2. Annex 4 4.1 (c) (GTR) / Annex 6 4.1 (c) (UNR)

Pr. High

Topic: critical occurrence threshold

Regulatory text: *The applicable Delta-V thresholds to be met according to the EDR system fitted on the vehicle”*

Interpretation:

Different regulatory schemes are in place concerning EDR depending on the contracting party and on the ADS vehicle category. As such, the concept of ‘applicable’ firstly refers to the ‘if-fitted’ nature of the EDR.

Where the EDR is fitted to the ADS vehicle, the ‘applicable’ Delta-V trigger in the context of a critical occurrence, this is understood as the *data recording triggering conditions* related to vehicle velocity changes [SF26] defined in the relevant EDR Regulation applicable to the vehicle category concerned.

For example, where they apply:

1. UN Regulation No. 160 applies to vehicle categories M1 and N1;
2. UN Regulation No. 169 applies to vehicle categories M2, M3, N2, and N3[RD27][DR(I28)];
3. U.S. 49 CFR Part 563 applies to passenger cars, multipurpose passenger vehicles, trucks and buses with a GVWR of 3,855kg or less.

The applicable triggering conditions include the longitudinal and lateral velocity change or sudden deceleration[SF29] thresholds defined in the relevant Regulations. For heavy-duty vehicles, this interpretation excludes the ‘last-stop’ trigger provided for in UN Regulation No. 169. The ‘last-stop’ trigger is not representative of critical situations as such it is excluded from the notification reporting.[SF30][RD31]

3. Paragraph XXX (GTR) / XXX (UNR)

Pr. High

Topic: Confidentiality and publication of information

Regulatory text:

GTR 6.4.4/UNR 8.4.4 *The approval authority or its designated technical service shall ensure the confidentiality of sensitive and business confidential reported information in the*

short-term template

Interpretation:

~~Confidentiality and publication of information~~

~~<Clause statement>~~

~~Explanation of the requirement~~

Information reported under this Regulation is intended to support in-service monitoring and reporting activities by the relevant authorities.

Authorities receiving such information can publish information which are appropriately anonymised [RD32](e.g. without the identification of individual manufacturers, vehicles, systems, operators,) and, where relevant, aggregated in a manner that sensitive information are not disclosed. In fact, the core purpose of ISMR is to improve safety, not to assign blame or share full reports publicly. In this perspective, the dissemination of the information is for the purpose of providing both a statistical summary of ADS safety and to document the most important lessons learned and safety challenges faced by ADS technologies.

This interpretation applies to any authority receiving information under this Regulation, whether acting as a Type Approval Authority or as another relevant authority. It does not restrict the exchange of information between authorities where required or permitted by law, nor does it override obligations arising from applicable laws, including freedom of information, data protection, or privacy legislation.

4. Paragraph 5.1.8.2 (h) (GTR) / 7.1.8.2 (h) (UNR)

Pr. High

Topic: Continuous Improvement

Regulatory text:

5.1.8.2 (GTR) / 7.1.8.2 (UNR):

The processes for ISMR shall demonstrate the capabilities:

(a) To monitor ADS operations,

(b) To confirm the compliance with the defined safety case and compliance with the performance requirements,

(c) To identify safety risks related to ADS performance that need to be addressed in the frame of the SMS activities, including instances of non-compliance with ADS safety requirements,

(d) To manage potential safety-relevant gaps during the in-service operation and to provide the information that allows the ADS to be updated according to the appropriate manufacturer processes,

(e) To support the development of new or revise existing scenarios,

(f) To perform event investigation,

(g) To report occurrences to the relevant authority when they occur, and

(h) To share learnings derived from occurrence analysis which have triggered SMS processes for the continuous improvement of the ADS vehicle safety

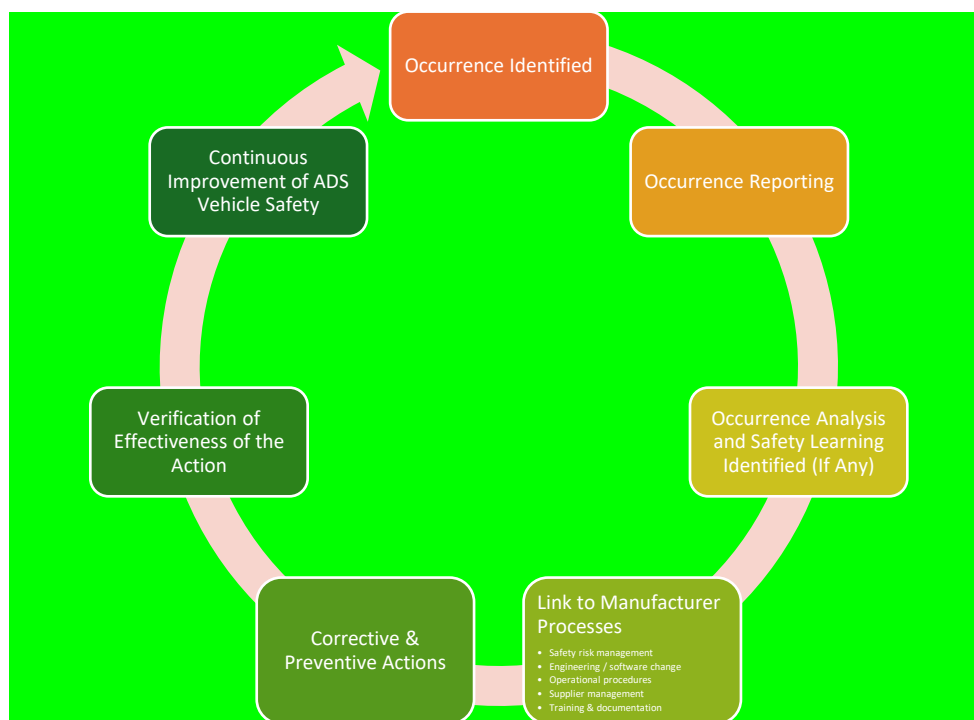
Interpretation of the requirement 5.1.8.2 (h) (GTR) / 7.1.8.2 (h) (UNR)

This requirement is an integral part of the manufacturer's Safety Management System (SMS) and it is expected to be implemented through the established SMS processes for occurrence reporting, analysis, and continuous improvement.

In general, any occurrence that has been identified during the post-deployment phase is handled within the SMS framework through the relevant manufacturer [RH33] processes (e.g., safety risk management, engineering change management, software lifecycle management, supplier management, and operational procedures).

In this context, the requirement aims at ensuring that occurrence analysis is not an isolated activity, but is undertaken as part of a structured SMS derived process that is traceable from the occurrence to safety decisions, actions, and leads to demonstrable safety improvements (where applicable).

The following flowchart provides an example which is intended to clarify the interconnections among Manufacturer's processes.



[It is worth clarifying that an occurrence does not always lead to the identification of a safety learning or a corrective/preventive action. In addition, not all the identified corrective/preventive action must be implemented to close the occurrence. As with improving any engineering system the decision of what to fix and how depends on an overall judgment of the consequences and impact of making a change.][RD34]

[The goal of this requirement is to demonstrate that the occurrence analysis is not an isolated activity, but a structured SMS-driven process which ensures proper links among all the manufacturer processes which is the basis for continuous improvement of the ADS vehicle safety.][RD35]