

This document is based on ADS-19-15 and GRVA-WS16-xx. Text with general agreement following OPI meeting on 30 March 2026 is highlighted in **green**. Open items are highlighted in **yellow**. New proposals following the meeting on 30<sup>th</sup> March are marked in **red font**.

## Section 3 (UNR) – Application for Approval

### Paragraph 3.1 and 3.1.1 (UNR)

- 3.1. Prior to application for approval, and as early as reasonably practicable, the manufacturer or their duly accredited representative shall provide the following information to the approval authorities of all of the Contracting Parties in whose territory features of the ADS can be active ('receiving approval authorities').
- (a) A single point of contact for the receiving approval authorities to request information from the manufacturer,
  - (b) The expected granting approval authority and the designated technical service being used by the manufacturer, if already selected, and
  - (c) Brief details of the ADS, its feature(s) and ODD; this information shall be treated as confidential by the receiving approval authority.
- 3.1.1. In the case that the territory of an additional Contracting Party is added as part of an application for extension of a type approval, the requirements of paragraph 3.1 shall apply mutatis mutandis with respect to that Contracting Party and its approval authority.

#### *Explanation of the requirement*

These provisions introduce a requirement for manufacturers to contact the authorities in the countries where the ADS can operate in advance of formally applying for an approval. This step falls before the normal formal process of 'application for approval', which begins with the submission of the application to the granting approval authority. The intention of this notification is to make the receiving authorities aware that an automated vehicle is destined for their territory.

The information provided by the manufacturer is expected to be brief, while giving enough information to understand the kind of vehicle, the type(s) of ADS feature, and any geographical or other significant aspects of the ODD.

'As early as reasonably practicable' means at the point the manufacturer has the information available and is confident that the information is mature and that the ADS vehicle is destined for the given country.

This process is not intended to open significant dialogue between the manufacturer and the approval authority of every destination country.

### Paragraph 3.2.3. (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:

- (a) Summary of how freedom from unreasonable risk has been defined, including details of specificities for the respective territory (if any),
- (b) Summary of how the safety level of a competent and careful human driver has been determined, including details of specificities for the respective territory (if any),
- (c) Summary of how applicable traffic rules have been identified, interpreted, and assessed,
- (d) Summary of specific testing carried out regarding the territory,
- (e) A single point of contact for the receiving approval authorities to request information from the manufacturer, and
- (f) Details of the authorities identified for fulfilling the obligation to provide post-deployment notifications and reports to the ‘relevant authority’.

*Explanation of the requirement*

The intention of this provision is to ensure that the manufacturer provides the granting approval authority with the necessary information for them to transmit to the receiving approval authorities during the process described in paragraph 4.5. The information provided should give the receiving approval authority sufficient insight to be able to carry out the review according to paragraph 4.5.2. regarding application and interpretation, taking into account the relevant national context. Further guidance on the kind of information expected for some of the required items is given below.

(a) ‘Freedom from unreasonable risk’ is one of two top-level provisions in the ADS regulation which sets the expectation for ADS safety (alongside the comparison with competent and careful human driving) [, and what constitutes reasonable and unreasonable may have national specificities.]

The concept of freedom from unreasonable risk is aligned with that of ‘absence of unreasonable risk’ in ISO21448 and ISO26262[, where ‘unreasonable risk’ is defined as:

“Risk judged to be unacceptable in a certain context according to valid societal moral concepts.”]

The manufacturer’s information is expected to describe the method and the sources (e.g. for the different territories) used to collect the information.

(b)

**OICA/CLEPA PROPOSAL**

**Careful and Competent Driver is referred to in the regulation as a general concept. Manufacturers are expected to demonstrate alignment with this concept by complying with the detailed regulatory requirements and providing evidence of this through their Safety Case.** Whilst many aspects of competent and careful driving are common everywhere, there are also differences in the behaviours, skills and competencies expected by driving standards authorities in different countries.

A driving behaviour that is appropriate and safe in one country may be inappropriate in another, resulting in a reduction of safety level. Traffic safety statistics also differ between countries, and where manufacturers use statistical comparisons as part of the demonstration of safety of the ADS, it is important that the comparisons are made to the relevant cohort of human drivers. It is understood that not all human drivers behave competently and carefully at all times, and so the manufacturer would need to explain how the subset of competent and careful driving has been extracted from an overall dataset.

Where national authorities have published guidance on expected safety levels and/or behaviours, it is expected to be shown that this has been taken into account.

**OPI PROPOSAL**

‘Competent and careful human driver’ is referred to in the regulation as a general concept. Whilst many aspects of competent and careful driving are common everywhere, there are also differences in the

behavioural competencies expected of such a driver in different countries. [For example, a driving behaviour that is appropriate and safe in one country may be inappropriate in another, resulting in a reduction of safety level.]

~~Where manufacturers make comparisons with human driving as part of the demonstration of safety of the ADS, it is important that the comparisons are made to the relevant cohort of human drivers. It is understood that not all human drivers behave competently and carefully at all times and so, when making comparisons between ADS and human driving, a manufacturer would need to explain how the subset of competent and careful driving has been extracted-determined, accounting for national specificities (if any) from any overall dataset.~~

(c) As traffic rules differ between countries, are largely written with human driving in mind, and can require interpretation on a case-by-case basis, it is important for manufacturers to have implemented any specificities for each country of operation. The information provided for this item could include details of the relevant SMS processes which cover the identification, interpretation, and assessment of traffic rules, as well as specific examples related to particular national rules.

## Section 4 (UNR) – Approval

### Paragraph 4.1.1.1. (UNR)

4.1.1.1. In the case of ADS vehicles that are subject to the requirements of UN Regulation No. 79, the approval authority or its designated technical service shall verify the compatibility between the safety concept of the ADS steering equipment and the safety concept of the ADS.

#### *Explanation of the requirement*

UN Regulation No. 79, as adapted to be fit for ADS vehicles, does not make specific prescriptions on the level of redundancy required for ADS steering (for example the amount of stored energy). Instead, the manufacturer provides a safety concept and the approval authority verifies the performance of the system under failure conditions against this concept.

The necessary manoeuvres to reach a safe and acceptable MRC under any reasonably-foreseeable circumstances are a function of the ODD of the ADS. It is therefore important at the time the ADS is approved to ensure that the safety concept certified for the steering system is sufficient for the ADS vehicle to be free from unreasonable risk in the case of steering failures during operation.

### Paragraph 4.5. (UNR)

4.5. Approvals covering ADS features that can be active in the territory of a Contracting Party other than the Contracting Party issuing the approval.

#### *Explanation of the requirement*

##### **OICA/CLEPA PROPOSAL**

These provisions are intended to ~~facilitate the process of Mutual Recognition under the 1958 agreement by helping to ensure~~ **help in ensuring** that that application and interpretation of the ADS regulation are harmonised ~~between the manufacturer / granting Approval Authority on one side, and the Authorities of Contracting Parties where the ADS vehicles will operate on the other~~ **and to secure that no further check / validation will be required to allow for the use of the vehicle on the respective territories where the vehicles will operate.** The footnote to this paragraph states that the provisions are subject to ~~ongoing~~ **further** review by GRVA so that ~~is~~ **the** benefit and effectiveness **of the provisions** can be monitored, and ~~it~~ **the provisions** ~~can~~ be modified or removed ~~when and if deemed necessary.~~

##### **OPI PROPOSAL**

These provisions are intended to help ensure that the interpretation and application of the ADS regulation are harmonised, thereby facilitating the smooth operation of mutual recognition under the 1958 Agreement (i.e. avoiding requests for any further testing or documentation before vehicles are placed on the market, and reducing the chance of later dispute between Contracting Parties).

**Paragraph 4.5.1. (UNR)**

Remove from GID - no explanation needed.

**Paragraph 4.5.2. (UNR)**

4.5.2. Following a review of the documentation described in paragraph 4.5.1, the receiving Approval Authority may provide comments to the granting Approval Authority on the interpretation or application of this UN Regulation with respect to their territory. Comments shall be provided within 30 days of receipt of the documentation described in paragraph 4.5.1. In case of dispute, a detailed justification shall be provided by the receiving approval authority making the comments to the granting approval authority.

*Explanation of the requirement*

The review by receiving authorities according to this paragraph is not intended to be a re-audit or re-assessment of the documentation supplied by the manufacturer. It is intended to review the high-level application and interpretation of the requirements of the regulation with regard to the specificities of their territory, focussing on the items listed in paragraph 3.2.3. (a)-(f).

Receiving authorities are not obliged to carry out a review or to make any comments. After 30 days have passed without receiving comments, the granting approval authority can assume that there are no comments from a given approval authority. Receiving authorities can also notify the granting approval authority that they do not intend to carry out a review, or that they have no comments, in order to speed up the process.

If a receiving approval authority comments that the regulation has not been applied or interpreted appropriately with respect to the receiving territory, a detailed explanation and justification must be given so that the granting approval authority can fully understand the issue and decide on the appropriate action needed, if any, to take the comments into account before granting the approval.

**Paragraph 4.5.2.1. (UNR)**

4.5.2.1. Having taken account of any comments, the granting approval authority shall grant the approval with the respective Contracting Party(ies) included in the list in Appendix to Annex 1.

*Explanation of the requirement*

Depending on the nature and content of the comments received, the granting approval authority has a variety of options for taking them into account. These could consist of, but are not limited to:

- Providing further documentation or explanation to the approval authority which made the comments
- Requesting additional or updated documentation from the manufacturer

- Doing nothing, if the granting approval authority is satisfied that the comments are already covered and do not need to be addressed.

**Paragraph 4.5.2.2. (UNR)**

Remove from GID - no explanation needed.

**Paragraph 4.5.2.3. (UNR)**

Remove from GID - no explanation needed.