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**SÉCURITÉ
ROUTIÈRE VIVRE,
ENSEMBLE**

Presentation 7 (GE.3-07-14)

Seventh GoE on LIAV 30 Nov-1 Dec. 2023

Agenda item 4

**Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic
Agenda item 4. “*Tour de table*”
(7th session)**

National activities related to Automated Driving Systems in France

December 1st, 2023

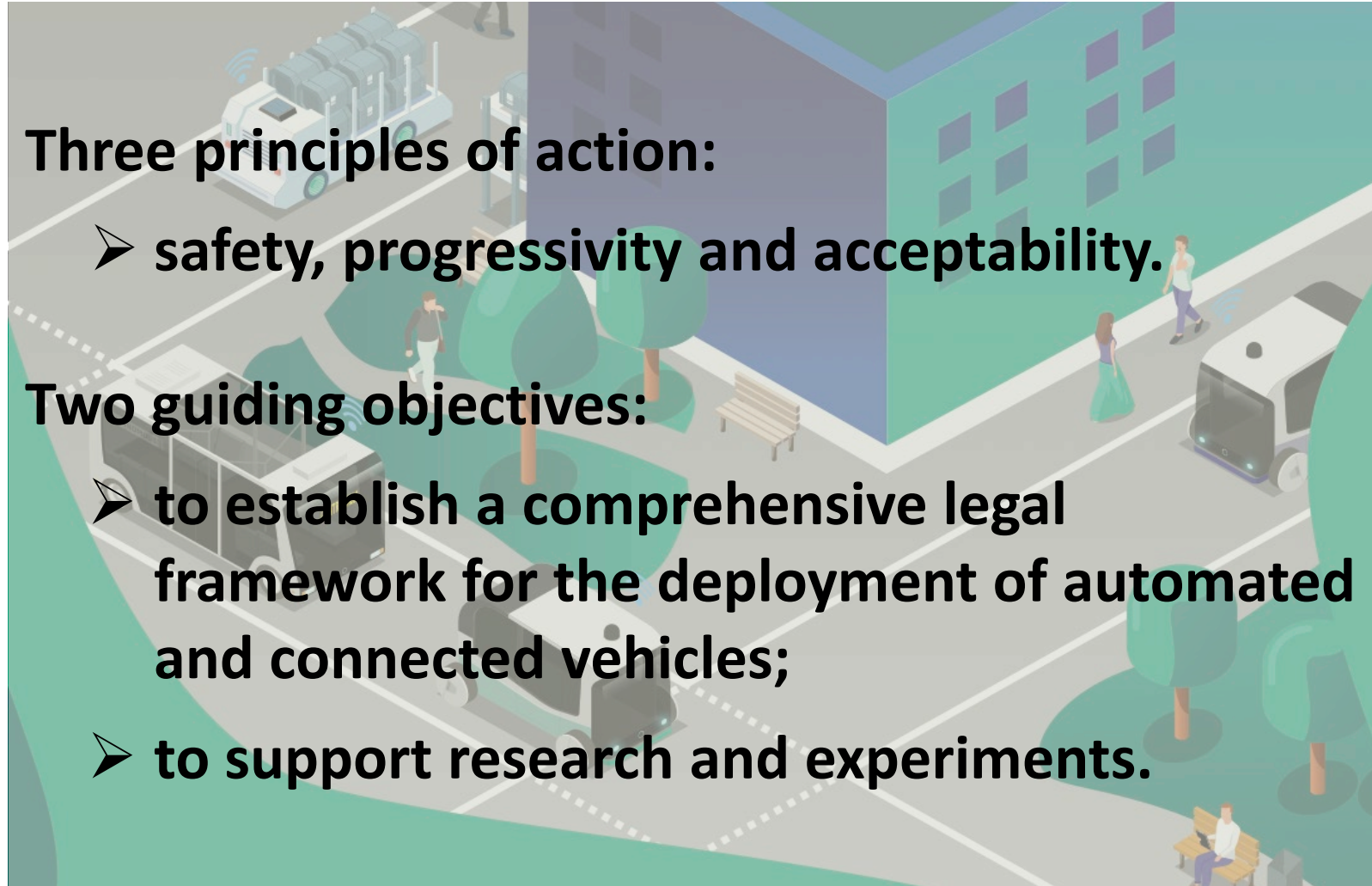
National strategy for the deployment of automated and connected road mobility 2018-2025

Three principles of action:

- **safety, progressivity and acceptability.**

Two guiding objectives:

- **to establish a comprehensive legal framework for the deployment of automated and connected vehicles;**
- **to support research and experiments.**



A comprehensive legislative and regulatory framework for the deployment of automation

➤ Experiments' legal framework:

- Law No. 2015-992 of August 17, 2015
- Ordinance No. 2016-1057 of August 3, 2016
- Decree No. 2018-211 of March 28, 2018
- Law No. 2019-486 of May 22, 2019

➤ Permanent legal framework:

- Law No. 2019-1428 of December 24, 2019
- Ordinance No. 2021-443 of April 14, 2021 on the responsibility regime applicable in case of circulation of a vehicle equipped with an automated driving system and its conditions of use
- Decree No. 2021-873 of June 29, 2021 implementing Ordinance No. 2021-443 of 14, April 2021

A comprehensive legislative and regulatory framework for the deployment of automation

Overview of provisions depending on use cases		
Use case	Case A : On-board driver	Case B : Remote intervention
Partially automated vehicle	To be able to respond to any request for handover To be able to respond to law enforcement orders and facilitate the passage of priority vehicles	Not allowed
Highly automated vehicle	To be able to respond to any request to take over (NB: by design = out of scope) Be able to respond to law enforcement orders and facilitate the passage of priority vehicles	Only within an automated road transport system (ARTS) System validated by decision of the service organiser, after safety demonstration and opinion of an approved qualified body.
Fully automated vehicle	<i>Not applicable</i>	Remote operator able to intervene according to the system's conditions of use

Definitions

❖ “Partially” automated vehicle:

Must do a take-over request to respond to some traffic hazards or failures during a manoeuvre.

❖ “Highly” automated vehicle:

Can respond to any traffic hazard or failure (within its operational design domain), without doing a take-over request during a manoeuvre.

❖ “Fully” automated vehicle:

Can respond to any traffic hazard or failure, without doing a take-over request during a manoeuvre

Used in automated road transport systems with remote intervention capability.

A focus on criminal liability

Ordinance No. 2021-443 of April 14, 2021 clarifies the partition of criminal liability between the driver or remote operator and the manufacturer or organizer of the automated road transport service:

- When the driver delegation system is activated and operating normally, the driver remains criminally liable for offenses that are not the result of a vehicle maneuver, but which are linked to his right to drive (lack of license, suspended or canceled license, etc.), his ability to drive (drunkenness, drug use) or his behavior in the event of a roadside check (refusal to comply) or an accident (hit-and-run);
- The same applies if the offence occurs after a transition demand for which the driver has not complied at the end of the transitional period;
- When an automated road transport system (ARTS) is operating, the remote operator is criminally liable for offenses resulting from the vehicle's maneuvering when this maneuvering is the result of his intervention or failure to intervene, or when this intervention or failure to intervene does not comply with the system's conditions of use;
- In the event of a physical accident, the vehicle manufacturer or the organizer of the automated road transport service may be held criminally liable;
- When the system is exercising the DDT and a vehicle maneuver constitutes an infringement, the manufacturer or organizer of the automated road transport service is financially liable. Law enforcement and the vehicle owner have access to data enabling them to establish the vehicle's delegated driving status at the time of the offence.

Phase 3 of the National Strategy for 2022-2025

Four key actions:

- Prioritize and coordinate connectivity systems and data exchange deployments.
- Finance investment projects in industrial supply of automated road mobility, ambitious service pilots, or first commercial deployments, in particular via France 2030 and by mobilizing European credits.
- Support volunteer local authorities and operators in the deployment of passenger services.

The 2030 target is for 100 to 500 services without an on-board operator, i.e. several thousand vehicles.

- Finalize the legal framework for automated freight and logistics.

Main information materials:

- ❖ <https://www.ecologie.gouv.fr/en/automated-vehicles>
- ❖ <https://www.ecologie.gouv.fr/sites/default/files/dgitm-strategie-vehicule-automatise-et-connectee-2022-2025-EN.pdf>
- ❖ https://www.ecologie.gouv.fr/sites/default/files/DGITM-communication-decret-arretes_septembre_2022-EN.pdf