

# ***Driving assistance systems and autonomous vehicles: Geneva and Vienna Conventions in 1949 and 1968***

***Adaptive Workshop  
17 September 2015, Paris (France)***

***Joël VALMAIN  
Adviser for European and International Issues to the  
Interministerial Delegate for Road Safety***



# Vienna-Convention on road traffic: 8 November 1968

## ■ Article 8 :

- All moving vehicle shall have a driver;
- All driver shall possess the necessary physical and mental ability and be physically and mentally fit when driving;
- All driver of a power-driven vehicle shall possess the necessary knowledge and skill to drive the vehicle;
- All driver shall be able to control his vehicle at all times.

# Vienna-Convention on road traffic: 8 November 1968

## Article 8 :

### § 6 :

*A driver of a vehicle shall at all times minimize any activity other than driving. Domestic legislation should lay down rules on the use of phones by drivers of vehicles. In any case, legislation shall prohibit the use by a driver of a motor vehicle or moped of a hand-held phone while the vehicle is in motion.*



MINISTÈRE  
DE  
L'INTÉRIEUR

SÉCURITÉ ROUTIÈRE  
TOUS RESPONSABLES

# Vienna Convention on road traffic: 8 November 1968

## ■ Article 13 :

- All driver shall have his vehicle under control in all circumstances:
  - to ensure safety;
  - to keep commands within reach;
  - to maintain proper placing to perform all manoeuvres at all times.

# Inconsistencies among UN legal instruments

- **Technical Regulations regarding vehicles: amendments are frequent (WP 29). They are thus quickly adapted to the technical evolutions.**
- **Oppositely amendments to Vienna-Convention are few and require time to reach general agreement: the amendment procedures of this legal text are more stringent.**
- **Mandate given by ITC to WP 1 : to ensure consistency among those legal instruments in the UN system.**

## Amendment proposal of the Convention (1)

- No change in Article 13, but Article 8 (§ 5) becomes:

→ All driver shall be able to control his vehicle at all times.

A new paragraph (5bis) has been inserted into Article 8.  
The paragraph 5bis shall read as follow:

# Amendment proposal of the Convention (2)

## 5bis.

- **Vehicle systems which influence the way vehicles are driven shall be deemed to be in conformity with paragraph 5 of this Article and with paragraph 1 of Article 13, when they are in conformity with the conditions of construction, fitting and utilization according to international legal instruments concerning wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles**
- **Vehicle systems which influence the way vehicles are driven and are not in conformity with the aforementioned conditions of construction, fitting and utilization, shall be deemed to be in conformity with paragraph 5 of this Article and with paragraph 1 of Article 13, when such systems can be overridden or switched off by the driver.**

## Amendment proposal of the Convention (3)

- The text has been adopted during the WP 1 March 2014 session.
- Sent to the UN legal service in New-York.
- An important point remains to be discussed:
  - broadcasting these new technologies;
  - training;
  - appropriate tests for new licensing.



# Amendment proposal of the Geneva Convention of 1949

*The same text aiming at amending the Geneva Convention accordingly has been adopted during the March 2015 WP 1 session.*

# Autonomous driving

## *Report of WP 1 session of March 2015.*

- *Discussions on a document describing and analysing the role of the driver in a vehicle with a more advanced level of automation.*
- *Suggestion of a very preliminary proposal to incorporate the possibility of fully autonomous (driverless) mobility into the Convention.*
- *Formal document to be discussed in the October 2015 WP 1 session.*
- *Closer cooperation and exchange of informations between WP 29 and WP 1.*

For more details:

<http://www.securite-routiere.gouv.fr/>

*Thank you for your attention*

