

14 May 2020

The 3rd preparatory meeting of HLM CAD Helsinki on 27th April 2020

Online meeting

Regulation of transport automation

Ongoing work in UNECE Working Party 1 on automation

Joël Valmain, Adviser for European and International Issues to the Interministerial Delegate for Road Safety, Vice-Chair of WP 1 and Chair of the IGEAD, please see attachment no 1.

Leading to theme of the day

Kirsi Miettinen, Ministry of Transport and Communications, Finland, please see attachment no 2.

The EU type-approval framework for automated/connected vehicles

Antony Lagrange, Team Leader Automated/Connected vehicles and Safety, European Commission, DG for Internal Market, Industry, Entrepreneurship and SMEs, please see attachment no 3.

UNECE and EU regulatory policy synchronization; Selected CCAM topics

Joost Vantomme, Smart Mobility Director, European Automobile Manufacturers' Association – ACEA, please see attachment no 4.

Common criteria at a European level for carrying out, monitoring and studying CAD tests

Javier Matesanz, Spanish National Geographic Institute, please see attachment no 5.

Aida Joaquin, Spanish Ministry of Transport, please see attachment no 6.

Discussion:

- Ethical questions and the work ongoing in Spain
- ALKS; the relatively long time it takes to prepare new rules in UNECE
- In use monitoring; aiming to confirm the assessment of the pre-market phase
- ACEA's follow-up project on platoon challenge, <http://www.platooningensemble.eu/>
- It could be useful to discuss more road freight topics
- Cross-border testing and is there a need for harmonization and EU-wide context; some sort of alignment and common reporting requirements or mutual recognition systems?
- HLM CAD Vienna has addressed some of the questions
- Is it enough to provide information on different national procedures and test data provision obligations?
- One has to bear in mind that open road tests are not possible in every country; some countries have ongoing work on this
- For the moment cross-border testing might be possible but requires e.g. limiting all the other traffic

Refitting current legislation for automated vehicles

Eetu Pilli-Sihvola, Chief Adviser, Finnish Transport and Communications Agency, please see attachment no 7.

Discussion:

- Would it be necessary to identify what kind of hinders there are for testing and do we need EU legislation for solving the problem? Would there be a need for exemption from rules for testing?
- Sandbox work ongoing also in ITF/OECD. Need to bear in mind that sectors vary when it comes to sandbox thinking, e.g. safety is a crucial element; not everything can be sandboxed.
- Related work has been done in ACEA Ensemble project, identifying blocking factors such as transport and social legislation issues
- Sandbox is a relatively new concept. We need bottom-up approach; first looking into technical issues very thoroughly and then policy level;
- Also services and technology need to be looked into separately; services allow for more sandbox testing than technology
- When it comes to testing, important to separate between testing on roads and elsewhere
- Database for different testing requirements would be useful; in general it would be good to be able to find information on different countries

Automated decision-making, Artificial Intelligence and Algorithmic Governance in Transport

Philippe Crist, Advisor, Innovation and Foresight, International Transport Forum at the OECD, presented the topic, focusing on e.g. the fundamental shift for governing transport in the algorithmic age, the interaction between humans and algorithms, the need to be able to understand the algorithmic decisions.

Discussion:

- Would it be possible to do Impact Assessment for algorithms and transport automation? One needs to look into the risks and the need for supervision of AI
- As already discussed in the previous HLM CAD preparatory meetings, there needs to be guidelines for the companies if we are to require impact assessment
- There are frameworks and principles; need to go deeper
- GDPR and the possibility to use data while complying with GDPR
- Transparency and possible black boxes, algorithmic systems learn all the time; is there a risk that drivers teach the vehicle
- Updates need to be authorized, who is in charge of ensuring the correct updates; driver or also the manufacturer?
- Useful to separate core functions and other functions
- Now testing takes place there where it is profitable and there are resources for development. Is there a risk that the testing will not benefit other countries? Can the regulators do something to prevent this and to allow that it is possible to transfer tested technology from one country to another? Need to learn from others and from other tests
- Regulatory sandboxes could be used when regulating service providing. Not possible to make exceptions with technical regulations because of safety

Regulating for Trustworthiness

Bryant Walker Smith, Associate Professor of Law, South Carolina School of Law (slides to be provided possibly later on)

Discussion and questions:

- Accountability shift highlighted
- Tracing the right entity; it is important that one company is in charge of the whole process and systemic integration as a whole. Others have liability too for their product/service.
- Differences between North America and Europe; the concept presented seems to be transferable to the EU too. There are differences, the EU type approval system vs. USA system but they are not so crucial. There are differences also between US states but underlying analysis and the core can be transferred and exported. For liability, the company needs to be established in the given country/region.
- Thinking of cases where something goes wrong with automation, it is important to analyse all the decisions made.

Closing remarks and next steps

Following meetings:

11.6.2020: 4th preparatory meeting

- Online meeting.
- Theme: 1st draft of the outcome of the HLM CAD.
- Draft outcome document will be sent in due course before the meeting.

10.9.2020: 5th preparatory meeting

- Location/type of meeting tbc (originally Schipol)
- Theme: 2nd draft of the outcome of the HLM CAD

6.-7.10.2020: Ministerial HLM CAD in Helsinki

- Invitation letters from Transport Ministers have been sent
- For more information and questions on the ministerial meeting, please contact HLMCADHelsinki@lvm.fi