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BETTER MOBILITY THROUGH INNOVATION

TOWARDS MOBILITY THAT WORKS.



The Tesla Case, a public perspective

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Content

- Permission procedures (semi-)autonomous vehicles in EU
- Art. 39 exemption clause of Regulation 2018/858
- Tesla Full-Self Drive Supervised permission in the Netherlands and Belgium

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PERMISSION PROCEDURES (SEMI-) AUTONOMOUS VEHICLES IN EU

Permission procedures



**Pilot
projects**



**Individual
vehicle approval**



**Exemption
clause art. 39**



**Whole Vehicle
Type Approval
(WVTA)**

Path towards scale

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ART. 39 EXEMPTION CLAUSE

Art. 39 exemption

Background

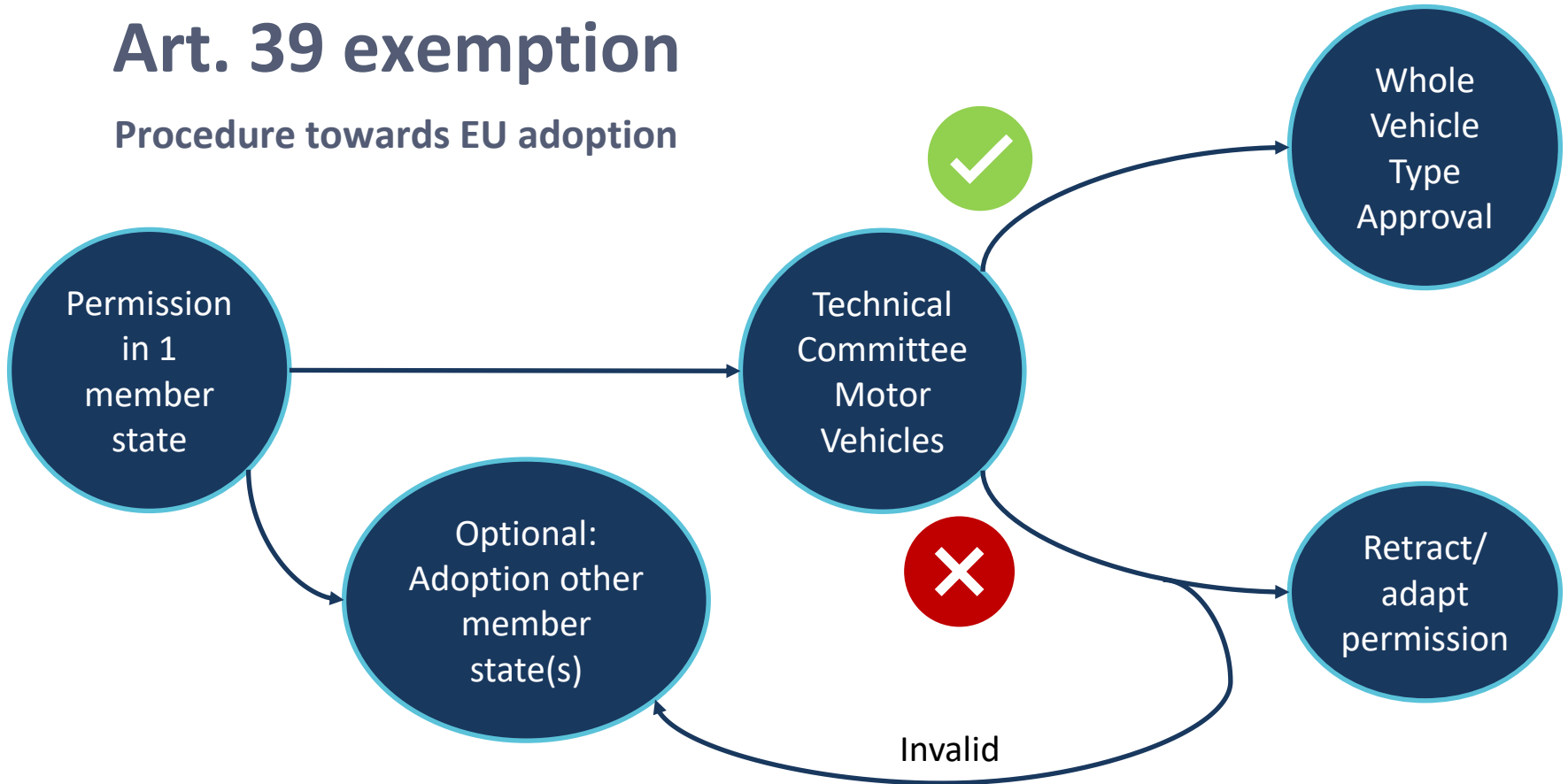
- Alternative for the IVA for new technologies
 - » Exemption clause in the EU Type Approval Regulation 2018/858
 - » UN DCAS* regulation R171
- Due to software updates the IVA is less suited for autonomous vehicles
- Art. 39 opens a clear path from national permission to European permission, with applicable scalability



* DCAS = Driver Control Assistance Systems

Art. 39 exemption

Procedure towards EU adoption



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TESLA FULL-SELF DRIVE SUPERVISED PERMISSION

Tesla Full-Self Drive Supervised

Initial permission procedure

- Tesla FSD Supervised application under article 39
- Dutch vehicle approval authority (RDW)
- Full-Self Drive Supervised refers to a Level 2 (++) system
- Procedure took 18 months, consisting of
 - » Administrative processing
 - » Iterative testing
 - » Track testing
 - » Public road testing
 - » Independent validation
 - » Repeated dialogue between Tesla and RDW



Tesla Full-Self Drive Supervised

Initial permission procedure

- Three main questions had to be answered:
 - » Is the system at least as safe as other widely accepted driver assistance systems?
 - » Is the driver monitoring system sufficiently capable of monitoring the attention and readiness of the driver?
 - » Can the driver perform interventions in a safe and controllable manner and are take-over requests given in a safe and timely manner?

→ Permission for the Netherlands on April 10th, 2026

Tesla Full-Self Drive Supervised

Belgian permission procedure

- Tesla requested Flanders to adopt permission
- Government employees of DMOW and AWW reviewed the files of the Dutch permission
- Necessity to test on the Belgian public road - interaction between FSD-system and typical Belgian infrastructure
 - Traffic law
 - Cycling infrastructure
 - Pedestrians
 - Traffic lights
 - Construction zones
 - Environmental factors
 - Dynamic traffic management
 - Tunnels
 - Special infrastructure



Tesla Full-Self Drive Supervised

Belgian permission procedure

With help of CCAM Proving Region a testing procedure guideline was established

- » The team evaluated as many “edge cases” as possible in the limited time available
- » Based on the files received, our own research, and the performed tests an advice was written for the minister
- » Ultimately, acceptance of the permission request was a policy decision made by the minister

→ Permission for Belgium on June 10th, 2026

On October 9th, Tesla changed the name to Assisted Driving



Tesla FSD Supervised/Assisted Driving

Lessons learned for autonomous mobility operations

- Art. 39; simplified procedure to adopt permission of another member state
- Tesla FSD Supervised/Assisted Driving → Belgian permission two months after initial permission in NL
- This case highlights the urgency of the CCAM domain
- Precedent for future art. 39 requests

→ Currently, the performance of the system is closely monitored by the involved administrations and RDW. It is too early to present any conclusions