**Test Application**

Application for testing Automated Vehicles on roads which are publicly accessible and form for data transmission according to § 1 Abs. 3 Z. 2 lit. a-k AutomatFahrV.

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| 1. Identification number and date of application (to be filled in by AustriaTech)

IDDate |
| 1. Name of the testing institution (§ 1 Abs. 3 Z. 2 lit. b) – [fill-in-assistance1](#Ausfüllhilfe2)

NameCompany Register Number |
| 1. Contact person and contact details (§ 1 Abs. 3 Z. 2 lit. c) – [fill-in-assistance2](#Ausfüllhilfe2)

First name, SurnameTelephone numberE-mailAddress |
| 1. Planned use case for test purposes (multiple selection possible, e.g. § 8 and § 8a)

[ ]  §7 Automated minibus[ ]  §7a Automated vehicle for passenger transport[ ]  §7b Automated vehicle for the transport of goods[ ]  §8 Motorway pilot with automated lane change[ ]  §8a Motorway pilot with automated driving on motorway on- and off-ramps and exits[ ]  §9 Autonomous military vehicle[ ]  §9a Automated valet parking[ ]  §9b Automated working machine |
| 1. Information on the planned application (§ 1 Abs. 3 Z. 2 lit. a) – [fill-in-assistance4](#Ausfüllhilfe4" \o "A maximum of one page long description of the planned test project without disclosure of company secrets. (Description of test scenario, driving functions, technologies).)

Text. |
| 1. Information on the purpose of the research and the resulting research questions – [fill-in-assistance5](#Ausfüllhilfe4" \o "Please also frame a clear research question.)

Text.  |
| 1. What is the added value of carrying out the test drives on roads in Austria? – [fill-in-assistance6](#Ausfüllhilfe4" \o "Explanation of the advantages of carrying out the test drives on Austrian roads compared to other countries. For example, geographical, topographical, traffic conditions and the like may be relevant here)

Text. |
| 1. Information about the operators (§ 1 Abs. 3 Z. 2 lit. d) – [fill-in-assistance7](#Ausfüllhilfe4" \o "Copy of driver's license or confirmation of valid driver's license (operator must no longer be in probationary period), proof of training in the system to be tested, confirmation of training in the specific test project.)

First name, Surname |
| 1. Have the operators completed an additional adequate driver training? (§ 3 Abs. 3) Describe the content and extent of this training –  [fill-in-assistance8](#Ausfüllhilfe8" \o "Explanation of the content of the training and number of training hours. The training must be designed for the required skills of the operators in any situation. For requirements see Code of Practice.)

Text. |
| 1. Have the operators received an adequate briefing into the specific test project? (§ 3 Abs. 3) Describe the contents of this briefing. –  [fill-in-assistance9](#Ausfüllhilfe8)

Text. |
| 1. In what way is it ensured that the experiences of the operators from the ongoing test operation are exchanged among each other? – [fill-in-assistance10](#Ausfüllhilfe8" \o "Please explain how the operators pass on their personal experiences and findings from the test drives to each other.)

Text. |
| 1. Information on the test vehicle –  [fill-in-assistance11](#Ausfüllhilfe8" \o "Please indicate brand, type, plate number and vihicle category.)

Brand:Type:Plate number:Vehicle category:. |
| 1. Written confirmation of a motor vehicle liability insurer for the test drives (§ 1 Abs. 3 Z. 2 lit. f) – [fill-in-assistance12](#Ausfüllhilfe10)

Insured with X up to a loss amount of X million euros; premium paid on: |
| 1. Which driving manoeuvres are to be subject of the test and how have they been tested in advance on a real test site or virtually? (§ 1 Abs. 3 Z. 2 lit. G, § 1 Abs. 4) –  [fill-in-assistance13](#Ausfüllhilfe11" \o "For each driving maneuver, please state whether and to what extent it was tested in real life on a test ground or virtually. Simply stating the number of kilometers traveled is not sufficient.)

Text.  |
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| 1. When using C-ITS: How is C-ITS used in the test project? Does the information received via C-ITS affect the steering of the vehicle? How is the comparison with the information from the vehicle sensors carried out? – [fill-in-assistance14](#Ausfüllhilfe12)

Text. |

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| 1. Start and end of the planned test period (§ 1 Abs. 3 Z. 2 lit. h) –  [fill-in-assistance15](#Ausfüllhilfe12)

TT.MM.JJJJ – TT.MM.JJJJ |
| 1. Planned test route and/or planned test area (§ 1 Abs. 3 Z. 2 lit. i) –  [fill-in-assistance16](#Ausfüllhilfe13)

Text. |
| 1. Adjustments to the infrastructure required for the performance of the test drives (§ 1 Abs. 3 Z. 2 lit. j) –  [fill-in-assistance17](#Ausfüllhilfe14)

Text. |
| 1. As far as § 7 or § 7a is applied for: Is there provision for persons in a wheelchair or with a stroller to be transported in the process of the test rides? If so, what are the corresponding safety precautions? –  [fill-in-assistance18](#Ausfüllhilfe15)

Text. |
| 1. As far as § 7 or § 7a is applied for: Is there provision for people and goods (e.g., packages) to be carried simultaneously during the test runs? If so, what are the corresponding safety precautions to ensure that neither people nor property come to harm? –  [fill-in-assistance19](#Ausfüllhilfe16)

Text |
|  |
| Additional information - the following information on the test procedure must be provided: |
| 1. In what way is it ensured that the test vehicle does not pose a higher risk than a non-automated vehicle?

Text. |
| 1. How does the test vehicle react to unforeseeable obstacles and incidents during the test drive that the vehicle cannot handle in automated driving mode? –  [fill-in-assistance](#Ausfüllhilfeb)

Text. |
| 1. How can the system be manually overridden – especially in critical situations / events? –  [fill-in-assistance](#Ausfüllhilfe10)

Text.  |
| 1. Has the manual override of the system already been successfully tested?

Text. |
| 1. How can the system be manually deactivated – especially in critical situations / events? –  [fill-in-assistance](#Ausfüllhilfec)

Text. |
| 1. Has the manual shutdown of the system already been tested successfully? –  [fill-in-assistance](#Ausfüllhilfed)

Text. |
| 1. For tests on highways / expressways: How does the test vehicle recognise that a rescue lane is to be formed? – [fill-in-assistance](#Ausfüllhilfee)

Text. |
| 1. Are the test vehicles visually and acoustically easily perceivable at any time so that people for whom the principle of trust does not apply (people with disabilities, children, etc.) can perceive the test vehicles under all circumstances? – [fill-in-assistance](#Ausfüllhilfef)

Text. |
| 1. Has a route analysis and risk assessment been carried out? – [fill-in-assistance](#Ausfüllhilfef)

Text. |
| 1. Has a risk analysis (RCA, FMEA, or similar) been performed for the entire test project and have there been appropriate risk-minimising measures implemented? Which risk analysis method(s) was (were) used? – [fill-in-assistance](#Ausfüllhilfeg" \o "Please state the content and scope of the risk analysis. Explain the main findings and resulting measures.)

Text. |
| 1. If test drives are planned on freeways or expressways, how has the responsible road operator been involved? What are the results of the cooperation? (§ 1 Abs. 7) – [fill-in-assistance](#Ausfüllhilfeg)

Text.  |
| 1. Have the operators already agreed in writing to the recording of data during the tests? (§ 3 Abs. 4) – [fill-in-assistance](#Ausfüllhilfek)

Text.Note: The use of sensor technology / video recordings may require you to take appropriate steps to comply with the currently effective data protection regulations.  |
| 1. Are you going to comply with the provisions of the [Code of Practice](https://www.austriatech.at/assets/Uploads/Fokusseiten/Kontaktstelle-Automatisierte-Mobilitaet/Dokumente/3690808093/Code-of-Practice_EN_062022.pdf)? If not, please explain which specific provisions cannot be complied with and why – [fill-in-assistance](#Ausfüllhilfek)

Text.  |
| 1. Additional information

Text.  |

 **The following documents must be attached to this application:**

* Valid driving licences of all operators for the respective vehicle category to be used (as a scan)
* Written confirmation of additional driver training for all operators
* Proof of adequate briefing of the operators on the specific test project
* Proof of valid motor vehicle liability insurance
* Report on the results of the route analysis and risk assessment
* Proof of written notification of the provincial governor and ASFINAG (if test runs are planned on the ASFINAG network)

**Please note that the certificate can only be issued after all documents have been submitted in full.**

**Note:**

**The data provided in connection with your application will be processed pursuant to Art. 6 (1) lit e DSGVO for the purpose of issuing the certificate required for the testing of automated vehicles on roads which are publicly accessible (KFG; AutomatFahrV) by the Federal Ministry for Climate Protection, Environment, Mobility, Innovation and Technology (“BMK”) as the responsible party pursuant to Art 4 Z7 DSGVO, whereby AustriaTech will be used as a processor pursuant to Art 4 Z8 DSGVO by the Federal Ministry for Climate Protection, Environment, Mobility, Innovation and Technology to collect and process the data. When an application is submitted, information is collected on the applicant organisation and its contact person, as well as on the driver of the vehicle used for the test drives. This information is required for the evaluation and verification of the application, for issuing a test certificate.**

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|  | **Data Subject** | **Type of data which is subject to the processing** | **Period for which the personal data will be stored**  | **Recipients** |
| **1.** | **Project manager of the test program** | **Contact details as indicated under point 2 in the test application** | **7 years (from the date of issuing the certificate)** | **AustriaTech GmbH; BMK; Automated Mobility Advisory Board; road operator** |
| **2.** | **Operators (test drivers) of the test program** | **Personal data provided in accordance with points 7 to 9 in the test application** | **7 years (from the date of issuing the certificate)** | **AustriaTech GmbH; BMK; Automated Mobility Advisory Board; road operator** |
| **3.** | **Other** | **Personal data provided in accordance with points 7 to 10 in the test application** | **7 years (from the date of issuing the certificate)** | **AustriaTech GmbH; BMK; Automated Mobility Advisory Board; road operator** |

**The data submitted is forwarded to the Automated Mobility Advisory Board for assessing all applications for test drives with automated vehicles in Austria. In the case of test drives on freeways and expressways, the road operator gets informed about the planned test project in general (planned use case, test route or test area, applicant organisation) for the purpose of early involvement in planning and preparation.** **The road operator is listed as a recipient, even if (in general) no personal data is transmitted to the road operator.** **In the area of the federal government, the data collected within the legal framework of the AutomatFahrV, in accordance with the GDPR, is stored and posted in a standardized process by means of ELAK (electronic file in the federal government) for the necessary period of time. .**

**It should be noted that applicants must ensure that, before disclosing the personal data of operators and project managers, any necessary consent to the processing of the data is obtained from the data subjects as described in this document (under point k).**

**By submitting this application, you agree that AustriaTech or the BMK may use and publish the following data for public relations purposes:**

* **Summary of the requested test scenario according to (§ 1 Abs. 3 Z. 2 lit. a)**
* **Name of the testing institution (§ 1 Abs. 3 Z. 2 lit. b)**
* **Test locations and period (§ 1 Abs. 3 Z. 2 lit. h-i)**
* **Number of vehicles tested**

**By obtaining the test certificate, you are obligated to submit a test report on the content, the progress and the findings of the test trial every six months to AustriaTech.**

**Contact data of state governors:**

Burgenland: post.a2-verkehr@bgld.gv.at

Carinthia: abt7.post@ktn.gv.at

Lower Austria: post.ru6@noel.gv.at

Upper Austria: verk.post@ooe.gv.at

Salzburg: landesbaudirektion@salzburg.gv.at

Styria: abteilung16@stmk.gv.at

Tyrol: verkehr@tirol.gv.at

Vorarlberg: verkehrsrecht@vorarlberg.at

Vienna: post@ma65.wien.gv.at

*Please notify those states in writing where you will be conducting the test drives.*

**Contact data of ASFINAG:**

konzernsteuerung@asfinag.at

**In accordance with the General Data Protection Regulation (GDPR), data subjects are entitled to the following rights – provided that the respective statutory requirements are met:**

1. Right of access by the data subject (according to Art 15 GDPR):

Every data subject affected by the data processing has the right – after proving his identity – to request information regarding whether his or her personal data are processed and to request information on these data and the information.

2. Right to rectification (according to Art 16 GDPR):

If the personal data are incorrect or incomplete, the data subject affected may — where necessary by means of a supplementary declaration — request the rectification or completion of the data concerning him or her within the scope of the processing purposes.

3. Right to erasure (according to Art 17 GDPR):

The data subject may request the erasure of personal data concerning him or her if the legal requirements of Art 17 GDPR are met.

However, the right to erasure does not exist if the processing occurs for the fulfilment of a legal obligation or for the performance of a task carried out in the public interest or in the exercise of official authority or if it is necessary for the assertion, exercise or defence of legal claims.

4. Right to restriction of processing (according to Art 18 GDPR):

Every data subject has the right to have the processing of his or her personal data restricted if the legal requirements of Art. 18 GDPR are met.

However, restricted data may still be used for the protection of the rights of another person, for substantial public interest or for the assertion, exercise or defence of the legal claim.

5. Right to object (according to Art 21 GDPR):

The data subject has the right to file an objection to the processing of personal data concerning him at any time due to reasons arising from his particular situation on the legal basis of Article 6 (1) point (e) respectively point (f) of the GDPR.

However, an objection may be rejected if it is shown that there are compelling legitimate grounds for the processing which override the interests, rights or freedoms of the data subject, or the data processing is for the establishment, exercise or defense of legal claims..

6. Right to lodge a complaint with a supervisory authority:

Every data subject has the right to lodge a complaint with the Data Protection Authority, Barichgasse 40-42, 1030 Vienna, dsb@dsb.gv.at.

7. Assertion of the aforementioned data subject rights:

To assert the aforementioned rights of data subjects, please contact us directly at the following e-mail address: (datenschutzbeauftragter@austriatech.at).

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Place, Date Signature