
Legislative decree on testing with self-driving motor vehicle

Pursuant to Section 92g(5), (8) and (9), Section 92h(6), Section 118(15) and Section 134a(1) and (2) of the Road Traffic Act,

cf. statutory order No 1312 of 26 November 2024 as amended by Act No 566 of 27 May 2025 and Act No 567 of 27 May 2025 and following consultation with the Minister for Justice, the following are established under and pursuant to Section 7 (1) of Order No 845 of 25 June 2025 on the tasks and authorities of the Danish Road Directorate:

Objective

Section 1. This order establishes detailed rules for the testing of self-driving motor vehicles.

Scope of application

Section 2. The Danish Road Directorate may, pursuant to this order and in accordance with Section 92 h(1) of the Road Traffic Act, grant authorisation to carry out tests on self-driving motor vehicles. In connection with this, the Danish Road Directorate must ensure that the road authority, police and any private road owners have been consulted.

Section 3. Tests must be carried out with self-driving motor vehicles up to level 4 according to SAE standard J3016.

(2) Tests must be conducted in specific areas and may be limited to specific times.

Definitions

Section 4. The following definitions apply for the purposes of this Order:

- 1) *Manual driving:* Driving by which a natural person either does the driving or monitors the driving and ensures that the vehicle is driven in accordance with the rules of the Road Traffic Act.
- 2) *Automated driving:* Driving by which the technical equipment of the vehicle controls the vehicle and monitors the driving and ensures that the vehicle is driven in accordance with the rules of the Road Traffic Act.
- 3) *Driver:* A natural person who is in the vehicle and who is responsible for taking over the driving when this is indicated by the technical equipment of the self-driving motor vehicle, or when the person considers that there is a need for it.
- 4) *Operator:* A natural person who is outside the vehicle and who is responsible for taking over the driving when this is indicated by the technical equipment of the self-driving motor vehicle, or when the person considers that there is a need for it.

The natural person

Section 5. Tests require the participation of a natural person who can either participate as driver or operator of the self-driving motor vehicle and who has the responsibility to take over the driving, when this is indicated by the technical equipment of the self-driving motor vehicle, or when the natural person considers that there is a need for it.

(2) The natural person, cf. (1) shall have obtained a driving licence for the vehicle category in question and shall comply with the rules on drink-driving and driving under the influence of consciousness altering drugs in Sections 53 and 54 of the Road Traffic Act, cf. Section 92 g(3), second sentence.

(3) Section 55(1)-(3) of the Road Traffic Act and provisions laid down pursuant to Section 55(4) shall apply to the natural person at all times during manual and automated driving, cf.

(1). Section 77(1) of the Road Traffic Act applies mutatis mutandis, regardless of whether the self-driving unit is driven manually or automatically.

(4) It shall be the responsibility of the authorised person to ensure that the natural person, cf. (1) has received adequate instruction to steer the vehicle with the special control unit of the vehicle.

Recording and storage of data

Section 6. When tests are carried out, whether or not the vehicle was driven manually and automatically must be registered and saved.

The application

Section 7. Applications for authorisation for tests shall be submitted to the Road Directorate together with a detailed description of the test.

(2) The application must include the following:

- 1) a description of the motor vehicles included in the test,
- 2) a detailed plan for conducting the test, including the levels of automation involved,
- 3) a description of the area in which the test is to be carried out, including an indication of the road sections covered on a map annex,
- 4) a description of the traffic and weather conditions during which the test is expected to be carried out,
- 5) a description of the test organisation and
- 6) a detailed plan for the collection, registration, systematisation, storage, use, disclosure, communication, interconnection and erasure of data generated in connection with the driving.

(3) The application must be accompanied by an assessment by an approved assessor on the consequences for road safety when carrying out the test in accordance with the rules laid down in the order on assessors in connection with tests for self-driving motor vehicles.

Authorisation

Section 8. Authorisation may be granted for a period of up to 2 years. The authorisation may be renewed by the Road Directorate after consultation with the road authority, police and any private road owners.

(2) The Road Directorate may at any time revoke authorisation for tests with the effect that the testing must be brought to an immediate end.

Penalties

Section 9. The rules laid down in Chapters 17 and 18 of the Road Traffic Act on punishment and disqualification from driving, etc. apply when a natural person, cf. Section 5(1), in connection with manual or automated driving, has taken over the driving of the self-driving motor vehicle.

(2) The rules in Chapters 17 and 18 of the Road Traffic Act on punishment and disqualification from driving, etc. also apply if the natural person, cf. Section 5(1), in connection with manual or automated driving, fails to take over the driving of the self-driving motor vehicle when this is indicated by the vehicle's technical equipment or when there is otherwise a need for it.

(3) The rules in Chapters 17 and 18 of the Road Traffic Act on punishment and disqualification from driving, etc. in connection with infringements of Sections 53 and 54 of the Road Traffic Act apply to a natural person, cf. Section 5(1), notwithstanding (1) and (2), at all times during automated driving.

Section 10. Similarly, a fine under Section 118(1)(2) of the Road Traffic Act will be imposed on anyone who fails to comply with the conditions for authorisation granted under this decree.

Section 11. The authorised person may be liable to a fine for infringement of Sections 5(4) and 6 of this order.

(2) Unless the natural person, cf. Section 5(1), incurs criminal liability, cf. Section 9(1) and (2), the authorised person will be fined for violating the rules of the Road Traffic Act.

Criminal liability for legal persons

Section 12. Companies, etc. (legal persons) may be rendered criminally liable in accordance with the provisions of Chapter 5 of the Penal Code.

(2) Criminal liability under Section 11(2) may be imposed on the authorised person even though, within the legal person's undertaking, no infringement is attributable to one or more persons related to the legal person or the legal person as such.

Right of appeal

Section 13. Appeals against decisions of the Road Directorate under this Order may not be brought before the Minister for Transport or any other administrative authority.

Entry into force

Section 14. The legislative order enters into force on 1 July 2025.

(2) The following orders are repealed:

- 1) Order No 1292 of 3 December 2019 on tests by the Municipality of Aalborg with self-driving motor vehicles on Astrupstien and Jerupstien.
- 2) Order No 206 of 16 March 2020 on Autonomous Mobility A/S testing of self-driving motor vehicles in Copenhagen Nordhavn.
- 3) Order No 453 of 20 April 2020 on Autonomous Mobility A/S' testing of self-driving motor vehicles at Slagelse Hospital and Psychiatry Hospital Slagelse.
- 4) Order No 440 of 15 March 2021 on tests of self-driving motor vehicles by Nobina Danmark A/S on DTU Campus in Lyngby is hereby repealed.

Danish Road Directorate, 24 June 2025

Jens Holmboe

/ Lasse Mohr-Winterberg