

16 April 2026

Questions on RDW's Approval of Tesla FSD Supervised

Dear [RDW Representative],

I am writing to you regarding the recent provisional EU type-approval of Tesla's FSD Supervised.

ETSC has consistently raised serious road safety concerns regarding assisted driving systems that permit hands-off use and system-initiated manoeuvres. The provisional approval of Tesla's FSD Supervised therefore raises significant concerns, particularly as its functionality appears to go beyond what is foreseen in the forthcoming 02 series of amendments to UN Regulation No 171 – an expansion of the DCAS framework that we have already raised a number of serious concerns about.

In particular, RDW's statement that "using this driver assistance system correctly makes a positive contribution to road safety" is difficult to reconcile with the current evidence base.¹ While acknowledging differences between EU (DCAS) and US systems, available research has found no convincing evidence that assisted driving systems deliver safety benefits beyond those already provided by mandatory crash avoidance technologies such as AEBS and lane departure prevention.²

Given the lack of convincing data in prior regulatory discussions demonstrating that assisted driving systems deliver safety benefits beyond comfort and convenience, we kindly request detailed evidence underpinning RDW's statement, as well as clarification on key aspects of the approval and operation of FSD Supervised.

We would therefore like to pose the following questions regarding the approval of FSD Supervised by RDW:

1. Can evidence supporting RDW's conclusion that FSD Supervised makes a positive contribution to road safety be made public? In particular evidence demonstrating safety benefits beyond those delivered by EU-mandatory crash avoidance systems such as AEBS and ELKS.
2. Can a description of the driver monitoring system be made public, including a description of how it assesses that the driver's "hands are available to take over the steering wheel" immediately and what the resulting expectations/requirements are for human drivers? In addition, does it require both hands to be at the ready, or only one hand? How does the

¹ RDW. 2026. RDW explanation of European type approval Tesla with provisional validity in the Netherlands. <https://www.rdw.nl/en/news/2026/rdw-explanation-of-european-type-approval-tesla-with-provisional-validity-in-the-netherlands>

² IIHS-HLDI. 2024. IIHS-HLDI research finds little evidence that partial automation prevents crashes. <https://www.iihs.org/news/detail/iihs-hldi-research-finds-little-evidence-that-partial-automation-prevents-crashes>

system detect and respond to situations where the driver is holding an object (e.g. a smartphone), potentially impairing their ability to intervene?

3. Can evidence on the effectiveness of the driver monitoring system be made public, including quantified impacts of hands-off driving on driver reaction times? How accurate and reliable are the system's detection capabilities for scenarios in which the driver is holding an item in their hand?
4. Was FSD Supervised tested in other EU Member States during the approval process? How has RDW verified that the system operates at an equivalent level of safety across all EU Member States, given differing road environments and traffic conditions?
5. Have the aspects of FSD Supervised that do not conflict with the regulatory requirements been approved in accordance with the requirements in the 01 series of amendments to UN Regulation No 171? To what extent were the provisions of the forthcoming 02 series of amendments taken into account during the approval process?
6. How is the real-world safety performance of FSD Supervised monitored by RDW? And do the in-service monitoring and reporting requirements of UN R171 apply?
7. NHTSA recently escalated its investigation into FSD's degradation detection system, as it is concerned that FSD fails to detect and/or fails to warn the driver appropriately when its camera system is not operating as it should, for example due to glare.³ FSD is also under investigation by NHTSA for traffic law violations such as ignoring red traffic lights.⁴ Was RDW aware of these investigations by NHTSA? If so, how were these concerns addressed during the approval process, and what specific measures have been implemented to mitigate these issues in the European version of FSD Supervised?
8. Is the operation of FSD Supervised allowed during nighttime? If so, was its performance under nighttime conditions explicitly tested and validated?
9. The NTSB recently concluded that drivers' overreliance on assisted driving system had contributed to two fatal crashes in the USA.⁵ How were risks of driver overreliance, overconfidence, and foreseeable misuse over prolonged use (days, weeks, months) assessed during the approval process?

Thank you in advance for considering these questions.

Kind regards,

Frank Mütze

³ NHTSA. 2026. <https://static.nhtsa.gov/odi/inv/2026/INOA-EA26002-10023.pdf>

⁴ NHTSA. 2025. <https://static.nhtsa.gov/odi/inv/2025/INOA-PE25012-19171.pdf>

⁵ NTSB. 31 March 2026. <https://www.nts.gov/news/press-releases/Pages/NR20260331.aspx>