

Disclaimer

The following document is a translation from Hebrew of the Road Traffic Ordinance Amendment Law (No. 130) 2022 for convenience of use and is not legally binding. The legally binding version is the Road Traffic Ordinance Amendment Law (No. 130) 2022 as published in Hebrew in *Reshumot*, the official gazette of the State of Israel. Shall there be a conflict or a discrepancy between this version and the official publication the latter shall prevail.

Road Traffic Ordinance Amendment Law (No. 130), 5782 – 2022*

Amendment of
Section 1

1. In the Road Traffic Ordinance¹ (hereinafter: "the Ordinance"), in Section 1 –
 - (1) The following will be added at the end of the definition of the term "Owner":

"(5) For the purposes of an Autonomous Vehicle, for which an Operation Permit has been granted in accordance with the provisions set forth in Section 16F. – an Operation Permit Holder;"
 - (2) The definition of "Speed Limiting Device" will be followed by:

"The Director of the National Road Safety Authority" – The director as defined in the National Road Safety Authority Law, 5766 – 2006;"
 - (3) In the definition of the term "Vehicle", "that the Minister of Transportation" will be replaced by "that the Minister";
 - (4) The definition of "Work Vehicle" will be followed by:

"Autonomous Vehicle" – A motor vehicle fitted with self-driving systems and other computer systems, and which is classified in the vehicle license as an Autonomous Vehicle, whether the self-driving system installed in it is capable of operating without having a set an Operation Design Domain, as defined in Section 16.iv, or whether said system is only capable of operating within the confines of the Operation Design Domain set in it;"
 - (5) In the definition of the term "Guarantee", the term "Motor Vehicle Insurance Ordinance [New Version], 5730 – 1970" will be replaced by "the Insurance Ordinance";
 - (6) In the definition of the term "Policy", the term "Motor Vehicle Insurance Ordinance [New Version], 5730 – 1970" will be replaced by "the Insurance Ordinance";

*Passed by the Knesset on 5 of Adar B 5782 (March 8, 2022); The bill and notes were published in Government Bills – 1440, on 3 of Elul 5781 (August 11, 2021), P. 632.

¹ The Laws of the State of Israel, New Version 7, P. 173; 5782 Gazette, P. 113.

(7) The definition of the term "Policy" will be followed by:

""The Insurance Ordinance" – The Motor Vehicle Insurance Ordinance [New Version], 5730 – 1970;"

(8) In the definition of the term "Traffic Commissioner", "that the Minister of Transportation" will be replaced by "that the Minister";

(9) In the definition of the terms ""Central Signage Authority", "Local Signage Authority" and "Sign"", the words "5721 – 1961" will be stricken;

(10) In the definition of the term "Taxi Operating License", the term " the Regulations" will be replaced by "the Traffic Regulations";

(11) In the definition of the terms "Insurance Certificate" and "Guarantee Certificate", the entire last section beginning with the words "in the Insurance Ordinance" will be replaced by "in the Insurance Ordinance";

(12) The definition of the terms ""Insurance Certificate" and "Guarantee Certificate"" will be followed by:

""Traffic Regulations – The Traffic Regulations, 5721 – 1961".

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| Amendment of Section 2 | 2. | The language currently included in Section 2 of the Ordinance will be marked as (a), and will be followed by:

"(b) No person shall operate a motor vehicle fitted with a Self-driving system as defined in Section 16.iv, unless said vehicle has been registered in accordance with this Ordinance and has a valid vehicle license issued in accordance with this Ordinance and subject to the provisions set forth in Section 16.xiv". |
| Amendment of Sections 3, 4, 12, 13, 14.A. 14.B. 14.D., 14.E., 16.i. and 16.ii. | 3. | In Sections 3 (a.1.), 4(a), 12, 13, 14.A(a), 14.B(b) and (c), 14.D(b), 14.(E(a)(2), (c) and (d), 16.I(b) and 16.II(b) of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister", and the phrase "that the Minister of Transportation" will be replaced by "that the Minister". |
| Adding Article F to Chapter 2 | 4. | Section 16.ii. of the Ordinance will be followed by: |

"Article F: Trial Operation of a Driverless Autonomous Vehicle"

Purpose – Article F. 16.iii The Purpose of this Article is to put in place arrangements that will allow the operation of a driverless Autonomous Vehicle, for the purpose of a trial run, while maintaining the safety of the passengers in the vehicle and of other road users and using various technologies, to form a foundation of knowledge in relation to the safety of Autonomous Vehicles, their ability to safely integrate into the traffic of other road users while providing service to passengers, and their influence of road traffic, and to provide the public with access to such knowledge in order to generate public trust in the vehicle.

Definitions – Article F.16.iv In this Article –

"Safety Incident" – An incident which affected or could have affected the safe operation of an Autonomous Vehicle, including a breach of any of the provisions set forth herein concerning road conduct;

"Severe Safety Incident" – A Safety Incident leading to personal injury or to severe damage to property;

"Cyber Security" – Protective measures for a computer, computer material and data communication to and from a computer against a cyber-attack, including actions for the detection, prevention or resolution of such an attack and the mitigation of the damage caused by, during or after it. For the purposes of this matter: "Data Communication" – The transfer of computer materials from one computer to another through the communication or link of one computer with another;

"Operation Permit" – A permit for the operation of an Autonomous Vehicle for trial purposes, issued by the National Traffic Commissioner in accordance with the provisions set forth in Section 16.vi.;

"Operation" for the purposes of an Autonomous Vehicle – Issuing an order in a computer readable language, to a Self-driving system, which causes an Autonomous Vehicle to take one or more trips, without a driver, regardless of the trip destination or route;

"Trial Operation of an Autonomous Vehicle" – An Operation for the purposes of testing the vehicle as specified in the first part of Section 16.vi.;

"The Advisory Board" – The committee established in accordance with Section 16.xxi.;

"Computer Material", "Computer", "Output", "Computer Readable Language" and "Software" – As defined in the Computers Law, 5795 – 1995²;

"Self-Driving System" – A hardware and software system installed on the vehicle, meeting the requirements determined in Section 16.xiv. and capable of performing the following actions autonomously:

- (1) Preform vehicle driving operations without a driver;
- (2) Conduct secure two-way communication with the control center;
- (3) Transfer to Minimal Risk Mode and operate in this mode, when there is an impediment preventing the continuation of the trip through the system;

"Minimal Risk Maneuver" – an Autonomous Vehicle mode of operation, designed to minimize to the fullest extent possible any risk of injury to other road users, damage to property or traffic disturbance caused by the vehicle, including bringing the vehicle to a complete stop on the side of the road and not in a traffic lane;

² 5795 Gazette, P. 366.

"Supervisor" – The individual certified to act as a supervisor in accordance with Section 16.xviii. for the purposes of this Article;

"Operation Design Domain", for the purposes of Self-Driving System – The environmental and physical conditions in which a Self-Driving System can operate, including conditions related to geographic space, volume of traffic, time, weather conditions and type of road;

"Control Center" – A manned facility available at all times to the Permit Holder, facilitating secure two-way communication with the Self-Driving System, to achieve each of the following:

- (1) Instructing the Self-Driving System to execute a certain driving operation;
- (2) Instructing the Self-Driving System to transfer the vehicle to Minimal Risk Maneuver when there is an impediment preventing the continuation of the trip through the system, either proactively or following an indication offered by the system;
- (3) Receiving messages from the Self-Driving System, including messages concerning the transfer of the vehicle to Minimal Risk Maneuver;

"Trial" in an Autonomous Vehicle – Using new technology or existing technology in a new way to operate an Autonomous Vehicle, in order to examine the function of said technology on the road;

"Control" – As defined in the Communications Law (Telecommunications and Broadcasting), 5742 – 1982³;

"Cyber Attack" – any of the following:

³ 5742 Gazette, P. 218.

(1) An action performed on Computer Material and designed to cause harm to a Computer, Computer Material or the Data Communication to or from the computer;

(2) Unauthorized access to Computer Material or to the data communication to or from the computer;

The Duty to obtain
an Operation Permit

16.v. (a) No person shall operate a motor vehicle on the road through a Self-Driving System, unless they had first obtained an Operation Permit for said vehicle, and they are acting in accordance with the conditions set forth therein and in accordance with the provisions set forth in this Ordinance.

(b) Owners or holders of an Autonomous Vehicle shall not enter into agreements for the operation of the vehicle with any other person, unless said other person has an Operation Permit for that vehicle.

(c) The provisions set forth in this Section will not apply to the operation of an Autonomous Vehicle on the road through a Self-Driving system, when it is empty of passengers and the National Traffic Commissioner has granted it with an exemption from one or more of the provisions set forth in the Traffic Regulations, by virtue of the power granted to them in accordance with said Regulations, provided all the following conditions are met:

(1) The operation is done in the presence of a licensed driver sitting in the driver's seat or in any other seat from which all the driving operations can be performed;

(2) Any condition determined by the National Traffic Commissioner, and as long as the vehicle is operated in accordance with the terms determined as part of the exemption.

Conditions for Issuing 16.vi (a) The National Traffic Commissioner may grant a
an Operation Permit permit for the road operation of one or more driverless
Autonomous Vehicles through a Self-Driving System, for
the purpose of the performance of a trial with the vehicle,
including while transferring passengers, whether with or
without pay, to anyone who has filed an application for
such in accordance with Section 16.vii. (in this Section –
"the Applicant"), in accordance with the provisions set
forth in sub-section (d) and if all the following conditions
are met:

(1) The Applicant is a company incorporated
in Israel in accordance with the Companies Law,
5759 – 1999⁴ (in this Section – "the Companies
Law"), whose main offices are located in Israel;

(2) Neither the Applicant, a controlling
interest holder in the Applicant nor any of its
officers have been convicted of a criminal or
disciplinary offence, which, by its very nature,
severity or circumstances, precludes the Applicant
from being worthy of being a Permit Holder, and
no indictment or complaint have been filed against
them for any such offence. For the purposes of this
matter, "Officer" – as defined in the Companies
Law;

(3) The Applicant Operates a Control Center
located in Israel, or they have entered into an
engagement with such a Control Center for the
operation of an Autonomous Vehicle, and the
Control Center complies with all the terms set forth
in Appendix 14;

(4) The Applicant has demonstrated the
existence of the infrastructure required for
conducting secure two-way communication
between the Control Center specified in paragraph
(3) and the Self-Driving System installed on the
Autonomous Vehicle subject of the application;

⁴ 5759 Gazette, P. 189.

(5) The Applicant has submitted a detailed operational plan made in accordance with the provisions set forth in Appendix 14 to the National Traffic Commissioner, and has proven their ability to execute said plan;

(6) The Applicant conducted, during the operation planning stage, a documented risk management procedure, which included the employment of risk mitigation measures, including measures related to Cyber Security;

(7) The Applicant has proven their ability to fulfill the duties imposed on a Permit Holder in accordance with Section 16.xii.;

(8) The Applicant has in their possession a valid insurance policy which they purchased in accordance with the Insurance Ordinance, which insures the operation of the Autonomous Vehicle subject of the permit application, and if the Minister of Finance has also determine a duty to obtain third party liability insurance in accordance with the provisions set forth in Section 16.vii(c) – the Applicant also has in their possession such a valid insurance policy which they purchased. Notwithstanding the aforesaid, should the Applicant not have such a policy in their possession at the time of filing the application, they may hold, in lieu of said policy, a certificate of undertaking to provide a policy which was issued by an insurer. However, they may not commence the operation in accordance with the permit without a valid insurance policy;

(9) If the Minister has determined, in accordance with sub-section (c)(1), that the Applicant must furnish a guarantee or promissory note as specified in that sub-section – the Applicant has furnished such guarantee or promissory note as aforesaid;

(10) The Applicant has presented a Cyber Security plan for all the systems required for the operation of the Autonomous Vehicle, as specified in Appendix 14;

(11) Any additional condition determined by the Minister in accordance with sub-section (c) has been met.

(b) The Minister may stipulate further provisions in addition to those set forth in Appendix 14, in relation to the conditions specified in sub-section (a), including provisions regarding the following matters:

(1) The management and operation of the Control Center, including provisions concerning –

(a) The hiring of employees for the center, including qualifications and conditions regarding a criminal record;

(b) A training plan for center employees;

(2) The submission of a detailed operation plan as specified in sub-section (a)(5) and the details to be included in such a plan, including the following:

(a) If the Self-Driving System installed on the Autonomous Vehicle is only capable of operating within the Operation Design Domain set for it – a description of the Operation Design Domain and a description of the behavior of the Autonomous Vehicle in case it exists said domain;

(b) A safety plan regarding the operation and behavior of the Autonomous Vehicle in various situations;

(c) Means for protection against Cyber Attacks.

(c) The Minister may promulgate regulations determining –

(1) Provisions regarding guarantees and promissory notes the Permit Holder must furnish to guarantee their full compliance with the terms of the permit and to fulfill the purposes of this Article and the provisions set forth under it, including the manner of their seizure or realization;

(2) Methods for proving the fulfillment of the conditions specified in sub-section (a);

(3) Conditions for the receipt of an Operating Permit, in addition to those specified in sub-section (a).

(d) The National Traffic Commissioner may issue Operation Permits in accordance with the provisions set forth in this Section for no more than 500 Autonomous Vehicles. The Minister, after consulting with the Minister of Finance and with the approval of the Knesset's Economic Affairs Committee, may issue an order changing said number, considering also the experience accumulated from the Trial Runs of Autonomous Vehicles executed in accordance with this Article.

Applying for an
Operation Permit and
Issuing a Permit

16.vii (a) Any party seeking an Operation Permit will submit an application for an Operation Permit to the National Traffic Commissioner, who will provide instructions concerning the manner of filing an application for an Operation Permit, including for digital submissions.

(b) In making a decision concerning the issuing of an Operation Permit in accordance with this Article, the National Traffic Commissioner will consider, without limitation, the following:

(1) The safety of road users during the operation of the Autonomous Vehicle, including the safety of its passengers;

(2) The expected influence on traffic flow in the roads and on the ability to operate a Security Vehicle, as defined in this Ordinance, resulting from the Trial Run of the Autonomous Vehicle, and other effects said operation may have on traffic and on road users.

(c) Should the Advisory Board submit a report to the Minister in accordance with the provisions set forth in Section 16.xi(c)(7), the National Traffic Commissioner will take the information presented therein into account when making their decision as specified in sub-section (b).

(d) The National Traffic Commissioner may request that permit applicants submit any information they require in order to reach a decision concerning the Operation Permit application, and applicants will provide them with all the information they require as aforesaid.

(e) Should the National Traffic Commissioner issue a permit in accordance with the provisions set forth herein, they will immediately inform the Head of the Traffic Department at the Israel Police of the issued permit and its details.

Terms of the Operation 16.viii (a) The National Traffic Commissioner will determine
Permit the following in the Operation Permit:

(1) Terms for the execution of the Trial Run, including –

(a) Provisions regarding the transportation of passengers in an Autonomous Vehicle used as part of the Trial Run, whether with or without pay;

(b) After consulting with the Head of the Traffic Department at the Israel Police – one or more areas where the Trial Run will be executed. Should the position of the Head of the Traffic Department not be provided as aforesaid within 21 days of the National Traffic Commissioner contacting them regarding this matter, once said period has passed, the National Traffic Commissioner will be considered as having met their obligation to consult with them in accordance with this sub-section;

(c) If the Self-Driving System is installed in the Autonomous Vehicle subject of the permit can only operate within a set Operation Design Domain and in accordance with said Domain – such a Domain;

(d) Instructions concerning Cyber Security;

(2) The number of such Autonomous Vehicles the Permit Holder may operate as part of the Trial Run, as well as details concerning said vehicles determined by the Minister, should any have been determined.

(b) The National Traffic Commissioner may define in the Operation Permit duties that will apply to the Permit Holder in addition to those imposed on them in accordance with Section 16.xii., and instructions concerning the management and operation of the Control Center, which will apply in addition to those instructions determined by the Minister in accordance with Section 16.vi(b)(1).

(c) The National Traffic Commissioner may, at any time during the Operation Permit's validity period, change, including by addition or subtraction, terms they have included in the permit in accordance with sub-sections (a) and (b), provided they first provided the Permit Holder with an opportunity to present their case. Any such change in the terms may be made, without limitation, in accordance with an incident investigation as specified in Section 16.xv(d). Should any terms change as aforesaid, the National Traffic Commissioner will immediately inform the Head of the Traffic Department at the Israel Police of such.

(d) When determining terms and duties and changes in them in accordance with this Section, the National Traffic Commissioner will take into account, without limitation, the considerations listed in Section 16.vii(b).

The Term of the
Operation Permit and
its Renewal

16.ix (a) The Operation Permit will be valid for three years, unless the permit applicant asked that their permit be issued for a shorter period, or if the National Traffic Commissioner decided to issue it for a shorter period, for reasons to be specified in their decision.

(b) Subject to the provisions set forth in Section 16.xi., the National Traffic Commissioner, after consulting with the Head of the Traffic Department at the Israel Police, may renew the term of validity of an Operation Permit by additional periods at the Permit Holder's request, provided all the permit validity periods do not total more than nine years. Should the position of the Head of the Traffic Department not be provided as aforesaid within 14 days of the National Traffic Commissioner contacting them regarding this matter, once said period has passed, the National Traffic Commissioner will be considered as having met their obligation to consult with them in accordance with this sub-section;

(c) The National Traffic Commissioner may renew the validity period of an Operation Permit in accordance with the provisions set forth in sub-section (b), if they believe that the Trial Run of the Autonomous Vehicle subject of the permit needs to be continued to achieve the goals of the Trial, provided the conditions for granting the permit specified in Section 16.vi. and the terms included in the permit specified in Section 16.xiii. are still met, and the Permit Holder has fulfilled all the duties imposed on them in accordance with the Ordinance. The National Traffic Commissioner's decision concerning the renewal of the permit will be granted within a period of no more than 90 days of the day of submission of the permit validity renewal application.

No Transfers

16.x

(a) The Operation Permit granted in accordance with this Article is non-transferable, unless the National Traffic Commissioner granted their approval to such, and such transfer is done in accordance with the conditions determined by them.

(b) The Transfer of control of a Permit Holder requires the advance and written approval of the National Traffic Commissioner, who may also determine that such a transfer requires the issuing of a new Operation Permit.

(c) An approval in accordance with sub-section (b) will be issued within 60 days of the day of submission of the application for approval, if the National Traffic Commissioner was convinced that the transferee meets all the conditions required for receiving an Operation Permit.

The Cancellation,
Suspension or
Limiting of an
Operation Permit, or
a Refusal to Renew It

16.xi

(a) The National Traffic Commissioner may cancel an Operation Permit, suspend it until the conditions they determine are met, limit it, or refuse to renew it, upon the occurrence of one of the following:

(1) The permit was issued based on false, wrong, misleading or partial information;

(2) Any of the conditions required for the receipt of the permit are no longer met;

(3) The Permit Holder breached one of the permit's fundamental terms;

(4) The Permit Holder violated a duty or prohibition imposed on them in accordance with this Ordinance;

(5) An Autonomous Vehicle operated by virtue of the permit was involved in a Severe Safety Incident;

(6) There is a pending execution order issued against the Permit Holder in accordance with the Insolvency and Economic Rehabilitation Law, 5778 – 2018⁵, they decided to enter voluntary liquidation, or the court has appointed a receiver for them or ordered their liquidation.

(b) The National Traffic Commissioner will not cancel, suspend, limit or refuse to renew an Operation Permit in accordance with this Section until the Permit Holder has been given an opportunity to make their case. However, if the National Traffic Commissioner has good reason to believe that the Operation Permit Holder meets any of the grounds listed in sub-section (a), and has been convinced that the permit must urgently be suspended to protect the safety of the public, they may immediately suspend the permit, provided they grant the Permit Holder an opportunity to make their case as soon as possible after the suspension, and no later than 30 days after the day of the suspension. Such suspension will be for the minimal required period.

(c) The National Traffic Commissioner will immediately inform the Head of the Traffic Department at the Israel Police of the cancellation, suspension or limitation of an Operation Permit or of the refusal to renew it in accordance with this Section.

Duties of an Operation Permit Holder 16.xii (a) The Operation Permit Holder will fulfill all the duties imposed on them in accordance with Appendix 14.

⁵ 5778 Gazette, P. 310.

- (b) (1) In addition to the provisions set forth in sub-section (a), the Permit Holder will save the information collected in accordance with Appendix 14, and any other information which may be determined by the Minister (in this sub-section: "Information"), and will deliver it to the National Traffic Commissioner and to the Head of the Traffic Department at the Israel Police or to anyone on their behalf. The Permit Holder will also deliver real-time Information, if such is urgently required by the Israel Police due to an incident related to the operation of an Autonomous Vehicle.

(2) The National Traffic Commissioner will deliver the Information they received in accordance with paragraph (1) to the Director of the National Road Safety Authority and to any other entity determined by the Minister, with the approval of the Knesset's Economic Affairs Committee, for the fulfillment of their roles in accordance with any law.

(3) The Permit Holder will not deliver Information allowing the identification of a person who is not taking part in the Trial Run on behalf of the Permit Holder and who did not consent to the delivery of said information.
- (c) The collection and storage of information in accordance with this Section will be done in a manner minimizing to the fullest extent possible any risk of violating the privacy of the passengers in the Autonomous Vehicles and of other road users.
- (d) The provisions set forth in sub-section (b) may not prevent the delivery of information from the Ministry of Transportation to the National Cyber Directorate for the performance of its roles.

(e) The Minister may define additional duties and requirements which will apply to an Operation Permit Holder in relation to their activities in accordance with the Operation Permit, regarding the following matters:

(1) The manner in which information collected in accordance with this Section is stored and the duration of its storage. The provisions set forth in this paragraph may not derogate from the provisions set forth in the Privacy Protection Law, 5741-1981;

(2) The transportation of passengers in an Autonomous Vehicle as part of its operation;

(3) The manner of fulfilling the duties listed in this Section and in Appendix 14, including those requirements related to Cyber Security.

(f) The Permit Holder will inform each and every passenger in an Autonomous Vehicle of the fact that such trip is carried out as part of a Trial Run of an Autonomous Vehicle.

(g) The Operation Permit Holder will submit a periodic report to the National Traffic Commissioner, concerning, without limitation, irregular incidents which occurred during the Trial Run, and a summary report concerning the Trial Run, all as specified in Appendix 14. The National Traffic Commissioner may instruct the Operation Permit Holder to include other details in these reports as will be instructed.

Exemption from 16.xiii (a)
Applicability,
Adjusted Applicability
or Application of the
Provisions Regarding
an Autonomous
Vehicle

(1) The Minister may promulgate regulations determining –

(a) That any of the provisions set forth in this Ordinance and applying to a motor vehicle or the systems installed in it, will not apply to an Autonomous Vehicle or to the systems installed in it, or that they will apply with the adjustments determined by the Minister;

(b) That any of the provisions set forth in this Ordinance and applying to a vehicle owner, will not apply to an Operation Permit Holder, or that they will apply with the adjustments determined by the Minister;

(c) That any of the provisions set forth in this Ordinance and applying to the driver of a motor vehicle or to driving such a vehicle, will apply to the operator of an Autonomous Vehicle or to the operation of such a vehicle, with or without adjustment, as will be determined.

(2) The Minister may determine conditions for the exemption from applicability, the adjustments or the application of the provisions as specified in paragraphs (1)(a) through (c), and may determine provisions which will apply instead of the provisions subject of an exemption as aforesaid.

(b) The National Traffic Commissioner, after weighing all the considerations listed in Section 16.vii(b), and if they found that such is required in relation to a certain Operation Permit Holder for the achievement of the goals for which the Operation Permit was issued, may determine in the Operation Permit that the Permit Holder will be exempt from the application of other provisions in addition to those provisions determined by the Minister in the regulations promulgated in accordance with sub-section (a), as specified in Sections A., B., and C. of Appendix 13, in their entirety or in part, or that said provisions will apply to them with the adjustments the Commissioner determines as aforesaid, and in the permit, they may condition the exemption from applicability or the adjustments in the conditions or determine provisions which will apply to the Permit Holder instead of the provisions subject of an exemption as aforesaid.

(c) The National Traffic Commissioner will not exercise their powers in accordance with sub-section (b) in relation to the provisions listed in Section A of Appendix 13 without first consulting with the Licensing Authority, and in relation to the provisions listed in Section C. of said Appendix – without consulting with the Head of the Traffic Department at the Israel Police. Should the position of the Head of the Traffic Department not be provided as aforesaid within 21 days of the National Traffic Commissioner contacting them regarding this matter, once said period has passed, the National Traffic Commissioner will be considered as having met their obligation to consult with them in accordance with this sub-section.

(d) Should the National Traffic Commissioner exercise their powers in accordance with sub-section (b), they will inform the Head of the Traffic Department at the Israel Police of such in any manner agreed between them.

(e) Notwithstanding the aforesaid in this Section, with respect to the operation of an autonomous vehicle as a taxi, the Minister or the National Traffic Commissioner will not determine regulations or provisions concerning any exemption, adjustment or change in the provisions set forth in this Ordinance concerning the operation of a taxi, in accordance with sub-sections (a) and (b), as the case may be, including in relation to a taxi operating license and fees in accordance with Article C in Chapter 2, unless such is mandated by the operation of said vehicle without a driver or by the use of the technological means installed in it for compliance with the provisions set forth in this Article.

Autonomous Vehicle License 16.xiv Without derogating from the provisions set forth in this Ordinance in relation to the issuing of a vehicle license, the Licensing Authority will issue a vehicle license for an Autonomous Vehicle in accordance with the provisions and terms specified in Appendix 14, including, without limitation:

(1) Terms concerning the Cyber Security of the Autonomous Vehicle's systems other than the Self-Driving System;

(2) Terms concerning the Self-Driving System installed in the Autonomous Vehicle, including terms governing the following matters:

(a) The system's abilities, safety and reliability, including in relation to Cyber Security;

(b) The system's compatibility with the Autonomous Vehicle;

(3) Methods for demonstrating compliance with the terms set forth in paragraphs (1) and (2), including:

(a) The terms listed in paragraph (1), whose fulfillment will be demonstrated, without limitation, through a document, including a declaration provided by the manufacturer of the vehicle or the systems;

(b) The terms listed in paragraph (2), whose fulfillment will be demonstrated, without limitation, through the performance of a trial or a lab test.

Safety Incidents and Severe Safety Incidents

16.xv (a) If a Safety Incident occurs, the Holder of the Operation Permit for the Autonomous Vehicle involved in the incident will inform the National Traffic Commissioner and the Head of the Traffic Department at the Israel Police of the incident within 24 hours of its occurrence, and if said incident is a Severe Safety Incident - immediately. The incident report will be delivered by the responsible officer on behalf of the Operation Permit Holder, as determined by the National Traffic Supervisor in the Operation Permit.

(b) A report submitted in accordance with sub-section (a) will include, without limitation, a description of the Safety Incident, its time and place, the details of the Autonomous Vehicle involved, details concerning injuries or damage caused, information from the cameras and sensors installed on the Autonomous Vehicle, the details of any other vehicle involved in the incident, if any were involved, and any other detail which could contribute to the understanding of the circumstances and causes of the incident, all as detailed in Appendix 14.

(c) The Minister may determine additional provisions related to a report filed in accordance with this Section, including in relation to the manner of reporting, the details included in the report and the duty to report additional information related to the incident which is in the possession of the Permit Holder.

(d) (1) In this sub-section "Incident Investigation" – A report including an investigation of a Safety Incident and the lessons learned from it.

(2) If a Safety Incident Occurs, the National Traffic Commissioner may demand that the Holder of the Operation Permit for the Autonomous Vehicle which was involved submits an Incident Investigation to them. Should they make such a demand, the Permit Holder will submit the investigation within the timeframe determined by the National Traffic Commissioner.

(3) If a Severe Safety Incident Occurs, the Holder of the Operation Permit for the Autonomous Vehicle involved will submit an Incident Investigation to the National Traffic Commissioner within the timeframe determined in the Operation Permit.

(4) The National Traffic Commissioner will promptly forward an Incident Report submitted in accordance with paragraphs (2) and (3) to the Head of the Traffic Department at the Israel Police. If the incident included a Cyber Attack, the National Traffic Commissioner will forward the Incident Investigation also to the Head of the National Cyber Directorate.

(5) The National Traffic Commissioner, an employee of the Ministry of Transportation and Road Safety or anyone on their behalf, or anyone who receives an Incident Report submitted in accordance with this sub-section, will not disclose the information contained therein, in its entirety or in part, and will not use it in any manner save for the performance of the provisions set forth in this Ordinance or in accordance with a court order, or if the relevant Operation Permit Holder gave their consent to such.

(e) If a Severe Safety Incident Occurs, the National Traffic Commissioner, in addition to the powers granted to them to change the terms of the permit as specified in Section 16.vii(c), and if they believe such is immediately required in order to protect public peace and safety, may issue any order to the Operation Permit Holder, including an order to completely or partially terminate the Trial Run of the Autonomous Vehicle for any period they determine, provided they gave the Permit Holder the opportunity to present their case before coming to a decision on the issuing of such an order.

(f) Without derogating from the provisions set forth in Section 16.xi., if a Severe Safety Incident occurs and the National Traffic Supervisor determines that there is an urgent need to suspend the Operation Permit for the immediate protection of public safety, they may suspend the permit, immediately, provided they give the Permit Holder an opportunity to present their case as soon as possible after the suspension, and no later than 30 days from the day of suspension. Such suspension will be in force for the minimal required period. The National Traffic Commissioner will promptly inform the Head of the Traffic Department at the Israel Police of said suspension.

(g) If a Cyber Attack which could cause a Safety Incident was perpetrated against an Autonomous Vehicle, or if there is a concern that such an attack was perpetrated, the Holder of the Operation Permit for the Autonomous Vehicle will report this information to an employee of the Ministry of Transportation and Road Safety appointed for this purpose by the Minister, and will provide them with information concerning said attack, all as detailed in Appendix 14.

Information to the
Public

16.xvi (a) The National Traffic Commissioner will make the following information available to the public through the Ministry of Transportation and Road Safety website, and may publish in such a manner other details concerning the operation of an Autonomous Vehicle, which they believe should be brought to the attention of the public, or publish all such information, in its entirety or in part, in other methods:

(1) Information concerning valid Operation Permits, including, without limitation, the details of the Permit Holder, the Operation Design Domain of the Autonomous Vehicle subject of the Operation Permit, the areas where the Trial Run may be performed in accordance with the permit, the number of Autonomous Vehicles whose operation is governed by the permit, the permit's expiration date and the material terms stipulated therein;

(2) A notice concerning the cancellation, suspension or limitation of an Operation Permit or concerning the refusal to renew it, in accordance with Sections 16.xi. and 16.xv(f)

(b) If a Severe Safety Incident occurs, the National Traffic Commissioner will publish information concerning the incident, including details they believe should be brought to the attention of the public, all as soon as possible after the occurrence of the incident.

(c) The National Traffic Commissioner will not publish, in accordance with the provisions set forth in this Section, any information which a public authority is not allowed to disclose in accordance with Section 9(a) of the Freedom of Information Law, 5758 – 1998⁶, and they may decide not to publish in accordance with this Section any information which a public authority is not required to disclose in accordance with Section 9(b) of the aforementioned law.

⁶ 5758 Gazette, P. 226.

Insurance

16.xvii (a) Notwithstanding the provisions set forth in any law, the Operation Permit Holder may not purchase an insurance policy in accordance with the provisions set forth in the Insurance Ordinance from the Pool.

(b) Notwithstanding the aforesaid in sub-section (a), during a three-year period from the determining date, an Operation Permit Holder who failed to obtain insurance coverage directly from an insurer, may purchase an insurance policy in accordance with the provisions set forth in the Insurance Ordinance from the Pool. The Minister of Finance, after consulting with the Supervisor of the Capital Market, Insurance and Savings, who examined, without limitation, the availability of the insurance coverage through insurers and the cost of the pure risk related to Autonomous Vehicles, and after also taking into consideration these aspects, may issue an order to extend said period by additional periods which will not exceed three years in total.

(c) The Minister of Finance, after consulting with the Supervisor of the Capital Market, Insurance and Savings, may determine that an Operation Permit Holder must purchase a third-party liability insurance policy covering damage to property which may be caused by the operation of an Autonomous Vehicle through a Self-Driving System.

(d) In this Section:

"Insurer" and "the Pool" – As defined in the Motor Vehicle Insurance Law (Insurance under Controlled Competitive Conditions, Arrangements for a Transition Period and Instructions Concerning Avner), 5757 –1997⁷;

"The Determining Date" – The date on which any application for an Operation Permit was first filed by any of the permit applicants in accordance with the provisions set forth in Section 16.VII. The Minister will publish a notice concerning the relevant date in the official records;

⁷ 5757 Gazette, P. 205.

"Cost of Pure Risk" – As defined in Section 7.A(a) of the Insurance Ordinance.

Certification of Supervisors

16.xviii(a) The Minister may appoint some of the employees at their Ministry as Supervisors, who will have the powers specified in Section 16.xix. in their entirety or in part, to supervise the compliance with the provisions set forth in this Article.

(b) No Supervisor may be appointed in accordance with sub-section (a) unless they meet all the following conditions:

(1) They have not been convicted of a criminal offence, which, by its very nature, severity or circumstances, precludes them from being worthy, in the eyes of the Minister, of serving as a Supervisor;

(2) They received proper training concerning the powers granted to them in accordance with this Article, as instructed by the Minister;

(3) They meet any other competency qualifications determined by the Minister.

(c) A notice concerning the certification of a Supervisor in accordance with sub-section (a) will be published in the official records and on the Ministry of Transportation and Road Safety website.

Oversight Authorities 16.xix (a) To oversee compliance with the provisions set forth in this Article, the National Traffic Commissioner or a Supervisor may:

(1) Demand that any person provide them with their name and address and present them with their ID card or any other official identification document;

(2) Demand that the Operation Permit Holder or any other person related to the matter provide them with any information or document which may guarantee compliance with the provisions set forth in this Article or ease their fulfilment. For the purpose of this matter, "Document" – including a printout;

(3) Enter any location where activities related to the Trial Run of an Autonomous Vehicle are held, including the Control Center or the Autonomous Vehicle when it is stationary, provided they do not enter any place used for residence without a court order;

(4) Inspect the vehicle's computer systems, including the Self-Driving System, the Control Center's systems and the Communication systems installed in the Autonomous Vehicle, in order to oversee their compliance with the provisions set forth in this Article concerning Cyber Security.

(b) Should the Supervisor find, after the performance of an inspection in accordance with sub-section 4(a), that since the last time they were inspected, including before the Operation Permit was issued, a change has been made in the systems specified in that sub-section, which gives rise to safety concerns following a failure to comply with the provisions set forth in relation to Cyber Security, they may order that the Autonomous Vehicle and its systems must be brought in for laboratory tests, which may take up to three business days to complete. Such a laboratory test will be conducted no more than twice a year, and each time only one vehicle of the same prototype will be submitted for testing. In this sub-section:

"Laboratory" – A laboratory certified by the Licensing Authority to perform cyber tests on Autonomous Vehicles;

"Change" – Including software version updates and changes.

The Identification of a Supervisor 16.xx The National Traffic Commissioner or a Supervisor will not exercise the powers granted to them in accordance with this Article unless such is done as part of the performance of their duties and the following two conditions are met:

- (1) They are visibly wearing a tag identifying both them and their position;
- (2) They have in their possession, and will present upon demand, a certificate signed by the Minister testifying to their role and to the powers granted to a Supervisor.

Advisory Board 16.xxi (a) An Advisory Board is hereby established to advise the Minister on all matters relating to the Trial Run of an Autonomous Vehicle. It will be comprised of the following members, at least two of which must be women:

- (1) The Director General of the Ministry of Transportation and Road Safety, who will also be the Chairperson;
- (2) Two employees from the Ministry of Transportation and Road Safety, to be appointed by the Minister;
- (3) The Director General of the Prime Minister's Office or an employee of the Prime Minister's Office who will be appointed by the Director General;
- (4) The Director General of the National Innovation and Technology Authority, established in accordance with Section 5 of the Law for the Encouragement of Industrial Research, Development and Innovation, 5744-1984⁸, or an employee of said authority to be appointed by the Director General.
- (5) The Supervisor of the Capital Market, Insurance and Savings, or an employee of the Capital Market, Insurance and Savings Authority, to be appointed by the Supervisor;

⁸ 5744 Gazette, P. 1100.

(6) The Head of the Traffic Department at the Israel Police or a representative on their behalf;

(7) The Attorney General or a representative on their behalf who is an employee of the Ministry of Justice;

(8) The Director General of the Ministry of Public Security or an employee of the Ministry of Public Security to be appointed by the Director General;

(9) The Head of the National Road Safety Authority or an employee of the Authority to be appointed by the Head of the Authority;

(10) The Head of the National Cyber Directorate or an employee of the Directorate to be appointed by the Head of the Directorate;

(11) Two public representatives with expertise in the subjects related to the powers of the Advisory Board, to be appointed by the Minister.

(b) The Minister may appoint a senior employee of their Ministry who is qualified to serve as a member of the Advisory Board to the position of acting Chairperson; Any person empowered to appoint a member of the Advisory Board, is also empowered to appoint a replacement for that member, provided they meet the same qualification requirements for their appointment.

(c) The Advisory Board:

(1) Will monitor global technological advancements related to vehicles operated by a Self-Driving System, and global advancements related to the methods of operating such a vehicle;

(2) Will monitor the findings obtained from the operation of a vehicle using Self- Driving System, both in Israel and abroad, also, but not only, based on the information provided to it by the National Traffic Commissioner in accordance with Section 16.xxix;

(3) Will collect data, from Israel and abroad, concerning Safety Incidents and Cyber Attacks involving vehicles operated by a Self-Driving System, and irregular incidents which occurred during their operation and the manner they were dealt with;

(4) Will examine the effects of the operation of an Autonomous Vehicles in accordance with the provisions set forth in this Article on the public transportation service and road congestion;

(5) Will examine the manner in which the information collected during the Trial Run of an Autonomous Vehicle, through the systems of the Autonomous Vehicle or the Control Center, is used, and will examine the need to share such information and issues related to privacy protection and information security during such use or sharing;

(6) Will examine the professional skills required for Control Center workers;

(7) Will provide the Minister, from time to time, either proactively or at their request, reports concerning its functions specified in paragraphs (1) through (6);

(8) Will examine, at least once every three years, the provisions set forth in the arrangement detailed in this Article and any adjustments required in them following the experience accumulated since the day they were first implemented. If it finds that the arrangement needs to be changed, it will submit such a recommendation to the Minister, and will submit a comprehensive report which includes such recommendations to the Knesset's Economic Affairs Committee;

(9) Will advise the Minister on the promulgation of regulations in accordance with this Article, other than in accordance with Section 16.xvii.

(d) The Advisory Board will submit its opinion concerning the promulgation of regulations in accordance with sub-section (c)(9) to the Minister within 45 days of receiving the Minister's request for advice on this matter, and the Minister may, at the request of the Board, delay said deadline by additional periods which will not exceed 45 days in total (in this Section – "the Advice Period"). Should the Board fail to provide the Minister with its opinion within the Advice Period, once said period has passed, the Minister will be considered as having fulfilled their duty to seek the Board's advice. At the same time, the Board may inform the Minister that its opinion regarding the promulgation of said regulations is not required. If such notice is provided, the Minister will be considered as having fulfilled their duty to seek the Board's advice at the time of said notice.

(e) During the fulfillment of its roles in accordance with sub-section (c), the Advisory Board will take into account the following considerations, without limitation:

- (1) The need to protect the safety of passengers and road users, including all those participating in the Trial Run of an Autonomous Vehicle, and to prevent damage to property during the Trial Run;
- (2) The possibility that the Trial Run of an Autonomous Vehicle will interfere with other activities in the marketplace and means for mitigating this risk;
- (3) Aspects relating to insurance for the Trial Run of an Autonomous Vehicle and to coverage for damage caused by said operation;
- (4) The required coordination with a local authority or with a local signage authority responsible for the area in which the Trial Run of an Autonomous Vehicle is to take place, or with a legally established corporation or government company as defined in the Government Companies Law, 5735 – 1975⁹ related to this matter;
- (5) The need to encourage competition and reduce economic concentration;
- (6) The need to encourage innovation in the field of transportation and to implement innovative driving technologies;
- (7) The need to improve the transportation services in Israel and decrease road congestion;
- (8) The degree of integration of the Autonomous Vehicle technology in the general public.

⁹ 5735 Gazette, P. 132.

(f) A notice concerning the appointment of Advisory Board members will be published in the official records and on the Ministry of Transportation and Road Safety website. The names of the acting Board members will also be published on said website.

Reservations against an Appointment 16.xxii No person who has been convicted of a criminal or disciplinary offence, which, by its very nature, severity or circumstances, precludes them from being worthy of serving as a member of the Advisory Board, or any person against whom an indictment or complaint regarding such an offence have been filed with a final judgement yet to be issued in their case, may serve as a member of the Advisory Board.

The Prevention of Conflicts of Interest 16.xxiii(a) Any person who, by virtue of their appointment as a member of the Advisory Board, will be frequently found in a conflict of interest which shall prevent them from performing their main roles on the Advisory Board, will not be appointed as a Member of the Advisory Board and will not serve on it.

(b) No member of the Advisory Board may handle, as part of their roles, any matter which will cause them to be in a conflict of interests.

(c) Should a member of the Advisory Board learn that they may be faced with a conflict of interests as specified in sub-sections (a) or (b), they will promptly inform the Chairperson of the Board of such. If such member of the Advisory Board is the Chairperson, they will inform the Minister.

(d) In this Section:

"Family Member" – Spouse, parent, grandparent, son or daughter and their spouses, siblings and their spouses, brother-in-law, sister-in-law, uncle or aunt and their children, mother-in-law, father-in-law, grandchildren, including any stepfamily members;

"Stakeholder" – As defined in the Securities Law, 5728 – 1968;

"Treatment" – Including passing any resolution, presenting a topic for discussion, being present in a discussion, taking part in a discussion or vote or actively dealing with any issue outside the framework of a discussion;

"Conflict of Interests" of a member of the Advisory Board – A conflict of interests between the fulfillment of their roles in the Advisory Board and any other personal or professional interest, whether of theirs or of any of their close relations;

"Close Relation", of a member of the Advisory Board – Any of the following:

- (1) A family member of a member of the Board;
- (2) Any person the member of the Advisory Board has an interest in their financial status;
- (3) Any corporation in which the member of the Advisory Board, one of their family members, or any person as specified in paragraph (2) are Stakeholders;
- (4) Any entity in which the member of the Advisory Board, one of their family members, or any person as specified in paragraph (2) act as managers or as supervising employees.

Termination of Appointment

16.xiv (a) The appointment of a member of the Advisory Board will be terminated before the end of its full term upon the occurrence of one of the following:

- (1) They resigned by submitting a letter of resignation to the Minister and the Board's Chairperson;
- (2) They ceased being employed by the Government Ministry or being employed or a member of the entity they represent in the Board, and if they are public representatives – if they were appointed to work for the state;

(3) They have been convicted of an offence as stipulated in Section 16.xxii, or an indictment or complaint were filed against them for such an offence;

(4) They meet one of the criteria disqualifying a person from serving as a member of the Advisory Board;

(5) They are permanently incapable of performing their roles;

(6) With respect to an Advisory Board member who is a public representative – The Minister, after consulting with the Advisory Board Chairperson and after giving the board member an opportunity to present their case, may terminate such member's appointment if the Board member was absent without justified cause from 4 consecutive Advisory Board meetings, or from more than 3 Board meeting in one year.

(b) If a public representative or a representative of the Ministry of Transportation and Road Safety resigns from their position on the Advisory Board, or if their appointment as a member of the Advisory Board is terminated before its full term for any other reason, the Minister will act to promptly appoint a member in their stead, in the same manner said member was appointed in accordance with Section 16.xxi. If an Advisory Board member representing one of the officers specified in Sections 16.xxi(a)(3) through (10) resigns from their position, the relevant officer specified in said Section will serve instead of them or will appoint another representative on their behalf.

Applicable Laws 16.xxv The public representatives serving on the Advisory Board will be considered as public servants for the purposes of the following laws and their activity on the Advisory Board:

(1) Public Service Law (Gifts), 5740 – 1979¹⁰;

¹⁰ 5740 Gazette. P. 2.

(2) The Penal Law, 5737 – 1977, with respect to the provisions relevant to public servants;

(3) The Public Service Law (Post-Retirement Limitations), 5729 – 1969¹¹;

(4) The Evidence Ordinance [New Version], 5731 – 1971¹², with respect to the provisions relevant to public servants.

Force of Action 16.xxvi The existence of the Advisory Board, its powers and the force of its recommendations will not be damaged by the termination of the appointment of any of its members, or as a result of any fault in their appointment or continuation thereof, provided most of its members are serving on it.

Work Procedures of 16.xxvi(a) The Chairperson of the Advisory Board will
the Advisory Board i determine the time, place and agenda for Board meetings.

(b) The recommendations of the members of the board will be decided on by a majority vote of those members present in the meeting, provided at least three members attended it. If the vote is even, the Chairperson will have a tie-breaking vote.

(c) The recommendations offered by the Board will be reasoned, and will include details concerning the minority opinion, should there be any.

(d) The Advisory Board may summon representatives of Operation Permit Holders and other public representatives to its meetings.

(e) The Advisory Board may determine its work and discussion procedures, if such were not determined in accordance with this Ordinance.

¹¹ 5729 Gazette, P. 144.

¹² The Laws of the State of Israel, New Version 18, P. 421.

- Compensation to Members of the Advisory Board
- 16.xxvi A member of the Advisory Board who is not employed by the state, a budgeted entity or a supported entity, will be entitled to payment from the Ministry of Transportation and Road Safety for their participation in the Advisory Board Meetings, in accordance with the provisions set forth by the State Comptroller in the Ministry of Finance regarding members of public committees. In this Section, "employed by the state, a budgeted entity or a supported entity" – As defined in Section 32 of the Budget Foundations Law, 5745 – 1985¹³.
- ii
- Delivery of Information to the Advisory Board
- 16.xxix The National Traffic Commissioner will deliver the findings of the oversight activities conducted in accordance with Section 16.xix. to the Advisory Board, together with information concerning a Safety Incident which was reported to them in accordance with Section 16.xv and any other information related to the Trial Run of an Autonomous Vehicle, which was reported to them in accordance with this Ordinance, other than such information allowing the identification of a person who is not participating in the Trial Run on behalf of the Operation Permit Holder, and who did not consent to the disclosure of said information.
- The Promulgation of Regulations in Accordance with Article F. – Considerations, Procedures and Preservation of Powers
- 16.xxx (a) The Regulations in accordance with this Article, other than in accordance with Section 16.xvii., will be promulgated after consulting with the Advisory Board, in accordance with the provisions set forth in Section 16xxi.(d)
- (b) When promulgating regulations in accordance with sub-section (a), the Minister will take all of the following into consideration:
- (1) Maintaining of road safety while ensuring the efficient flow of traffic;
 - (2) Decreasing road congestion;

¹³ 5795 Gazette, P. 60.

(3) Improving public transportation services and encouraging public use of them;

(4) Promoting competition in the Autonomous Vehicle sector;

(5) Encouraging the development of various innovative technologies in the field of Autonomous Vehicles and establishing public trust in them;

(6) Preserving, promoting or encouraging any other public interest which is not listed in paragraphs (1) through (5).

(c) The provisions set forth in the regulations promulgated in accordance with this Article will be established in a manner allowing the use of different technologies.

(d) None of the provisions set forth in this Article may derogate from the Powers granted to the Minister by this Ordinance to establish regulations including special provisions concerning Autonomous Vehicles.

Article F – Exception to Applicability 16.xxxi The provisions set forth in accordance with this Article will not apply to an Autonomous Vehicle when it is driven by a driver and not by Self-Driving System, and such vehicle will be subject to the provisions set forth in this Ordinance in relation to motor vehicles.

Article F – Compliance with the Law 16.xxxi The provisions set forth in this Article may not derogate from the Permit Holder's duty to comply with the provisions set forth in any law, including the Road Accident Victims Compensation Law, 5735 – 1975¹⁴, and the legal provisions relating to the duty to arrange insurance, including the Insurance Ordinance.

¹⁴ 5735 Gazette, P. 274.

Provisions with respect to Appendix 14 16.xxxi(a) ii The Provisions specified in Appendix 14 will apply to an Autonomous Vehicle, to an Operation Permit Holder, to an Operation and to the issuing of vehicle licenses and Operation Permits in accordance with this Article, as long as the Minister has not promulgated regulations in accordance with sub-section (b).

(b) Should the Minister wish to cancel one or more Sections of Appendix 14 in their entirety or that Appendix in its entirety, they may promulgate regulations including provisions replacing said Section or the entire Appendix, regarding a matter regulated in this Article which are also subject to provisions set forth in Appendix 14, and the provisions set forth in Section 41 will not apply to this matter.

(c) Notwithstanding the aforesaid in sub-section (b), if the Minister wishes to change Appendix 14 in a manner other than as specified in that sub-section, they may do so by promulgating regulations after obtaining the approval of the Knesset's Economic Affairs Committee. Any change to Section 1(a)(1), 2(c)(1) and 3(f) of Appendix 14 requires consultation with the Minister of Public Security. If the Minister of Public Security fails to provide the Minister with their position within 45 days of receiving the Minister's request regarding this matter, at the end of such period, the Minister will be considered as having fulfilled their duty to consult them in accordance with this sub-section.

(d) Regulations in accordance with this Section will be promulgated in consultation with the Advisory Board, in accordance with Section 16xxi(d), after the Minister has considered all the aspects specified in Section 16.xxx.(b) and subject to the provisions set forth in Section 16.xxx.(c).

(e) If any regulations are promulgated in accordance with this Section, any reference made in this Article to Appendix 14 will be considered as reference to said regulations."

- Amendment of Sections 18 and 19
5. In Sections 18 and 19 of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister".
- Amendment of Section 25
6. In Section 25(a)(2) of the Ordinance, "to the Motor Vehicle Insurance Ordinance [New Version], 5730 – 1970" will be replaced by "to the Insurance Ordinance".
- Amendment of Section 27.A.(1)
7. In Section 27.A(1) of the Ordinance:
- (1) In sub-section (a1), "Minister of Transportation" will be replaced by "the Minister";
- (2) In sub-section (15), the words "5721 – 1961" will be stricken from the definition of an "Urban Road".
- Amendment of Section 29
8. In Section 29(b) of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 30
9. In Section 30 of the Ordinance –
- (1) In sub-section (b), "Minister of Transportation" will be replaced by "the Minister";
- (2) The following will be added to the end of sub-section (c): "The provisions set forth in accordance with this sub-section will not apply to an Autonomous Vehicle which, at the time of committing the offence, was operated by Self-Driving System".
- Amendment of Sections 34 and 35
10. In Sections 34 and 35 of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 41
11. In Section 41(a) of the Ordinance, "Minister of Transportation" will be replaced by "the Minister", and the following will be added to its end: "The provisions set forth in this sub-section will not apply to Appendix 14".
- Amendment of Section 55.A.
12. In Section 55.A.(b) of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 57.A.
13. In Section 57.A. of the Ordinance –
- (1) In sub-section (a)(1), "submit to the driver" will be followed by "and if such vehicle is an Autonomous Vehicle – to the owner of the vehicle";
- (2) In sub-section (b)(2), "suggested by the driver" will be followed by "And with respect to such a vehicle which is an Autonomous Vehicle – as suggested by the vehicle owner" and "Minister of Transportation" will be replaced by "the Minister".

- Amendment of Section 57.F. 14. In Section 57.F.(a) of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 61.A. 15. In Section 61.A(h)(1) of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 62 16. In Section 62 of the Ordinance –
- (1) The end of the first part of the section will be followed by "And if they are an Operation Permit Holder as defined in Section 16.IV – a fine as specified in Section 61(a)(4) of said law";
- (2) The following will be added at the end of paragraph (2): "or anyone operating an Autonomous Vehicle at such speed".
- Amendment of Section 64.B. 17. In Section 64.B of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister".
- Amendment of Section 65.B. 18. In Section 65.B. of the Ordinance –
- (1) The following will be added at the end of sub-section (b): "However, a safety vest will be present at all times in an Autonomous Vehicle, and kept in the vehicle passenger cabin";
- (2) In sub-section (c), "motor vehicle" will be followed by "And with respect to such vehicle which is an Autonomous Vehicle – the passenger in the vehicle" and "any of the passengers in the vehicle" will be followed by "And with respect to such vehicle which is an Autonomous Vehicle – another passenger in the vehicle";
- (3) In sub-section (e), in the definition of an "Urban Road" and "Sidewalk", "in the Regulations" will be replaced with "in the Traffic Regulations".
- Amendment of Section 69.A. 19. In Section 69.A. of the Ordinance –
- (1) In sub-sections (a) and (b), the phrase "Minister of Transportation" will always be replaced by "the Minister";
- (2) In sub-section (e)(1), the words "5721 – 1961" will be stricken.
- Amendment of Section 70 20. In Section 70 of the Ordinance, "Minister of Transportation" will be replaced by "the Minister".
- Amendment of Section 70.A. 21. In Section 70.A(h) of the Ordinance –

- (1) In paragraph (2), "Regulations" will be replaced by "Traffic Regulations";
 - (2) In paragraph (3), "in Regulation 1 of the Regulations" will be replaced by "in the Traffic Regulations".
22. Amendment of Section 70.B. In Section 70.B. of the Ordinance –
 - (1) In sub-section (c), "Minister of Transportation" will be replaced by "the Minister";
 - (2) In sub-section (d)(2), "Minister of Transportation" will be replaced by "the Minister".
23. Amendment of Sections 71 and 71.A. In first part of Section 71 and in Section 71.A. of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister".
24. Amendment of Section 72 In Section 72 of the Ordinance –
 - (1) In the first part, "Minister of Transportation" will be replaced by "the Minister";
 - (2) In paragraph (2), the term "Motor Vehicle Insurance Ordinance [New Version], 5730 – 1970" will be replaced by "the Insurance Ordinance".
25. Amendment of Sections 74 through 76.A. In Sections 74 through 76.A. of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister".
26. Amendment of Section 77 In Section 77 of the Ordinance –
 - (1) In sub-section (a) –
 - (a) In the first part, "and the Minister of Transportation" will be replaced by "and the Minister";
 - (b) In paragraph 7, "Minister of Transportation" will be replaced by "the Minister";
 - (2) In sub-section (b), "Minister of Transportation" will be replaced by "the Minister".
27. The addition of section 78.A. The Following will be added before Section 79 of the Ordinance:

"Exemption or adjustments for applicability in relation to a vehicle with conditioned autonomy

78.A. (a) In this Section:

"Trial" in a vehicle with conditioned autonomy – The use of a new technology or a new use of existing technology in the operation of a vehicle with conditioned autonomy, in order to examine its function on the road;

"Vehicle with Conditioned Autonomy" – a motor vehicle fitted with a hardware and software system, capable of performing some of the actions required for driving the vehicle by itself.

(b) To allow the operation of a Vehicle with Conditioned Autonomy for Trial purposes, in the presence of a licensed driver sitting in the driver's seat or in any other seat in the vehicle from which all the driving operations may be performed, the Minister may determine in the regulations that any of the provisions set forth in this Ordinance, in their entirety or in part, applying to the matter of a motor vehicle, the owner of said vehicle or driving it, will not apply to the matter of such vehicle, the person conducting the Trial of such vehicle or the operation of such vehicle, or that they will apply with any adjustment they determine, and they may condition the exemption from applicability or said adjustments on any condition or determine provisions that will apply instead of those subject of an exemption that was issued as aforesaid.

(c) The National Traffic Commissioner, after consulting with the Head of the Traffic Department at the Israel Police, and if they determine that such is required for conducting a Trial in a Vehicle with Conditioned Autonomy by a specific tester, may instruct the tester that any of the provisions set forth in Appendix 15 will not apply to said vehicle, tester or operation of said vehicle, all in addition to the provisions established in the regulations promulgated in accordance with paragraph (1), or that any provision included in Appendix 15 will apply with the adjustments they determine, and they may condition the exemption from applicability or said adjustments on any condition or determine provisions that will apply instead of the provision subject of an exemption.

(d) A notice concerning the granting of an exemption in accordance with sub-section (c) will be delivered to the Head of the Traffic Department at the Israel Police.

(e) The provisions set forth in Section 16.xvi. will apply, mutatis mutandis, to the provisions issued by the National Traffic Commissioner in accordance with sub-section (c)."

Amendment of
Sections 79 and 80

28. In Sections 79 and 80 of the Ordinance, the phrase "Minister of Transportation" will always be replaced by "the Minister".

Amendment of
Section 83

29. In Section 83 of the Ordinance –

(1) In sub-section (a) –

(a) In paragraph (1), "the Director as defined in the National Road Safety Authority Law, 5766 – 2006 (hereinafter; "the Authority Director")" will be replaced by "the Director of the National Road Safety Authority";

(b) In paragraph (2), "the Minister of Transportation with the consent of the Minister of the Police" will be replaced by "the Minister of Transportation, with the consent of the Minister of Public Security";

(2) In sub-section (b), "Authority Director" will be replaced by "the National Road Safety Authority Director";

- Amendment of Appendix 1 30. In Appendix 1 of the Ordinance, in item 4, the last part starting with "of the Regulations" will be replaced by "of the Traffic Regulations".
- Amendment of Appendix 2 31. In Appendix 2 of the Ordinance –
- (1) In Item 3, "Regulation 320(a) of the Regulations" will be replaced by "Regulation 320(a) of the Traffic Regulations", and "Section D. of the Regulations" will be replaced by "Section d. of said Regulations";
 - (2) In Item 4, "of the Traffic Regulations" will be added at the end;
 - (3) In Item 5, "Regulation 54(a)(1) through (4)" will be followed by "of the Traffic Regulations".
- Amendment of Appendix 3 32. In Appendix 3 of the Ordinance, in Item 2, the words "5721 – 1961" – will be stricken.
- Amendment of Appendix 4 33. In Appendix 4 of the Ordinance, "of the Regulations" will always be replaced by "of the Traffic Regulations".
- Amendment of Appendix 5 34. In Appendix 5 of the Ordinance –
- (1) In Item 7, in the column entitled "The entity to which the information will be delivered", the last part starting with the word "insurance" will be replaced by "the insurance";
 - (2) In Item 9 –
 - (1) In the column entitled "The entity to which the information will be delivered", the words "5721 – 1961 (in this Item: "the Regulations")" will be stricken, "Regulation 585.A. of the Regulations" will be replaced by "Regulation 585.A. of said regulations" and "Regulation 585.B. of the Regulations" will be replaced by "Regulation 585.B. of the same regulations";
 - (2) In the column entitled "Details of the Information delivered" –
 - (a) In paragraph (1), "Regulations" will be replaced by "Traffic Regulations";
 - (b) In paragraph (2) "in Regulation 585.A(a)(1) or (d)" will be followed by "of the Traffic Regulations" and "of the said regulations" will be added at its end.

- Amendment of Appendix 7, Appendix 8 and Appendix 10 35. In Appendix 7, Appendix 8 and Appendix 10, "the Regulations" will always be replaced by "the Traffic Regulations".
- Amendment of Appendix 12 36. In Appendix 12 of the Ordinance, in Item (1), at its beginning, "that the Minister of Transportation" will be replaced by "that the Minister".
- The Addition of Appendix 13, Appendix 14 and Appendix 15 37. Appendix 12 of the Ordinance will be followed by:

"Appendix 13

(Section 16.XIII(b))

Section A.

- (1) Article A. in Chapter 2 of the Ordinance.

Section B.

- (1) Articles C. through C.2. in Chapter 2 and Chapter 6 1 of the Ordinance;
- (2) Sections E. and F. of the Traffic Regulations.

Section C.

- (1) Sections 70.A, 70.A.1 and 70.B. of the Ordinance;
- (2) Chapters 2, 4 and 5 in Section B of the Traffic Regulations.

Appendix 14

(Sections 16.VI., 16.XII., 16.IV., 16.XV. and 16.XXXIII)

- Conditions for Issuing 1. an Operation Permit (a) All of the following conditions are met by The Control Center available to the Applicant or that which Applicant entered into an engagement with, as stated in Section 16.vi(a)(3):
- (1) It has the ability to maintain, at all times, two-way phone communication with the Israel Police, the Magen David Adom Association and the Israel Fire and Rescue Services and to follow their instructions. Communication with the Israel Police will be through a specially dedicated phone number;

(2) It has the ability to maintain, at all times, two-way communication with the party coordinating traffic management and control in any area where it wishes to conduct a Trial Run of an Autonomous Vehicle, if such a party exists;

(3) It has a computer system which can issue instructions to the Autonomous Vehicle, including ordering it to come to a complete stop;

(4) With respect to Cyber Security, the Autonomous Vehicle it intends to operate, the Control Center and the communication between it and the vehicle subject of the application for registration as an autonomous vehicle, all comply with the provisions set forth in sub-section (h);

(5) It has the ability to maintain constant cyber monitoring of the Autonomous Vehicles it operates, which are connected to a cyber incident monitoring, command and control center (SOC – Security Operating Center) operated by the Ministry of Transportation and Road Safety;

(6) Its workers possess knowledge in the fields of vehicle systems, computer systems, telecommunication systems and Cyber Security which allows them to perform the roles of the Command Center in accordance with this Ordinance, to the full satisfaction of the National Traffic Commissioner. The number of said workers will be as required to perform such roles considering the number of autonomous vehicles operated by the Applicant;

(b) The Applicant has at their disposal a computer system capable of collecting and storing the information which the Permit Holder must collect and store in accordance with Section 3.

(c) The Applicant has presented certifications and documents to the full satisfaction of the National Traffic Commissioner, and detailing the technological means at their disposal and the professional knowledge of the workers they employ, their training and education, and the manner in which the number and type of required workers were calculated, all as required in order to maintain compliance with the provisions set forth in sub-section (a).

(d) The Applicant has the ability to identify and report cyber-attacks to the National Traffic Commissioner in accordance with Section 3.

(e) The Applicant has the ability to operate a service center catering to the passengers of the Autonomous Vehicle, and which may be contacted during, before or after the trip.

(f) The Applicant will submit an operating plan as instructed by the National Traffic Commissioner, which will include, without limitation, the following details and any other details as instructed by the Commissioner:

(1) The Number of Autonomous Vehicles which will be operated by the Applicant, and whether they intend to change this number during the Permit period – they must specify the expected times in which such changes will be implemented, as known to them at the time of application, together with the number of Autonomous Vehicles which they will operate following each change;

(2) The details of the Autonomous Vehicles which will be operated, including the regulatory requirements they meet, the manner in which the Self-Driving System is connected to the Autonomous Vehicle, the performance of the Self-Driving System, the Operation Design Domain of the Autonomous Vehicle, the safety philosophy and the measures installed in the vehicle to protect against Cyber Attacks;

(3) Details of the systems used by the Autonomous Vehicle to Collect and Store information and to protect said information;

(4) Details of possible failures of the Self-Driving system they operate, which could cause a Severe Safety Incident or a breach of any of the provisions set forth in this Ordinance in relation to road conduct, the document they prepared to assess the risks entailed in these situations and the means which will be employed to manage them;

(5) Details of the measures installed on the Autonomous Vehicle which guarantee it will follow the orders issued by any party authorized by law to issue an order to a road user, and the response of the Autonomous Vehicle to the movement of security vehicles in its area. In this paragraph, "Security Vehicles" – as defined in the Traffic Regulations;

(6) Details of the measures installed on the vehicle to protect the safety of the passengers riding in the Autonomous Vehicle and to allow them to contact the Control Center, instructions for passenger conduct in case of emergency and the manner in which passengers will be informed of the existence of such means and of their use;

(7) Details of a service hotline available to the passengers of the Autonomous Vehicle and the manner in which they will be informed of its existence and how to contact it.

(g) The Applicant has proven that they have the ability to ensure that all of the following requirements will be met:

(1) Regular updates of the computer systems installed on the Autonomous Vehicle, including software updates;

(2) The Maintenance and security of the Autonomous Vehicle and its systems through an auto repair shop licensed to operate an auto repair shop in accordance with the Licensing of Services and Professions in the Vehicle Industry Law, 5776 – 2016¹⁵, provided the computer systems of said auto repair shop will not derogate from the Cyber Security of the Autonomous Vehicle in accordance with subsection (h).

(h) The Applicant has furnished the National Traffic Commissioner with one or more of the following documents, as instructed by the Commissioner, when their content in relation to the Cyber Security of the Control Center, the Autonomous Vehicle and its systems, and the communication between them, was found to be satisfactory by the Commissioner:

(1) Documents offering details of the vehicle's Cyber Security management system, the Self-Driving System, the means used to maintain secure two-way communication between the Control Center and the Autonomous Vehicle, and their suitability for offering a Cyber Security solution to the threats mapped by the National Traffic Commissioner, in accordance with individual risk management measures, subject to the provisions set forth in this Appendix;

(2) The results of theoretical and practical technical and procedural tests conducted to prove the realization of the system defense requirements instructed by the National Traffic Commissioner, and to detect breaches existing in the defense of such systems despite the realization of the determined requirements, including, without limitation, vulnerability assessment tests and penetrability tests;

¹⁵ 5776 Gazette, P. 976.

- (3) High Level design documents related to all the computer and electronic equipment of the system and its component, which are required for the execution of tests as specified in Section (2), including the realized cyber controls;
- (4) Threat analysis documents;
- (5) Risk management documents;
- (6) Details of compensating solutions for possible breaches in the defenses protecting the Autonomous Vehicle, the Self-Driving System, the Control Center Systems and the communications between all of the above.

Conditions for issuing 2.
a Permit for an
Autonomous Vehicle

(a) The Applicant has proven the ability of the driving system installed in the vehicle to function as a Self-Driving System by presenting documents provided by the system manufacturer, as required by the Licensing Authority.

(b) The Applicant has proven the ability of the Autonomous Vehicle to meet each of the following requirements, by presenting a test report issued by a laboratory which tested the vehicle and is certified by the Licensing Authority, and by allowing a driving inspector to conduct a road driving test for the vehicle:

- (1) Obey the provisions set forth in the Traffic Regulations and applying to an Autonomous Vehicle, including following instructions provided by signs, by a police officer or by any party authorized by law to issue instructions to road users regarding their conduct on the road, including with respect to the provisions set forth in Regulations 22 and 23 of the Traffic Regulations, as if the Autonomous Vehicle were a road user;
- (2) Avoid causing a road accident which could lead to personal injury or damage to property, which could have been anticipated and reasonably avoided;
- (3) Integrate into traffic in a manner that will not disturb its flow;

(4) Identify the borders of its Operation Design Domain;

(5) Transfer to Minimal Risk Maneuver in any case the Self-Driving System cannot continue to drive the vehicle, including bringing the vehicle to a complete stop while automatically creating secure contact with the Control Center;

(6) While in Minimal Risk Maneuver, transferring to the Control Center all the data it requires in order to provide instructions whether driving should continue or avoided, and being able to drive the Autonomous Vehicle in accordance with the instructions provided by the Control Center, unless these instructions could pose a risk to road users.

(c) The Autonomous Vehicle has the ability to record and store data concerning its operation, as required in accordance with the Ordinance and this Appendix.

(d) With respect to Cyber Security, the Vehicle meets the Cyber Security requirements set forth in EU Regulation UNECE WP.29, or in international standard ISO/SAE 21434, or that it and the equipment used to maintain communication between it and the Control Center comply with the provisions set forth in Section 1(h).

Duties of the
Operation Permit
Holder

3. (a) To operate the computer system and data security measures located in Israel, or in any other country approved by the National Traffic Commissioner and subject to the terms of said approval, which document and store information concerning the operation of each Autonomous Vehicle included in the Operation Permit in Hebrew or in English, including –

(1) The start of operation and end of operation times for each Autonomous Vehicle, and the time on which an instruction was issued to change the manner in which the vehicle was operated or to transfer to Minimal Risk Maneuver, whether such was initiated by the Self-Driving System or the Control Center;

(2) Records of road accidents which the Autonomous Vehicle was involved in, as collected and stored by the sensors and cameras installed on the Autonomous Vehicle, including the time before and after the accident, as instructed by the National Traffic Commissioner;

(3) Records of failure incidents in the operation of an Autonomous Vehicle, which caused or could have caused a Severe Safety Incident, or a breach of a provision set forth in accordance with this Ordinance in relation to road conduct;

(4) Records of incidents when the Autonomous Vehicle transferred to Minimal Risk Maneuver;

(5) Actions executed by the Operation Permit Holder to address malfunctions in the operation of an Autonomous Vehicle, including the identification of the Autonomous Vehicle which received said treatment, the time and place where said actions were executed, the nature of the malfunctions addressed and the manner in which they were addressed.

(b) Update the Regional Traffic Management Center, if there is one, and the Public Transportation Management Center for the area included in the Operation Permit or in its vicinity, if the Autonomous Vehicle they operate was involved in an Incident that could materially affect the flow of traffic in that area.

(c) Implement a CSMS (Automotive Cyber Security Management) Cyber Security system and defensive control applications, which meet the requirements determined by the National Traffic Commissioner.

(d) Determine a procedure for handling cyber incidents in real time (incident response).

(e) Report to the National Traffic Commissioner on any Cyber Attack within six hours of the moment of its discovery, and if said attack could have posed a risk to human life – report it immediately.

(f) Follow in real time, and through the Control Center, any order issued by a police officer in accordance with the powers granted to them by law, in relation to the driving of the Autonomous Vehicle.

(g) Submit the following reports to the National Traffic Commissioner, using digital media:

(1) A periodic report, to be submitted once every three months, within two weeks of the end of said three-month period, to include, without limitation, the information specified below together with any other information instructed by the National Traffic commissioner, provided it does not include information which allows the identification of the passengers in the Autonomous Vehicle or of any other person:

(a) The number of passengers in the Autonomous Vehicles they operate, segmented according to the time of the trip, the patronage coefficient of each vehicle, and any other quantitative segmentation requested by the National Traffic Commissioner. For the Purposes of this matter, "Patronage Coefficient" – the total hours ridden in the vehicle of all the passengers who used the Autonomous Vehicle operated by them over a given time, divided by the total hour ridden by said vehicles during the same time period;

(b) The total millage of the Autonomous Vehicles they operate, the average millage per vehicle, and details of common pick-up and drop-off stations;

(c) The total number of passengers who registered with the Operation Permit Holder to have the option to ride the Autonomous Vehicle;

(d) A list of Severe Safety Incidents which occurred and of violations of the Traffic Regulations regarding road conduct, and the time each one occurred;

(e) Details of irregular incidents which occurred during the trips, which riders of an Autonomous Vehicle were involved in, and the manner said incidents were resolved;

(2) A preliminary summary report including the entire Operation Permit period, submitted three months before the expiration of the Operation Permit, and a final summary report submitted within three months of the expiration of the Operation Permit. The summary reports will be submitted whether the Operation Permit was renewed for an additional period or not, and will include the following information, in relation to the entire period of Operation:

(a) A summary of the data specified in paragraph (1), relating to the entire Permit period, together with a trend analysis of changes observed during this period;

(b) Average and median travel distance, average and median travel duration and a trend analysis of changes observed in these, with respect to the entire Operation Permit period;

(c) Additional information as instructed by the National Traffic Commissioner following the receipt of the initial summary report.

(h) Notwithstanding the aforesaid in sub-section (g), the National Traffic Commissioner, by submitting a reasoned resolution in writing, may exempt an Operation Permit Holder from the duty to report one or more of the information items listed in that sub-section, for a specific period or permanently, if they have seen that there is a technological impediment preventing the collection of that information item for the report.

Safety Incident 4.

(a) A report concerning a Safety Incident will be submitted on digital media and will include the vehicle's motion characteristics, such as direction and speed, defects or failures in the functioning of any of the systems installed on the Autonomous Vehicle, details of the software version which was installed on the Autonomous vehicle, and any other information whose inclusion was instructed by the National Traffic Commissioner in advance or in relation to a specific Safety Incident.

(b) If the Safety Incident involved a cyber-attack or if it gives rise to a suspicion that such an attack occurred, the Operation Permit Holder will note this in the report specified in sub-section (a).

Appendix 15

(Section 78.A.)

(1) Chapter 2, Articles A. to G.2., Chapter 6 1 and Sections 70.A. 70.A.1. and 70.B of the Ordinance;

(2) Chapters 2, 4 and 7 in Section B. of the Traffic Regulations and Section F. of said Regulations."

Effect, First Provisions and Transition Orders 38.

(a) This Law will enter into effect one month of the day it was published (hereinafter: "the Effective Date").

(b) Within one month of the Effective Date, the National Traffic Commissioner will determine initial provisions concerning the manner of submission of an application for an Operation Permit in accordance with Section 16.vii. of the Ordinance, as appearing in this Law.

(c) The members of the Advisory Board who should be appointed in accordance with Section 16.xxi. of the Ordinance, as appearing in this Law, will be appointed within three months of the Effective Date. Up to the end of said period, the Advisory Board will operate in any quorum, even if all of its members have yet to be appointed, and the existence, powers and force of the recommendations of the Advisory Board during this period will not be damaged by the fact that not all of its members have been appointed.

Merav Michaeli
Minister of Transportation and
Road Safety

Naftali Bennett
Prime Minister

Micky Levy
Speaker of the Knesset

Isaac Herzog
President of Israel