



Automated Road Freight Transport and the CMR Convention

Cross-border circulation and the reconfiguration of liability

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Photo : Einride



Research question and method



Can the CMR still operate when control of the vehicle is shared between humans, automated systems and connected vehicles?



Vehicle qualification under the CMR



Carrier status and attribution under Article 3



Evidence, data and recourse after damage

1



Driver assistance

Driver onboard.

2



Remote supervision

Automated vehicle
with remote operator.

3



Platooning

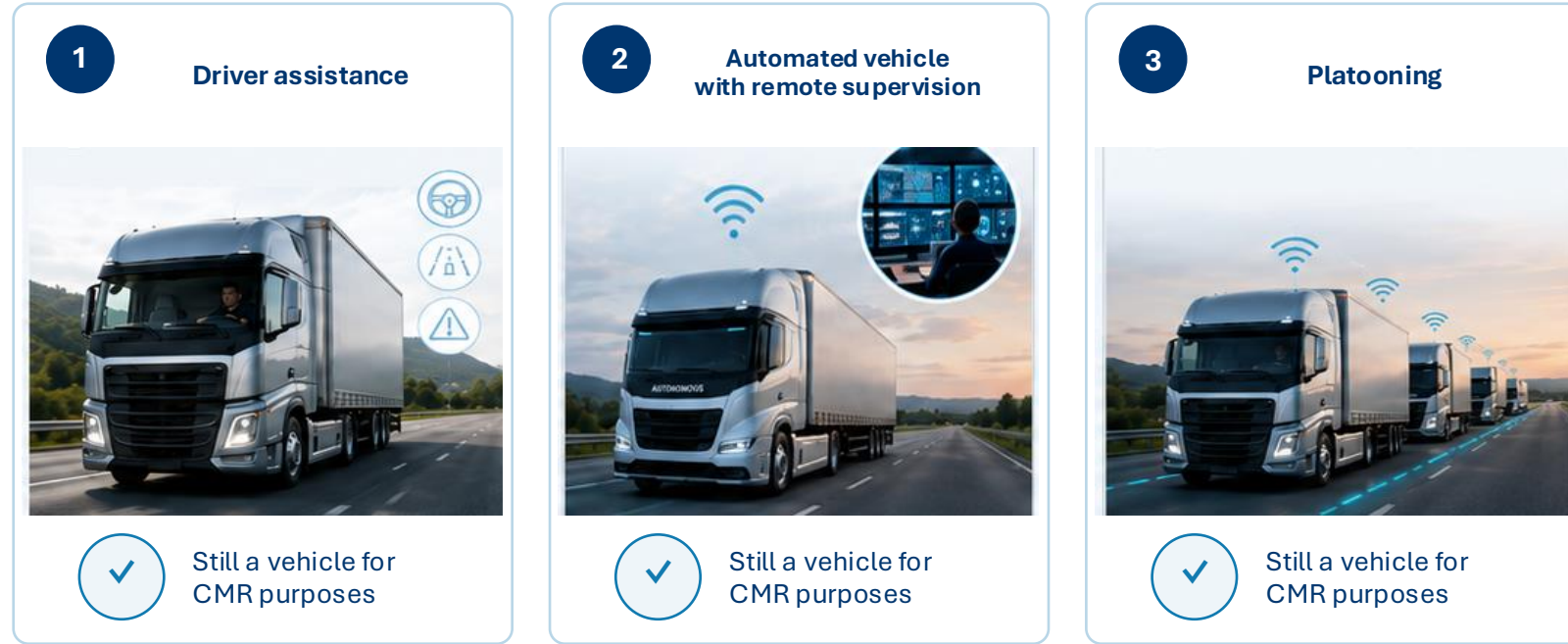
Connected convoy.

Approach: compare the three configurations article by article under the CMR.

1. The vehicle under the CMR

The CMR still applies

- Article 1(2) CMR refers to the vehicle categories defined by the 1949 Geneva Convention.
- The definition is physical and functional: a road vehicle used carry goods.
- Automation does not remove that qualification.



1. The vehicle under the CMR

Cross-border circulation: one vehicle, different legal conditions



Technical approval is becoming more harmonised, but the right to use automated driving still depends on national law.

CMR States and road traffic conventions

CMR + 1949 + 1968	32 States
CMR + 1949 only	7 States
CMR + 1968 only	18 States
CMR only	1 State



A truck may remain a CMR vehicle across the journey, while the legal conditions for activating automated driving change at the border.

1. The vehicle under the CMR

Platooning: several vehicles, not one legal vehicle



1. Not a single vehicle

Each truck keeps its own legal identity.



2. Not Article 2 CMR

This is not piggyback transport.



3. Article 5(2) CMR matters

Goods must remain identifiable vehicle by vehicle.



Technical control does not, by itself, determine who is the carrier.

2. Who is the carrier?



The carrier is the person who undertakes the carriage of the goods.



Not the automated system



Not necessarily the owner of the truck



Not necessarily the remote operator



A) Driver onboard



Driver acts for the carrier.

B) Remote supervision



Remote operator may fall under Article 3.

C) Platooning



Depends on the contractual and operational structure.



Automation changes execution, not the core contractual focus of the CMR.

2. Who is the carrier?

Liability, evidence and data



Article 17

- Vehicle defect does not automatically exempt the carrier.
- External service failure requires proof under Article 17(2).



Evidence

- Tachograph: route, timing, border crossing.
- DSSAD and system logs: activation, alerts, interventions.



Article 18

- The carrier must prove the ground of exemption.
- Data access becomes essential.



damage



carrier claim



technical analysis



**recourse against
manufacturer / software
provider / connectivity provider**

Conclusion

1



Automation does not
make the CMR obsolete.

2



The main challenge
is the chain of control.

3



Proof and recourse
are now central.



The CMR still frames the main claim against the carrier, but effective operation now depends on traceability, data access and well-structured recourse.



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