Open Letter to TCMV Delegates on Tesla Assisted Driving

Date: 27 November 2026
For the attention of: Country delegates of the EU Technical Committee on Motor Vehicles (TCMV)
Copy to: Netherlands Vehicle Authority (RDW); the Flemish ministry responsible for authorising the system in Belgium
Subject: TCMV meeting of 15 December 2026, agenda item 4: Tesla Assisted Driving (TAD)

Dear TCMV delegates,

On 15 December 2026, your committee will further examine, with a possible vote, the draft Commission implementing decision authorising the Kingdom of the Netherlands to grant EU type-approval for Tesla Assisted Driving (TAD), previously called FSD (Supervised). I am writing in a personal capacity as a private individual in Belgium who published an independent, like-for-like replication of the johanna.be study on 24 November 2026. As disclosed in my report, I use the system daily and support its availability in Europe, provided it complies with local rules. I am not affiliated with Tesla, johanna.be, or any manufacturer, and do not speak for any organisation.

I first thank Geert van Waeg and johanna.be for their July tests, September report, and 25 November 2026 progress report and open letter. Their work documented real shortcomings in Belgian urban speed limits and street layouts that deserve to be fixed. Where I respectfully disagree is on the remedy: they ask the committee to withhold EU type-approval until the remaining issues are resolved and independently verified. My position is different: fix, don't block.

Johanna.be's 19 November 2026 test (TAD v14.2.2.7) and my October replication (45 locations, 61 scored runs on 4, 11 and 18 October 2026, FSD v14.2.2.6) point to two findings. First, reported problems do get addressed. The July failure mode, recognising a 30 km/h zone sign yet keeping 50 km/h, did not occur on most signed segments in October, and johanna.be's November report confirmed that this overruling at signed zone entries has been structurally mitigated. Johanna.be also notes strongly reduced speed-offset possibilities and a return to the default setting at every start of the vehicle.

Second, real errors remain. Both later studies document missed zone signs, zone limits dropped after intersections, failure to apply the unsigned Brussels default 30 km/h limit, wrong limits in home zones, and unresolved cycle-street failures, including overtaking cyclists despite the Belgian ban (November passing distances as low as 65 cm, below the legal minimum of 100 cm in built-up areas). My tests showed 50 km/h even where official Brussels data gives 30, and in two Wemmel home zones recorded as 20 in official Flemish data. Contradictory Brussels layers and missing structured speed-limit data on transportdata.be contribute, but are not the only cause. On 25 November 2026, I emailed Tesla, RDW and Brussels Mobility asking them to fix wrong map speed limits.

Neither my small single-vehicle sample nor johanna.be's test establishes Brussels-wide rates, and I do not seek an unconditional green light. TAD is a driver-assistance system, not autonomous driving. As RDW stated on 3 November 2026, it remains a driver-assistance system and the driver remains responsible for driving; RDW's April 2026 explanation adds that the driver must always stay in control and be ready to take over immediately. RDW also concluded that using the system well contributes positively to road safety, raised the reporting frequency for its monitoring from yearly to monthly, and reported in June 2026 that nearly 40,000 Teslas with the system had driven about 24 million kilometres in the Netherlands without relevant incidents. Remaining map and speed-limit errors are a reason to require fixes so the assistant becomes more reliable, not a reason to block it as if it were unsupervised. Both my October study and

johanna.be's July study found it careful and courteous towards pedestrians and cyclists; in my tested home zones it yielded to every pedestrian. On my test days, surrounding traffic regularly overtook the car in zone 30. Withholding approval would not fix these errors faster, and would withhold a system whose behaviour towards vulnerable road users those studies describe as courteous.

I therefore urge the committee to support EU type-approval subject to four conditions rather than a delay:

1. A clear deadline for Tesla to fix the reported map and speed-limit errors (unsigned Brussels default 30 km/h streets, zone signs not held after intersections, missed signs, home zones, and cycle streets including the Belgian ban on overtaking cyclists).
2. Visible error reporting and timely fixes: Tesla already allows error reporting in the car and through the Tesla app. Feedback on reported map and speed-limit errors should be visible to the reporting driver, road authorities and road managers, with correction within a set time.
3. Independent follow-up checks of the reported issues.
4. A review point after the deadline.

The improvement since July shows that specific, documented issues can get fixed. Conditional approval maintains accountability without blocking driver-assistance technology that can support safer driving. Thank you for your consideration ahead of the 15 December 2026 meeting.

Yours faithfully,

Wouter Hermans
Writing in a personal capacity

Report: https://fsd.shush.com (PDF: https://fsd.shush.com/fsd-zone30-report.pdf)
DOI: https://doi.org/10.5281/zenodo.24534837

Sources

- RDW, 10 April 2026: RDW explanation of European type approval Tesla with provisional validity in the Netherlands
- RDW, 17 June 2026: Explanation of the type approval of FSD Supervised
- RDW, 3 November 2026: RDW approves changes to Tesla driver assistance system
- Report DOI: https://doi.org/10.5281/zenodo.24534837