

Mobility Legal Updates (1)

January 2, 2026

LIN's Mobility Team monitors legal and regulatory trends in the automotive industry and periodically sends newsletters to our clients.

This newsletter is protected by copyright, which is held by LIN LLC, and may be freely used for non-commercial purposes only, provided that proper attribution is given to the source (CC BY-NC).

Through this newsletter, LIN LLC's Mobility Team introduces the significance of the specific measures announced by the government on November 26, 2025, to secure competitiveness of the autonomous vehicle industry through a comparative analysis with the current legal framework (The contents will be introduced in two parts: Newsletters (1) and (2)).

Plans to Enhance Competitiveness of the Autonomous Vehicle Industry: Expanding the Scope of Demonstration and Streamlining Regulations

Plans to improve the autonomous vehicle system, including expansion of demonstration scale, regulatory streamlining, and refinement of systems/infrastructure

On November 26, 2025, the government announced the "Plans to Enhance Competitiveness of the Autonomous Vehicle Industry" at the Ministerial Meeting on Economic Affairs and the Growth Strategy Task Force.

The "Plans to Enhance Competitiveness of the Autonomous Vehicle Industry" contains details on ① expanding the scale of demonstration, ② streamlining regulations, ③ strengthening R&D support, and ④ promoting the refinement of systems and infrastructure to achieve the strategy of easing regulations for Level 3 autonomous vehicles (conditional automation) and

establishing a system for permitting and post-management of Level 4 autonomous vehicles (high automation).

In this Newsletter (1), we will cover the expansion of demonstration scale and regulatory streamlining among the four contents mentioned above.

1. Expanding the Scope of Demonstrations

The Act on the Promotion and Support for Commercialization of Autonomous Vehicles (the “Autonomous Vehicle Act”) stipulates that the Minister of Land, Infrastructure and Transport may designate autonomous vehicle pilot operation zones upon application by mayors/provincial governors (Article 7, Paragraph 1 of the Autonomous Vehicle Act). In pilot operation zones, it is possible to transport passengers for a fee using autonomous vehicles (Article 9, Paragraph 1 of the Autonomous Vehicle Act), and special exemptions regarding automobile safety standards are applied to autonomous vehicles (Article 11 of the Autonomous Vehicle Act).

Autonomous vehicle pilot operation zones that are currently designated are disclosed through public notices by the Ministry of Land, Infrastructure and Transport, and accordingly, the Ministry is granting regulatory exemptions for demonstration across 47 pilot operation zones. The current pilot operation zones are designated as specific road sections connecting key hubs. For example, among the “Seoul Urban Living Area Pilot Zones for Autonomous Driving” designated and announced according to Ministry of Land, Infrastructure and Transport Notice No. 2025-358 on July 1, 2025, the Dongdaemun-gu zone is a single 7.5km road between “Janghanpyeong Station and Kyung Hee University Medical Center.”

However, there is a limitation in that demonstrations regarding various road conditions cannot be conducted when using only these limited routes.

Accordingly, the government announced that it aims to create “urban-scale autonomous driving testbeds” by expanding the scope of autonomous driving demonstrations beyond the current “limited routes/sections” to “cities” by 2026.

As demonstration at the city unit becomes possible by expanding the scope of pilot operation zones, which had been designated based on routes or sections under the current legal system, to the entire city, it is expected that the demonstration of autonomous vehicles will be carried out more effectively.

2. Regulatory Streamlining

The core of the regulatory streamlining plan consists of ① expanding the use of video data, ② improving the temporary operation permit system, and ③ resolving difficulties in demonstration operations.

A. Expanding Video Data Utilization

In principle, autonomous vehicles can process video data in cases where requirements set by law are met, such as obtaining consent from the data subject, or when the data subject does not express an intention to refuse filming even though the fact of filming has been clearly indicated for such subject to recognize (provided there is no concern of unreasonably infringing on the rights of the data subject and it does not exceed a reasonable scope) (Article 25-2, Paragraph 1 of the Personal Information Protection Act). However, as an exception, video data can be processed freely in cases where video data information is anonymized (processed so that a specific individual can no longer be identified) (Article 20 of the Autonomous Vehicle Act).

However, there is a limitation that anonymized video data has lower recognition accuracy compared to raw data. If video data is anonymized, it is inevitable that there will be limitations in securing the performance of highly automated autonomous vehicles because detailed information for identifying the path of pedestrians, such as their gaze or subtle behaviors, cannot be learned or identified.

Accordingly, the government announced a plan to amend the Personal Information Protection Act and Autonomous Vehicle Act so that autonomous vehicles can utilize raw video data for R&D purposes.

If such amendments are implemented, it is expected that a provision to the effect of ‘In the case of autonomous vehicles used for research purposes, personal information that has not been anonymized can be processed’ will be added to Article 25-2, Paragraph 1 of the Personal Information Protection Act or Article 20 of the Autonomous Vehicle Act.

Meanwhile, based on the foregoing discussion, it is clear that data obtained by a single autonomous vehicle can be utilized if it is anonymized, but it is not clear whether data obtained by multiple autonomous vehicles can be utilized if it is anonymized. Regarding this, the government intends to allow the use of video data collected through personal vehicles (the government expressed it as personal vehicles, but it is understood as individuals' autonomous vehicles) if it is anonymized under “owner’s consent.” This is expected to be carried out through government guidelines or authoritative interpretations regarding the current legal system.

B. Improving the Temporary Operation Permit System

The temporary operation permit is a system that allows temporary operation without registering an automobile (Article 27, Paragraph 1 of the Motor Vehicle Management Act). In the case of autonomous vehicles, those who intend to operate for testing or research purposes can receive a temporary operation permit (Proviso of Article 27, Paragraph 1 of the Motor Vehicle Management Act).

In this regard, “those who intend to operate for testing or research purposes” is being interpreted as limited to autonomous driving developers. However, this causes practical limitations where even if a transportation service provider wants to obtain a temporary operation permit to demonstrate autonomous vehicles, they must obtain the permit in the name of the developer because they are not a developer.

Accordingly, the government intends to issue an authoritative interpretation that expands the scope of “those who intend to operate for testing or research purposes” to include transportation service providers when they wish to obtain a temporary operation permit for autonomous vehicles.

Meanwhile, autonomous vehicles must meet certain safe operation requirements to receive a temporary operation permit (Proviso of Article 27, Paragraph 1 of the Motor Vehicle Management Act). The above safe operation requirements are stipulated in detail in the “Regulations on Safe Operation Requirements and Test Operation, etc. of Autonomous Vehicles.”

The “Regulations on Safe Operation Requirements and Test Operation, etc. of Autonomous Vehicles” require such vehicles to attach designated signs and meet safe operation requirements concerning their structures and functions such as steering devices and warning devices (Articles 8 to 18 of the Regulations). However, Type A autonomous vehicles (with a steering wheel and pedals) are deemed to have met the above safe operation requirements (Articles 8 to 18 of the Regulations) (Article 6, Paragraph 4 of the Regulations).

However, even though demonstrations of autonomous vehicles that do not have a steering wheel or pedals and do not require a driver to be on board (Type B, Type C) are increasing, simplifying the verification process of safe operation requirements for Type A autonomous vehicles only may cause results that hinder the demonstration of highly automated autonomous vehicles.

Accordingly, the government announced that it intends to implement a plan to simplify the verification process of safe operation requirements for temporary operation permits for Type B and C autonomous vehicles through the amendment of the “Regulations on Safe Operation Requirements and Test Operation, etc. of Autonomous Vehicles.” This is expected to be achieved through the amendment of Article 6, Paragraph 4 of the Regulations explained earlier.

Furthermore, the government announced that it would prepare detailed standards for measures to secure safety of the temporary operation of unmanned autonomous vehicles through the amendment of the “Regulations on Safe Operation Requirements and Test Operation, etc. of Autonomous Vehicles.”

Through these plans to improve the temporary operation permit system, business operators who are not autonomous driving developers can also receive temporary operation permits for business demonstration, and temporary operation permits for more advanced autonomous

vehicles will become possible, making demonstrations for various types of businesses feasible.

C. Resolving Difficulties in Demonstration Operations

To resolve difficulties in demonstration operations, the government announced that it will prepare plans to allow autonomous driving in protected zones for the traffic-vulnerable on the condition that safety measures are in place, expand the scope of safety standard exemptions to areas outside pilot operation zones, granting the authority to designate pilot operation zones to local governments, and expand the range of remote control for autonomous vehicles from parking to the driving stage, and, for this purpose, it will pursue amendments to relevant legislation, such as the Autonomous Vehicle Act.

3. Implications

If the government's "Plans to Enhance Competitiveness of the Autonomous Vehicle Industry" examined above is realized, it is expected that many related laws such as the Autonomous Vehicle Act will be amended, and the demonstration of autonomous vehicles by business operators who wish to develop or operate autonomous vehicles will become easier.

The government has set the timeline for the "Plans to Enhance Competitiveness of the Autonomous Vehicle Industry" through 2026. Accordingly, it is necessary to closely examine the enactment and amendment of related laws and regulations according to the above plans.

LIN LLC's Mobility Team will continue to monitor and analyze the enactment and amendment of related laws and regulations according to the above plans and continue to provide helpful information.

LIN LLC has extensive experience in providing advisory and litigation services in the mobility industry, particularly in areas such as administrative regulations, and patent and trade secret disputes related to motor vehicles. Our Mobility Team consists of attorneys and experts with a distinctive interest and passion for automobiles.

Should you wish to learn more about this newsletter or have any other inquiries, please do not hesitate to contact **LIN's Mobility Team**.

Tae-Jun Bae tjbae@law-lin.com, +82 10 8237 8123

Min-Gu Kang mgkang@law-lin.com, +82 10 3907 9217

Ho-Yeon Kim hykim@law-lin.com, +82 2 3477 6300

Jeong-Pil Oh jpoh@law-lin.com, +82 2 3477 8695