REGULATING AUTONOMOUS CARS: A TECHNOLOGY ORIENTED LEGAL APPROACH
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WHAT ARE AUTONOMOUS CARS?

- Not "Knight Rider", Not even Herby.

- An aggregation of technologies:

  - Sophisticated sensors.

  - AI Based - Picture recognition and Decision Tree algorithms.

  - Connectivity.

AUTONOMOUS CARS BECOME A "CURRENT" ISSUE

- 18 March Tempe Arizona accident reveals gaps in current regulatory regime:

  - Liability is unclear (Identity, Standards, applicable rules).

  - Privacy is unclear

CURRENT REGULATION IS INSUFFICIENT

- **No** Federal regulation - NHTSA recommendations are vague.

- State regulation is a 3 page executive order (2018-04):

  - The vehicle must achieve a reasonably safe state…

  - Complying with all Arizona traffic and safety laws.

  - Meeting all applicable certificate… and insurance requirements.

  - Instructs the Departments of Public Safety to work with other relevant law enforcement agencies to develop protocols on how first responders shall interact with a fully autonomous vehicle in emergency and traffic enforcement situations.

  - In addition, the vehicle must meet all applicable certificate, title registration, and licensing and insurance requirements.

CURRENT REGULATION IS INSUFFICIENT

- **No** clear rules of liability - no legal precedent, no directly applicable laws.

- Privacy laws are not clearly applicable.

ACADEMIC DISCOURSE

- Various articles about different topics - privacy, cybersecurity, liability, ethics etc.

  - No complete regulation scheme.

  - Do not provide a holistic solution.

  - Applicable to current technologies.

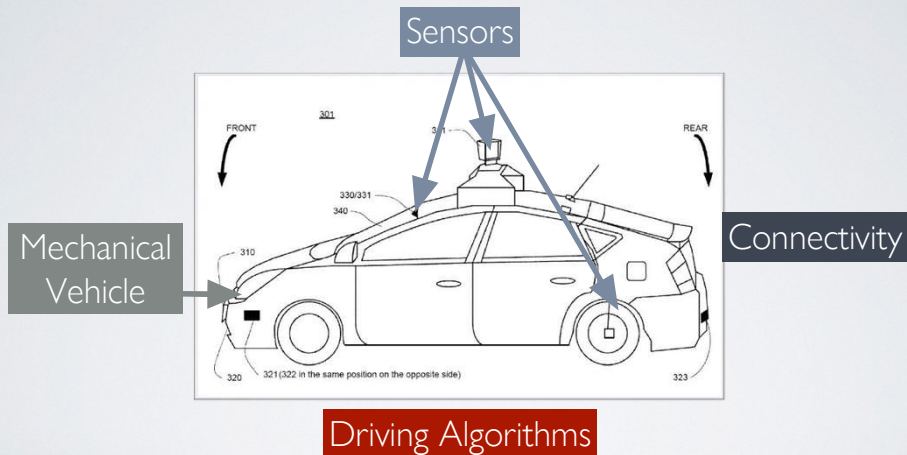 - Theories do not necessarily coexist.

REGULATION BRINGS TRUST

- The societal value of Autonomous Vehicles is clear (lives, infrastructure, resources, medicine, equality).

- Public acceptance is dependent on trust.

- Regulation is required for trust.

REGULATING THE TECHNOLOGIES

- Dividing the end product into the constructing technologies.

- Defining each technology up to the level required for regulation.

- Identifying the legal issues relevant for each technology.

- Addressing the legal issues for each technology separately.

DEFINING THE "SELF DRIVING VEHICLE"

Sensors

Mechanical Vehicle

Connectivity

Driving Algorithms

IDENTIFYING THE LEGAL ISSUES

- **Sensors**:

  - Privacy.

  - Cybersecurity.

- **Algorithms**:

  - Liability.

  - Ethics.

  - Risk Management.

- **Connectivity**:

  - Cybersecurity.

  - Collective action.

  - Antritrust.

REGULATING SENSORS

- A legal problem with precedents:

  - CCTV in the UK.

  - Google Street View (legislation + rulings).

  - GPS Tracking - US Supreme Court.

REGULATING SENSORS

- Identifiable Issues:

  - Location of Cameras.

  - Types of cameras and amount of usage.

  - Data retention.

  - Security and Cybersecurity.

Thank You