

The Legal Framework for Autonomous Driving

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Introduction

- On the way to autonomous cars: air-bags, anti-blocking systems, parking assistance
- Autonomous systems: work independently of ongoing human input
- Great social impact
- Many legal problems

Constitutional Provisions

- Constitutions normally do not deal with new technological developments
- Freedom of Research
- Protection of Property
- State has to ensure safety and efficiency of road traffic

Road Traffic Law

- Vienna Convention on Road Traffic (1968)
- Spring 2014: proposals for amendments
- National vs. international law

Civil Liability

- Tort law
- Contractual liability
- Strict liability

Criminal Liability

- Causing bodily harm by negligence
- Definition of „negligence“
- Dilemma: Relieving the driver of driving tasks vs. controlling the autonomous system

Liability of Providers

- Cars are becoming increasingly interconnected
- Downloading of data in driving cars as a standard process
- Malware?!
- Liability of the programmer + liability of the provider
- European E-Commerce Directive provides a system of provider liability

Algorithms of Death

- Autonomous accident avoidance systems
- Problem: what is the lesser evil? And can that question be decided by cars?
- Human body vs. property
- Life vs. life
- One life vs. many lives

Summary and Outlook

- Relevant problem areas:
 - road traffic law
 - civil liability
 - criminal liability
 - provider liability
 - data protection law
- Some problems can be solved by interpretation, some require new law
- All legal problems of autonomous driving can be solved

- Thank you for your attention!