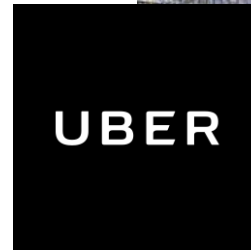


Autonomous Vehicles

Liability and Insurance Developments



Three Areas For Discussion

Liability

Insurance

Data

“As uncertain as the future sounds, the civil justice system is well-placed to handle such ambiguity. The courts have faced disruptive technologies many times before, and proved themselves able to adapt... ***Amongst legal experts, there is already widespread agreement that the current liability system is best-placed to handle innovation.***”

American Association for Justice

Driven to Safety: Robot Cars and the Future of Liability

Insurance

Testing

Commercial Fleet Use

Personal Ownership



Minimum AV Insurance Approaches

Uniform Law Commission – Deemed Permissive Driver

- Automated Driving Provider (ADP) certification
- ADP is covered under the owner's policy as a permissive driver
- Subrogation/contribution rights

Minimum AV Insurance Approaches

Limited Statutory Owner Liability

- Statutory assignment of liability to vehicle owner without regard to negligence
- Statutory liability is limited in amount
- Subrogation/contribution rights

Minimum AV Insurance Approaches

No Fault

- Each owner insures for own injury and physical damage
- Unclear how this proposal interacts with traditional vehicles
- Anticipate significant cost implications

Elements of Statutory Approach

- (a) With respect to collisions involving an automated vehicle, the person in whose name the automated vehicle is registered shall be deemed **liable for the operation and functioning of that automated vehicle** while the automated driving system is engaged.
- (b) The liability of the vehicle registrant under this section shall be **limited to the amounts required to satisfy financial responsibility** under [the financial responsibility law].

Elements of Statutory Approach

(c) The liability imposed by this section does not affect the vehicle registrant's legal rights under statutory or common law to seek contribution or subrogation from one or more parties liable under applicable statutory law, common law, or other applicable federal or state law or regulation.

(d) This section does not limit the liability of the person in whose name the automated vehicle is registered for any negligent or intentional acts by that person.

(e) This section does not limit the liability of a motor vehicle manufacturer or other third party under applicable statutory law, common law, or other applicable federal or state law or regulation.

Thank you



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