Self-Driving Cars in Minnesota

• Other states are making progress

• The technology is being developed, are we missing an opportunity to lead?
Safety

Minnesota 2013

- 387 Fatalities
- (~370 predicted 2014)
- 30,653 Injured
- 77,707 Traffic Crashes

Economic Cost more than $1.58 Billion

Credit: Science Digest Apr. 1958
Safety

• Benefits:
  • Eliminate Driver Error
  • Focus on Crash Avoidance - NHTSA
  • Reduce Fatalities

• Caveats
  • Integrating with “driver”
  • Responding to warnings
  • Resuming Control
Issues:

• Does MN need a law?
  – How to define “driver?”

• How to handle Liability?

• What about Privacy?
There outta be a law . . . ?

• **Automated Vehicles are Probably Legal in the United States**

• And in Minnesota (w/o a law)
  – “Driver” is “any person . . . in physical control . . .”
    • Minn. Stats. Ann. § 169.011 subd. 24
  – But, “Operation” = “any act . . . which . . . will set the vehicle in motion”

• Codifying the case wouldn’t hurt, but . . .
Then again, maybe not

- Too many state laws create problems
- Companies in California and Michigan already developing the tech
  - Need to regulate
- Not the case in MN (yet)
- Connected vehicles show NHTSA willing to act
- Grow the industry before regulating
Liability Options

• Operator or Manufacturer Liability?

• Manufacturer (Products) Liability
  – Risk / Benefit
  – Consumer Expectation
  – Strict Liability????
  – Protection / Preemption?
Liability Options

• Owner:
  – agency analogy: the car is the “agent” of the operator/owner.
  – Vicarious liability

• Operator:
  – Strict Liability up to financially responsible limits?
Tools For Common Ground

- Weigh costs vs benefits
- Set time limits for data retention
- Restrict secondary uses of data
- Using Privacy Policies:
  - Opt-in mechanisms;
  - Internal data practices
  - AAMA Principles:
    - www.automotiveprivacy.com
- Implement “Privacy-by-design”
Opportunities for Minnesota

• Need to review current laws, capacity and demand projections
• But don’t regulate what’s not here
• If Volvo can demonstrate in Gothenburg, why not a demonstration in Minnesota?
• British “competition” a model?
Questions?

• Frank Douma
  – fdouma@umn.edu

Self Driving Vehicles: Opportunities for Minnesota Policy and Law