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LEGAL IMPLICATIONS OF
AUTONOMOUS
VEHICLES

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“ Self-driving trucks will introduce new legal concerns and liabilities for owners, operators, and manufacturers. ”

Recently, about a dozen trucks made a weeklong trip across Europe through mostly autonomous driving. Manufacturers like Volvo, Daimler, and Scania (Volkswagen) participated in the event crossing multiple borders. The trucks traveled over 1,000 miles as part of the European Truck Platooning Challenge organized by the Dutch government. This recent demonstration in Europe is likely to become more frequent as companies develop technology to offer driverless trucks. In fact, Mercedes is advertising the Mercedes-Benz Future Truck 2025 as the “long-haul truck of the future.” And, a new company founded by former Google employees is getting involved in the autonomous trucking business by focusing on technology that converts trucks already on the road to become driverless.

However, self-driving trucks will introduce new legal concerns and liabilities for owners, operators, and manufacturers. Utah has recently enacted legislation requiring government agencies to do studies regarding the safety of driverless vehicles and has asked the agencies to submit proposed regulations for

autonomous vehicles on Utah highways by the end of 2016. Utah might follow the example of other states, like California, that require manufacturers to get special permits before allowing self-driving vehicles on the road.

Self-driving vehicles are also likely to shift insurance and liability requirements. While the abilities and functions of autonomous trucks are tested, drivers, manufacturers, and owners might be required to have increased insurance limits. Liability will tend to shift from driver-centered (negligence or mistake of a driver) to truck-centered (properly functioning technology). Manufacturers of the autonomous vehicles or the component installers will be brought into suits more frequently. Drivers and trucking companies will also become liable for new issues including failure to maintain or upgrade the computer components of the autonomous vehicle. Additionally, the technology of the self-driving vehicles makes them targets for cyber-crimes and hacking, and manufacturers and owners may be responsible for electronic failures in certain circumstances.

While the convenience and safety benefits of self-driving trucks may improve or advance the trucking industry, it is important to keep an eye on the upcoming laws regarding autonomous vehicles. Following the new regulations and appropriately training operators of autonomous trucks is the best way to protect against new types of liability.

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