

## Press release

Versailles, 26 March 2019

### Legal issues surrounding autonomous vehicles: towards a change in the law or a legal revolution?

*“Autonomous vehicles: who is liable?”*: a new book, which examines in depth who is liable in the event of an accident.

Uber will not be prosecuted for a fatal accident involving one of its autonomous vehicles in March 2018. This verdict has just been announced by the prosecutor in charge of the case. This accident happened in the United States and raises pertinent legal questions about the use autonomous vehicles, such as who is criminally liable in the event of an accident? Who insures the risks? Who compensates the victims? In a context where national<sup>1</sup> and international laws are changing, **Iolande Vingiano-Viricel, head of legal research as the VEDECOM Institute and co-director of the postgraduate course entitled “Legal aspects of autonomous vehicles” at the University of Aix-Marseille, published “Autonomous vehicles: who is liable?” on 28 March (published by Editions LexisNexis).** This in-depth analysis provides an initial assessment of the fitness, or otherwise, of the law following the launch of autonomous vehicles. Intended for lawyers, insurers and anyone involved in dealing with these issues, the book addresses, in a very comprehensive manner, the issue of liability in the event of an accident in order to avoid autonomous vehicles becoming equated with loss of control.



#### Autonomous vehicles and liability mechanisms: what are the legal challenges?

If delegated driving vehicles are now a reality, there is still a long road to travel before complete autonomy is achieved. In her book, Iolande Vingiano-Viricel examines liability mechanisms for the initial levels of delegated driving and sheds light on five key issues:

- Does an “autonomous vehicle” require a driver?
- Is an “autonomous vehicle” a motorised land vehicle subject to compulsory insurance?
- Is an "autonomous vehicle" liable for damages suffered by victims in the event of a road traffic accident?
- Is an "autonomous vehicle" liable for offences under the Penal Code and/or the Highway Code?
- Is an "autonomous vehicle" compatible with the administrative mechanisms used to prove the identity of the person responsible?

<sup>1</sup> Currently being debated in Parliament, the PACTE law states that the person responsible for the experiment is legally liable while the Loi d’orientation des mobilités (NB: vision for mobility act) puts forward a framework for the deployment of autonomous vehicles.

## Press release

To answer these questions, the author looks at the inventory of current laws as well as extensive case law. She also puts forward synthetic and practical diagrams to visualise, notably, events generating liability. Finally, she formulates reform proposals to support the introduction of these types of vehicles.

*“I am delighted to announce the launch of this extremely serious book, which is the result of five years of research,”* announces Philippe Watteau, CEO of VEDECOM. *“Legal issues are a key element of deploying any new form of transport. The Institute’s mission is to provide a systemic vision of future mobility solutions by bringing together industries from different sectors, academic actors, countries and researchers from different disciplines. Thanks to these collaborations, we can go from dreams to science, and from science to standardisation and practical applications,”* he adds.

### About the author

Iolande Vingiano-Viricel holds a doctorate in law, she is an associate member of the private law and criminal sciences laboratory at the University of Aix-Marseille (LDPSC EA 4690), and is co-director of the postgraduate course entitled “Legal aspects of autonomous vehicles” at the University of Aix-Marseille. In addition, she is responsible for carrying out legal research for VEDECOM and participates in the “Nouvelle France Industrielle” (NFI) legal working groups, now known as the “National Strategy” and integrated into the “Autonomous Vehicle” plan.

### About VEDECOM

VEDECOM is an institute for energy transition (ITE) founded on unique cooperation between firms in the automotive and aviation sectors, mobility ecosystem infrastructure and service operators, academic research bodies and Ile-de-France local authorities. The role of VEDECOM is to forge closer ties between academia and industry. The institute helps them to achieve a high standard of innovation in the area of mobility and, in particular, in electric vehicles, autonomous and connected vehicles and shared energy and mobility infrastructure and services. VEDECOM is a part of the French government’s PIA future investment plan. Its founding members are Cetim, ESIGELEC, ESTACA, IFPEN, IFSTTAR, PSA Group, Renault Group, Safran, UVSQ and Valeo.