

AGENDA //
WORKSHOP ON LEGAL ASPECTS OF
AUTOMATED DRIVING
 SEPTEMBER 17, 2015

Adapt//Ve

FEDERATION OF FRENCH CAR MANUFACTURERS
 2 RUE DE PRESBOURG, PARIS, FRANCE

TIME //	TITLE //	SPEAKER //
08:30	Registration & Coffee	
09:00	Welcome	Yves Page, Expert in 'Road Safety - Accident Research', Renault
09:10	European Commission position and actions regarding the legal aspects of automated driving	Wolfgang Höfs, Head of Sector "Strategic Planning and Communication" European Commission, DG CNECT
09:25	Automated driving - What is possible today?	Aria Etemad, Adaptive Coordinator, Volkswagen Group Research
09:45	Legal questions to be solved	Andreas Knapp, Leader Adaptive sub-project Response 4, Daimler AG
10:00	An overview of legal issues for automated driving from Adaptive Response 4	Eric Hilgendorf, Professor of Law, Chairman of the Department of Criminal Law, Criminal Justice, Legal Theory, Information and Computer Science Law, The University of Würzburg
10:30	European legislative efforts: Germany - France - United Kingdom - Sweden	Maxime Flament, Head of Department Connected & Automated Mobility, ERTICO
10:45	US legislative efforts	Bryant Walker Smith, Assistant Professor of Law, University of South Carolina School of Law
11:00	Coffee break	
11:15	Regulatory law: Is the Vienna Convention allowing automated driving?	Joël Valmain, WP 1 Vice Chair, Adviser for European and International Affairs to the Inter Ministerial Delegate for Road Safety
11:45	Technical regulation: Needs of change in UNECE-rules	Yves van der Straaten, Secretary General and Technical Director OICA (International Organization of Motor Vehicle Manufacturers)
12:15	Legal framework for highly automated driving	Cornelius Renken, Senior Counsel, Head of Group Legal Product Safety, Volkswagen AG
12:45	Lunch	
13:45	Main challenges in data privacy law	Sophie Herbonne, Director of Compliance, Commission Nationale de l'Informatique et des Libertés (CNIL)
14:15	Necessity of new insurance business models?	Stéphane Pénat, Director of Insurance of property and liability, French Federation of the French Insurers
14:45	Coffee break	
15:00	Panel discussion: Legal aspects - Challenges and solutions	All speakers, moderated by Eric Hilgendorf
15:35	Where are we in 2040?	Alain Bensoussan, Alain Bensoussan Avocats
16:05	Conclusion and closing	Yves Page, Expert in 'Road Safety - Accident Research', Renault
16:15	End of event	

Concluding Remarks

Yves Page, RENAULT

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Some Main Thanks

- Thanks to AdaptIVe Management for their support in the genesis and of organisation the workshop (Aria, Andreas, Sven, Vincent and special thanks to Sarah, Henrike, Heidi and friends) ... and also for having approved the venue (Magnificent city of Paris)
- Thanks to all speakers for their valuable statements and inputs in the field of legal aspects of automated driving
- Thanks for the brief (relevant) questions and the short (smart) answers during the panel session
- Some questions remain pending (but addressed), some others have already answers/solutions/controversies

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Some Basic Topics under consideration

- Regulations for experiments
- Traffic laws
- Vehicle regulations
- Standardization
- Homologation / certification
- Civil / criminal/ insurance laws
- Data protection and 'data values'

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Some Main Expectations

- European Commission is pushing/supporting research and pre-development projects on automated driving (and legal aspects of automated driving 😊)
- A lot is expected by public authorities for open roads experiments which they very much support in some 'pioneer' countries
- Collaboration between countries and between actors within and across countries is very much necessary

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Some Main Challenges

- Freedom of research but also protection of human life
- Acceptance of positive and negative effects
- Civil liability: expected shift of liability from drivers to producers,
- ... But how to assign civil liability? >> EDR's can help, clear definition of who or what a driver is too
- Criminal liability
 - Dilemma of control: relieving the driver of driving tasks vs legal duty to control the autonomous system
- Data protection laws: individuals protection but also economic values

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Some Main Challenges

- Data ownership is an issue: a clear concept is required
- Ethics: Moral dilemma: what is the lesser evil?
- How to prevent Cybercrime?
- Changing national laws (e.g. obligation to report serious incidents of level 3 systems)
- Insurance business models. How to assess a new risk (need for inputs from the automotive industry)?
- Managing uncertainty: begin with technologies
- Law of robots

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Some New Roles

- Data protection regulator role is changing
 - Protect citizens rights
 - Innovations expected in implementing a dynamic compliance framework considering pace of technological progress, and new business models: such as co-regulation
- Promotion of privacy by design
- Data Privacy discussion on course with manufacturers

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Some Main Progress

- Vienna and Geneva Conventions and technical regulations
 - Distracted driving is prohibited and will stay prohibited for some time
 - But ... WP1 open to technical progress, provided safety is demonstrated
 - Consistency between UNECE / WP1 and WP29
 - First amendment concerning ADAS is on its way (referring to technical regulations)
 - Role of driver is to be discussed at the next session (Sweden/Belgium proposal)
 - Vehicle regulations: Key issue is the amendment to UN R79 (steering functions)

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Some Challenges for you, Aria

Have the technologies reached a level
of demonstrated level of socially
acceptable safety ? (Bryant)

Thank you for your continuous, non
distracted participation 😊

Stay Hungry, Stay Foolish

Steve Jobs, a few years back

Do we use law as rules or tools?

Bryant Walker Smith, today 😊