Despite all the hype, fully self-driving cars are not yet commercially available to the public. In limited geographical areas, individuals can sometimes be passengers in these vehicles. However, mastering the technology behind these cars has proven highly costly, and a wider rollout has taken much longer than expected.

Even Tesla, who offers an “Autopilot” feature and boasts that their cars can run by themselves, admits (sometimes) that there needs to be a human at the controls. This is partly because of the accidents that continue to occur when people allow the car to do what it promises to do: drive itself. Clearly, safety continues to be a significant concern.

In April of this year, a Tesla vehicle was involved in a fatal crash that killed two people. Just before the drive, eyewitnesses said that the parties left to test-drive the vehicle without a driver utilizing Tesla’s Autopilot feature.

Tesla claims the accident occurred because there was no one behind the wheel. The company says they include a warning on when and where to use this feature in the vehicle’s manual. They also state on their website that active driver supervision is required, yet they continue to advertise the Autopilot feature as autonomous.

So, before we examine who’s at fault if you’re involved in an accident with a driverless car, it’s important to understand the complexities surrounding self-driving cars, from what defines the term to current regulations and the latest developments.
WHAT ARE SELF-DRIVING VEHICLES?

The terms “self-driving,” “driverless,” and “autonomous” are often used synonymously, although there are important distinctions.

Self-driving vehicles have been assigned levels of autonomy by the NHTSA (National Highway Traffic Safety Administration). Most cars on the road today operate at Level 1, where there are some autonomous functions such as cruise control or Lane-Keep Assist. It’s worth noting that the NHTSA recently updated their descriptions of Levels 4 and 5 to include a greater degree of autonomy and lack of human intervention.

There has been some reluctance for people to grab onto the self-driving concept. However, according to forecaster Scott Hardman, as driving becomes more automated, people will drive more, based on his interviews with 35 Tesla BEV with Autopilot owners. Those interviewed perceived less stress and increased comfort associated with partial automation.

In the meantime, technology is moving forward amidst hope, some trepidation, and, most of all, confusion.

ESSENTIAL SELF-DRIVING VEHICLE STATS

Exact statistics about driverless vehicles are difficult to get due to the lack of mandates on reporting accidents and the lack of industry-wide standards, where confusion abounds. Nevertheless, here are some important numbers worth considering:

- More than 80 companies are testing over 1,400 self-driving cars in the U.S.
- About half of the population familiar with self-driving cars say they would be willing to ride in them.
- The Tsukuba Mechanical Engineering Laboratory in Japan launched the first primitive, semi-automated car in 1977.
- Google’s self-driving car first crashed into a bus in February of 2016; there were no injuries.
- Tesla autonomous vehicles have been involved in several accidents. The first accident that resulted in death occurred in Florida on May 7, 2016.
- The first Uber self-driving car crash occurred on November 20, 2018, in Tempe, Arizona. The cause was human error and resulted in the death of pedestrian Elaine Hezerberg.
- Uber was involved in 37 crashes prior to the fatal accident in 2018.
- Waymo, the self-driving division of Google parent company Alphabet, Inc., partnered with the trucking giant J.B. Hunt and began hauling commercial loads
on Texas highways with Level 4 autonomous big-rig vehicles in March of 2020.

- Waymo has also been running a driverless taxi service in the Phoenix, Arizona area since 2018. In May of this year, one of these Waymo taxis got confused in Chandler, Arizona traffic and took off on its own. Fortunately, no one was injured.

- Lyft predicts autonomous rides could arrive by 2023.

Many experts say driverless cars are safer than those driven entirely by human operators. Regardless, accidents have occurred and will continue to take place for many reasons. But if you’re involved in a driverless car accident, who’s at fault? Do you have any recourse?

WHO’S TO BLAME IN A CRASH?

The blame, or cause, of the accident, can be murky at best and may rest with more than one party. That’s why it is essential to have a professional and experienced personal injury attorney on your side to accurately assess the situation, interpret the data, and consult the right experts to support your case and present it properly to the court.

WHAT TO DO IF YOU’RE IN AN ACCIDENT WITH A DRIVERLESS CAR

If you’re involved in an accident of any kind, you’ll want to seek medical help as soon as possible. Often physical, mental, or emotional trauma doesn’t show up right away, even if you think you weren’t hurt.

Be sure to:

- Stop and wait for the police to arrive. Never leave the scene of an accident.
- Take pictures.
- Write down what happened while your memory is fresh.
- Get statements from all witnesses as soon as possible. Get people who can corroborate what happened while their memories are fresh.
- Report the accident to your insurance company as soon as possible.
- Get medical help, even if you think the injury is minor.
- Retain all related receipts, bills, and notes.

© 2021 by Clifford Law Offices PC. All rights reserved.