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Legal aspects of "autonomous" vehicles

Motion for a resolution

tabled by Mr Ziya ALTUNYALDIZ and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly notes that technical progress has already made the circulation of driverless vehicles (cars, trucks, buses) a reality. It is likely that such vehicles can soon operate without an on-board "security driver".

This will raise legal (civil and criminal responsibility) issues that will need to be addressed by legislatures, also in the Council of Europe's member States, in the near future.

Issues include liability for damage caused to life and limb or property by an accident involving an autonomous vehicle – whether or not this vehicle was in violation of traffic rules.

Should there be strict liability? Or should liability depend on which vehicle was "at fault" for a collision according to ordinary traffic rules, as for driver-operated vehicles in most countries?

Should the manufacturer of the car (or of its components ensuring the vehicle's autonomy) be held liable, or the owner (operator) or passenger of the vehicle?

Should manufacturers be legally obliged to programme the vehicle's reactions in such a way that any and all risks are excluded, by sacrificing speed, if need be, drastically? Or should manufacturers be allowed to balance safety and speed considerations, as long as the risks are lower (by how much?) than those caused by good human drivers?

Once extremely safe autonomous cars exist, should human beings still be allowed to drive themselves, thus creating risks for life and limb and slowing down traffic for autonomous vehicles by forcing them to anticipate human errors? Can driver-operated vehicles be at all forbidden by law, without compensation for the owners?

The Assembly should prepare a report carefully analysing relevant risks and opportunities, as well as fundamental legal principles to be applied and interests to be balanced.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EC: European Conservatives Group
EPP/CD: Group of the European People's Party
FDG: Free Democrats Group
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group