



Eric Hilgendorf  
University of Würzburg

RobotLaw  
Research Center



*Adapt//Ve*

*Automated Driving Applications and  
Technologies for Intelligent Vehicles*

*Legal aspects*

A photograph showing a person's hands resting on their lap while sitting in the driver's seat of a car. The person is wearing a light blue and white striped shirt and blue jeans. The steering wheel and dashboard are visible in the background.

## // New Technology - New Law?

- On the way to autonomous cars: air-bags, anti-blocking systems, parking assistance
- Autonomous systems: work independently of ongoing human input
- Great social impact
- Many legal problems

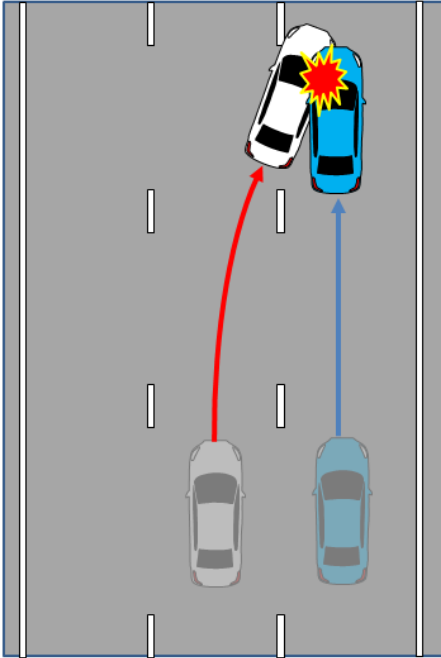
## // AdaptIVe: Main Results

- Liability
- Data protection law
- International perspectives

## // International Law

- Vienna Convention on Road Traffic (1968)
- Spring 2014: proposals for amendments
- National vs. international law
  
- Germany: New laws on „highly and fully automated cars“ valid June 21, 2017
- Ethics Committee on Automated Driving (final report June 20, 2017)

## // Civil Liability



- Tort law
- Strict liability: negligence or intentional behaviour is not required

## // Aschaffenburg Case

A car with a lane keeping assistant system drives into a small city in the southern part of Germany. At the entrance of the village, the driver suffers a stroke and loses consciousness. His hands still hold the wheel. The car moves to the right. Under „normal“ circumstances it would have come to a stop in some bushes. But the lane keeping system brings the car back on the street. The car moves on for another 1,5 kilometers. Inside the village, it hits a young mother and her child, both are dead on the spot. The father gets hurt, but survives.

Civil Liability?

## // Criminal Liability

- Criminal infliction of bodily harm?
- Test structure:

Relevant action

Damage

Action is the cause of the damage

Negligence

# // What is Negligence?

Foreseeability of a danger

Avoidability of the danger

The greater the possible harm, the more careful you have to be

The greater the likelihood of harm, the more careful you have to be

Trust principle

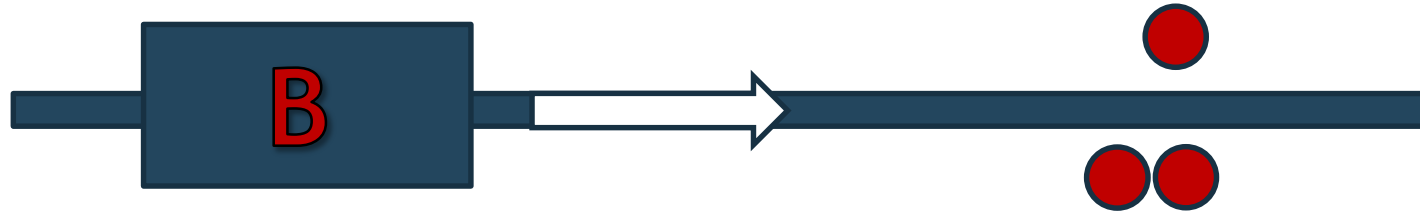
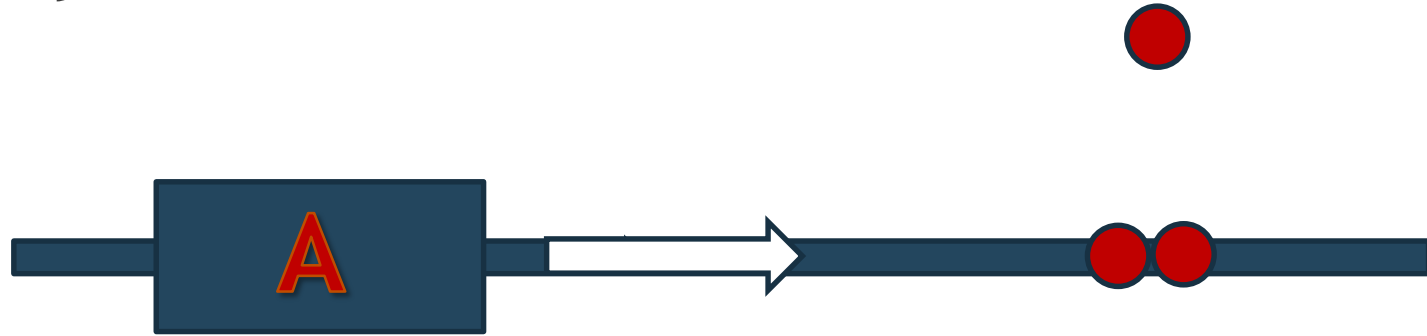
Allowed risk



## // Data Protection

- New EU Regulation for personal data
- What about data that are not personal?
  - Free data or data ownership

# // New Challenges: Dilemma Problems for Autonomous Systems





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Prof. Dr. Dr.  
Eric Hilgendorf  
University of Würzburg  
[Hilgendorf@jura.uni-wuerzburg.de](mailto:Hilgendorf@jura.uni-wuerzburg.de)

# Adapt//Ve

*Automated Driving Applications and  
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*Thank you.*

