

# SNS COLLEGE OF TECHNOLOGY, COIMBATORE-35

## DEPARTMENT OF MECHANICAL ENGINEERING

19MEZ404-Connected and Automated Vehicles

### UNIT IV AUTOMATED VEHICLE TECHNOLOGY

Topic Laws and regulations



[https://robots.law.miami.edu/2016/wp-content/uploads/2015/07/GILBERT-ZALLONE-Connected-Cars-REVISED\\_2016-03-29.pdf](https://robots.law.miami.edu/2016/wp-content/uploads/2015/07/GILBERT-ZALLONE-Connected-Cars-REVISED_2016-03-29.pdf)

<https://www2.deloitte.com/nl/nl/pages/legal/solutions/legal-and-regulatory-framework-in-vehicle-data.html>

<https://www.vennershipley.co.uk/insights-events/connected-vehicles-new-regulatory-guidance-highlights-the-importance-of-data-protection-laws-in-the-design-process/>

Legal together with stakeholders, such as Automotive Industry branch associations and the Dutch government, have formed a focus group to discuss questions, such as: who may have access to in-vehicle data, under what conditions may different actors in the Automotive Industry exchange in-vehicle data and how can a level playing field be achieved? This has led to the development of a legal and regulatory framework on in-vehicle data by Deloitte Legal in close collaboration with the aforementioned stakeholders.

The legal and regulatory framework consists of a searchable and comparable overview of all relevant EU legislation and Dutch legislation, i.e. public laws (regulations), (intellectual) property laws (including trade secret legislation) and contract laws in relation to in-vehicle data. This framework is accompanied by i) a Thesaurus that provides insights into the layered structure of all the definitions as used in the framework and how these definitions relate to each other, so all parties with an interest in in-vehicle data can engage in discussions on the basis of the same terminology and ii) Use Cases that demonstrate how parties with an interest in in-vehicle data can use the framework to find the answers to several questions with regard to access to and the exchange of in-vehicle data.

The framework is built in a smart Excel format through which parties can navigate to find the specific legislation that is applicable to them and are able to see how this relates to other Automotive Industry actors in the ecosystem, i.e. their rights and obligations. The framework also provides insights in the interests that individual actors or groups of actors may have, such as safety, privacy, security and fair competition in relation to in-vehicle data. The framework has been validated by an independent research expert.

All parties with an interest in in-vehicle data can use the framework as a structured and neutral source – a central point of truth – to (e.g.) determine their strategic (legal) position, stimulate collaborations, engage in collaborative (IoT) projects and set up new ecosystems. The framework may also help in facilitating qualitative discussions and negotiations regarding access to and the exchange of in-vehicle data to achieve a level playing field.

The legal and regulatory framework and accompanying thesaurus may be obtained by all parties with an interest in in-vehicle data via an open source license. The framework and specific licensing conditions will be available in due course.

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1 – REGULATORY ISSUES As car manufacturers and technology companies continue to innovate with respect to automated technology and autonomous vehicles, the legal and regulatory landscape both in the U.S. and throughout the European Union has struggled to keep pace with developments. United States In the United States, although the National Highway Traffic Safety Administration (NHTSA) is responsible for developing and setting federal motor vehicle standards and regulations, the current evolving regulatory framework regarding the testing and deployment of autonomous vehicles is essentially being driven at the state level. This patchwork approach to regulation, and 1 © 2016 Gilbert + Zallone All rights reserved. Françoise Gilbert and Raffaele Zallone would like to recognize Joanne Kirk and Maneesh Mathur for their excellent contribution to this document. Joanne Kirk, CIPP/US/EU, is a privacy and cybersecurity professional, in the Cybersecurity, Privacy, and Crisis Management Group at Greenberg Traurig. Maneesh Mathur, JD, PhD, is a law clerk in the Corporate and Emerging Technologies Group at Greenberg Traurig Silicon Valley Office. Françoise Gilbert is a partner with Greenberg Traurig, a global law firm headquartered in the US and with offices on all continents. She practices in the firm's Silicon Valley office, located in East Palo Alto, California, where she advises public companies, emerging technology businesses and non-profit organizations, on the entire spectrum of domestic and international privacy and cyber security issues legal issues. Françoise has focused on information technologies for 30 years; she regularly deals with compliance challenges raised by cloud computing, connected objects, smart cities, big data, mobile applications, wearable devices, social media, and other cutting-edge developments. She is the author and editor of the two-volume treatise Global Privacy and Security Law, (Wolters Kluwer Publisher) which analyzes the data protection laws of 68 countries. 2 Raffaele Zallone is an attorney in Milano, Italy, where in 1997 he founded Studio Legale Zallone, a niche firm focusing on IT and new technologies Law. From 2002 to 2008 Mr. Zallone was professor of IT Law at the University Luigi Bocconi of Milano, one of the most prestigious institutions in Italy. His main areas of activity of the firm include Data protection, New Technologies (robotics and biotech), IT contracts, eCommerce and Internet law and regulation

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Developments at the State Level States are developing regulations in two areas. Some define the rules that apply to the conditions for the testing of vehicles. Others, in addition are beginning to draft rules for the deployment of autonomous vehicles on public roads. Laws Regulating the Testing of Vehicles California, District of Columbia, Florida, Michigan, Nevada, North Dakota and Tennessee have enacted laws that permit the testing of autonomous vehicles on public roads. They allow the use of vehicles for tests provided that an experienced human driver is at the wheel. In addition, during the course of 2015, at least sixteen states have introduced legislation related to autonomous cars.<sup>4</sup>

- California Among other things, California CA SB 1298 requires the Department of the California Highway Patrol to adopt safety standards and performance requirements to ensure the safe operation and testing of autonomous vehicles, as defined, on the public roads in this state. Permits autonomous vehicles to be operated or tested on the public roads in the state pending the adoption of safety standards and performance requirements that would be adopted under this bill.
- District of Colombia In the District of Colombia, DC B 19-0931 defines "autonomous vehicle" as "a vehicle capable of navigating District roadways and interpreting traffic-control devices without a driver actively operating any of the vehicle's control systems." It requires a human driver "prepared to take control of the autonomous vehicle at any moment." It also restricts conversion to recent vehicles, and addresses liability of the original manufacturer of a converted vehicle.
- Florida In Florida, FL HB 1207 defines "autonomous vehicle" and "autonomous technology." It also declares legislative intent to encourage the safe development, testing and operation of motor vehicles with autonomous technology on public roads of the state and finds that the state does not prohibit or specifically regulate the testing or operation of autonomous technology in motor vehicles on public roads. The law authorizes a person who possesses a valid driver's license to operate an autonomous vehicle, specifying that the person who causes the vehicle's autonomous technology to engage is the operator. It also authorizes the operation of autonomous vehicles by certain persons for testing purposes under certain conditions and requires that an instrument of insurance, surety bond or self-insurance be obtained before commencing the testing of a vehicle.