

Waymo recalls nearly 3,900 robotaxis over risk of entering closed construction zones

By David Shepardson

June 18, 2026 9:41 AM GMT+2 · Updated June 18, 2026



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08. 06. 2026 COMPETITIVENESS

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AARIAN MARSHALL GEAR MAY 15, 2026 3:51 PM

Tesla Reveals New Details About Robotaxi Crashes—and the Humans Involved

Remote operators (slowly) drove the automaker's autonomous vehicles into a metal fence and a construction barricade, Tesla says.



ulting in
ropean



Uber's self-driving operator charged over fatal crash

16 September 2020

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ady. Europe's rulebook is not



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GM settles lawsuit with motorcyclist hit by self-driving car

By David Shepardson

June 1, 2018 11:45 PM GMT+2 · Updated June 1, 2018

Aa 



Autonomous Vehicles

Liability

Till Bergmann

**Design IT.
Create Knowledge.**

www.hpi.de



A short history



1995



2005



2009



2018

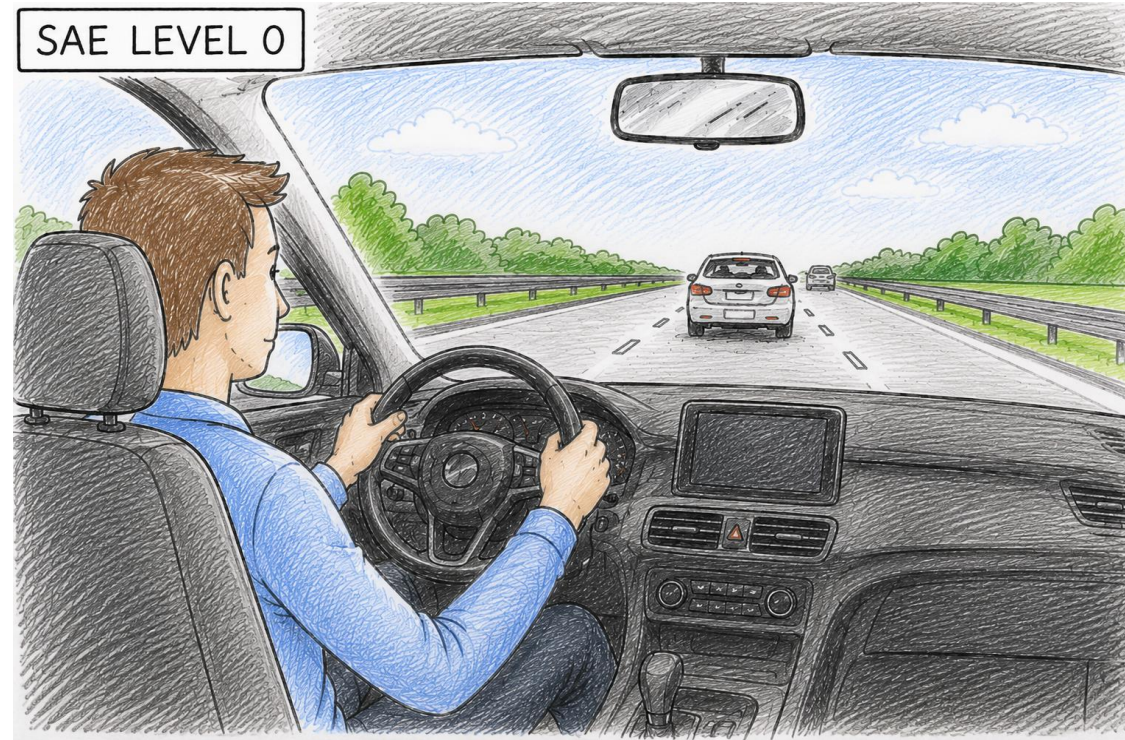


2021

2017: Germany creates framework for Level-3 driving

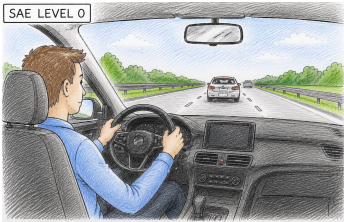
2021: Germany creates framework for Level-4 driving

Levels of Autonomous Driving

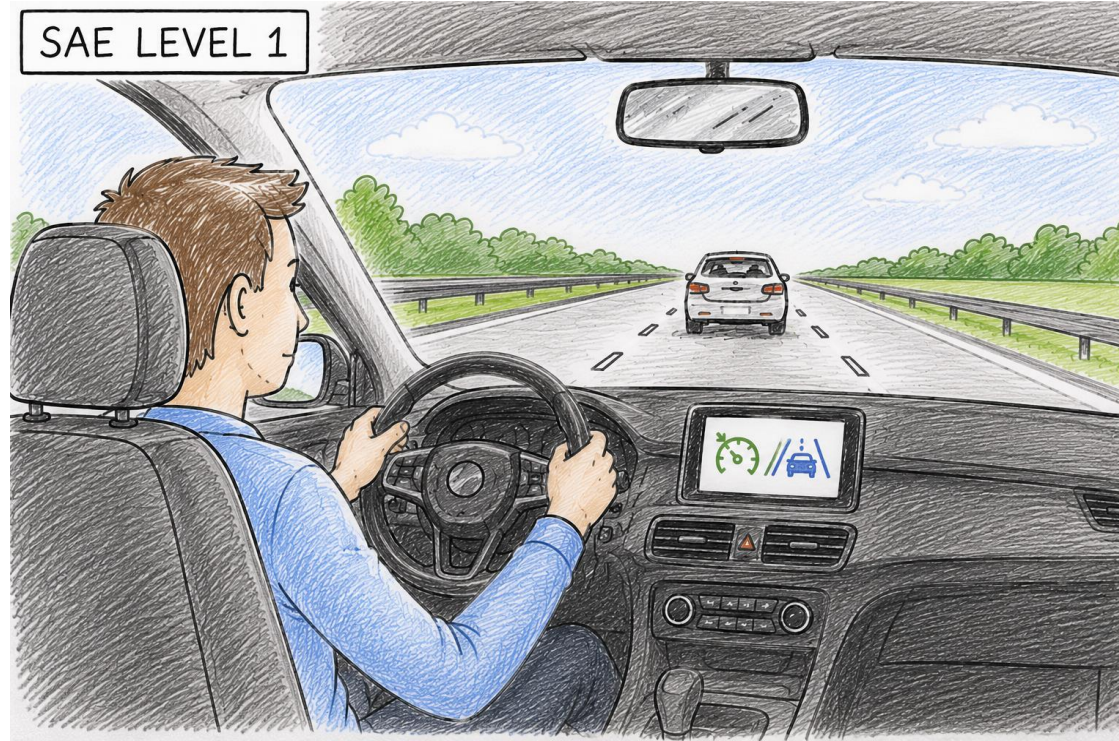


Level 0
No
Automation

Levels of Autonomous Driving

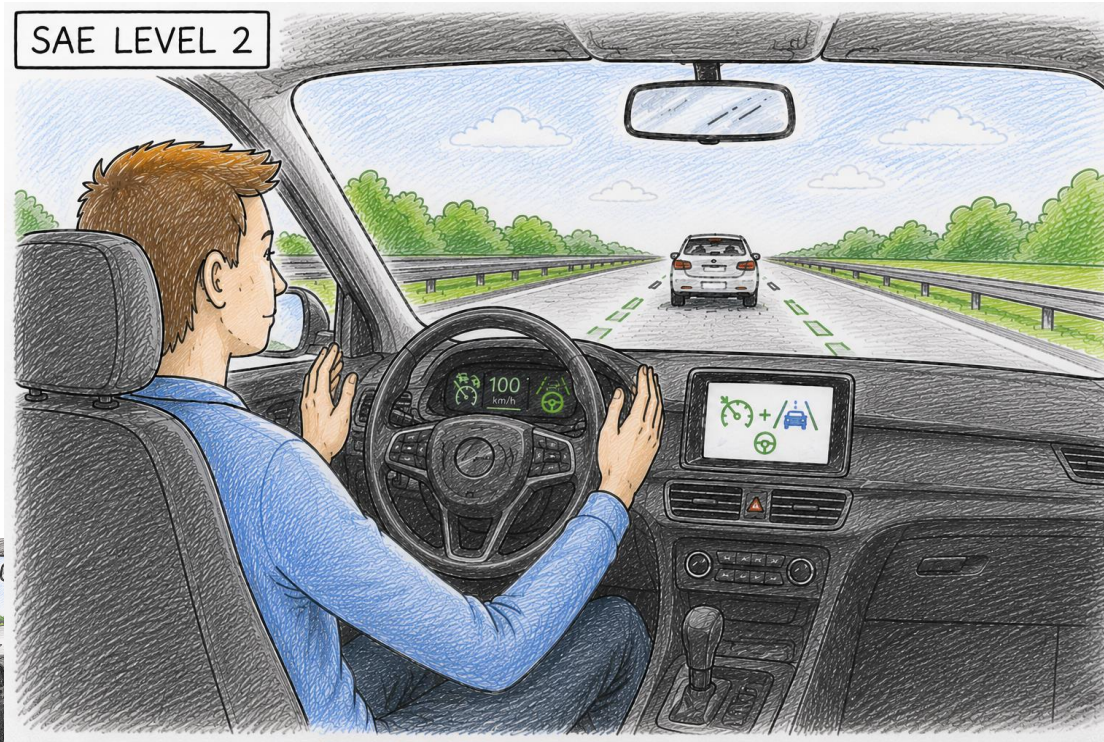
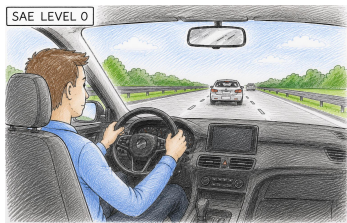


Level 0
No
Automation



Level 1
Driver
Assistance

Levels of Autonomous Driving

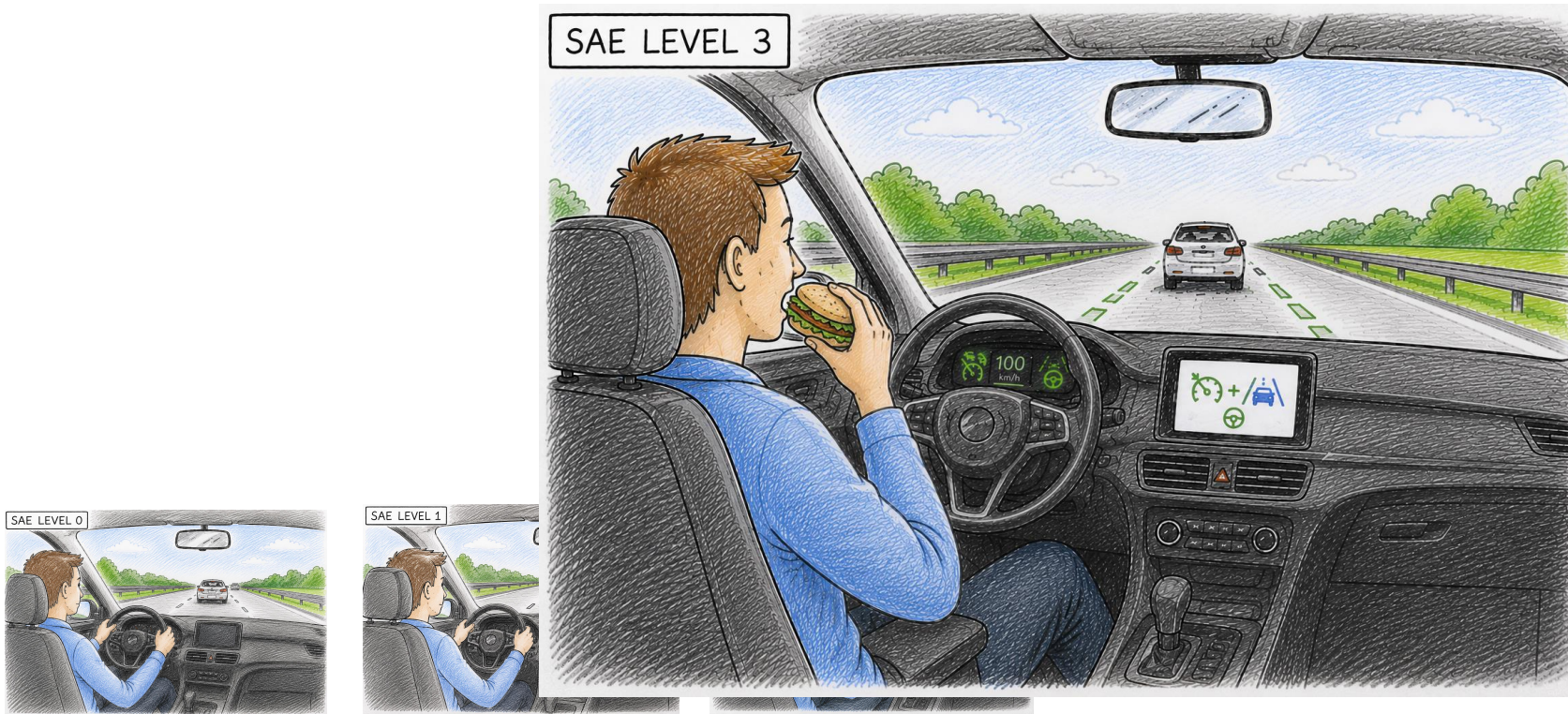


Level 0
No
Automation

Level 1
Driver
Assistance

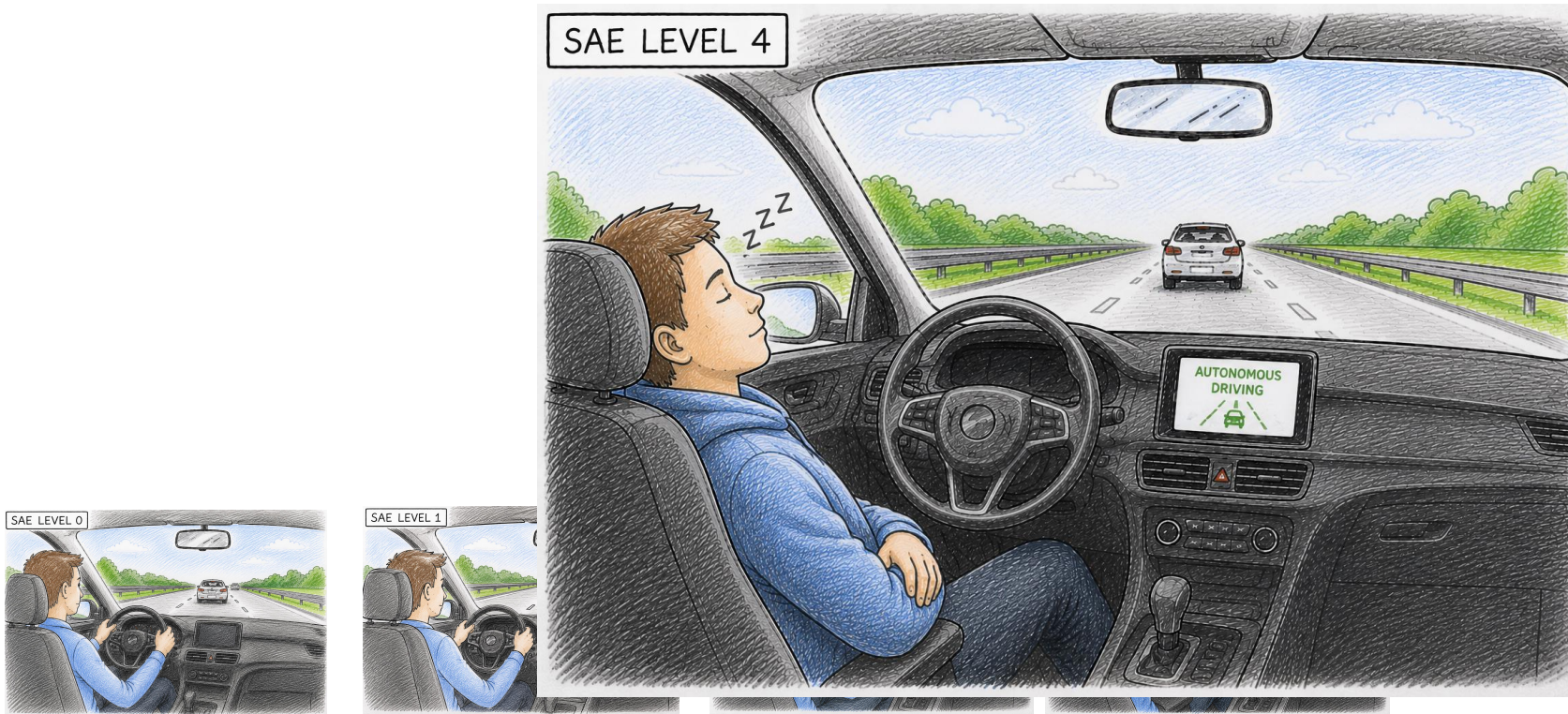
Level 2
Partial
Automation

Levels of Autonomous Driving



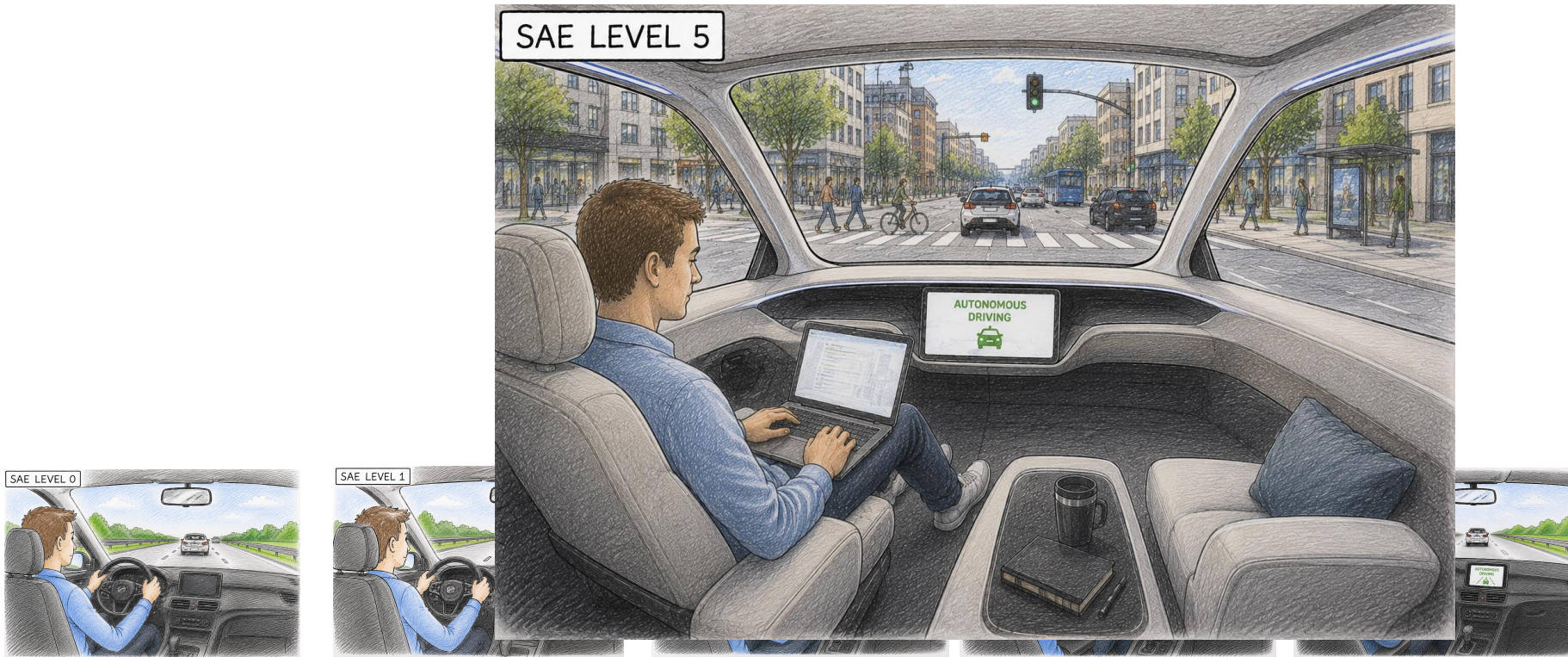
- Level 0
No
Automation
- Level 1
Driver
Assistance
- Level 2
Partial
Automation
- Level 3
Conditional
Automation

Levels of Autonomous Driving



- Level 0
No
Automation
- Level 1
Driver
Assistance
- Level 2
Partial
Automation
- Level 3
Conditional
Automation
- Level 4
High
Automation

Levels of Autonomous Driving



Level 0
No
Automation

Level 1
Driver
Assistance

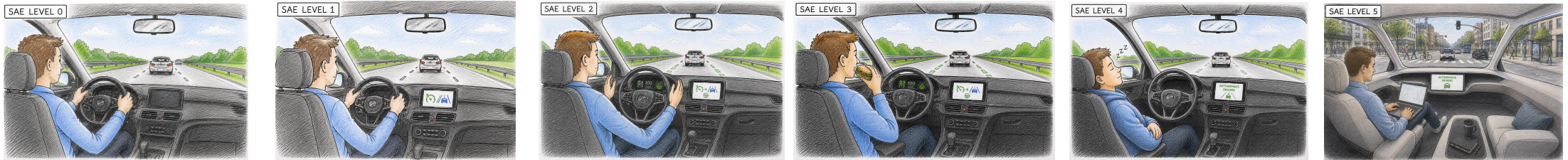
Level 2
Partial
Automation

Level 3
Conditional
Automation

Level 4
High
Automation

Level 5
Full
Automation

Levels of Autonomous Driving



- Level 0
No
Automation
- Level 1
Driver
Assistance
- Level 2
Partial
Automation
- Level 3
Conditional
Automation
- Level 4
High
Automation
- Level 5
Full
Automation

UP TO 95 KM/H*:

MERCEDES-BENZ INCREASES TOP SPEED FOR ITS SAE LEVEL 3 DRIVE PILOT

DRIVE PILOT can take over the dynamic driving task **up to a speed of 95 km/h** (German autobahn only).



Customers are allowed to engage in certain secondary activities such as working or watching a movie and others while the system is active.



DRIVE PILOT is currently the **world's fastest SAE Level 3 system** in a series-production vehicle.



New: also available in moving traffic under certain conditions, such as **following another vehicle in the right lane** of a German autobahn.



Existing Mercedes-Benz DRIVE PILOT customers will receive the **free update** over the air (OTA) or at the dealership.

UP TO 95 KM/H*:

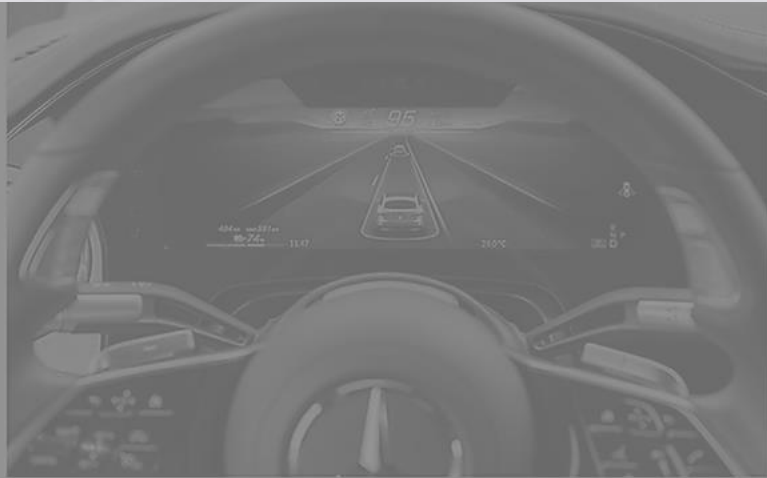
MERCEDES-BENZ INCREASES TOP SPEED FOR ITS SAE LEVEL 3 DRIVE PILOT

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Displayed secondary tasks are for illustration purposes only. Not every secondary task is permitted.



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<https://group.mercedes-benz.com/technology/autonomous-driving/driving/drive-pilot-95-kmh.html>

What is the goal of liability?

Compensation

The victim should be compensated for the damages they suffer

Risc Allocation

The costs should be allocated to the person or institution that controls, causes or benefits from the risks.

Prevention

Liability creates incentives to develop safe products and safe processes.

Paradox: Liability exists to enhance safety, it yet can hold back innovations to enhance safety, especially if unclear. (Chilling Effect)

Kinds of Liability

Negligence

A person is liable if they negligently violate their duty.



Strict Liability

A person is liable for legally creating a risk, without any fault.

E.g. Halterhaftung

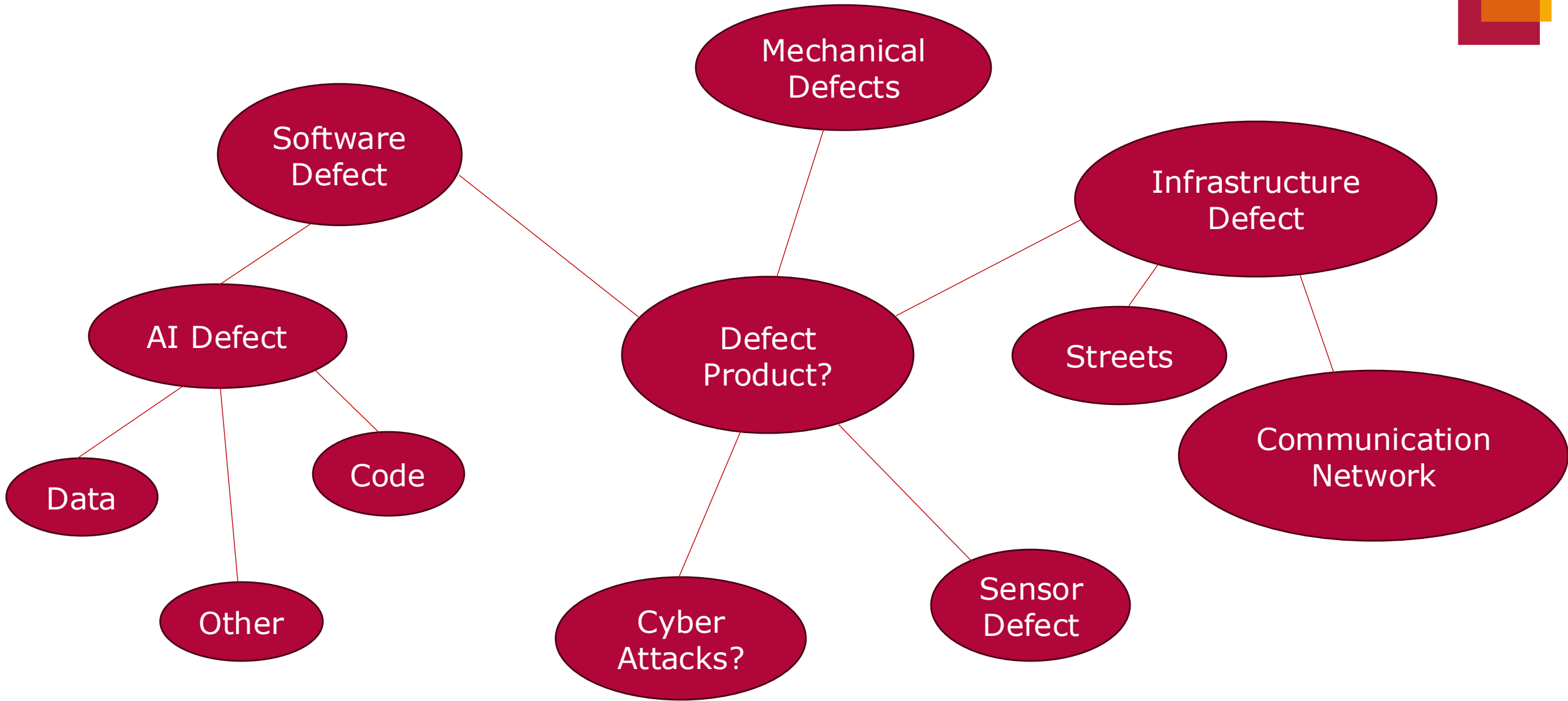
Product Liability

Manufacturer is liable when product has defects.

No-Fault Compensation

Focus on compensating victims, e.g. via mandatory insurance.





Fatal Crash in China Puts Assisted Driving Tech Under Scrutiny

A popular electric vehicle made by the Chinese consumer electronics giant Xiaomi crashed into a concrete guardrail while deploying its autonomous driving feature. Three people died.

 Listen · 5:01 min

 Share full article





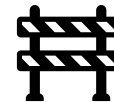


Xiaomi's founder and chief executive, Lei Jun, during the launch of a new vehicle model in Beijing last month. Tingshu Wang/Reuters

Xiaomi Su 7 Case



Late notice for the driver?



Construction site?



Doors did not open?



Battery too exposed?

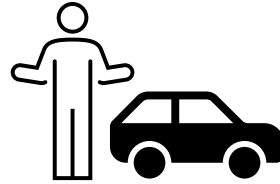


Other sensors or software?

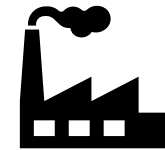
The German Model



Driver
Negligence



Owner
Strict Liability



Manufacturer
Product Liability



Insurance
Compensation

Level 1/2



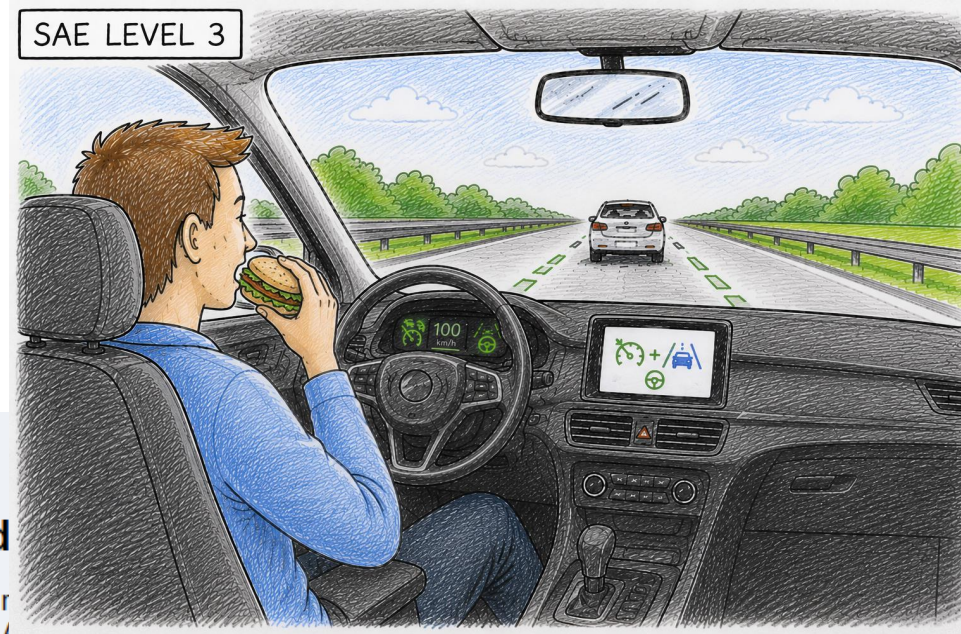
Level 3



Level 4

Level 5

The German Model



[Nichtamtliches Inhaltsverzeichnis](#)

§ 1b Rechte und Pflichten d

omatisierter Fahrfunktionen

(1) Der Fahrzeugführer darf sich während der Fahrzeugführung r
derart wahrnehmungsbereit bleiben, dass er seiner Pflicht nach Absatz 2 jederzeit nachkommen kann.

(2) Der Fahrzeugführer ist verpflichtet, die Fahrzeugsteuerung unverzüglich wieder zu übernehmen,

1. wenn das hoch- oder vollautomatisierte System ihn dazu auffordert oder
2. wenn er erkennt oder auf Grund offensichtlicher Umstände erkennen muss, dass die Voraussetzungen für eine bestimmungsgemäße Verwendung der hoch- oder vollautomatisierten Fahrfunktionen nicht mehr vorliegen.

Level 3

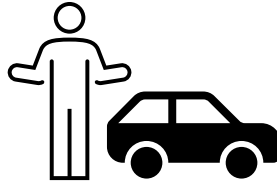
Level 4

Level 5

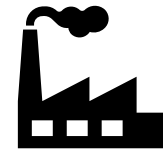
The German Model



Driver
Negligence



Owner
Strict Liability



Manufacturer
Product Liability



Insurance
Compensation

Level 1/2



Level 3



Level 4



Level 5



Nichtamtliches Inhaltsverzeichnis

§ 1f Pflicht

(1) Der Halter eines Kraftfahrzeugs mit autonomer Fahrfunktion ist verpflichtet, die folgenden Vorkehrungen zu treffen. Er hat

1. die regelmäßige Wartung der für die autonome Fahrfunktion erforderlichen Vorkehrungen zu treffen, dass die Sicherheit des Kraftfahrzeugs gewährleistet wird,
2. Vorkehrungen zu treffen, dass die Sicherheit des Kraftfahrzeugs gewährleistet wird,
3. zu gewährleisten, dass die Aufgaben der technischen Aufsicht erfüllt werden.

(2) Die Technische Aufsicht über ein Kraftfahrzeug mit autonomer Fahrfunktion ist verpflichtet,

1. ein alternatives Fahrmanöver nach § 1e Absatz 2 Nummer 4 und Absatz 3 zu bewerten und das Kraftfahrzeug hierfür freizuschalten, sobald ihr ein solches optisch, akustisch oder sonst wahrnehmbar durch das Fahrzeugsystem angezeigt wird, die vom Fahrzeugsystem bereitgestellten Daten ihr eine Beurteilung der Situation ermöglichen und die Durchführung des alternativen Fahrmanövers nicht die Verkehrssicherheit gefährdet,
2. die autonome Fahrfunktion unverzüglich zu deaktivieren, sobald dies optisch, akustisch oder sonst wahrnehmbar durch das Fahrzeugsystem angezeigt wird,
3. Signale der technischen Ausrüstung zum eigenen Funktionsstatus zu bewerten und gegebenenfalls erforderliche Maßnahmen zur Verkehrssicherung einzuleiten und
4. unverzüglich Kontakt mit den Insassen des Kraftfahrzeugs herzustellen und die zur Verkehrssicherung notwendigen Maßnahmen einzuleiten, wenn das Kraftfahrzeug in den risikominimalen Zustand versetzt wird.



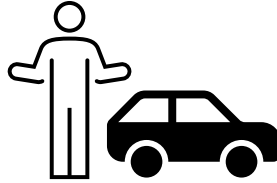
Fahrfunktion

verpflichtet und hat die hierfür erforderlichen

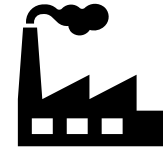
The German Model



Driver
Negligence



Owner
Strict Liability



Manufacturer
Product Liability



Insurance
Compensation

Level 1/2



Level 3



Level 4



Level 5



How quickly can a non-driver become a driver?

[Nichtamtliches Inhaltsverzeichnis](#)

Straßenverkehrsgesetz (StVG)

§ 1b Rechte und Pflichten des Fahrzeugführers bei Nutzung hoch- oder vollautomatisierter Fahrfunktionen

- (1) Der Fahrzeugführer darf sich während der Fahrzeugführung mittels hoch- oder vollautomatisierter Fahrfunktionen gemäß § 1a vom Verkehrsgeschehen und der Fahrzeugsteuerung abwenden; dabei muss er derart wahrnehmungsbereit bleiben, dass er seiner Pflicht nach Absatz 2 jederzeit nachkommen kann.
- (2) Der Fahrzeugführer ist verpflichtet, die Fahrzeugsteuerung unverzüglich wieder zu übernehmen,
1. wenn das hoch- oder vollautomatisierte System ihn dazu auffordert oder
 2. wenn er erkennt oder auf Grund offensichtlicher Umstände erkennen muss, dass die Voraussetzungen für eine bestimmungsgemäße Verwendung der hoch- oder vollautomatisierten Fahrfunktionen nicht mehr vorliegen.

https://www.gesetze-im-internet.de/stvg/___1b.html

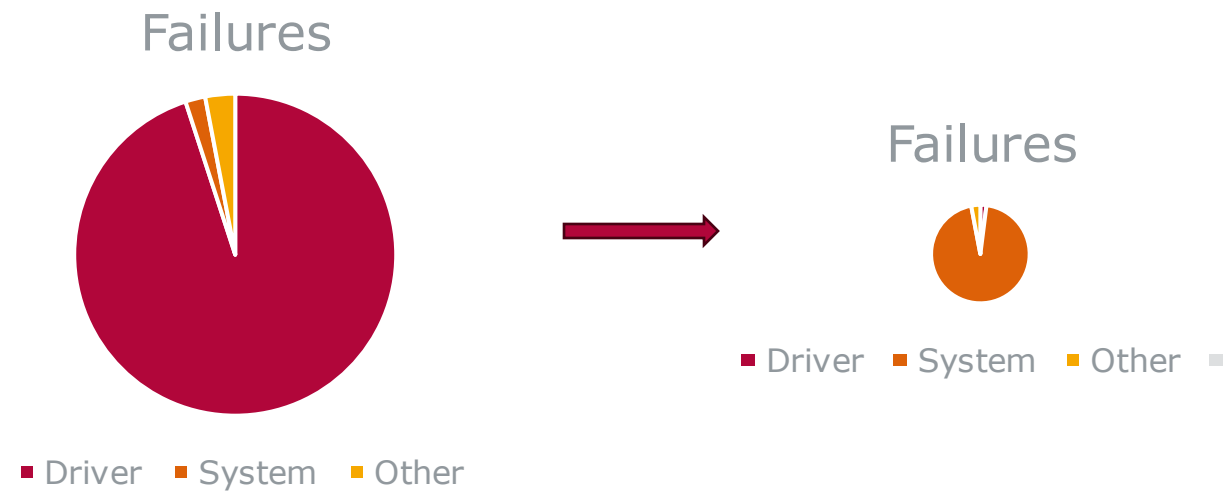
According to KBA 10 seconds

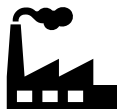
- (3) Technische Aufsicht eines Kraftfahrzeugs mit autonomer Fahrfunktion im Sinne dieses Gesetzes ist diejenige natürliche Person, die dieses Kraftfahrzeug während des Betriebs gemäß § 1e Absatz 2 Nummer 8 deaktivieren und für dieses Kraftfahrzeug gemäß § 1e Absatz 2 Nummer 4 und Absatz 3 Fahrmanöver freigeben kann.

https://www.gesetze-im-internet.de/stvg/___1d.html

How do we get rid of the driver completely?

How to handle increased complexity?



-  vs. 
- Who is responsible for AI decisions?   
- Strict liability?   

Ethical Challenges Concerning Liability of Autonomous Vehicles

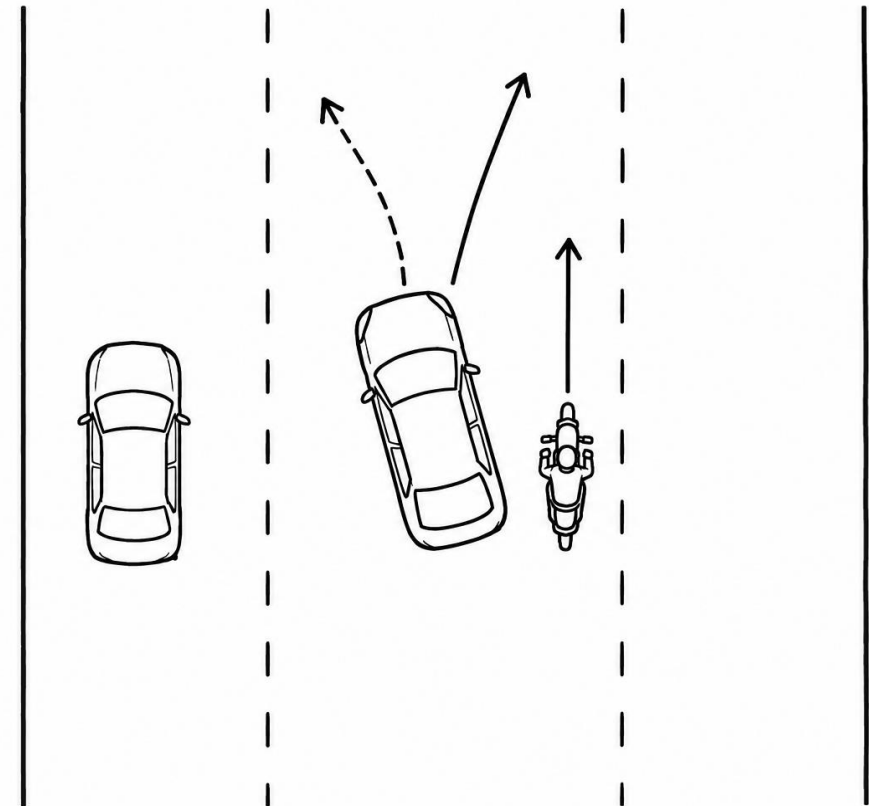
What standards should hold for autonomous vehicles?

GM sued by motorcyclist in first lawsuit to involve autonomous vehicle

Oscar Nilsson 'knocked to ground' in San Francisco as company tested self-driving cars



📷 The Chevrolet Bolt EV test vehicle that is the subject of the lawsuit. Photograph: Steve Fecht/Steve Fecht for General Motors



Ethical Challenges Concerning Liability of Autonomous Vehicles

What standards should hold for autonomous vehicles?

Is traffic-law compliance enough?

Focus on ethical safety?

Was system design to avoid foreseeable harm?

- Comparative analysis
- Company memos that show concern
- Identifiable system change that would prevent accident

GM settles lawsuit with motorcyclist hit by self-driving car

By David Shepardson

June 1, 2018 11:45 PM GMT+2 · Updated June 1, 2018

Aa



Ethical Challenges Concerning Liability of Autonomous Vehicles

What standards should hold for autonomous vehicles?

How safe can AVs be? As safe as humans, much safer, no crashes?

- Who controls these standards?
- Tests?

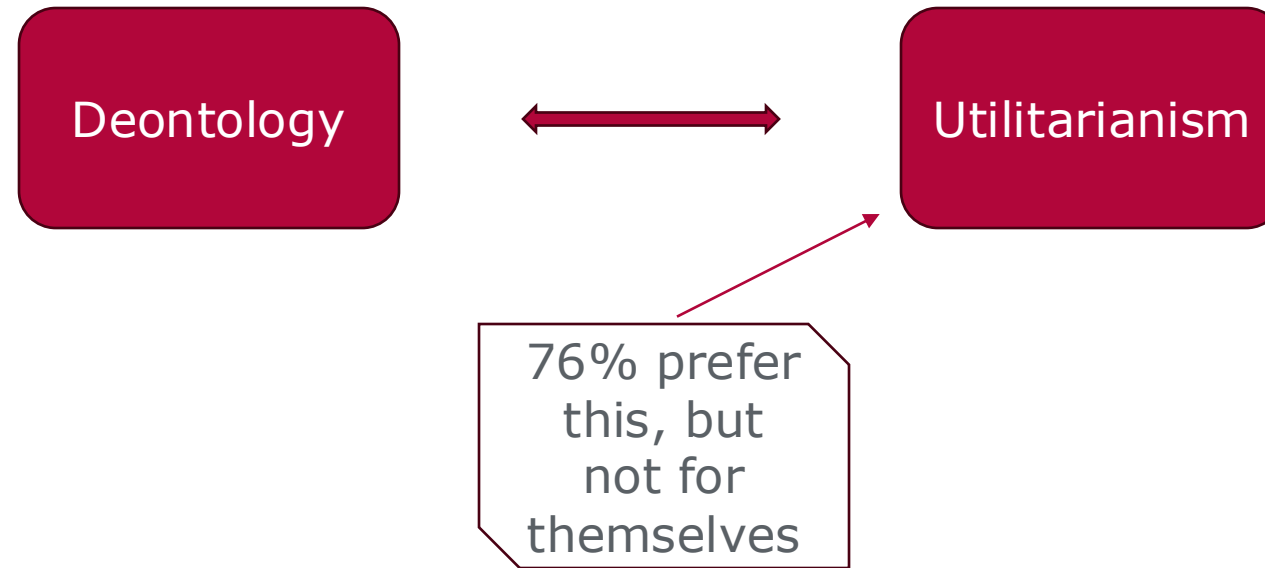


Should AVs always be kept up to date?

- Who is responsible for keeping those AVs up to date?

Ethical Challenges Concerning Liability of Autonomous Vehicles

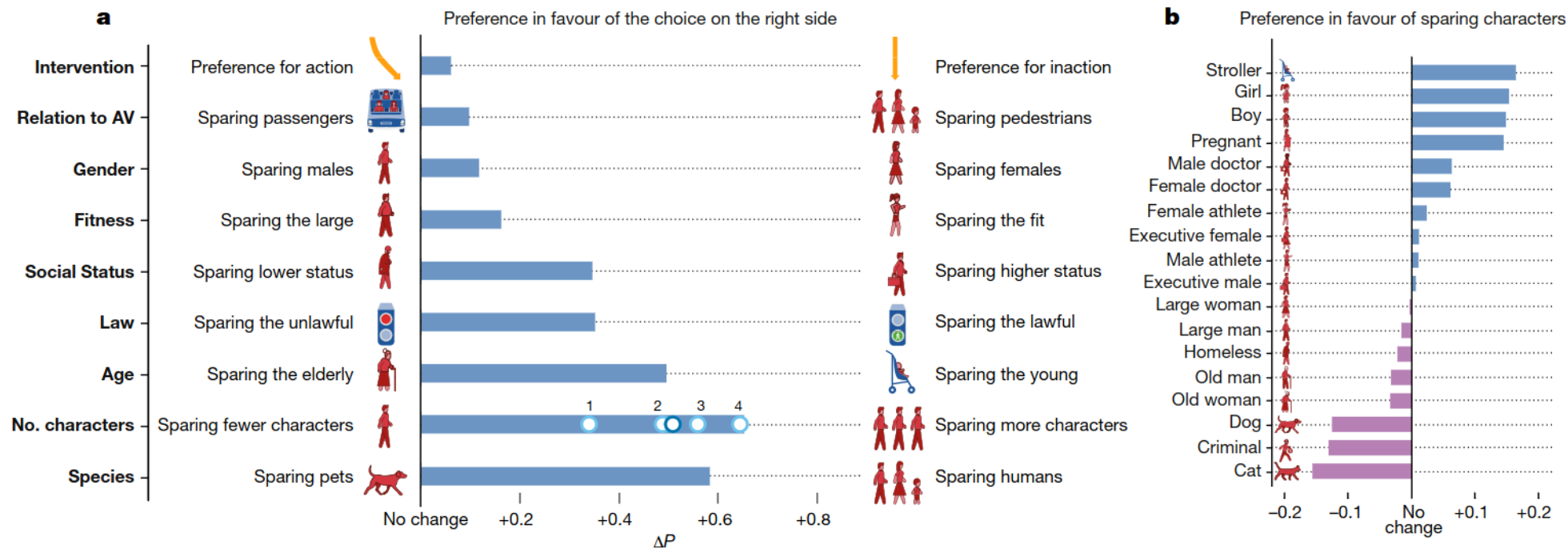
Which ethical rules should those standards follow?



- Should this apply to favorable attributes?  vs 
 - Illegal in Germany

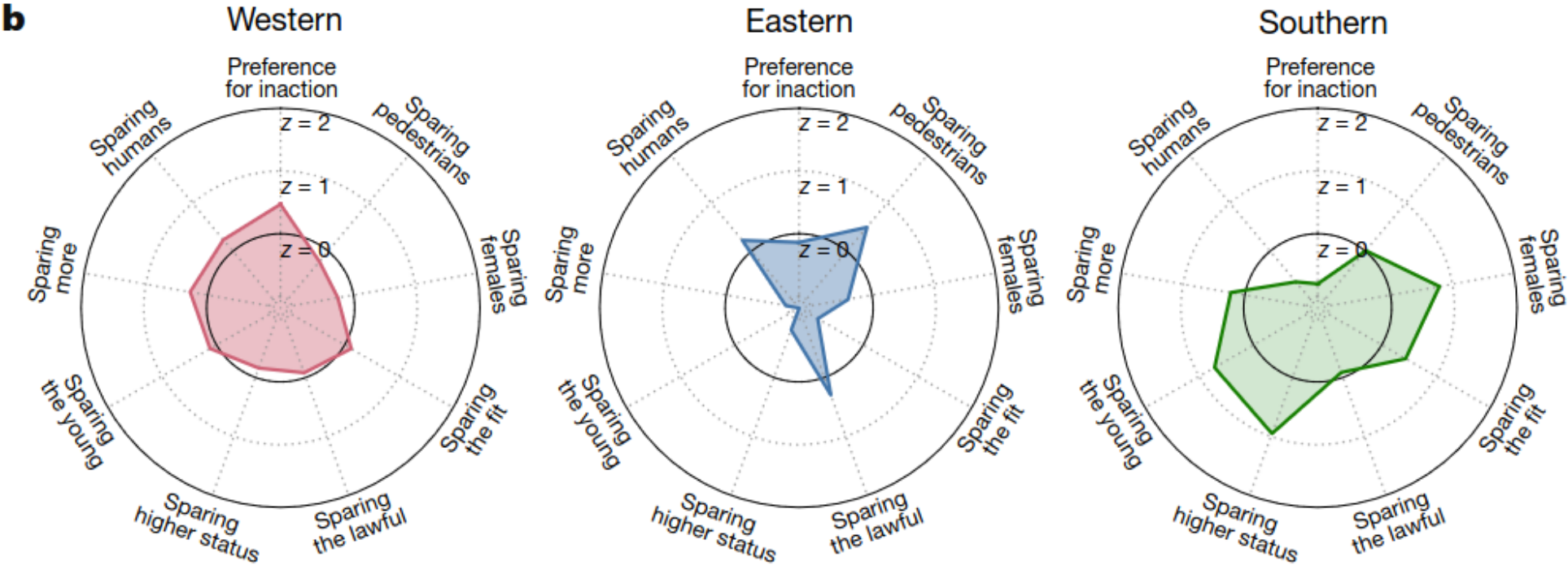
Ethical Challenges Concerning Liability of Autonomous Vehicles

Which ethical rules should those standards follow?



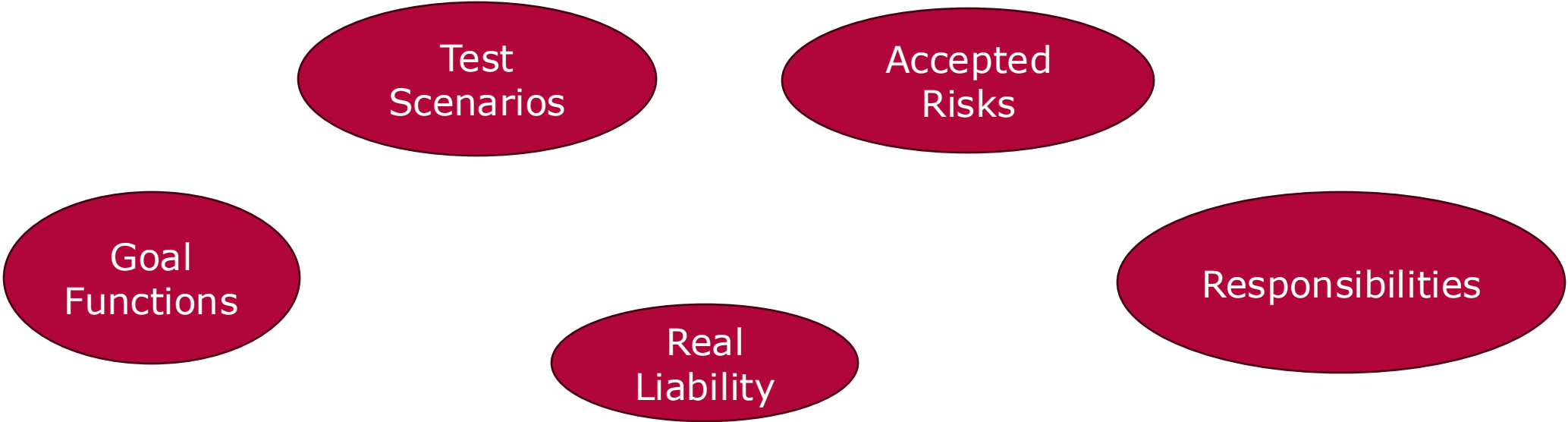
<https://www.nature.com/articles/s41586-018-0637-6>

Which ethical rules should those standards follow?



<https://www.nature.com/articles/s41586-018-0637-6>

Moral Machine vs. Real Liability

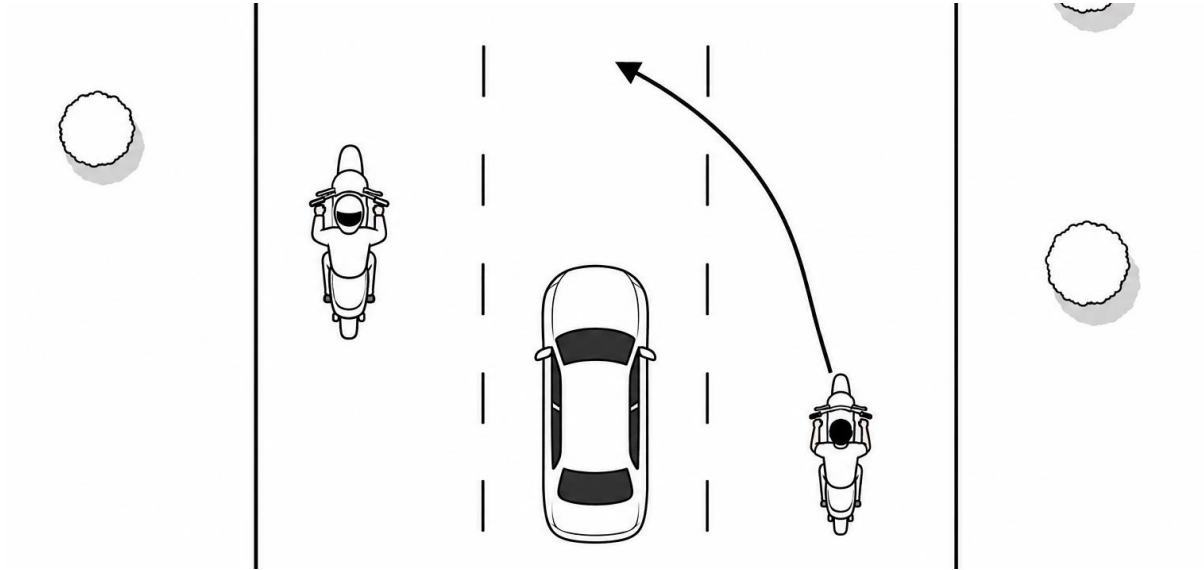


Adoption first, Liability later



Liability first, Adoption later

Discussion



GM Case: Should we hold AVs (hence the manufacturer) accountable to much higher standards and hence liable in "no-fault" situations?

Promote AV technology at the expense of some people who would win under strict liability but not negligence, or ensure all victims are compensated by manufacturers, even if that implies slower technological progress?

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Pictures



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