ROAD ADVENTURE WITH AN AUTONOMOUS VEHICLE

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This question is a real ethical and legal puzzle. There is no perfect universal answer yet - it all depends on the law, the circumstances of the accident and the level of autonomy of the car. But let's look at who might be at fault in a road traffic accident (traffic accident) involving an autonomous car.

1. The car owner. If an autonomous car is only an "assistant", and not a fully autonomous system (for example, a Tesla with autopilot, but without full autonomy), then the driver is responsible. Because he was supposed to control the situation. For example: a Tesla in autopilot mode crashes into another car. If it turns out that the driver did not keep his hands on the steering wheel, he is responsible [1].

2. Car or software manufacturer. If the cause was an algorithm error that could not have been predicted or corrected, the manufacturer may be liable. For example: A car incorrectly recognized a pedestrian due to a software error, then the manufacturer may be liable (as in the Uber case in 2018, where a woman died) [2].

3. Developers or operating company. In cases where the vehicle is operated by a fleet (e.g., an autonomous taxi), the operating company may be liable in the same way as the taxi fleet.

4. "Nobody" is force majeure. In complex cases, when neither party could prevent the accident, and the car acted according to the algorithm without violating the rules, fault may not be assigned.

Currently, there is no law in Ukraine regulating autonomous transport, but if a car is moving on autopilot, the responsibility still lies with the driver (Article 286 of the Criminal Code of Ukraine, Article 13 of the Law of Ukraine "On Road Traffic" [3, 4]). The excuse "the autopilot did it" does not yet absolve from guilt. The question remains open who the car should "save" to avoid a collision: the passenger, the pedestrian, the one who has a better chance of survival. This is similar to a philosophical problem – the "cart problem" – and no algorithm can solve it without public consensus. As a conclusion, it is necessary to determine responsibility – this is a complex issue that may include: the car owner; the manufacturer; the software developer; the operating company; sometimes – no one (in the case of force majeure).

Literature:

1. Site "tesla" [Electronic resource]. - Access mode: https://www.tesla.com/.
2. Site "BBS NEWS Ukraine" [Electronic resource]. - Access mode: https://www.bbc.com/ukrainian/news-43460201.
3. Site "Criminal Code of Ukraine" [Electronic resource]. - Access mode: https://zakon.rada.gov.ua/laws/show/2341-14#Text.
4. Website of the "Verkhovna Rada of Ukraine" [Electronic resource]. - Access mode: https://zakon.rada.gov.ua/laws/show/3353-12#Text.