commence a product-liability action against Cadec for defectively designing, manufacturing, and labeling the computer. After a complicated series of claims and cross-claims among the many parties involved, the members of the Roberts family settled with Rich Foods and Lovette. All parties agreed that Lovette had been negligent; that Rich Foods, as his employer, was responsible;***371** and that Lovette's negligence was a proximate cause of the accident.

****1368** The sole issue at trial was whether Cadec defectively designed the X-300 by allowing it to operate while a truck is in motion, which raises the risk that the driver's attention will be diverted from the road. The X-300 is Cadec's top of the line on-board computer. At issue is its "state/toll-road" function. Trucking companies are required to pay taxes based on fuel and road usage (mileage) in each state. The X-300's purpose is to provide a computerized record of that road-usage information for tax-reporting purposes.

At trial, Ernest J. Simmons, Jr., Cadec's former Chairman, President, Chief Executive Officer, and Treasurer, who was extensively involved in the designing of the X-300, testified that

> [t]he state/toll road feature is a button ... on the panel ... and upon depression of that button the on-board computer automatically records the odometer, the time ... and the day ... [That] recording together with information that is subsequently entered by the driver at some time thereafter, not necessarily coincident with the depression of the button, but at some time when it's safe to do so, that information is ultimately turned into a dispatch ... and processed on a central computer.... [The purpose of that information is] to gather road usage, or to gather data for tax reporting purposes ... [relating to] road use taxes for various states.

Simmons explained that the state/toll-road function is operable while a vehicle is in motion so that, when crossing state lines or entering or exiting toll roads, a driver can record data with greater precision.

At trial, the Robertses' counsel also read into evidence the deposition of Steven Frye, a Cadec program analyst. Frye, like Simmons, explained the purpose and operation of the state/toll-road feature. He noted that the entire data-recording procedure takes over ten seconds. If it is unsafe to enter information while in motion, the driver can do so at a later time, when the truck is stationary.

Cadec's Driver's Guide describes the initial entry of data using the state/toll-function as the one entry that automatically records the odometer reading, time, and date when the driver presses a ***372** button on the computer. The Guide gives the following instructions:

> 1. Press the state/toll button to record the crossing of a state line, and when you enter or leave a toll road. The unit records the date, time and odometer reading when the button is pressed. *Record the following information when it is safe to do so.*
>
> [(Emphasis added.)]

In a letter dated October 5, 1987, to the National Transportation Safety Board, the President of Cadec wrote that "a single button depression, similar to the button depression that changes a radio station on a car radio, determines the information that is displayed." The other entries can be recorded at a later time, "when it is safe to do so."

Cadec's Driver's Guide, however, does not indicate when it would be safe to record those other entries. According to Frye, Cadec expected each driver to exercise discretion about when it is safe to enter data. Frye admitted that it was technologically and economically feasible to make the X-300 operable only when a truck is stationary. According to Frye, Cadec's reason for making the computer operable while in motion was convenience to the driver in being able to enter data while driving away from a