



## ***U.S. finds high risks in tally of wrecks involving self-driving vehicles***

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JD Supra

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### **Body**

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Though it may be tempting for owners of and passengers in expensive, high-tech vehicles to leave the driving to increasingly smarter cars, Americans still must beware of lethal, injurious shortcomings in this new autonomous age.[1]

In just 10 recent months, federal officials say, almost '400 crashes in the United States involved cars using advanced driver-assistance technologies,' the New York Times reported of new data from the National Highway Traffic Safety Administration. The newspaper noted this of NHTSA's aggressive efforts to determine the safety of increasingly popular, advanced driving systems:

'In 392 incidents cataloged by the agency from July 1 of last year through May 15, six people died and five were seriously injured. Teslas operating with Autopilot, the more ambitious **Full Self Driving** mode or any of their associated component features were in 273 crashes. Five of those **Tesla** crashes were fatal. The data was collected under a NHTSA order last year[2]requiring automakers to report crashes involving cars with advanced driver-assistance systems. Scores of manufacturers have rolled out such systems in recent years, including features that let you take your hands off the steering wheel under certain conditions and that help you parallel park. NHTSA's order was an unusually bold step for the regulator, which has come under fire in recent years for not being more **assertive** with automakers.'

**Tesla** racked up the most incidents, though the newspaper provided some needed framing:

'About 830,000 **Tesla** cars in the United States are equipped with Autopilot or the company's other driver-assistance technologies — offering one explanation why **Tesla** vehicles accounted for nearly 70% of the reported crashes in the data released '

To put its data in context, the federal safety agency also reported this:

'Ford Motor, General Motors, BMW, and others have similar advanced systems that allow hands-free driving under certain conditions on highways, but far fewer of those models have been sold. These companies, however, have sold millions of cars over the last two decades that are equipped with individual components of driver-assistance systems. The components include so-called lane keeping, which helps drivers stay in their lanes, and adaptive cruise control, which adjusts a car's speed and brakes automatically when traffic ahead slows. NHTSA disclosed

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that Honda vehicles were involved in 90 incidents and Subaru in 10. Ford, GM, BMW, Volkswagen, Toyota, Hyundai, and Porsche each reported five or fewer.'

The safety agency previously has said it is investigating Tesla's driver-assist technologies all four available Teslas — the Models S, X, 3 and Y — in model years from 2014 to 2021, the New York Times reported, separately, adding, that 'the agency will look at Autopilot and its various component systems that handle steering, braking and other driving tasks, and a more advanced system that Tesla calls Full Self-Driving.'

While Tesla and its opinionated leader Elon Musk have touted the advance of autonomous features in electric vehicles, concerns about the safety of the maker's software are part of what researchers at places like the RAND Corporation think tank have warned about for a while now[3].

Vehicle makers, regulators, politicians, and the public, researchers say, have raced on a collision path as autonomous vehicles keep advancing, the public clamors for their convenience and potential path-breaking uses — even while it is harder to forecast the tolerance for wrecks, injuries, and deaths attributed to cutting-edge technologies.

Gee-whiz thinkers envision a time[4] (soon?) when autonomous vehicles, also equipped with renewable energy sources and ultra-modern urban planning, could slash the need for so many vehicles on the road. Instead, fleets of highly energy-efficient and self-driving vehicles would be programmed to ferry commuters to work, then rather than staying parked, they would shuttle kids to school, seniors to doctor appointments, shoppers to retail centers — and more. They would charge themselves during the day, say, by solar. They would get everyone to their homes at the close of the day. And, as night falls, they would pour their day-gained renewable energy into homes, serving as battery-type power sources to slash the need for bigger governmental generating facilities.

That future has not arrived. And in the meantime, the nation since the outbreak of the coronavirus pandemic has seen decades of progress on road safety erode[5]. Instead, the country is breaking records for road deaths, especially of pedestrians and bicyclists. Drivers are suffering bad injuries and dying in unacceptable[6] and preventable numbers as they fail to wear safety belts and other restraints, as well as to be drowsy, distracted, and intoxicated.

In my practice, I see not only the harms that patients suffer while seeking medical services[7], but also the damage that can be inflicted on them and their loved ones by motorcycle, car, and truck wrecks[8]. We are all one wrong step off a curb, one blown stoplight by a reckless driver, or one intoxicated trucker away from having our lives turned upside down due to a vehicular nightmare. Too many of us, as my partners and I know, experience pain, suffering, injury, debilitation, and significant personal, professional, and financial mayhem due to a road calamity. Sure, the conventional wisdom suggests that those involved in road wrecks should work with law enforcement, exchange coverage information, and contact one's insurer. It also makes sense in serious incidents to talk with an experienced lawyer — to protect your rights, including keeping your insurer working for you and not in their own interests. As manufacturers also advance the technology in their products, it can be crucial to have savvy legal counsel[9] to help steer you through the possibility of flaws in hardware and software on vehicles and whether this affects your case.

We have much work to do to improve the safety of our roads and various means of transportation, enjoying the benefits that technological advances may offer while also not seeing them cause preventable injury or death as innovations get perfected for regular use.

[ 1]: <https://www.protectpatientsblog.com/u-s-finds-high-risks-in-tally-of-wrecks-involving-self-driving-vehicles/must%20beware%20of%20shortcomings%20in%20the%20onrushing%20autonomous%20age>. [ 2]: <https://www.nytimes.com/2021/06/29/business/tesla-autopilot-safety.html> [ 3]: <https://www.rand.org/topics/autonomous-vehicles.html> [ 4]: <https://www.capgemini.com/insights/research-library/steering-the-future-of-the-autonomous-car/> [ 5]: <https://www.patrickmalonelaw.com/better-health-care-newsletter/vehicles-killing-us-can-lot-stop/> [ 6]: <https://www.protectpatientsblog.com/road-deaths-shatter-records-as-pedestrian-fatalities-skyrocket-too/> [ 7]: <https://www.patrickmalonelaw.com/focus-areas/medical-malpractice/> [ 8]: <https://www.patrickmalonelaw.com/focus-areas/auto-truck-motorcycle-accidents/> [ 9]: <https://www.youtube.com/watch?v=kYDfgrfKpHg>

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