



## Question

# How do current DUI laws apply to Level 3 autonomous vehicles?

## Levels of Automation

- 0-1: No adaptive technology – Driver in control at all times
- 2: Adaptive Cruise Control - Only functions in certain situations.
- 3: Semi-Autonomous – Functions autonomously in over 90% of situations.
- 4: Fully Autonomous – Driver never has to take control.

## ***Dilemma***

Different states have different  
DUI standards.

California	Nevada
“Driving” under the influence.	“Driving” <i>or</i> “actual physical control.”
<ul style="list-style-type: none"> <li>Requires driver to control the movement of the vehicle.</li> <li>Police must witness the action.</li> <li>Based on action, not potential for action</li> </ul>	<ul style="list-style-type: none"> <li>Does not require vehicle to be in motion.</li> <li>Police do not have to witness the action.</li> <li>Potential for action is grounds for arrest.</li> </ul>

## Answer

Depends on the state!  
The California operator probably would not get a DUI while the Nevada operator probably would.  
Clear rules for autonomous vehicles that balance safety and fairness must be created before they go to market.

## References

- <http://www.nhtsa.gov/About+NHTSA/Press+Releases/U.S.+Department+of+Transportation+Releases+Policy+on+Automated+Vehicle+Development>
- CA VC § 23152
- NV NRS § 484.013