

Berkeley Center for Law, Business and the Economy University of California, Berkeley School of Law 2850 Telegraph Ave, Suite 500 Berkeley, CA 94705-7220

Ph: 510.642.0532 – Fax: 510.643.7095 E-mail: <u>BCLBE@law.berkeley.edu</u> http://www.law.berkeley.edu/bclbe.htm

## GM Entering the Race toward the Future of Driverless Cars By Thao Thai, J.D. Candidate 2018 | November 06, 2015

With <u>places</u> like California, Nevada, Florida, Michigan, and D.C. already allowing autonomous car testing and federal legislation being considered to make such cars safer, driverless cars are in our near future. Google has been eager to dominate this untapped market, but it's starting to see competition from large automakers. General Motors' <u>Cadillac CT6</u> will be the first GM model to be equipped with Super Cruise, a semi-autonomous system that permits hands-free driving on the highway.

While Super Cruise will not reach the market until 2017, Google's latest prototypes are already being used around Silicon Valley. This poses a problem for GM, who is trying to beat Google in this futuristic race. Furthermore, GM's capital investment for driverless car development is much more limited than Google's – <u>GM's profit margin</u> is less than half of Google's. Thus, GM cannot afford to invest endless amounts of resources into developing autonomous cars.

Competition from Google will not be GM's only problem. GM will also have to deal with new regulatory requirements. This past July, Senators Edward Markey and Richard Blumenthal introduced the Security and Privacy in Your Car Act (<u>SPY Car Act</u>), which directs the National Highway Traffic Safety Administration (NHTSA) and the Federal Trade Commission (FTC) to create federal standards ensuring the security of driverless vehicles.

The SPY Car Act, the first of its kind, is concerned with the cybersecurity of driverless cars and their vulnerability to hackers. Pursuant to the Act, the FTC would require that automakers use "<u>reasonable measures</u>" to protect complex software that helps Web-enabled cars run smoothly. In addition, the FTC would establish window stickers that rate a car's vulnerability to digital attacks. However, the bill has not yet been passed and there is still a lack of federal regulation for Internet-connected cars.

In addition to federal efforts, states have also been trying to deal with this technological advancement. For example, <u>California</u> has introduced rules for testing driverless cars on public roads. Still, federal and state government agencies are struggling to develop ways to assess the safety of driverless cars for general public use. With the lack of federal regulation, automakers are concerned about meeting differing state-testing requirements. Inevitably, GM will have to deal with this uncertainty.