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Connected and Automated Vehicle Technology: Business and Regulatory Issues

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MICHIGAN LAW
PROBLEM SOLVING INITIATIVE
UNIVERSITY OF MICHIGAN

Connected and Automated Vehicle Technology: Business and Regulatory Issues

December 8, 2017
4–5:30 P.M.
University of Michigan Law School

THE PROBLEM

Implementing "Level 3" automation (i.e., the driving mode in which an automated driving system performs the driving task until the human driver is asked to take over) is a significant legal/regulatory, technological, and business challenge. Many issues are presented: *How do we assess the costs and benefits of Level 3 automation? How does one address the car to human driver "handoff?" What type of licensing and training of the human driver should be required? What will prevent the human driver from being lulled into over-reliance on the car? How should the government regulate this space to balance safety concerns with the desire to encourage innovation? Should there be standardization of Level 3 vehicle systems so human drivers have common expectations and experiences as they transition among different cars?* Some industry participants believe the challenges posed by Level 3 are intractable and have chosen to skip to Level 4 (full automation), while others believe it is necessary to gain experience with Level 3 in order to transition to full automation successfully. This semester, students were tasked with developing solutions for the challenges presented by Level 3 automation.

AGENDA

4 P.M.   **WELCOME AND INTRODUCTIONS**

Alicia Davis
Associate Dean for Strategic Initiatives and Professor of Law

4:05 P.M.   **STUDENT PRESENTATION**

4:35 P.M.   **PANEL Q&A AND COMMENTS**

5:05 P.M.   **AUDIENCE Q&A AND COMMENTS**

MODERATORS

Daniel Crane
Frederick Paul Furth Sr. Professor of Law

and

May Liang
Adjunct Professor of Law; General Counsel and Chief Financial Officer, OpenConcept Systems, Inc.

5:30 P.M.   **CLOSING**

APRIL MILLER BOISE
Senior Vice President, General Counsel,
and Corporate Secretary
Meritor Inc.

April Miller Boise is responsible for the legal affairs of Meritor Inc. and manages the corporate legal department. Boise also directs legal activities related to corporate governance, acquisitions and divestitures, litigation, business standards compliance, regulatory compliance, and intellectual property. Prior to joining Meritor, Boise was senior vice president, general counsel, head of global mergers and acquisitions, and corporate secretary at AVINTIV Inc. Before AVINTIV, she was vice president, general counsel, corporate secretary, and chief privacy officer at Veyance Technologies Inc. Prior to that, she was managing partner at Thompson Hine LLP. She also was a corporate attorney for Cleary, Gottlieb, Steen & Hamilton LLP, Husch & Eppenberger, and Blackwell Sanders LLP, and was a labor relations associate at Ford Motor Co. Boise earned a Bachelor of Business Administration from the University of Michigan and her Juris Doctor from the University of Chicago.

JEFF MICHAEL

Associate Administrator,
Research and Program Development
National Highway Traffic Safety Administration

Dr. Jeffrey Michael is responsible for the development of programs to increase seat belt use, decrease impaired driving, improve emergency medical services, and enhance the safety of motorcyclists, bicyclists, pedestrians, and older drivers.

Previously, he served as director of the Impaired Driving and Occupant Protection Office, with responsibility for developing and promoting programs to reduce alcohol and drug-impaired driving and increasing the use of seat belts and child safety seats.

During his tenure, Michael also served as chief of the agency's Emergency Medical Services (EMS) Division, where he supported the national EMS system by developing and maintaining consensus guidelines for educating emergency medical technicians and improving EMS operations. He has served in the federal government for 28 years.

CARRIE MORTON
Deputy Director
Mcity

Mcity is the University of Michigan's public-private partnership devoted to advancing the development of connected and automated vehicles. Carrie Morton oversees day-to-day operations and is actively involved in supporting strategy development and execution, as well as fostering collaboration among Mcity's industry, government, and academic partners.

Prior to joining Mcity, Morton served a dual role at the University of Michigan Energy Institute. As director of business development, she helped broaden industrial relationships with energy faculty. Morton also served as assistant director for collaboration and industry outreach for the US–China Clean Energy Research Center–CleanVehicle Consortium.

Morton joined the University of Michigan in 2011 after more than a decade in the automotive industry, primarily with the Robert Bosch Corporation. In her last role at Bosch, she was manager of government projects and responsible for leading all publicly funded research projects, with a focus on engine combustion.

Morton holds a Bachelor of Science in mechanical engineering and a Master of Engineering in automotive engineering from the University of Michigan.

RANDY VISINTAINER
Director, Autonomous Vehicles
Ford Motor Company

Randy Visintainer leads a newly created organization within Ford, overseeing a global team responsible for driving Ford's autonomous vehicle research and development. Visintainer's new role follows the rollout of the Ford Smart Mobility plan to use innovation to take the company to the next level in connectivity, mobility, autonomous vehicles, the customer experience, and big data.

Most recently, Visintainer was director for global product development quality and global product development systems at Ford, where he was responsible for leading cross-functional enterprise product creation processes and product quality for all global vehicle programs. He has been with Ford Motor Company for more than 30 years and has held several positions in product development, including director for research and advanced engineering, where he was responsible for leading a global organization of research scientists and engineers in Aachen, Germany; Dearborn, Michigan; and Palo Alto, California.

Visintainer holds a bachelor's degree in oceanography from the University of Michigan (1978), a master's degree in naval architecture and marine engineering from the University of Michigan (1986), and an MBA from Michigan State University (1996).

DANIEL CRANE

Frederick Paul Furth Sr. Professor of Law
University of Michigan Law School

Daniel Crane teaches Contracts, Antitrust, Antitrust and Intellectual Property, and Legislation and Regulation. He served as the associate dean for faculty and research from 2013 to 2016. He previously was a professor of law at Yeshiva University's Benjamin N. Cardozo School of Law and a visiting professor at New York University School of Law and the University of Chicago Law School. In spring 2009, he taught antitrust law on a Fulbright Scholarship at the Universidade Católica Portuguesa in Lisbon.

Crane's work has appeared in the *University of Chicago Law Review,* the *California Law Review*, the *Michigan Law Review*, the *Georgetown Law Journal*, and the *Cornell Law Review*, among other journals. He is the author of several books on antitrust law, including *Antitrust* (Aspen, 2014), *The Making of Competition Policy: Legal and Economic Sources* (Oxford University Press, 2013), and *The Institutional Structure of Antitrust Enforcement* (Oxford University Press, 2011).

FACULTY

MAY LIANG

General Counsel and Chief Financial Officer,
OpenConcept Systems, Inc.
Adjunct Professor, University of Michigan Law School

May Liang is responsible for all legal, financial, and business development issues for OpenConcept Systems Inc. Prior to founding OpenConcept, she was general counsel and chief financial officer of Total Music LLC/Ruckus Network LLC, a digital music entertainment company, where she was responsible for the financial planning, legal, and privacy issues relating to the company. Liang also has served as executive director of the Epilepsy Therapy Project, where she spearheaded the formation of a nonprofit whose mission is to advance new therapies for epilepsy into the market by funding cutting-edge epilepsy research. While at ETP, Liang launched epilepsy.com, the most popular website for issues relating to epilepsy, with more than one million pageviews a month. Liang also served as vice president and associate general counsel at AOL for almost eight years. Her responsibilities at AOL included serving as general counsel to the Netscape Communications and AOL Technologies divisions. Liang's areas of expertise include intellectual property, technology licensing, telecommunications, employment law, and Internet-related issues. Liang also has been an associate at Soble & Associates in Washington, D.C., Foulston & Siefkin in Wichita, Kansas, and Ware & Freidenrich in Palo Alto, California. She has written numerous articles relating to intellectual property and has frequently spoken on intellectual property and technology licensing issues.

Liang holds bachelor's degrees in electrical engineering and political science from Stanford University and a law degree from the University of Michigan.

FACULTY

BRYANT WALKER SMITH

Assistant Professor of Law and Engineering
University of South Carolina

In addition to his teaching appointments at the University of South Carolina, Bryant Walker Smith is an affiliate scholar at the Center for Internet and Society at Stanford Law School and an adjunct clinical professor at the University of Michigan Law School. He also is a member of the U.S. Department of Transportation's Advisory Committee on Automation in Transportation, the chair of the Emerging Technology Law Committee of the Transportation Research Board of the National Academies, the reporter to the Uniform Law Commission's Study Committee on State Regulation of Driverless Cars, the chair of the planning task force for the On-Road Automated Vehicle Standards Committee of the Society of Automotive and Aerospace Engineers, a faculty affiliate of the Rule of Law Collaborative, and a member of the New York Bar.

Smith's research focuses on risk (particularly tort law and product liability), technology (automation and connectivity), and mobility (safety and regulation). As an internationally recognized expert on the law of self-driving vehicles, Smith taught the first-ever course on this topic and regularly is consulted by the government, industry, and media. His publications are available at newlypossible.org.

Before joining the University of South Carolina, Smith led the legal aspects of the automated driving program at Stanford University, clerked for the Hon. Evan J. Wallach at the U.S. Court of International Trade, and worked as a Fellow at the European Bank for Reconstruction and Development. He holds both an LLM in international legal studies and a JD, *cum laude*, from New York University School of Law, as well as a bachelor's degree in civil engineering from the University of Wisconsin. Prior to his legal career, Smith worked as a transportation engineer.

ALICIA J. DAVIS

Associate Dean for Strategic Initiatives
Professor of Law
University of Michigan Law School

Since joining the Michigan Law faculty in fall 2004, Professor Alicia J. Davis has taught Enterprise Organization, Mergers and Acquisitions, Investor Protection, and the Law and Economics Workshop. She also serves as the associate dean for strategic initiatives. Her current research includes projects in corporate governance and securities regulation. Before coming to Michigan Law, Davis practiced law at Kirkland & Ellis LLP in Washington, D.C., where she represented public and private companies and private equity firms in mergers and acquisitions and leveraged buyout transactions. Her professional experience also includes time as an investment banker, first with Goldman, Sachs & Co. in New York—where her clients included Fortune 100 companies pursuing equity and debt financings—and later with Raymond James Associates in St. Petersburg, Florida, where she served as a vice president and represented public and private companies in middle market mergers and acquisitions transactions. Davis served as a visiting professor at the University of Chicago Law School in fall 2010, and she is a member of the Florida and District of Columbia Bars. She earned her BS in business administration, *summa cum laude*, from Florida A&M University, her MBA from Harvard Business School, and her JD from Yale Law School.

STUDENTS

DANIEL ACKERMAN

Law School

VIVEK REDDY ALLA

College of Engineering

SOPHIE BAUM

Law School

KIMBERLY BOZZO

Law School

ELIZABETH DREYER

College of Engineering

STUDENTS

ZAHRAH FADEL
Law School

GARRETT FOX
Law School

JOHN GIDEON
College of Engineering
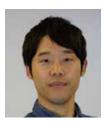
SAMUEL GLIDDEN
Stephen M. Ross School of Business

JACOB HASPIEL
School of Information

STUDENTS

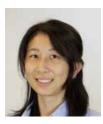**PARIS HSU**
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KEN ICHIMURA
Stephen M. Ross School of Business

BENJAMIN ISAACOFF
*College of Literature, Science, and the Arts
(Applied Physics)*

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SEPEEDEH OMRANI
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STUDENTS

BENJAMIN PERRY
Law School

HUANYI SHUI
College of Engineering

DANIEL SULLIVAN
College of Engineering

NAOTO WATANABE
Gerald R. Ford School of Public Policy

ABOUT THE MICHIGAN LAW
PROBLEM SOLVING INITIATIVE

Michigan Law School's Problem Solving Initiative (PSI) provides a platform for the development of creative solutions to some of the world's most difficult challenges in business and society by giving students a framework for analyzing and solving complex problems and guiding organizations through innovation and change. Through a team-based, experiential, and interdisciplinary learning model, small groups of graduate and professional students work with top-notch faculty to explore and offer solutions to emerging, complex, multifaceted problems. The small group classes, comprising students from U-M graduate and professional schools, give participants a unique opportunity to receive guidance from accomplished instructors and leading experts in the business and policy communities.

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