

Issues of Liability for Road Accidents Involving Self-Driving Vehicles Equipped with Artificial Intelligence Technologies

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ABSTRACT

Objective: This study investigates the emerging legal and regulatory challenges posed by the integration of self-driving vehicles (SDVs) equipped with artificial intelligence (AI) into public transportation systems, with a specific focus on criminal liability in the context of road traffic accidents (RTAs) in Uzbekistan. **Method:** Employing a qualitative legal-analytical method, the research critically examines national legislation, international conventions, and comparative case studies to identify conceptual and procedural gaps in attributing liability. **Results:** The analysis reveals that existing Uzbek criminal law is insufficient to address the complexities of SDV-related RTAs, particularly in determining fault, establishing causation, and assigning liability among stakeholders such as developers, manufacturers, owners, and infrastructure managers. The study underscores the critical role of black box data and technical standards in guiding legal assessments. **Novelty:** The research offers a comprehensive multi-layered liability framework and recommends specific amendments to the Criminal Code and traffic laws, proposing legal definitions and mechanisms aligned with international norms. This contribution provides a foundational model for Uzbekistan to proactively adapt its legal system to accommodate the technological realities of autonomous mobility.

INTRODUCTION

The rapid advancement of artificial intelligence (AI) technologies has significantly transformed multiple sectors, with the field of transportation undergoing particularly profound changes. Among the most impactful innovations are self-driving vehicles (SDVs), which promise greater efficiency, enhanced safety, and reduced environmental impact. However, the integration of autonomous vehicles into public road systems also introduces a range of complex legal and ethical dilemmas – chief among them being the issue of liability in the event of road traffic accidents. Unlike conventional vehicles, where the attribution of fault typically centers on the human driver, SDVs challenge traditional legal frameworks by distributing decision-making across software systems, sensors, and algorithms. This blurring of accountability raises pressing questions: who is liable when a self-driving vehicle causes an accident – the developer, the manufacturer, the software engineer, the owner, or another party? While some international frameworks, such as the Vienna Convention on Road Traffic, have begun to address these concerns, national legislations, including that of the Republic of Uzbekistan, remain underprepared for such unprecedented scenarios. The situation is further complicated by the potential for technical malfunctions, cyber-attacks, and infrastructural vulnerabilities. Given this legal

vacuum, there is an urgent need to analyze existing criminal law provisions, explore international practices, and propose normative reforms tailored to the Uzbek context. This study seeks to evaluate the theoretical and practical dimensions of criminal liability related to SDVs and offers grounded recommendations for developing a legal infrastructure that ensures both justice and public safety in the age of autonomous mobility [1].

RESEARCH METHOD

The methodology of this study is based on a qualitative legal-analytical approach, involving doctrinal and comparative analysis of existing national and international legislation concerning road traffic incidents involving autonomous vehicles (AVs) equipped with artificial intelligence (AI). The research relies on normative legal documents, case studies, and expert commentary to explore liability structures in traffic accidents involving self-driving vehicles. Through a critical review of Uzbekistan's Criminal Code, road traffic laws, and international conventions such as the Vienna Convention on Road Traffic, the study identifies current regulatory gaps and conceptual challenges in attributing fault when accidents result from software errors, technical failures, or insufficient human intervention. The methodological framework includes a systematic breakdown of liability into categories—developer, manufacturer, dealer, vehicle owner, and third-party actors—to assess each entity's potential criminal responsibility. Case examples from global legal practice, including high-profile AV accident cases in the United States, are integrated to contextualize the discussion and draw comparative insights. Furthermore, the study employs hypothetical legal reasoning and anticipatory legal modeling to forecast emerging risks and regulatory needs in highly automated transport environments. Legal interpretation principles and causation theories are applied to determine how fault might be assessed under varying factual scenarios, including system malfunctions, cyber interference, and negligent maintenance. The findings are used to formulate legislative recommendations, including the proposal to develop national technical standards, amend the Criminal Code, and legally define AV operation protocols. This methodology allows for a grounded yet forward-looking legal framework responsive to the rapid integration of AI in transportation systems [2].

RESULTS AND DISCUSSION

Result

The rapid development of Artificial Intelligence (AI) technologies in the modern world is profoundly influencing almost all spheres of human activity, and the transport system is certainly no exception. In particular, Autonomous Vehicles (AVs) are rapidly evolving as one of the most promising yet complex areas of AI technology. While these technologies offer numerous advantages such as enhancing road safety, reducing traffic congestion, minimizing environmental harm, and improving the efficiency of transport services, their widespread adoption also raises a number of new legal and ethical issues [3].

Road accidents involving AVs are among the most pressing of these issues. In traditional vehicle accidents, the mechanisms for determining liability are clear. However, this process becomes significantly more complicated in accidents involving AI-equipped AVs. Determining fault, compensating for damages, and assigning criminal liability require novel approaches. For instance, if an algorithm, rather than a human, makes the decision that leads to an accident, who is liable – the AV owner, the manufacturer, the programmer, or another entity? These questions have not yet found clear answers within existing national and international legislation [4].

From this perspective, the legal assessment of road accidents involving autonomous vehicles equipped with artificial intelligence technologies and the problem of liability for criminal consequences are considered pressing scientific issues. This necessitates a comprehensive analysis of the theoretical and practical aspects of legally evaluating AV-related accidents. A thorough study and analysis of these problems will contribute to the development of legal regulatory mechanisms in the field of AI and AVs, the establishment of principles for fair liability distribution, and the creation of necessary legal frameworks to prevent future accidents [5].

The rapid advancement of science and technology consistently presents new challenges to the legal system. Currently, one such urgent task is linked to the emergence of highly automated and autonomous vehicles. Their operation requires not only the regulation of civil law relations but also the resolution of numerous issues in criminal law, particularly those concerning liability. For example, Unmanned Aerial Vehicles (UAVs), or drones, are widespread today and, unfortunately, are increasingly becoming instruments for committing various crimes. A crucial aspect that needs to be resolved here is the issue of liability that arises when socially dangerous relations, protected from a criminal law perspective, are harmed by autonomous vehicles [6].

Undoubtedly, one of the primary goals in developing and implementing these AI-equipped vehicles is to enhance safety. Foreign literature even predicts a significant reduction in road accidents and resulting injuries, with some optimistic forecasts suggesting this figure could reach up to 90%. However, despite probability theories and their extensive practical application, the complete elimination of various incidents is impossible, and we must be prepared to evaluate them from a criminal law perspective [7].

Indeed, such incidents are already occurring in practice. For instance, in 2018, an autonomous Uber vehicle, with a safety driver onboard, struck and killed a woman crossing the street outside a crosswalk in Arizona. This incident clearly highlights the urgency of criminal liability issues related to autonomous vehicles. In 2023, another incident occurred in San Francisco where an autonomous Cruise taxi (owned by General Motors) hit a pedestrian crossing the road, causing serious injuries. Such events further underscore the necessity of clearly defining the safety of AI-powered vehicles and assigning liability for incidents involving them. Furthermore, it is logical to predict the emergence of new issues requiring resolution in criminal law and other fields [8].

In terms of technical equipment, AI-equipped vehicles resemble conventional cars with widely adopted and common functions such as cruise control, lane-keeping systems, and automatic emergency braking systems. However, the main difference between these vehicles and highly automated ones, apart from the level of automation, is that the aforementioned functions are auxiliary. The driver does not fully rely on them but uses them as additional conveniences or trusts them in emergency situations. The operation of highly automated vehicles implies that all automation systems function safely in tandem without driver intervention, but under their supervision, for a certain period [9].

Therefore, in the event of a road accident, it might seem logical to attribute blame to the driver. However, certain aspects of such liability demand deep scientific justification and explanation. If the driver's task is to monitor the movement of an AI-equipped vehicle and take control in situations where the automated driving system cannot ensure safe operation, then it would be logical and fair to discuss the driver's liability only if they foresaw the possibility of socially dangerous consequences but recklessly hoped to prevent them without sufficient grounds, or if they did not foresee them but should and could have with due diligence and foresight. This, in essence, corresponds to the concepts of negligence and self-confidence in criminal law [10].

In practical terms, this means that the driver must have the technical capability to prevent the accident. This is only possible if the system signals that it cannot continue automatic operation correctly and reasonably in time. In law enforcement practice, determining this technical capability to prevent such an accident will not be an easy task. It will require technical expertise and a thorough analysis of the system's operating algorithms [11].

A person driving an AI-equipped vehicle usually trusts its technological capabilities, expecting the system to perform actions. For example, they might expect the automatic braking system to engage, but the system, for some reason, fails to activate and leaves the driver no opportunity to stop the vehicle in "manual mode" in time. Or, a malfunction occurs in the automatic lane-keeping system, and the vehicle drifts into another lane or off the road. The driver could not have foreseen this, but could only initiate actions to stop the relevant movement at a certain point, which may not always prevent harm. In such situations, it is crucial to distinguish between technical malfunction or software error and human error[12].

Certainly, international documents like the Vienna Convention on Road Traffic stipulate that automated driving systems should exchange sufficient information with users and other road participants about their status and intentions, clearly, effectively, and consistently. It also requires the vehicle to provide clear and effective notification to the driver-operator when it operates outside its designated operating conditions. However, it should be noted that this is an ideal situation that developers strive for. But we are proposing a scenario where the system malfunctions and does not operate according to the prescribed scenario. Under such conditions, legal norms for determining liability and their application mechanisms must be more refined. Internationally, for

instance, active work is underway in the European Union and the USA to develop specific legislation on autonomous vehicles, with particular attention paid to the issue of liability [13].

This raises a logical question – can the existing problem-solving scheme for such situations, where the issue of liability depends on the driver having the technical capability to prevent the accident, be applied? Theoretically, this would be linked to a single possible decision-making algorithm. Therefore, in such cases, the issue of criminal liability should be resolved correctly based on traditional approaches applied to any road traffic offenses in criminal law today. The further development of AI-equipped vehicles may lead to the introduction of models that only require human activation and no longer need monitoring actions. This implies that the control system will be fully autonomous and not require constant human intervention [14].

Consequently, in such cases, even the system's activation itself might be performed remotely. Therefore, in the future, and for those existing today, the presence of a driver for such a vehicle is not envisioned. The owners of such vehicles may be individuals who purchase them from the manufacturer for personal or commercial purposes. However, it must be acknowledged that the Criminal Code of the Republic of Uzbekistan (CC) is not yet prepared for such a situation. This necessitates forecasting possible instances of harm to objects protected by criminal law and developing options for the legislator's, and subsequently the law enforcer's, criminal legal response to them. Given the driverless operation of such vehicles, they can be referred to as autonomous vehicles. Therefore, in such situations, we consider the range of subjects who can theoretically be held liable, which may include: the developer of the autonomous vehicle, the manufacturer, the owner of the autonomous vehicle, official dealers authorized by the manufacturer, or other persons, although their scope requires clarification [15].

When discussing the liability of the autonomous vehicle manufacturer, we refer to road accidents that may be caused by defects in the autonomous vehicle, as the manufacturer should typically be responsible for these. A. Yu. Churilov draws successful analogies with cruise control systems. In his opinion, liability for damages caused in such a situation falls on the manufacturer if the fault of the person operating the vehicle is not proven. If adverse consequences arise due to the incorrect operation of the automated system or due to the fault of the manufacturer, for example, due to a violation of manufacturing technology or defects in quality control, it is necessary to identify the specific person responsible for the operation of the relevant segment that led to damage to objects protected by criminal law.

It should also be considered here that the developer and manufacturer of such a vehicle may not be the same entity. This requires an individualized approach to each specific case. E. O. Yakovleva correctly emphasizes the complex issue of liability for harm caused to the life and health of individuals by robotic vehicles created by multiple developers. In her opinion, in such cases, each developer is responsible for their part of the robot. Thus, in determining liability, it is crucial to clarify the role of entities that developed different components of a complex technical system.

Considering the rules regarding the institution of causal link between the act and the criminal consequence in criminal law, the main problem here lies in the technical field and requires the application of knowledge from relevant technical specialists. A good basis for resolving these complex issues would be a special technical regulation that clearly defines the zones of legal responsibility for each participant in the process of creating such vehicles.

An aspect of the manufacturer's liability that cannot but cause concern is the necessity of pre-setting the decision-making criteria of the automated system in the event of an otherwise unavoidable risk. In this case, in addition to preventing harm, an algorithm should be installed that ensures the minimization of possible damage, as such situations often arise in the course of road traffic. Given the principle of liability for fault enshrined in the Criminal Code of the Republic of Uzbekistan, the main criterion here should be the determination of the minimum possible harm. Another question is whether it is possible to create an algorithm where a technical device is capable of making an intellectual choice. Also, how a specific course of action is determined to be preferable is a complex issue. Does the system prioritize the protection of passengers or other road users, or can it prioritize certain categories (minors, the elderly, pregnant women, etc.)? We believe it is advisable for technical specialists, with the participation of legal experts, to resolve these issues.

The second possible subject of criminal liability is the official dealer. Since autonomous vehicles are not only technically complex mechanisms but also a novelty, they require adherence to special rules for regular technical maintenance, current repairs, and necessary modernization, which should preferably be entrusted only to trained specialists. Of course, a relevant document outlining such rules will be needed, and the liability norm will have a blanket norm character, meaning its content refers to other normative documents. It is advisable to organize the work of such specialists in conditions of stable communication with the developer and manufacturer to ensure prompt information exchange and correct technical decisions.

If socially dangerous harm arises as a result of the incorrect actions of the technical service dealer (e.g., during maintenance, diagnostics, repair, or recall procedures by the manufacturer), then the liability of the perpetrator, including criminal liability, should arise. In this case, it must be proven that the dealer's non-performance or improper performance of their obligations directly caused the resulting harm.

A logical continuation of the dealer's obligations to properly perform the aforementioned actions should be the corresponding obligations of the owner of such a vehicle. For example, the owner, in accordance with the manufacturer's regulations, must timely provide the vehicle for technical maintenance, software updates, or for eliminating a serial defect if one is detected. If the owner has failed to fulfill such an obligation, and precisely for this reason socially dangerous harm has occurred, it would be logical to speak of the owner's liability, rather than that of the manufacturer or dealer.

As for third parties, several categories of subjects can be distinguished within this category. These may include passengers who switch the vehicle to manual control and

allow its uncontrolled movement, or who take control and violate traffic rules. Or it may be third parties outside the vehicle who commit illegal acts aimed at damaging the vehicle or inducing it to perform certain actions. For example, deliberately creating an emergency situation to induce the vehicle to maneuver, resulting in harm to other persons. Furthermore, it is possible to predict the occurrence of adverse consequences due to disruptions in the road network (damage to or illegal dismantling of necessary road signs or markings, incorrect installation or application thereof, modifications that distort their original meaning, damage to the road surface, creation of dangerous artificial irregularities, and similar actions). Such actions can be committed both by specially authorized persons of the management organization responsible for ensuring the safety of a certain public road section and by any unauthorized persons not related to the activities of a special entity.

Therefore, it is necessary to analyze the liability of the management company responsible for the safety of a particular road segment and the unauthorized person who made the changes or caused the damage. We believe that in resolving this issue, it will be helpful to legally define the periodicity of monitoring the condition of road infrastructure and the requirements for responding to detected violations, including information received from external sources. If, despite appropriate control and correct responses from the management company, the damage is not detected or eliminated, liability should rest with the person who made such changes or allowed the damage. Naturally, such a person should be held administratively liable in all cases. At first glance, such a proposal might seem accusatory towards the responsible management company, but it is important for clarifying liability.

However, an alternative decision, where an unauthorized entity that made the aforementioned changes is always held liable if they committed them, would lead to an excessive reduction of the liability of such a company. For example, if an unauthorized person damaged a road sign, and the management company did not inspect the safety of that road section within the prescribed period, did not detect the violation, and did not eliminate it, and as a result a road accident occurred involving an autonomous vehicle that caused socially dangerous harm, liability should still rest with the entity that damaged the road sign. Therefore, establishing the principle of special entity liability is considered fair. That is, the organization responsible for the safety of road infrastructure should be held liable unless it is proven that it has fully fulfilled its duties. If the management company's actions are deemed lawful, then, of course, the general entity's liability should arise.

If a road accident occurs due to damage to one of the road infrastructure objects by natural forces (e.g., rain washing away the road, a hurricane knocking down a road sign, dense fog, and so on), resolving the issue of liability becomes more complex. If the company responsible for safety in that road segment had a real opportunity to eliminate the defect (considering time, weather conditions, and other circumstances), but failed to do so, it is likely that this may fall within the management company's zone of responsibility. At the same time, relevant regulations should specifically regulate such

actions for cases of natural disasters. If the answer to the first question is negative, the most correct way to resolve the issue will be based on the provisions regarding emergency situations established in our country's legislation. In the matter of criminal liability, it would be correct to apply the provisions on harm caused without fault in Article 24 of the Criminal Code of the Republic of Uzbekistan. Also, in such cases, it will be important whether road signs, road markings, and other objects of automobile infrastructure damaged as a result of natural phenomena met special requirements (durability, stability, brightness of the image, etc.).

In highly automated systems, it is highly probable to predict the occurrence of malfunctions leading to socially dangerous consequences under the influence of malicious computer programs. In this case, it is logical to talk about liability for the relevant elements of crime in the field of computer data. For example, Article 2786 of the Criminal Code of the Republic of Uzbekistan (Creation, use, or dissemination of harmful programs) may be quite suitable for qualifying such cases. That is why many researchers studying the issues of autonomous vehicle development today are focusing on the threat of cyber threats.

The fourth possible subject of liability is the owner of the vehicle. Given the need for a particularly responsible approach to the operation of autonomous vehicles, a special normative document should establish a number of relevant operating obligations. Among them, it is reasonable to reinforce the norm prohibiting independent repairs and modifications to the design of such vehicles. This prohibition should be complemented by a norm about the obligation to perform repairs and technical maintenance at an organization specially authorized by the manufacturer for the repair and technical maintenance of autonomous vehicles. In such regulation, if socially dangerous harm arose as a result of the unskilled actions of the technical service entity in the operation of the autonomous vehicle, then the owner of that vehicle should be held liable.

One of the serious problems that law enforcement practice will have to solve in the near future is the determination of the causal link between the crime and the resulting socially dangerous consequences.

We believe that the main key to determining the cause of an incident should be a special recording device, namely, the "black box". However, if the damage to the autonomous vehicle is so severe that the data carrier within it is also destroyed or significantly damaged, the question arises of how to retrieve the information. In such cases, recovering information or proving its authenticity can be a problem.

To ensure correct qualification in the future, it is considered appropriate to store important data not only in the vehicle's internal memory but also on a third-party resource, such as the cloud, ensuring real-time replication. It will also be necessary to eliminate the technical possibility of unauthorized modifications to such data. This, in turn, will ensure the reliability of evidence.

Furthermore, in the near future, the legislator faces the question of the material basis for criminal liability for harm caused by autonomous vehicles. Currently, there is no definitive decision on whether liability for crimes in the field of traffic safety and

vehicle operation should remain within existing frameworks, or if it is necessary to formulate fundamentally new elements of crime, or even an entire chapter containing several new elements of crime. This issue remains controversial.

Consequently, the owner of an autonomous vehicle's violation of operating rules, leading to serious bodily harm or death of the victim, can be qualified under the relevant part of Article 266 of the Criminal Code of the Republic of Uzbekistan. For substandard repair of autonomous vehicles leading to dangerous consequences, the special entity can be qualified under Article 262 of the Criminal Code. All variants of road surface damage, destruction of road signs, and similar actions are qualified under Article 263 of the Criminal Code. It should also be considered that autonomous vehicles can be not only cars but also railway, water, and air transport. Article 260 of the Criminal Code exists for the purpose of qualifying various situations related to these types of transport. Many such examples can be provided. At the same time, such a specific adaptation of the existing norms of criminal law can be achieved by creating a normative framework with some of the provisions proposed above.

This normative framework will ensure their application as a blanket norm. Recommendations from the Supreme Court regarding relevant qualifications will also be required. However, it should be understood that such recommendations cannot appear until relevant law enforcement practice has been formed. Furthermore, other articles of the Criminal Code may also be applied. For example, if an autonomous vehicle was used to commit intentional murder, such actions are qualified under Article 97 of the Criminal Code of the Republic of Uzbekistan. As correctly stated in the literature, whatever norm defines the safety of movement and use of autonomous vehicles equipped with artificial intelligence technologies, it should have a blanket nature. Different positions are also expressed in the literature regarding new norms. For example, it is advisable to establish criminal liability for violating the rules for operating autonomous vehicles, as well as liability for special entities for the production, sale, and commissioning of autonomous vehicle control systems.

Discussion

In conclusion, the active integration of autonomous vehicles and other AI-based objects into daily life is inevitable. This process poses serious challenges to the legal system, especially criminal law. Adapting existing legislative norms to new conditions and, where necessary, creating new legal mechanisms is of paramount importance.

To this end, the following proposals are put forward for effective regulation of criminal-legal relations related to autonomous mobile objects in the Republic of Uzbekistan:

First, it is necessary to introduce a relevant chapter into the Law of the Republic of Uzbekistan "On Road Traffic" and the "Rules of Road Traffic". This legal act should clearly define the classification of autonomous vehicles, their safety standards, operating conditions, certification procedures, and scopes of liability. As it stands, existing legislation does not fully encompass modern man-made threats and the capabilities of AI

technologies. A separate document or a specific chapter will serve to fill the legal gaps in this area.

Second, it is advisable to introduce special articles or qualifying features into existing articles of the Criminal Code of the Republic of Uzbekistan for crimes related to autonomous vehicles. For instance, adding the following clause to Article 266 of the Criminal Code: “a) violation of autonomous vehicle operating rules, including due to software malfunction or lack of updates, resulting in moderate or severe bodily harm or death”. Also, introducing an additional part to Article 278 of the Criminal Code with the following content: “For intentional illegal interference with computer programs, by affecting the movement system of autonomous vehicles, leading to serious harm to the victim’s health, death, or other grave consequences”. This is because existing norms (e.g., Articles 260, 262, 263, 266, 267) are general in nature and cannot fully cover all types of complex crimes related to autonomous vehicles. Special articles or qualifying features will clarify liability and simplify law enforcement practice.

Third, it is necessary to develop national technical regulations and rules that comply with international standards for the development, testing, certification, operation, and technical maintenance of autonomous vehicles. This requires establishing mechanisms for storing “black box” data, restricting access to them, and preventing modifications. It is also advisable to establish separate liability for falsifying, destroying, or altering data in an autonomous vehicle’s “black box”. In this context, the clear definition of technical requirements for determining legal liability is crucial. This will serve as a basis for expert conclusions, especially in determining causality and the form of guilt.

CONCLUSION

Fundamental Finding : This study concludes that the current legal framework in Uzbekistan is insufficient to address the unique challenges of criminal liability arising from road accidents involving self-driving vehicles (SDVs) equipped with artificial intelligence. A multi-tiered liability model involving developers, manufacturers, dealers, owners, and infrastructure entities is essential for equitable legal resolution. **Implication :** The findings underscore the urgent need for legal reforms that integrate AI-specific norms into the Criminal Code and Road Traffic Law, establish national technical regulations, and adopt international best practices to ensure public safety and judicial clarity in an era of autonomous mobility. **Limitation :** As a doctrinal and conceptual legal analysis, this study lacks empirical validation through field data, stakeholder interviews, or real-world case assessments within the Uzbek context. **Future Research :** Subsequent studies should incorporate empirical approaches, such as comparative legal analysis with AI laws in other jurisdictions, and assess judicial readiness, enforcement mechanisms, and public perception to formulate robust, evidence-based policy frameworks.

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