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Self-Driving Cars Still Need A Driver

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Self-Driving Cars

“Driverless” Cars – Are they really driverless?

A fully autonomous or self-driving vehicle is not available for sale to consumers, at least not yet. Any vehicle for sale to the public and marketed as “driverless” is not really driverless.

So, what does that mean?

While you are able to buy a car today that can automatically brake for you when the vehicle’s technology senses a collision, helps you stay within your lane, or assists you in parking, you still need an alert driver behind the wheel. This new technology’s ability remains limited, and drivers are supposed to continuously pay attention to the road. Even Tesla’s owner’s manual states that drivers are supposed to keep their hands on the wheel at all times, be ready to take over when the system is not able to steer, accelerate or brake on its own.

The Society of Automotive Engineers defines 6 levels of driving automation ranging from 0 (fully manual) to 5 (fully autonomous) as follows:

Level 0 (No Driving Automation)

Most vehicles on the road today are Level 0 which means the driver performs all driving tasks, although there may be systems in place to help the driver. An example would be the emergency braking system since it technically does not “drive” the vehicle, it does not qualify as automation.

Level 1 (Driver Assistance)

This is the lowest level of automation. The vehicle typically features a single automated system for driver assistance which can assist the driver with either steering or braking/accelerating, but not both simultaneously. Adaptive cruise control, where the vehicle can be kept at a safe distance behind the next car, qualifies as Level 1 because the driver monitors the other aspects of driving such as steering and braking.



Level 2 (Partial Driving Automation)

These vehicles use Advanced Driver Assistance Systems (ADAS) and can control both steering and accelerating/decelerating. Here the automation falls short of self-driving because a human driver sits in the driver's seat and can take control of the car at any time. Tesla Autopilot and Cadillac Super Cruise systems both qualify as Level 2.

Level 3 (Conditional Driving Automation)

The jump from Level 2 to Level 3 is substantial from a technological perspective, but subtle from a driver perspective.

Level 3 vehicles have “environmental detection” capabilities and can make informed decisions for themselves, such as accelerating past a slow-moving vehicle. But they still require human override. The driver must remain alert and ready to take control if the system is unable to execute the task.

Two years ago, Audi (Volkswagen) announced the world's first Level 3 production vehicle; however, while Audi was developing its marvel of engineering, the regulatory process in the U.S. shifted from federal guidance to state-by-state mandates for autonomous vehicles. So, while Audi rolled out the full Level 3 A8L in Europe, in the US, the A8L was shipped without key hardware and software required to achieve Level 3 functionality. In Europe, the Level 3 system would not require a driver to monitor the road and the liability in case of an accident when engaged would transfer to the automaker. While Audi withdrew production of a Level 3 vehicle in 2020, Honda announced last month the launch of a new car equipped with level 3 autonomous driving technology, paving the way for the automobile industry to continue its efforts to commercialize such automation for passenger vehicles.

Level 4 (High Driving Automation)

The key difference between Level 3 and Level 4 automation is that Level 4 vehicles can intervene if things go wrong or there is a system failure. In this sense, these cars do not require human interaction in most *circumstances*. However, a human still has the option to manually override.

Level 4 vehicles can operate in self-driving mode, but until legislation and infrastructure evolves, they can only do so within a limited area (usually an urban environment where top speeds reach an average of 30mph). This is known as geofencing. As such, most Level 4 vehicles in existence are geared toward ridesharing. For example:

- Navya, a French company, is already building and selling Level 4 shuttles and cabs in the U.S. that run fully on electric power and can reach a top speed of 55 mph.
- Alphabet's Waymo recently unveiled a Level 4 self-driving taxi service in Arizona, where they had been testing driverless cars without a safety driver in the seat for more than a year and over 10 million miles.
- Canadian automotive supplier Magna has developed technology (MAX4) to enable Level 4 capabilities in both urban and highway environments. They are working with Lyft to supply high-tech kits that turn vehicles into self-driving cars.
- Just a few months ago, Volvo and Baidu announced a strategic partnership to jointly develop Level 4 electric vehicles that will serve the robotaxi market in China.

Level 5 (Full Driving Automation)

Level 5 vehicles do not require human attention the “dynamic driving task” is eliminated. Level 5 cars won't even have steering wheels or acceleration/braking pedals. They will be free from geofencing, able to go anywhere and do anything that an experienced human driver can do. Fully autonomous cars are undergoing testing in several pockets of the world, but none are yet available to the general public.

While these technology systems can be helpful and are meant to improve safety, it is important to remember that at the current time, they are only there to **assist** the driver. Every vehicle currently for sale in the United States requires **the full attention of the driver at all times for safe operation.** ■

Guest Columnist: Attorney Eli A. Franks of Franks, Koenig & Neuwelt

Hurt on the Job – Steps to Take After A Work Injury

If you have been hurt on the job, you may be entitled to receive medical care and lost wages from your employer's workers' compensation insurance.

Workers' compensation is an insurance program that covers employees while they are recovering from injuries that they received on the job. The U.S. Department of Labor reports thousands of workers' compensation cases per year, so you don't have to feel alone if you are suffering right now.

After being hurt at work, the first thing you want is medical care and assurances your lost wages will be paid until you are able to return to work. Unfortunately, most insurance companies care more about saving money than spending it on you. Insurance companies have trained claims adjusters who go to great lengths to establish that they are your only friend in your stressful situation and will represent your best interests. However, in reality, they are looking for ways to find pieces of evidence they can use against you to reduce the amount of your claim or deny it altogether, leaving you to bear the financial burden of your injuries and property damage.

The workers' compensation adjusters may even make you feel bad about filing a claim or make you feel like you don't have a claim because the accident may have been your fault. Remember, in Florida's Workers' Compensation system, the law does not consider who was at fault for causing an employee's injury (with a few small exceptions like starting a fight unrelated to work or being intoxicated). The prerequisite for workers' compensation benefits is only that you have been hurt on the job and you need for care remains related to the work accident. It makes no difference whether the incident was partially your fault or entirely your fault.

So, as you watch your bills pile up, the insurance company is taking their time investigating the accident. This can place an incredible burden on both your finances and state of mind as you are left to waiting for both a doctor's appointment and a check



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for time missed from work. It may feel like pursuing your workers' compensation benefits has turned into a full-time job. When hurt at work, remember to do the following:

1. Report your accident and injury. Work Comp adjusters are notorious for denying cases that were reported as accident, but not as an injury. Make sure to document all injured body parts, even if it doesn't hurt that bad at the time of reporting. It may get worse, and you don't want them to say you never reported a body part. If you didn't, don't worry, we can help.
2. Seek medical care right away. Do this no matter what, whether it is at the work comp doctor or clinic they send you to initially, or a doctor you see on your own. If your case ever goes to court, the Judges will always look at the earliest medical note to see what was reported as far as injuries, and what the injured person said regarding how the accident occurred. Make sure to say you were hurt at work!
3. Hire an experienced workers' compensation attorney. Without an attorney, many injured employees are left for weeks or months without the appropriate care they need. Here at <https://franksandkoenig.com> we are experienced in dealing with the insurance companies and obtaining medical care and lost wages. We can help you with the process of obtaining medical treatment and lost wages, a process that is nearly impossible to navigate alone. – Also, many insurance companies will attempt to settle with you directly for an amount that is completely unreasonable. – In almost every case, having an experienced workers' compensation attorney will ensure that you are not being taken advantage of by the insurance company.

If you have been hurt at work, then make sure to take the necessary steps to protect your ability to receive the benefits that are available to you under the law.

If you were hurt at work, we can help! ■



Firm News



Partners Murray & Guari Named 2021 Florida Super Lawyer

Please join us in congratulating Scott Murray and Jason Guari who have been named as 2021 “Florida Super Lawyers” by Super Lawyer Magazine — an annual publication that recognizes Florida’s top lawyers. For Jason, this is his ninth time being included for this distinction in the area of Personal Injury. ■

Super Lawyers®
2021

Partner Scott Perry Named A Rising Star

Please join us in congratulating Attorney Scott Perry for being named a 2021 Rising Stars in the area of Personal Injury by Florida Super Lawyer Magazine — an annual publication that recognizes Florida’s top lawyers. This is the six-consecutive year Scott has been recognized with this distinction. ■

Super Lawyers®
RISING STARS



New Beginnings

Attorney and Vita Nova Board Member Scott Murray recently participated in Vita Nova’s special private ribbon cutting ceremony and open house to celebrate renovations made to the Vita Nova Village. The Village is the housing program for young adults ages 18-25 that have turned 18 in the foster care system or young adults in the community who are homeless. The program is designed to assist young adults to learn to live independently while completing goals related to school and work. ■



Meet Jessica Chavis

Jessica is a law clerk (and current 2L) who supports our attorneys by assembling and organizing information for legal documents, researching law, assembling case materials, writing reports and memoranda ■

Recognitions

Our attorneys have been recognized on the local and national levels for their achievements in law, as well as their community leadership and other activities.



**Murray Guari –
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How Can We Help?

At Murray Guari Trial Attorneys PL, we **represent victims** throughout Florida who have suffered serious personal injuries due to the negligence of others. At our firm, you will find a team that is **truly concerned about your well-being and getting justice for you.** We are proud that our clients come to us based on a personal recommendation from past clients and from other attorneys in the community who respect our reputation and the quality of our work. We would be honored to put our experience, skill and integrity to work for you. ■



Keith Hedrick, Scott Murray, Jason Guari, and Scott Perry

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