Emerging Technologies

- Avalanche Mitigation
- Unmanned Aerial Vehicles
- Smart Roads
- Smart Cars
- Smart Work Zones
- Unmanned Mobile Attenuator

All are related and the risks are evolving
Is the Vehicle insured for damage to the unit itself?

- Theft, fire, accident...
- Does the policy allow for replacement cost or actual cash value?
- Does the policy cover the “technology” of the unit – software, updates, loss of use, items permanently installed, etc?
Liability Risks

- Distraction of people on the road causing damage or injury
- Accident with others on the road causing damage or injury
- Accident with your other units (or people)
- Misuse by employees
  - Training Requirements
  - Fitness for Duty
  - Authorized Users/Tasks
  - Avoid negligent entrustment/retainage
  - Regular/preventive maintenance – software?
- State Laws – Colorado had to write one
- Fail Safe System: signal interference, use in bad weather, loss of power, hacking, product/software issues

Liability Risks
Does your State have governmental immunity?
Does that immunity address unmanned vehicles
Colorado law states a vehicle must be driven by a “State employee”
Is your State self-insured?
If there is an insurance policy, does the carrier want certain requirements met?
Review the activities and program with your broker and/or carrier – are there exclusions, coverage gaps or overlaps (auto/GL/products completed). Read the fine print!
Indemnification from the software designer/manufacturer
What does the ongoing support look like from the software company?

Fines and punitive damages are not insurable – know the risk!

Liability Coverage
Auto Liability – the lead vehicle, the tethered vehicle
Terrorism – foreign/domestic
Cyber Coverage – hacking, what information is stored, etc.
Protection of Proprietary Property
Products Liability – seek indemnification from the software company – move away from the auto liability
Professional Liability – engineering
Loss Prevention Tips

- Roles and responsibilities – many players – government and private parties
- Develop protocols and safety programs – and follow them!
- Training/Retraining, Safety, Emergency Response
- Accident Review Board – lessons learned and update protocols if necessary
- Testing documentation and videos – keep these!
- Document, document, document
This is a quickly changing environment, stay current and strive to be accident free!
Questions?

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