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摘要:

关键词:

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90% See Alison Smiley & Karel A. Brookhuis, *Alcohol, Drugs and Traffic Safety*, in *Road Users and Traffic Safety* 83, 83-104 (Talib Rothengatter & Rob A. de Bruin eds., 1987), <http://trid.trb.org/view/284992> (accessed April 28, 2020).

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16 Pinto  
17 See Frank J. Vandall, *Criminal Prosecution of Corporations*, *Defence*  
Tay *Journal of Business Ethics* 101, 111 (2012).  
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19 See Report with recommendations to the Commission on Civil Liability for  
[europarl.europa.eu/doceo/document/A-8-2017-0005\\_EN.html?](http://europarl.europa.eu/doceo/document/A-8-2017-0005_EN.html?)  
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Prof. Roxin Gedanken zur Problematik der Zurechnung im Stra...

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## On the Autonomous Vehicle Manufacturer's Criminal Liability

Pi Yong

**Abstract:** Autonomous vehicle, an intelligent product developed, manufactured, used and managed by human beings, is not the subject of crime or criminal liability. In the case of a traffic accident occurring in the autonomous control state of such a vehicle, the existing criminal law cannot convict or punish its producers, users and other persons involved. Unless specially provided, the current road traffic safety law and criminal law cannot hold liable the person on the driver's seat for management negligence, if he does not take over the car or after taking over is unable to prevent the traffic accident, as the duty of care for the person on the driver's seat is to prevent the vehicles under autonomous control from road accidents, and therefore should not be set too high. The theory of permissible risk and emergency avoidance cannot provide a legal basis for the duty of care.