

Cars with high-tech features can be much easier to drive than low-tech vehicles. For instance, adaptive cruise control can automatically maintain a safe distance between your car and the vehicle ahead of you. Drivers who rely on this often do not check their speed as often or worry about adjusting their speed to the flow of surrounding traffic. It makes for a more relaxing driving experience, especially on long trips.

But tech features are not perfect. They malfunction. They operate in ways contrary to a driver's expectations. So when a vehicle with "smart" features is involved in a collision, it can be challenging to determine whether the [car accident](#) was triggered by a defect in the driver assistance system or a mistake by the driver. Attorneys for both parties will blame the other, and victims hurt in the accident may be left languishing in an attempt to recover compensation for their losses. It is essential for victims to work with a [knowledgeable attorney](#) who understands the complex evidence and issues and how to overcome the delaying tactics of defense attorneys.

Overview of Advanced Driver Assistance Systems

Advanced driver assistance systems, often referred to as ADAS, are electronic technologies that use sensors like cameras, lasers, and radar to enhance and automate driving functions. Examples include:

- Collision avoidance/automatic emergency braking technologies that brake on their own when they sense an obstacle is too close
- Lane-keeping technologies that sense when a vehicle is drifting out of a lane and steer it back
- Adaptive cruise control that reduces speed to avoid following another vehicle too closely
- Blind spot detection that monitors the rear corners to notify the driver of vehicles that may not be visible
- Parking assistance with cameras and sensors that aid in maneuvering a vehicle into a parking space

Manufacturers generally rate these features on a scale of 0-5 in terms of control. A feature rated as zero provides alerts but does not take action. By contrast, a feature rated as a two might control multiple functions such as steering and speed reduction.

While fully self-driving vehicles have been tested in multiple locations, most of the tech driving systems operating in vehicles on the roads of North Carolina provide a lower level of control. They are designed to help with driving tasks but not to take over these tasks entirely.

Drivers often do not realize that they are still supposed to be in charge. They rely on these systems to do the work of driving, which requires constant vigilance and adaptation to surrounding conditions. The ease of operation and promises of advertising teams make it tempting for drivers to feel that they can give up control.

Why ADAS Frequently Fails

Human drivers do not operate perfectly when driving, and neither do automated systems. Failures can be caused by external conditions. [Rain or fog](#), for instance, can prevent cameras and sensors from functioning properly.

Failure of ADAS can also be caused by problems with maintenance or installation. The system may not be calibrated properly either at the time of initial installation or after service has been performed or a vehicle has been involved in a minor collision.

Malfunctions with ADAS are also often a result of a defect in design or manufacturing. Problems with software or hardware can cause a vehicle to brake for no reason, for example.

The Driver Has a Duty to Supervise

In North Carolina, the driver is generally still responsible for controlling the vehicle. The driver is expected to pay attention and react appropriately, even when using ADAS features to assist with driving functions. Many drivers become complacent and willing to consider the car to be in control of specific functions. But the driver is still the boss and is responsible for taking reasonable steps to operate the car.

However, if the driver acts responsibly and the car fails to respond or responds inappropriately, then the issue is different.

When the Manufacturer is at Fault

Sometimes, an accident involving a car with ADAS features is not the fault of the driver. The collision occurs because of a defect in the ADAS systems. That type of legal case falls under the heading of [product liability](#). It is an area of law that is very different from the liability in most car accident cases, so if your case potentially involves a defective

product, it is important to ensure that you work with an attorney experienced in product liability litigation.

If an attorney can prove that a collision was caused by a defect in the design, manufacture, or marketing of a car or its components, then it is usually not necessary to demonstrate negligence. However, obtaining and presenting the evidence necessary to make that causal connection can be a complicated process that takes time, so it is important to begin as soon as possible.

When the defect stems from the design, it is necessary to show that the product is fundamentally unsafe. For instance, if the sensors were not designed to detect obstacles in low light, that could be a design defect in the ADAS. A manufacturing defect occurs when a product is made or assembled incorrectly so that it does not function as designed. A marketing defect might involve a claim that a product does something more or different than it is actually able to accomplish. Providing incorrect or inadequate instructions about a product's use could also be considered a marketing defect.

Talk to Martin & Jones About What Your Accident Claim May Be Worth

It takes considerable effort to investigate and prove causation in a car accident case involving advanced technologies. Not only will the manufacturer and driver blame each other, but they will also undertake considerable effort to pin the blame on the accident victim who has been injured. If they can succeed in showing that the victim had a share in causing the accident, then the victim will not be able to recover.

To fight back against these tactics, car accident victims need an experienced and dedicated legal team. At [Martin & Jones](#), we have decades of experience obtaining full damage awards for victims in product liability cases as well as all types of car accident cases.

If you or a loved one have been injured in a collision caused by someone else's mistakes, we invite you to call us for a free consultation where we can discuss the damages that may be available in your case. To get started, call 800-662-1234 or [contact us online](#) today.