

Who Is Liable When a Self-Driving Vehicle Strikes a Georgia Pedestrian?

When There's No Driver to Point To, Who Do You Hold Accountable?

A [pedestrian](#) steps into a crosswalk in Midtown Atlanta at 11:40 p.m. The intersection is well-lit. The walk signal is on. A vehicle approaches from the right, doesn't slow, and strikes the pedestrian in the middle of the crossing.

The driver's seat is empty. The car is a Level 4 autonomous test vehicle operated by a rideshare partner, and the collision is captured by a dozen cameras and lidar arrays that will spend the next week feeding data to the manufacturer's incident review team.

For decades, every pedestrian injury claim has started from the same assumption: a human driver made a bad choice. They ran a red light, they were texting, they misjudged a gap. That assumption falls apart when the vehicle was making the decisions itself.

Georgia has specific laws governing autonomous vehicle operation, but the liability question in a pedestrian AV crash is more layered than any single statute can resolve. It can reach the vehicle's manufacturer, the technology company that developed the driving system, the operator who deployed the vehicle, and in some cases the entity responsible for maintaining the infrastructure the system was relying on.

The [Law Offices of Gary Martin Hays & Associates, P.C.](#) has watched this landscape shift as robotaxis, driver-assist systems, and commercial AV pilots have spread through Atlanta and beyond. The law is still catching up to the technology, and that gap makes early legal involvement critical for anyone hit by a self-driving or partially automated vehicle.

Georgia's Legal Framework for Autonomous Vehicle Operation

Georgia was one of the earlier states to explicitly authorize fully autonomous vehicle operation. Under [O.C.G.A. § 40-8-11](#), a person may operate a fully autonomous vehicle with the automated driving system engaged without a human driver physically present, provided the vehicle is capable of complying with Georgia's rules of the road and is certified by the manufacturer as meeting applicable federal motor vehicle safety standards.

The statute also requires that the vehicle be capable of achieving what's described as a "minimal risk condition" if its automated system fails, meaning it must be able to bring itself to a safe stop rather than continuing to operate without oversight.

What Georgia's statute doesn't do is establish a clear negligence standard for AV crashes. It permits the technology to operate. It doesn't excuse the people and companies behind that technology from responsibility when it fails and someone gets hurt.

Parties That May Be Liable When a Self-Driving Vehicle Strikes a Pedestrian

Autonomous vehicle crashes don't conform to the single-defendant model that most traffic accident cases follow. The liability landscape in an AV pedestrian case typically includes:

- **The Vehicle Manufacturer:** If the AV's perception system, sensor array, or onboard decision-making software failed to detect a pedestrian who was visible, the manufacturer may face product liability exposure for a design or manufacturing defect. The standard is whether the vehicle behaved as a reasonably safe product should.
- **The Autonomous Driving System Developer:** In some AV deployments, the driving system software is licensed from a technology company that's separate from the vehicle manufacturer. If the software's object detection, classification, or trajectory planning logic was defective, the developer who designed and tested that system is a potential defendant.
- **The Fleet Operator Or Deployment Company:** Commercial AV services, robotaxi operators, and logistics companies that deploy self-driving vehicles are responsible for maintaining those vehicles, updating software, monitoring performance data, and pulling vehicles from operation when safety flags arise. An operator who continued deploying a vehicle with a known sensing limitation bears responsibility for what that choice produces.
- **The Human Safety Operator:** Some AV deployments still require a human in the vehicle or monitoring the vehicle remotely, with authority to intervene. If a safety operator's failure to intervene contributed to the crash, personal liability may attach in addition to the employer's.
- **Local And State Government Entities:** AV systems depend on predictable infrastructure. A pedestrian crash caused in part by a degraded lane marking or a malfunctioning signal that the AV relied on may involve a government liability claim alongside the technology claims.

What Federal Oversight of Autonomous Vehicles Looks Like Right Now

The [NHTSA automated vehicle safety program](#) requires manufacturers to report crashes involving automated driving systems and conducts reviews of standing-start safety standards to assess how they apply to vehicles without traditional controls. The federal framework is evolving, with NHTSA working to modernize motor vehicle safety standards that were written for vehicles with human drivers at the wheel.

For pedestrians and their families, that means federal record-keeping on AV crashes is still developing. Incident reports submitted by AV operators can be a valuable evidentiary source when they're preserved and obtained through litigation. These record-keeping gaps overlap with issues that surface in commercial fleet cases like [truck platooning](#) and other emerging vehicle technologies, where the fault picture depends on data the manufacturer controls.

The Levels of Vehicle Autonomy and Why They Matter for Your Case

Not every crash involving driver-assist technology is an autonomous vehicle crash in the legal sense. The Society of Automotive Engineers' autonomy scale, widely adopted by NHTSA, distinguishes between vehicles that assist a fully attentive human driver, those that allow hands-free operation under defined conditions, and those that operate without any human involvement.

Picture a scenario where a pedestrian is crossing a marked crosswalk at night when a vehicle operating in a commercial AV service mode strikes her. The AV's radar and camera system classified her as a stationary object rather than a moving person and never engaged the brakes.

That misclassification isn't driver error. It's a design question, an engineering question, and potentially a question about how the operator tested and validated the system in nighttime pedestrian conditions before putting it into service.

The mechanics of a [nighttime pedestrian crash](#) are already treacherous for the injured person's claim, and adding an automated-perception failure to that mix changes both the evidentiary landscape and who the defendants actually are.

What Evidence Matters in an Autonomous Vehicle Crash Case

AV crashes generate data at a scale that conventional vehicle accidents don't. That data is the core of the liability case, and it's almost entirely in the possession of the manufacturer or operator at the time of the crash.

Attorneys in AV pedestrian cases focus on the following:

- **The AV's Sensor And Perception Data Logs:** Every major autonomous driving system captures real-time data from cameras, radar, lidar, and other sensors. Those logs show exactly what the system detected, how it classified what it saw, and what action it chose to take or not take in the seconds before impact.
- **The System's Object Classification History:** AV systems learn from data and have documented rates of misclassification in specific environments, lighting conditions, and pedestrian scenarios. Prior incidents involving misclassification of pedestrians are discoverable evidence.
- **Software Version And Update Records:** When a manufacturer or operator knew about a safety-relevant software defect and deployed a patch, the question of whether that patch was in place at the time of the crash is critical. Version logs and deployment records establish the timeline.
- **Incident Reports Filed With NHTSA:** The federal reporting database may contain prior incidents involving the same platform, the same sensing limitation, or the same edge-case scenario that caused the crash at issue.
- **The Operator's Maintenance And Monitoring Logs:** Commercial AV operators track system alerts, safety flags, and maintenance interventions. Records showing that the operator was aware of a performance issue and didn't act are among the most powerful pieces of evidence available.

The Injuries and Damages a Struck Pedestrian Faces

An AV impact hits an unprotected pedestrian the same way any vehicle would, and the injury profile is grim. Head and skull strikes against the hood or windshield can produce [traumatic brain injuries](#) that reshape a survivor's cognitive future.

Hood impacts drive force into the pelvis, and [broken pelvis injuries](#) frequently involve internal bleeding and long surgical recoveries. Because pedestrian bodies absorb every ounce of impact energy, these are often the [highest-value pedestrian cases](#) Georgia families face.

When the strike is fatal, [Georgia's wrongful death statute](#) applies to AV crashes the same way it applies to any other traffic fatality, giving surviving family members the right to pursue the full value of the life lost from defendants who include corporate manufacturers and technology companies, not just individual drivers.

The [insurance tactics used against injured pedestrians](#) in conventional crashes are already aggressive. In AV cases, those tactics are compounded by the complexity of the technology and the resources that manufacturers and operators can bring to litigation.

Call A Georgia Pedestrian Accident Lawyer Before The Data Is Overwritten

If you or a family member was struck by an autonomous or semi-autonomous vehicle in Georgia, [contact us](#) as quickly as possible so preservation demands can go out before the operator's retention window deletes the sensor and perception logs.

Georgia families never pay us up front to bring a self-driving vehicle claim. Our compensation is drawn from the settlement or verdict we obtain, and we absorb the litigation costs while the case is under way.