

AUTOMOTIVE

Tesla sustains lawsuit from drivers who claim autopilot is “inoperable”

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Tesla Model X

By BRIELLE JAEKEL

U.S. electric automaker Tesla Motors, known for its technological advances in automotive and beyond, is being hit with a class action lawsuit claiming its Enhanced Autopilot software is nonfunctional and dangerous.

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The group claims that Tesla is endangering the lives of its drivers after the automaker claimed the software would be released in December 2016, but remains inactive and not fully functional. The automaker has responded saying Tesla has always been transparent about the software having an incremental roll out and that many features are currently available.

"Tesla has endangered the lives of tens of thousands of Tesla owners across the country, and induced them to pay many thousands of dollars for a product that Tesla has not effectively designed," said Steve Berman, managing partner of Hagens Berman, which represents the plaintiffs. "Tesla sold these vehicles as the safest sedan on the road.

"What consumers received were cars without standard safety enhancements featured by cars costing less than half the price of a new Tesla, and a purported Enhanced Autopilot that operates in an erratic and dangerous manner," he said. "To this day, Tesla has not released truly functional software for its Standard Safety Features or Enhanced Autopilot."

Lawsuit

Tesla believes these claims are dangerous to consumers, as the group is sharing misinformation that makes the automaker's technology capability seem to do more than it claims.

Elon Musk, the company's founder, has been continually sharing updates on the rollout's status with Twitter followers.

Resolving an Autopilot HW2 bug that shows up when booting from a subzero cold-soak. If that fix works, software will start uploading tmrw.

Elon Musk (@elonmusk) [December 31, 2016](#)

Hagens Berman, the attorney for Tesla owners, has claimed that the automaker has sold more than 50,000 vehicles in the fourth quarter of 2016 and first of 2017 with Enhanced Autopilot software that is still nonfunctional.

Filed on April 19, the lawsuit claims that standard safety features on the vehicles are also defective.



Tesla's Model S

The lawsuit described the Autopilot feature as if a drunk driver was operating the vehicle, after Tesla had claimed its software made the driving experience "safe and stress-free."

Customers paid an extra \$5,000 for the feature, which many are claiming they never received or was inoperable.

One plaintiff claims their vehicle was set on Autopilot at 50 miles per hour when the car detected the oncoming overhead bridge and slammed on the brakes. While at other times the vehicle would come to a stop light with other stopped cars and not slow down or stop.

At least three plaintiffs have shared their stories on the lawsuit, who purchased Tesla vehicles for \$81,000 to \$113,000.

The lawsuit claims that Tesla has missed multiple deadlines it has stated to consumers for standard safety features such as automatic emergency braking, front collision warning, side collision warning and auto high beams.



Tesla's Model 3

A statement from a Tesla spokesperson says, "This lawsuit is a disingenuous attempt to secure attorney's fees posing as a legitimate legal action, which is evidenced by the fact that the suit misrepresents many facts. Many of the features this suit claims are unavailable' are in fact available, with more updates coming every month.

"We have always been transparent about the fact that Enhanced Autopilot software is a product that would roll out incrementally over time, and that features would continue to be introduced as validation is completed, subject to regulatory approval.

"Furthermore, we have never claimed our vehicles already have functional full self-driving capability,' as our Web site has stated in plain English for all potential customers that it is not possible to know exactly when each element of the functionality described above will be available, as this is highly dependent on local regulatory approval."

Tesla accomplishments

Tesla recently further expanded its brand into energy efficiency with a battery installment in California's power grid as it moves beyond automotive.

The energy efficient battery installment will soak up energy throughout the day and feed it back into the power grid. Tesla's battery storage facility was built in just three months and was inspired by an accident with Southern California Edison that sent thousands of tons of methane gas into the atmosphere ([see more](#)).

Despite its advances in sustainability and in the auto industry, Tesla still has dealt with other backlash beyond the lawsuit.

For instance, the automaker saw adverse reactions for its CEO Elon Musk's work with U.S. President Donald Trump.

The executive is a member of the Presidential Advisory Forum, which has caused some consumers to associate him with the controversial actions of the administration, including its ban on immigration from certain Middle Eastern nations. A number of consumers canceled their reservations for the highly anticipated Model 3, choosing to back out of business with the automaker as a political statement ([see more](#)).

"When consumers received these pricy vehicles, it became clear that Tesla's marketing was all smoke and mirrors," Mr. Berman said. "And Tesla knew when it made these promises that it didn't have the capabilities to follow through on its deal.

"It knowingly deceived tens of thousands who put their faith in these cars and in Tesla," he said.

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