

Should preemptive legislation be considered before a new technology takes off?

Chris Warner, Executive Editor



In just two years' time, the skies around us may get a lot more crowded. Drones have received a lot of attention lately, thanks to military operations overseas and matters of congressional oversight. In September 2015, the federal government plans to issue its first drone permits for domestic use. I was reminded of these plans the other day when my New Jersey newspaper ran a story about our local politicians' concerns and how they are gearing up to legislate these new craft in advance.

My first reaction was to roll my eyes and wish lawmakers would get to work on the economy and hopefully keep the infrastructure from crumbling while resisting the urge to get involved with a nascent technology like unmanned aerial vehicles (UAVs). Lately, however, it seems that every time I scroll through the news that lands in my inbox, and read a tech blog or a mainstream publication's tech section, the march of technology seems so dizzying either because of all the disruptive potential or because of how frequently I learn about new advances. All of a sudden, preemptive legislation doesn't seem like such a bad idea. Perhaps we need to get ahead of our advances.

Recent personal events have me wondering about distracted driving. While I've written columns in the past calling for better engineering of infotainment features in automobiles — designing in safety features first and foremost rather than wait for motorists and their passengers to lose life and limb before lawmakers get around to the issue — I can't help but wonder whether proactive lawmaking could have made a difference for all the victims of distracted driving.

What if a driver only has to worry about the footpedals and steering wheel with nothing else to look at except the road? When cell phones became affordable, did anyone really think people would refrain from using them behind the wheel? I sure didn't. We all have the inclination to say "I'm a perfectly safe driver/cell phone user - the other guy's the problem!" But In 2011, 3,331 people were killed and 387,000

injured by the other — I mean a distracted — driver¹. Sure, the world will always have its lawbreakers, but there's a reason for the expression "an ounce of prevention is worth a pound of cure."

There are some new of technologies where preemptive legislation deserves serious thought. Consider Google Glass, for instance. While people in public spaces can't reasonably expect privacy, will it become so easy to surreptitiously photograph every person you encounter that voyeurism — even in public — will eventually lead to these devices being regulated? I've read that Google Glass wearers will have to roll their eyes a bit to actually see the information that's displayed as they drive. Will that be enough of a stimulus to distract a driver?

Another breathtaking new technology is 3D printing, which has entered the home and hobbyist realm, and the possibilities look endless. Most do-it-yourself 3D printing projects may be benign, but we're already seeing instructions for guns appearing online. While efforts are under way to prevent guns from ending up in the hands of unstable people after the most recent mass shootings, who knows where homemade guns will end up? Do we really want gang members churning out more guns for themselves? Should lawmakers get involved before a homemade weapon gets past airport security and causes a calamity in flight? And will 3D bioprinters follow that will allow anyone to create human organs, or should the government stay out of it until the black market for organs becomes far bigger than what we have now?

All these scenarios seem predictable to me, so why not get ahead of the problems before they start?

I didn't write this column to preach or profess to have all the answers. But contemplating the issue of distracted driving has made me take a step back from the very fast pace our gadgets enable to wonder what's preventable and what isn't, and how to address issues when common sense alone just won't do.

As for domestic drones, I would hate to see them used by law enforcement except for missing persons or rescue missions. There are too many towns where politics become entwined with law enforcement, so no doubt there will be instances of someone on the wrong end of a political vendetta spied upon with the help of a UAV circling their yard. And one New Jersey assemblyman introduced a bill that would prohibit the police from using drones to issue speeding tickets (here, here!). For private use, drones should be equally limited. Mid-air collisions over crowded neighborhoods and noise pollution already come to mind, so a stringent and expensive licensing system should be implemented. Common sense preventive measures must be in place to get me on board.

¹National Highway Traffic Safety Administration. Facts and Statistics. <http://www.distraction.gov/content/get-the-facts/facts-and-statistics.html> [1]. Accessed May 13, 2013.

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