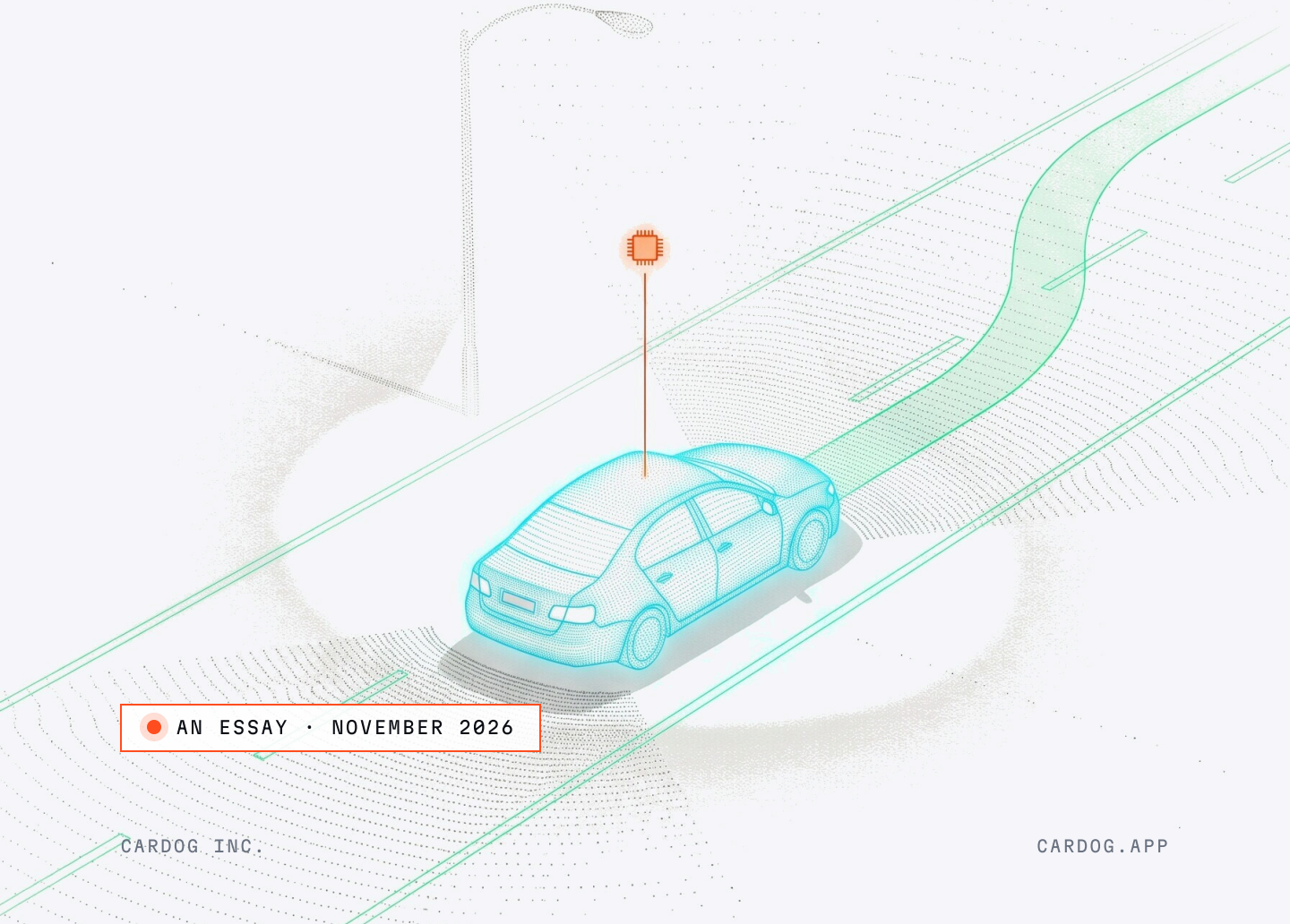
THE DRIVER HAS A VERSION NUMBER

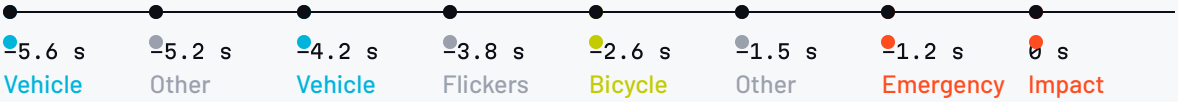
2018.071.3pl



AN ESSAY · NOVEMBER 2026

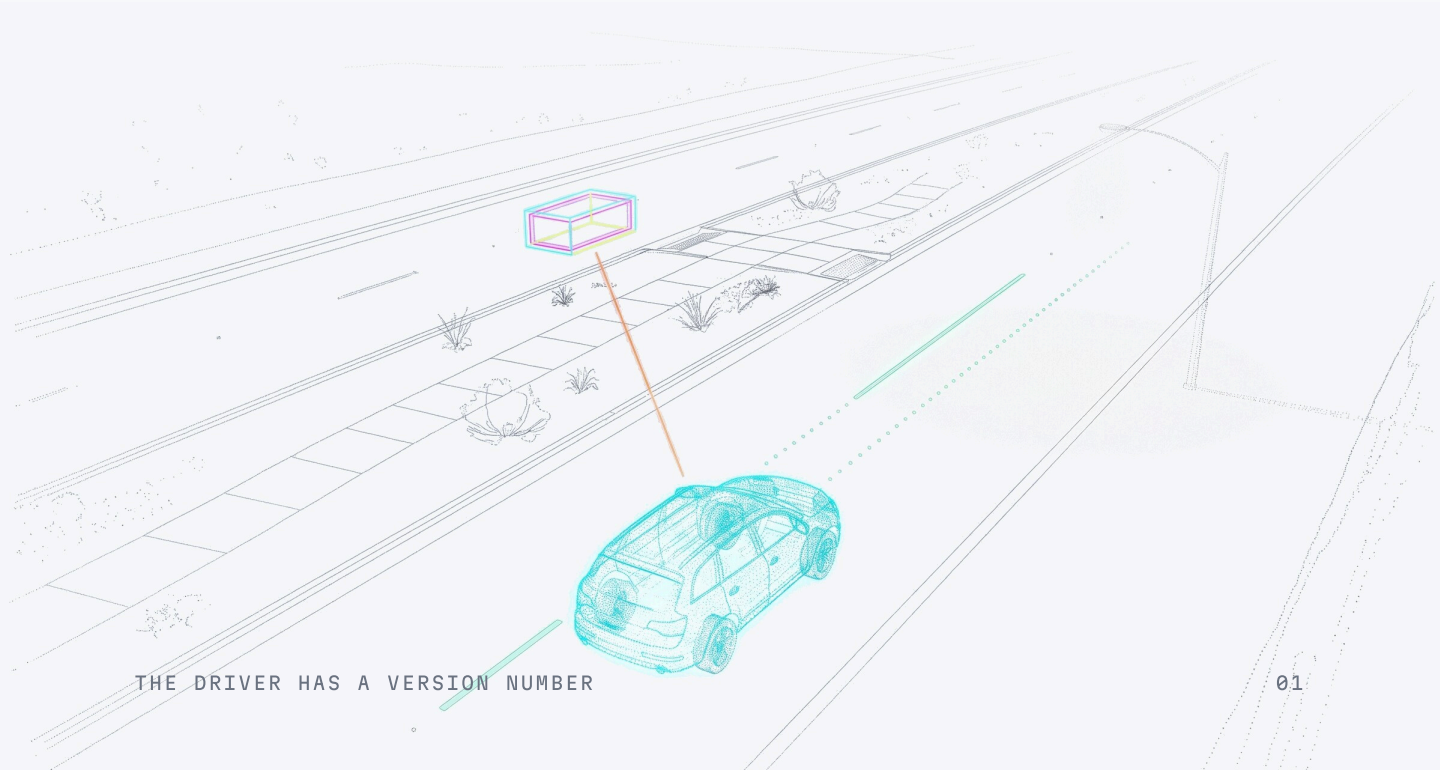
IT SAW HER THE WHOLE WAY

On a March night in 2018, on North Mill Avenue in Tempe, a test car saw a woman crossing 5.6 seconds before it hit her.



It called her a vehicle, then an unknown object, then a bicycle. It never called her a pedestrian. Each new answer threw away her path, so it never worked out where she was going. At 1.2 seconds it was built to hand the problem to the person in the seat rather than brake.

US National Transportation Safety Board, HAR-19/03, pp. 15 to 16. The car was doing 44 mph at first detection and 39 mph at impact.

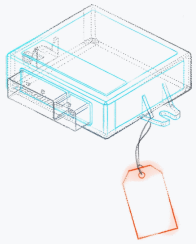


THE DRIVER WAS 2018.071.3pl

THE PERSON IN THE SEAT	THE SOFTWARE
Had a licence.	Was in every car in the fleet.
A name printed in the newspapers.	Never charged with anything.
A face on a card, and a record.	Had no licence to lose.
Charged with negligent homicide.	Has no record anyone can look up.
Pleaded guilty to endangerment.	Was not suspended.
Three years of probation.	Was replaced.

Six months later the company ran the same night again in simulation with a newer build. It saw her as a pedestrian 4.5 seconds out, predicted she was crossing, and braked in time.

NTSB HAR-19/03, footnote 19 and section 1.9.1. Associated Press, July 2023, on the plea.



WE LICENSED THE MACHINE FIRST

When cars arrived, governments assumed the danger was the machine. It took a generation to see that the danger lived in the judgment of whoever was driving, and another to build a system that remembered it.

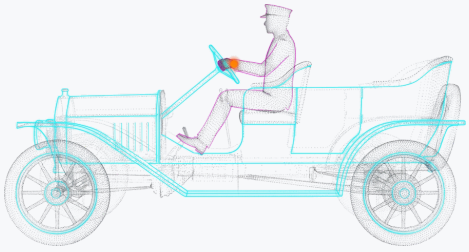
1903
CARS REGISTERED. FIFTEEN MILES AN HOUR.

1909
CHAUFFEURS LICENSED. PEOPLE WHO DROVE FOR PAY.

1927
A ROAD TEST TO DRIVE AT ALL.

1959
DEMERIT POINTS. THE RECORD BEGINS.

Ministry of Transportation of Ontario, MTO 100. Walker, The Ontario Experience with Graduated Licensing, TRB Circular 458, 1996.



A LICENCE IS THREE THINGS

It is easy to mistake for a card.

THE TEST

Says you were competent once.

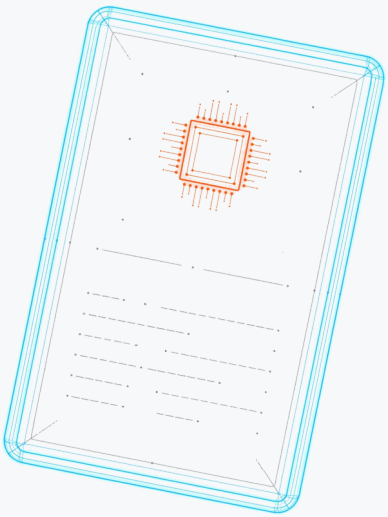
THE IDENTITY

Binds that test to one particular person.

THE RECORD

Follows that person for life, so a society can decide how many mistakes it will forgive, and when to stop.

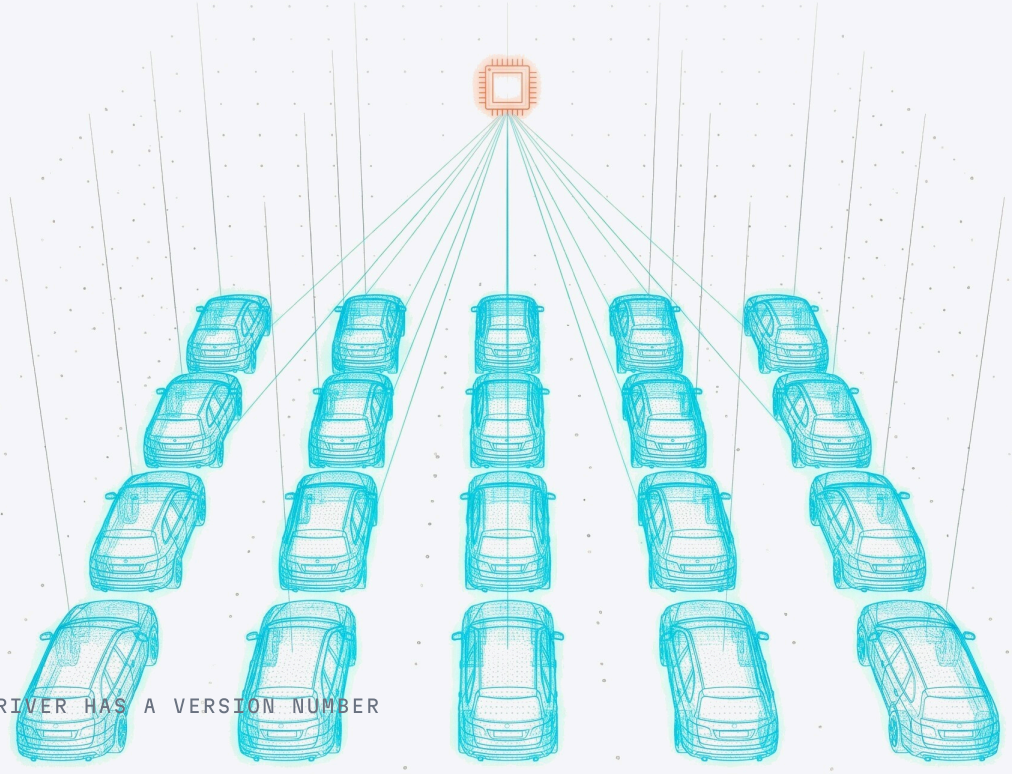
The third is some of the most underrated public infrastructure we have. It is why a driver who has killed someone does not quietly move to the next town and keep driving. It is how the state says: we know who you are, we know what you have done, and we have decided what happens next.



ONE DRIVER, EVERY CAR

An automated car turns all of this inside out. The driver is software. The same driver is in every car that runs the same version, all at once. Its mistakes are not the accidents of one bad evening. They are properties of the code, waiting for the same street at the same hour.

When a human driver makes a terrible mistake, one licence takes the points. When a software driver makes one, the flaw is already on the road in every car it drives.



A RECALL IS A SUSPENSION

SAN FRANCISCO, 2023

A driverless car drags a pedestrian. The state suspends the company's permits. The fix, weeks later: new software in all 950 of its cars.

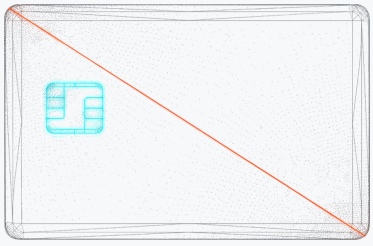
UNITED STATES, 2025

A robotaxi operator files a federal recall not against a list of VINs, the way recalls have always worked, but as equipment, scoped to software versions.

A recall of a software driver is a licence suspension, issued to a driver nobody ever licensed.

The unit of danger was the version. The unit of paperwork was still the car.

California DMV order and recall notice, October to November 2023. NHTSA Part 573 report 25E-034, 2025.



THE TEST, THE IDENTITY, AND NO RECORD

THE TEST

Starting. The UN adopted its first global rules for automated driving in June 2026, built on safety cases and evidence. Canada is deciding how to bring them home.

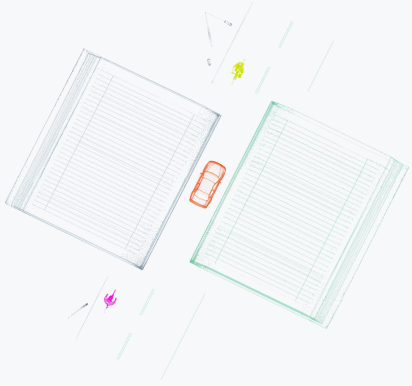
THE IDENTITY

In pieces. Germany pairs each driverless car's VIN with its software version. Britain names a company that answers for every self-driving car. Canada's own council of transport regulators says neither the NVIS nor the VIN identifies the driver.

THE RECORD

Nowhere. No jurisdiction keeps a record that follows a driving version across its life: the cars it drove, the incidents, the recalls that pulled it, the version that replaced it, and why.

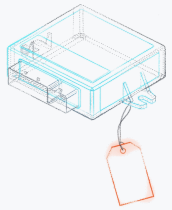
UN GTR on ADS, June 24th, 2026. Transport Canada consultation, March to May 2026. German Road Traffic Act §1g. UK Automated Vehicles Act 2024, Part 1. CCMTA jurisdictional guidelines v2.0, 2022. UN R156, 7.1.1.12.



THE RECORD NOBODY KEPT

INSTALLED IN	The whole test fleet
INCIDENTS	Tempe, March 2018. A pedestrian killed.
LICENCE ACTION	None. No licence existed.
REPLACED BY	A September 2018 build, which braked in simulation
KEPT BY	No one. Assembled here.

Every line is in the NTSB report. No register holds them together. The record is not hard to describe: every release gets an entry, every car points to the release installed in it with a date, the way a plate points to an owner, and every incident attaches to the release that was driving.



HARD, YES. NOT AN ARGUMENT AGAINST.

- Releases come weekly, not yearly.
- A car runs many programs. Which of them count as the driver is a judgment someone has to make.
- OEMs will say their builds are trade secrets.
- The list of which car runs which version must never be public. It is a map for anyone who wants to attack a fleet.

None of that argues against the record. It argues for who should keep it, and who should be allowed to read it.



THE FIRST THING IN BOTH REGISTERS

Ontario keeps a register of drivers and a register of vehicles. For a century the two only had to meet at the moment of a crash. An automated car is the first thing that belongs in both at once: a vehicle with a driver installed in it.

THE PILOT REGULATION IS REVOKED OCTOBER 13TH, 2027

Driverless ride-hail is announced for Toronto, with riders in 2028. Today the pilot asks for collisions by VIN, fleet changes by make, model and class, and nothing about which software is driving. Whatever replaces it decides whether that driver has a name the province knows, and a record that follows it.

Ontario answered this once about people, slowly and at real cost. It does not need fifty years to answer it about software.

O. Reg. 306/15, ss. 14, 15, 18, as amended by O. Reg. 268/25.

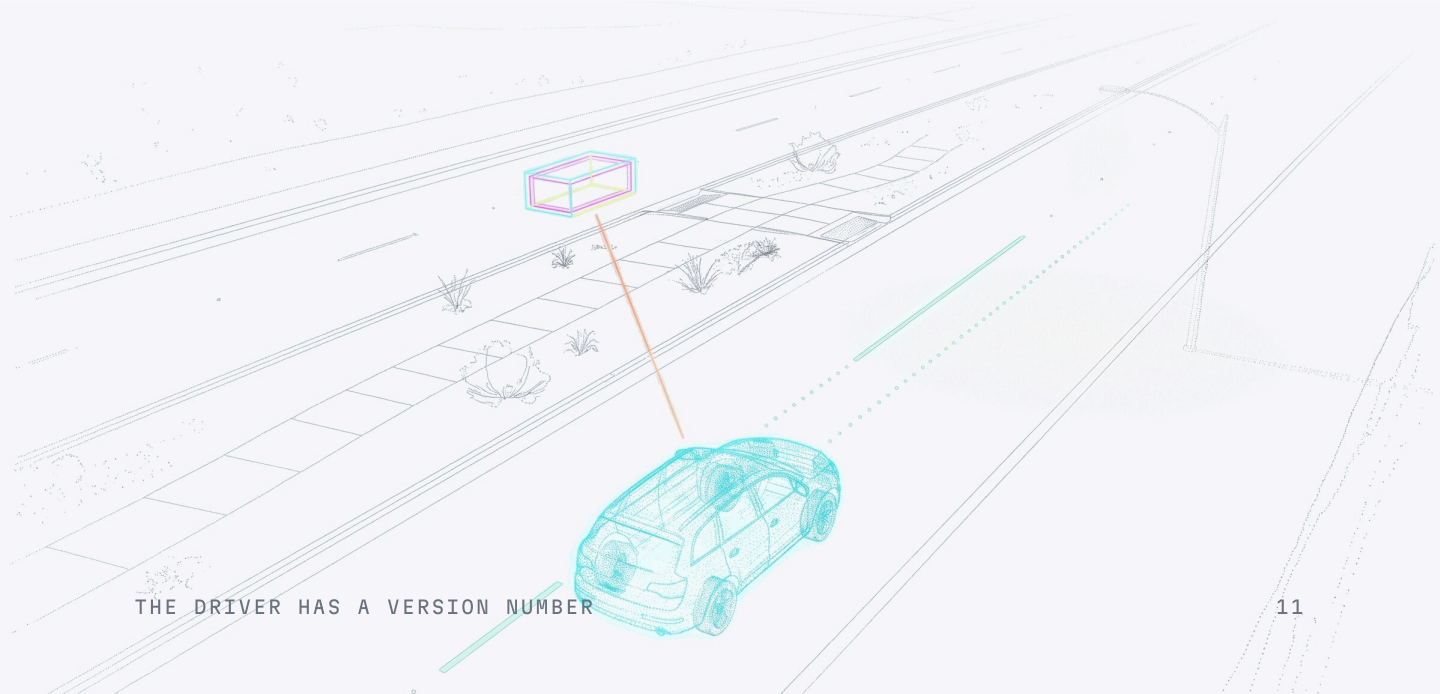


READ IT AGAIN
FOR THE DRIVER

The investigation runs to more than seventy pages and is careful and fair. The person in the seat was looking at her phone. The company's safety culture was weak. Emergency braking had been designed out of the moment it was needed. All of that is true.

The thing that saw her for 5.6 seconds and never understood what it was looking at had a name and a number, and it was in every car in that fleet. The human driver has a record. The software driver does not.

The next time a driver like that makes a mistake like that, we should already know where else it is driving.



WHICH SOFTWARE IS DRIVING?

We keep records of vehicles for a living, which is how we came to notice the one record nobody keeps. This essay lives at cardog.app/journal/the-driver-has-a-version-number. The policy choices facing Ontario are set out in a longer paper, The Car Between Two Governments, at cardog.app/papers/the-car-between-two-governments.pdf.

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Sources: US NTSB HAR-19/03; Associated Press, July 2023; Ministry of Transportation of Ontario, MTO 100; TRB Circular 458, 1996; California DMV, 2023; NHTSA Part 573 report 25E-034; Federal Register, July 31st, 2026; Transport Canada ADS consultation, 2026; German Road Traffic Act §1g; UK Automated Vehicles Act 2024; CCMTA guidelines v2.0, 2022; UN R156; O. Reg. 306/15. Every source is public.

