

Principles For Lawmakers: How To Think About Emerging Technologies

The technology sector is playing an increasing role in our day-to-day lives as consumers, and it's also having a major impact on state policy makers.

Today, the American technology sector is directly or indirectly responsible for 18 million American jobs, and it accounts for more than 10 percent of American Gross Domestic Product (GDP).¹



State policy makers are facing mounting questions over technology and innovation policy. For example, what steps should they take when considering new technologies, such as drones, autonomous vehicles, and 5G?

While there is no one size fits all solution to questions surrounding these vastly differing technologies, there are principles that can be utilized to help lawmakers think through these emerging technologies and the issues surrounding them.

Principles For State Lawmakers: How To Think About Emerging Technologies

1 Avoid Pre-emptive regulations of emerging technology:

The technologies we use today are drastically different from what they looked like 10 years ago. Pre-emptive regulation will stifle the ability for these technologies to grow and change, hurting both innovation and consumers.

2 Examine whether current laws can be applied to new technologies:

There are currently over 180 thousand pages published in the Code of Federal Regulations and thousands of pages of state regulations in every state. Lawmakers must understand the current rules and regulations before proposing new rules for an emerging technology. Otherwise, regulations may be either redundant at best or conflicting at worst.

1. Tech Sector Supports 18 Million U.S. Jobs, Represents 12% of GDP, Says CTA. (2019, April 29). Retrieved October 16, 2019, from <https://www.cta.tech/News-Press-Releases/2019/April/Tech-Sector-Supports-18-Million-U-S-Jobs,-Represe.aspx>.

3 Use emerging technology as an opportunity to reduce regulation in legacy industries:

Innovative technologies often provide opportunities to rethink legacy industries. Regulations, which might have made sense at one point to protect consumers, are now only a hindrance due to a technological solution. Lawmakers should examine how technologies can reduce regulation in these legacy industries and work to cut red tape.

4 Create statewide framework to ensure regulatory certainty:

Too many sets of local rules and regulations can slow or even stop technological progress. These local rules can cause confusion for consumers and companies alike about which rules to follow and where. Lawmakers should look to pass statewide frameworks to ensure regulatory certainty for companies and consumers across the state.

Conclusion

States have the potential to advance innovation and gain a competitive advantage with well thought out technology policy. These principles may not answer every question that emerges when thinking about new technology, but they provide a framework for dealing with emerging technologies.

With these principles in mind, states can have technology policy that rewards innovation and make them more attractive places to live and do business.

Examine whether current laws can be applied to new technologies

Case Study on Rule 2:

Artificial intelligence has allowed students and teachers alike to personalize learning and optimize studying, but the technology is not without risks. Concerns over cheating and plagiarism are common, especially with the rise in popularity of programs like ChatGPT. These have led to calls for new academic laws and disastrous predictions of the death of the essay. AI laws in the classroom will detract from long standing academic standards against cheating and dishonesty because they are redundant and overly complicated. Outlining a special penalty for AI usage or prohibiting the technology completely in all scenarios ignores the current laws made to help teachers and the potential of AI to enhance academic experiences.

Rather, teachers and administrators should frame the use of Artificial Intelligence as a matter of academic integrity, in the same way the use of the internet has been approached for decades. Syllabi can include examples of the appropriate use and citation of AI alongside the standard prohibitions against cheating, plagiarism, and dishonesty. Additionally, schools can incorporate training courses into their curriculum, to better prepare students for a professional world that increasingly relies on artificial intelligence.