

The future of transportation: The UK's approach to automated vehicles

22 January 2025  Andrew Hopkin and Lydia Pincott

We explore the evolving world of Automated Vehicles (AVs) through the UK government's [AI Opportunities Action Plan](#) and [Automated Vehicles Act](#), which outlines the UK's steps towards integrating AVs into society.

On 13th January 2025 the government published the [Government Response](#) to the [AI Opportunities Action Plan](#). With AI being an integral part of safety critical appliances such as self driving vehicles, the response brings the spectre of such vehicles on our roads back into the limelight. By way of reminder, legislation in 2024 has already set the background for this new era.

The Automated Vehicles Act 2024

The Automated Vehicle Act 2024 indicated a new era in automotive technology, with the aim of redefining the realms of transportation and safety and making the UK a key player in the development of self driving vehicles across the world. This legislation however, brings with it a myriad of legal considerations from liability in accidents and regulatory compliance to data privacy and intellectual property rights.

Automated vehicle "AV" companies: Pioneers in the field

Autonomous vehicles are developing at a rapid pace, with some already operating on roads outside the UK. For example, Waymo, an offshoot of Google, operates fully autonomous ridesharing services in various US cities.

In the UK, London-based Wayve has a machine-learning model capable of driving multiple vehicle types. The endorsement of Wayve evidences the ambition of the UK to be a global leader in AI and autonomous vehicle innovation.

Legislative milestones: From testing to deployment

The UK's approach to AV legislation has evolved significantly over the years. Starting with the 2015 Review that allowed AV testing on public roads and moving to the Automated and Electric Vehicles Act 2018, which covered matters such as AV regulation and insurance liabilities. The more recent Automated Vehicles Act informed by the Law Commissions' four-year review published in 2018 seeks to establish a comprehensive legal framework for the safe deployment of self-driving vehicles in the UK and to address consumer confidence and legal liability issues.

Regulatory scheme for automated vehicles

The Act introduces a regulatory scheme for the authorisation of self-driving vehicles in Great Britain. It distinguishes between systems capable of autonomous operation and those designed to assist drivers (such as lane assist or cruise control), with the former undergoing a rigorous assessment process to ensure they meet safety requirements. The scheme also identifies 'authorised self-driving entities' (ASDEs) as responsible for the safety of self-driving systems.

Licensing of operators and safety framework

For vehicles operating without a human in charge, the Act mandates a licenced operator to oversee the service, ensuring maintenance of vehicles, insurance, and overall safe operation. This mirrors the responsibilities of traditional vehicle operators but is tailored to the unique

needs of automated systems. The Act also covers the circumstances in which individuals in a vehicle without the ability to control it are immune from prosecution

Information sharing and regulatory powers

To ensure the effectiveness of the safety framework, the Act requires regulated bodies to provide accurate information to the Secretary of State and other relevant authorities. It introduces specific criminal offences for misrepresentations and non-disclosure of information that could impact vehicle safety. Additionally, the Act includes powers to investigate regulated organisations and introduces the prospect of offences related to the marketing of automated vehicles, ensuring that only authorised vehicles are advertised as self-driving, to prevent confusion and over-reliance by drivers.

The future of transportation and legal practice

The Act opens up a range of opportunities and challenges for different industries. Insurance companies will need to consider the risk presented by AVs and the products that might be offered. Technology and software firms will want to drive innovation in this area. Meanwhile, urban planners and infrastructure developers must reconsider city layouts and traffic management strategies to accommodate AVs, paving the way for smarter, more efficient urban environments.

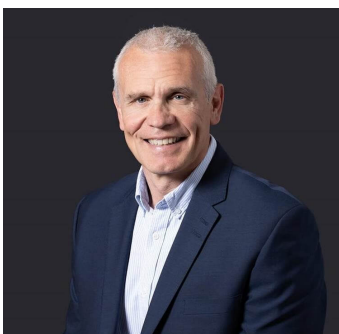
The EU perspective

The European Union believes that enhancing vehicle automation could significantly improve road safety. Nonetheless, the EU AI Act classifies autonomous driving AI applications as high-risk. This classification may imply that autonomous vehicles will face stricter regulations, in relation to risk management and technical documentation. It is also worth noting that the EU have required various automated safety features to be implemented in new vehicle types from July 2024, such as advanced emergency brakes and lane assist.

The road ahead: Opportunities and challenges

The Act's targets safety, public trust, and accessibility. When coupled with the prospect of substantial government investment it signals a strong commitment to realising the potential of AVs. The response to the AI opportunities Action Plan should only serve to strengthen that commitment. However, the journey ahead is not without challenge, including the implementation of stringent safety standards, managing cybersecurity concerns, and the drafting of further reactive and adaptable legislation.

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