


The road to automated vehicles - Automated Vehicles Bill

30 November 2023  Tim Johnson

[< Previous](#)

The Word, November 2023

[Next >](#)

[Baby boom and gloom: Uncertainty for the life insurance industry](#)

At the beginning of the month, the [Automated Vehicles Bill](#) was introduced with the aim to *'regulate the use of automated vehicles on roads and in other public places'*.

Providing a strict framework, the Bill sets out various requirements that companies would be required to comply with for their vehicles to be classed as an autonomous vehicle (AV). These requirements include the vehicle being designed or adapted with a feature that allows for safe and legal autonomous travel, with an acceptably low risk of committing a traffic infraction. It is also required that neither the vehicle nor its surroundings are monitored by an individual with a view to immediate intervention in the driving of the vehicle.

The Bill provides powers for the Secretary of State to impose initial and ongoing authorisation requirements on *'self-driving entities'*. The Secretary of State can request information from these entities to ensure compliance or for investigative purposes, such as where a traffic infraction has occurred. These provisions seek to ensure the safety of the public, whilst holding the companies responsible for AV's. The Bill also seeks to create offences surrounding the provision by companies of false or misleading information about AV safety and a further offence for where this has led to death or injury. Offences are also set out for company communications, including the use of restricted terms set out in the Regulations and situations where a company confuses consumers as to the safe or legal autonomous driving capabilities of a vehicle, during promotion or supply.

Providing immunity, the user in charge would not commit an offence for the way that an AV is driven, such as signalling, or for offences resulting from the AV's acts, providing that the user's conduct has not fallen below the expected standard. However, as the user in charge is treated as the driver for legislative purposes, the responsibility would remain with the user for matters such as maintaining appropriate insurance and ensuring that the AV is in a suitable state to be driven. Under the Bill, users can also face liability in circumstances where they tamper with the software of an AV or install alternative software.

The Bill also extends to *'no-user in charge'* licences, concerning travel that can be carried out without human presence in the AV.

The use of AV's is intended to improve safety on the roads, with 88% of collisions reported to have human error as a contributory factor and for every 10,000 human driver errors, an AV is predicted to make one.

Next steps:

We will continue to track its progress in upcoming editions of The Word.

Contents

<u>The Word, November 2023</u>	→
<u>The road to automated vehicles - Automated Vehicles Bill</u>	→
<u>Baby boom and gloom: Uncertainty for the life insurance industry</u>	→
<u>Cyber attacks on payment systems – counting the cost</u>	→
<u>Fixed Recoverable Costs – controlling claims</u>	→
<u>PFAS exclusions updated</u>	→
<u>Artificial intelligence – How does AI think it can assist insurers?</u>	→

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