



# Automated Vehicles Act 2024

## 2024 CHAPTER 10

### PART 1

#### REGULATORY SCHEME FOR AUTOMATED VEHICLES

### CHAPTER 7

#### SUPPLEMENTARY PROVISION

#### **41 Notices**

- (1) The Secretary of State must impose authorisation requirements designed to secure that the Secretary of State has available at all times—
  - (a) a postal address, and
  - (b) an electronic address,which can be used to issue notices under this Part to an authorised self-driving entity.
- (2) If the Secretary of State makes operator licensing regulations, the regulations must include provision designed to secure that the Secretary of State has available at all times—
  - (a) a postal address, and
  - (b) an electronic address,which can be used to issue notices under this Part to a licensed no-user-in-charge operator.
- (3) A notice issued under this Part to a regulated body is to be taken for the purposes of this Part to be issued at—
  - (a) the time at which it is received by the regulated body, or
  - (b) if earlier, the time at which it would in the ordinary course of events be received by the regulated body (taking account of the means by which it is issued).

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- (4) It is to be assumed for the purposes of subsection (3)(b) that the regulated body will receive a notice sent to an address made available to the Secretary of State further to authorisation requirements or operator licensing regulations or the sort described in subsection (1) or (2).
- (5) For the purposes of subsections (3) and (4), a regulated body “receives” a notice when it would first be possible for an individual acting on behalf of the body to view the notice.
- (6) In this section, “electronic address” includes any form of information that enables a written electronic communication to be directed to a particular recipient.

## **42 Protection of information**

- (1) This section applies in relation to information that a person obtains—
  - (a) further to authorisation requirements or operator licensing regulations of the sort described in section 14(1) and (2),
  - (b) as a result of the exercise of a power in section 17, 18 or 29, or
  - (c) further to regulations under section 40.
- (2) In this section, “the recipient” means—
  - (a) the person who obtains the information as described in subsection (1), or
  - (b) any other person to whom the information is subsequently disclosed.
- (3) The Secretary of State may make regulations authorising the recipient to—
  - (a) disclose the information to another person for a purpose specified in the regulations, or
  - (b) use the information for a purpose other than the purpose for which it was obtained.
- (4) It is an offence for the recipient to—
  - (a) disclose the information to another person, or
  - (b) use the information for a purpose other than the purpose for which it was obtained,
 except as authorised by regulations under subsection (3) or any other enactment.
- (5) But it is a defence to prove that—
  - (a) the person from whom the information was obtained as described in subsection (1) consented to the disclosure or use, or
  - (b) the recipient reasonably believed that the disclosure or use was lawful, or
  - (c) in the case of a disclosure, that the information had already lawfully been disclosed to the other person.
- (6) A person who commits an offence under subsection (4) is liable—
  - (a) on summary conviction in England and Wales, to a fine;
  - (b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
  - (c) on conviction on indictment, to a fine.
- (7) A provision made by or under this Part that authorises the disclosure or use of the information is not to be taken to authorise disclosure or use that would be liable to harm the commercial interests of any person, except to the extent that—

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- (a) the provision otherwise provides, or
- (b) the person disclosing or using the information reasonably considers such disclosure or use necessary in view of the purpose of the provision.

#### 43 Fees

- (1) If fees are made payable as mentioned in section 6(5) or 13(3)(b)(ii), the amount of such a fee may be determined by reference to any costs incurred, or likely to be incurred, by the Secretary of State or by a traffic commissioner in connection with any function under this Part (whether or not directly related to what the fee is for).
- (2) But a given amount of costs (or likely costs) may not be taken into account more than once in determining amounts of fees under this Part.
- (3) Money received by a traffic commissioner as a result of regulations under section 13 must be paid into the Consolidated Fund in such manner as the Treasury may direct.

#### 44 Interpretation

- (1) In this Part—
  - “authorisation conditions” has the meaning given by section 5(2);
  - “authorisation requirement” means a requirement imposed by regulations under section 5;
  - “authorised automation feature” means a feature identified in an automated vehicle authorisation further to section 4(1);
  - “authorised locations and circumstances”—
    - (a) in relation to an authorised automation feature, means the locations and circumstances specified in relation to that feature further to section 4(3)(c);
    - (b) in relation to an authorised automated vehicle, means the locations and circumstances so specified in relation to the authorised automation features of the vehicle (taken as a whole);
  - “authorised no-user-in-charge feature” means an authorised automation feature whose mode of operation is specified in the automated vehicle authorisation as no-user-in-charge;
  - “authorised self-driving entity” means a person for the time being designated under authorisation requirements of the sort described in section 6(1);
  - “authorised user-in-charge feature” means an authorised automation feature whose mode of operation is specified in the automated vehicle authorisation as user-in-charge;
  - “automated vehicle authorisation” means an authorisation under section 3;
  - “control” and related expressions are to be read in accordance with section 1(6);
  - “equipment” of a vehicle includes software, and any electronic equipment outside the vehicle, that interacts with equipment in the vehicle;
  - “feature” has the meaning given by section 1(4);
  - “initial authorisation requirement” means an authorisation requirement of the sort described in section 5(1)(a);
  - “the investigative purposes” has the meaning given by section 16(1);

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“licensed no-user-in-charge operator” means a person for the time being licensed under operator licensing regulations;

“no-user-in-charge journey” has the meaning given by section 12(2);

“ongoing authorisation requirement” means an authorisation requirement of the sort described in section 5(1)(b);

“operator licensing regulations” means regulations under section 12;

“overseen”, in relation to a no-user-in-charge journey, is to be read in accordance with section 12(3);

“premises” includes any land;

“regulated body” means an authorised self-driving entity or a licensed no-user-in-charge operator;

“regulatory requirement” means an authorisation requirement or a requirement under operator licensing regulations;

“safely” is to be read in accordance with section 1(7);

“the statement of safety principles” means the statement that has effect for the time being under section 2;

“transition demand” and “transition period” are to be read in accordance with section 7(2);

“travels autonomously” and related expressions are to be read in accordance with section 1(5);

“user-in-charge” has the same meaning as in Part 2 (see section 46);

“vary” and related expressions are to be read, in relation to an automated vehicle authorisation, in accordance with section 9(1).

- (2) For the purposes of this Part, a vehicle “commits a traffic infraction” if, while an authorised automation feature of the vehicle is engaged, the vehicle does anything that would, were an individual in control of it—
  - (a) amount to the commission of an offence by that individual, or
  - (b) cause a person to become liable to a penalty charge under an enactment relating to road traffic.
- (3) For the purposes of subsection (2)(a), it is to be assumed that nothing can be proved about the mental state of the notional individual.
- (4) For the purposes of this Part, a regulated body is “responsible” for an authorised automated vehicle—
  - (a) in the case of an authorised self-driving entity, if the body is the authorised self-driving entity for the vehicle;
  - (b) in the case of a licensed no-user-in-charge operator, when the vehicle undertakes a no-user-in-charge journey overseen by the body.
- (5) Any question arising under this Part as to whether an authorised automation feature is “engaged” or “disengaged” is to be determined in accordance with what is specified under section 4(3)(b).

## 45 Related amendments

[Schedule 2](#) makes amendments in connection with this Part.