



Automated Vehicles Act 2024

2024 CHAPTER 10

PART 1

REGULATORY SCHEME FOR AUTOMATED VEHICLES

CHAPTER 1

AUTHORISATION OF ROAD VEHICLES FOR AUTOMATED USE

Self-driving capability

1 Basic concepts

- (1) This section applies for the purposes of this Part.
- (2) A vehicle “satisfies the self-driving test” if—
 - (a) it is designed or adapted with the intention that a feature of the vehicle will allow it to travel autonomously, and
 - (b) it is capable of doing so, by means of that feature, safely and legally.
- (3) Whether a vehicle satisfies the test is to be assessed by reference to the location and circumstances of that intended travel (and may differ in respect of different locations and circumstances).
- (4) A “feature” of a vehicle is a combination of mechanical or electronic operations that equipment of the vehicle performs.
- (5) A vehicle travels “autonomously” if—
 - (a) it is being controlled not by an individual but by equipment of the vehicle, and
 - (b) neither the vehicle nor its surroundings are being monitored by an individual with a view to immediate intervention in the driving of the vehicle.
- (6) References to “control” of a vehicle are to control of the motion of the vehicle.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (7) A vehicle that travels autonomously does so—
 - (a) “safely” if it travels to an acceptably safe standard, and
 - (b) “legally” if it travels with an acceptably low risk of committing a traffic infraction.
- (8) In assessing whether a vehicle is capable of travelling autonomously and safely, the Secretary of State must have particular regard to the statement of safety principles.

2 Statement of safety principles

- (1) The Secretary of State must prepare a statement of the principles that the Secretary of State proposes to apply in assessing, for the purposes of this Part, whether a vehicle is capable of travelling autonomously and safely.
- (2) The principles must be framed with a view to securing that—
 - (a) authorised automated vehicles will achieve a level of safety equivalent to, or higher than, that of careful and competent human drivers, and
 - (b) road safety in Great Britain will be better as a result of the use of authorised automated vehicles on roads than it would otherwise be.
- (3) In preparing the statement, the Secretary of State must consult such representative organisations as the Secretary of State thinks fit.
- (4) Those organisations must include organisations appearing to the Secretary of State to represent—
 - (a) the interests of businesses involved, or likely to be involved, in the manufacture or operation of mechanically propelled road vehicles designed to travel autonomously,
 - (b) the interests of road users, and
 - (c) the cause of road safety.
- (5) The prepared statement must be laid before Parliament.
- (6) The statement takes effect if both Houses of Parliament resolve that it should.
- (7) The Secretary of State may revise or replace the statement that has effect under this section; and subsections (2) to (5) apply to a revision or replacement.
- (8) A revision or replacement takes effect at the end of the period of 40 days beginning with the day on which it is laid, unless either House resolves before then that it should not.
- (9) For the purposes of subsection (8)—
 - (a) where a revision or replacement is laid before each House on different days, the later day is to be taken to be the day on which it was laid before both Houses, and
 - (b) in counting any period of 40 days, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (10) The power in section 3 may not be exercised until a statement has effect under this section.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

Grant of authorisation

3 Power to authorise

- (1) The Secretary of State may authorise a road vehicle for use as an automated vehicle if—
 - (a) in the opinion of the Secretary of State, the vehicle satisfies the self-driving test by reference to intended travel on a road (in at least some circumstances), and
 - (b) any applicable initial authorisation requirements are met (see section 5).
- (2) An automated vehicle authorisation may—
 - (a) be limited to an individual vehicle, or individual vehicles, identified in the authorisation, or
 - (b) extend to all vehicles of a type described in the authorisation.
- (3) The description of a type under subsection (2)(b) must be formulated with a view to securing that the Secretary of State’s assessment for the purposes of subsection (1)(a), and the contents of the authorisation, will be equally applicable in relation to any vehicle of that type.

4 Authorised automation features

- (1) An automated vehicle authorisation must identify the feature or features by virtue of which (in the opinion of the Secretary of State) the vehicle satisfies the self-driving test.
- (2) More than one feature may be identified if it appears to the Secretary of State that each can reasonably be characterised as amounting to a distinct capability of the vehicle.
- (3) In relation to each feature identified in the authorisation, the authorisation must specify—
 - (a) whether the mode of operation of the feature is “user-in-charge” or “no-user-in-charge”,
 - (b) how the feature is engaged and disengaged, and
 - (c) the locations and circumstances by reference to which (in the opinion of the Secretary of State) the vehicle satisfies the self-driving test by virtue of the feature.
- (4) The locations specified in the authorisation may include places other than roads.
- (5) If more than one feature is identified in an authorisation, the Secretary of State must discharge the duty in subsection (3)(b) in a way that will make it possible to ascertain which feature (if any) is engaged at any given moment.

Authorisation requirements

5 Authorisation requirements and conditions

- (1) The Secretary of State may, by regulations, impose requirements (“authorisation requirements”) that must be met—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (a) for a vehicle to be authorised under section 3 (“initial authorisation requirements”), or
 - (b) as a condition of a vehicle remaining authorised (“ongoing authorisation requirements”).
- (2) Ongoing authorisation requirements may include a requirement for compliance with any conditions that the Secretary of State attaches to an individual authorisation (“authorisation conditions”).
- (3) Authorisation conditions may relate to anything to which authorisation requirements may relate.
- (4) A duty in relation to the imposition of authorisation requirements may be met (in whole or in part) by means of an authorisation requirement of the sort described in subsection (2) in combination with authorisation conditions.

6 Authorised self-driving entities

- (1) The Secretary of State must impose authorisation requirements designed to secure that, in respect of each automated vehicle authorisation, a person is designated as the “authorised self-driving entity” for the authorised vehicle at all times.
- (2) Authorisation requirements may include requirements that a person has to satisfy in order to be, or remain, an authorised self-driving entity.
- (3) The Secretary of State must impose authorisation requirements designed to secure, so far as the Secretary of State considers reasonably practicable, that the following objectives are met.
- (4) The objectives are—
- (a) that an authorised self-driving entity should have general responsibility for ensuring that an authorised automated vehicle continues to satisfy the self-driving test by virtue of its authorised automation features, and
 - (b) that an authorised self-driving entity should be—
 - (i) of good repute,
 - (ii) of good financial standing, and
 - (iii) capable of competently discharging any authorisation requirements imposed on it for the purposes of paragraph (a).
- (5) Authorisation requirements may include requirements as to the payment of fees by authorised self-driving entities for the grant or continuation of an automated vehicle authorisation.

7 Transition demands

- (1) Subsection (3) applies if authorisation requirements in relation to a vehicle with an authorised user-in-charge feature require the vehicle to be able to issue a transition demand while that feature is engaged.
- (2) A “transition demand” is a demand, communicated by equipment of a vehicle in which an authorised user-in-charge feature is engaged, that the user-in-charge assume control of the vehicle by the end of a period of time beginning with the communication of the demand (the “transition period”).

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) The Secretary of State must impose authorisation requirements designed to secure, so far as Secretary of State considers reasonably practicable, that—
- (a) the transition demand will be capable of being perceived by anyone who might legally be a user-in-charge of the vehicle (having regard in particular to users-in-charge with disabilities),
 - (b) the transition period will be long enough for the user-in-charge to prepare to assume, and assume, control of the vehicle,
 - (c) the vehicle will continue to travel autonomously, safely and legally during the transition period,
 - (d) equipment of the vehicle will make a further communication at the end of the transition period to alert the user-in-charge to the ending of the period, and
 - (e) the vehicle will deal safely with a situation where the user-in-charge fails to assume control by the end of the transition period.

Variation, suspension and withdrawal of authorisation

8 Power to vary, suspend or withdraw

- (1) The Secretary of State may vary, suspend or withdraw an automated vehicle authorisation with the agreement of the authorised self-driving entity for the authorised automated vehicle concerned.
- (2) The Secretary of State may vary, suspend or withdraw an automated vehicle authorisation without that agreement if the Secretary of State is satisfied that a unilateral ground has arisen in respect of the authorisation.
- (3) The Secretary of State may suspend or temporarily vary an automated vehicle authorisation without that agreement if the Secretary of State—
 - (a) suspects that a unilateral ground has arisen in respect of the authorisation, and
 - (b) proposes to enquire into whether it has.
- (4) For the purposes of this section, a unilateral ground arises in respect of an authorisation if—
 - (a) an authorisation requirement is not or has not been met in respect of the authorised vehicle,
 - (b) the authorised vehicle has committed a traffic infraction, or
 - (c) the authorised vehicle no longer satisfies the self-driving test by reference to all authorised locations and circumstances.
- (5) A suspension or variation under subsection (3) may not be kept in force after the process of enquiry has concluded, except for so long as may be necessary to allow action to be taken under subsection (2).
- (6) An authorisation may be suspended or varied under subsection (2) even if it is already suspended, or varied in the same way, under subsection (3) (in which case the new suspension or variation supersedes the existing one).
- (7) **Part 1 of Schedule 1**—
 - (a) makes provision about the procedure applicable in connection with variation, suspension or withdrawal under subsection (2) or (3) (including rights of appeal), and

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) provides for a further case in which an authorisation may be varied, suspended or withdrawn without agreement.

9 Further provision about variation, suspension and withdrawal

- (1) References in this Part to varying an automated vehicle authorisation include varying, adding to or omitting authorisation conditions attached to the authorisation.
- (2) The variation of an authorisation may be temporary or permanent.
- (3) An authorisation as varied must be such as the Secretary of State could grant anew.
- (4) The suspension or temporary variation of an authorisation—
 - (a) may be for a fixed period or indefinite, and
 - (b) may be lifted or reversed by the Secretary of State at any time.
- (5) The suspension of an authorisation means that—
 - (a) the authorised automated vehicle in question is no longer to be considered such for the purposes of sections 46, 78 and 79, and
 - (b) an authorised no-user-in-charge feature identified in the authorisation is no longer to be considered such for the purposes of section 34B(2) of the Road Traffic Act 1988,but does not otherwise affect the authorisation.
- (6) A relevant authorisation measure takes effect—
 - (a) when notice of it is issued to the authorised self-driving entity for the authorised automated vehicle concerned, or
 - (b) at such later time as is specified in the notice.
- (7) In subsection (6), “relevant authorisation measure” means—
 - (a) the variation, suspension or withdrawal of an automated vehicle authorisation,
 - (b) the reversal of a variation,
 - (c) the lifting of a suspension, or
 - (d) the restoration of a withdrawn authorisation (further to a direction under paragraph 3(3) or 4(5) of Schedule 1).
- (8) The Secretary of State must impose authorisation requirements designed to reduce the likelihood of a person’s unknowingly using a vehicle in a way that is no longer in accordance with an automated vehicle authorisation as a result of a variation, suspension or withdrawal.

Administration

10 Register of authorisations

- (1) The Secretary of State must keep a public register of automated vehicle authorisations.
- (2) An automated vehicle authorisation takes effect when it is entered in the register.
- (3) The register must record, in relation to each authorisation, the identity of the authorised self-driving entity for the authorised automated vehicle.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) The Secretary of State must amend the register to reflect any relevant authorisation measure as soon as possible after it takes effect.
- (5) In subsection (4), “relevant authorisation measure” has the meaning given by section 9(7).

11 Regulations about authorisation procedure

- (1) The Secretary of State may make regulations about the procedure to be followed in connection with—
 - (a) the grant of automated vehicle authorisations;
 - (b) the variation, suspension or withdrawal of automated vehicle authorisations with the agreement of the authorised self-driving entity.
- (2) Such regulations may, in particular, make provision about—
 - (a) the form and content of applications for authorisation, and by whom they may be made;
 - (b) fees payable in respect of applications for authorisation;
 - (c) the examination of vehicles;
 - (d) the notification of decisions;
 - (e) reviews of, or appeals against, decisions.

CHAPTER 2

LICENSING OF OPERATORS FOR VEHICLE USE WITHOUT USER-IN-CHARGE

12 Power to establish operator licensing scheme

- (1) The Secretary of State may, by regulations (“operator licensing regulations”), make provision—
 - (a) for the licensing of persons as no-user-in-charge operators;
 - (b) imposing requirements on those persons in connection with no-user-in-charge journeys or the vehicles that undertake them;
 - (c) for the keeping of a public register of those persons (and associated information).
- (2) A “no-user-in-charge journey” is a journey by a vehicle with an authorised no-user-in-charge feature during which (at any point)—
 - (a) that feature is engaged, or
 - (b) there is no individual in the vehicle who is exercising control of it.
- (3) For the purposes of this Part, a no-user-in-charge journey is “overseen” by a licensed no-user-in-charge operator if the operator is, in respect of the journey, subject to requirements imposed under subsection (1)(b).
- (4) If the Secretary of State makes operator licensing regulations, the Secretary of State must do so in a way that is designed to secure, so far as the Secretary of State considers reasonably practicable, that the following objectives are met.
- (5) The objectives are—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (a) that a licensed no-user-in-charge operator should have general responsibility for the detection of, and response to, problems arising during a no-user-in-charge journey overseen by the operator, and
- (b) that a licensed no-user-in-charge operator should be—
 - (i) of good repute,
 - (ii) of good financial standing, and
 - (iii) capable of competently discharging any requirements imposed on it for the purposes of paragraph (a).

13 Further provision about operator licensing

- (1) This section makes further provision about operator licensing regulations.
- (2) The regulations may, in particular, make provision for and about the grant, retention, variation, renewal, expiry, suspension or withdrawal of licences.
- (3) That includes provision—
 - (a) about the form and content of applications for licences (or their renewal);
 - (b) about fees payable in respect of—
 - (i) applications for licences (or their renewal), or
 - (ii) the grant, retention or renewal of licences;
 - (c) about the notification of decisions;
 - (d) about reviews of, or appeals against, decisions;
 - (e) conferring functions on the Secretary of State or on traffic commissioners.
- (4) The regulations may impose on a licensed no-user-in-charge operator a requirement to comply with any conditions that are attached to an individual licence.

CHAPTER 3

PROVISION OF INFORMATION BY REGULATED BODIES

Requirements imposed by regulations

14 Collection and sharing of information

- (1) Authorisation requirements may include requirements as to the collection and sharing of information by an authorised self-driving entity.
- (2) Operator licensing regulations may impose requirements as to the collection and sharing of information by a licensed no-user-in-charge operator.
- (3) Those references to sharing include—
 - (a) sharing with the Secretary of State or other public authorities, and
 - (b) sharing with private businesses (such as vehicle manufacturers or insurers).
- (4) Authorisation requirements or operator licensing regulations that require an authorised self-driving entity or licensed no-user-in-charge operator to share information must specify the purpose for which the information is to be shared.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

15 Nomination of individuals

- (1) Authorisation requirements may require a person who is, or is seeking to become, an authorised self-driving entity to nominate an individual to be responsible for information that is, or has to be, provided by the person to the Secretary to the State for the purposes of this Part.
- (2) Operator licensing regulations may require a person who is, or is seeking to become, a licensed no-user-in-charge operator to nominate an individual to be responsible for information that is, or has to be, provided by the person to the Secretary to the State for the purposes of this Part.
- (3) Requirements of the sort described in subsection (1) or (2) must be accompanied by—
 - (a) provision requiring that an individual is not nominated without the individual’s consent, and
 - (b) provision about the circumstances in which an individual ceases to stand nominated further to the requirements.

Requirements imposed by notice

16 Purpose for which notices may be given

- (1) In this Part, “the investigative purposes”, in relation to a regulated body, are the domestic purposes and the international purpose set out in this section.
- (2) The domestic purposes are the purposes of—
 - (a) assessing whether a regulatory requirement is being, or has been, met—
 - (i) by the regulated body, or
 - (ii) in relation to authorised automated vehicles for which the regulated body is or has been responsible,
 - (b) investigating whether, how or why an authorised automated vehicle has committed a traffic infraction while the regulated body was responsible for it,
 - (c) assessing whether an authorised automated vehicle for which the regulated body is or has been responsible continues to satisfy the self-driving test by reference to the authorised locations and circumstances, and
 - (d) investigating—
 - (i) a suspected offence under section 24 by the regulated body, or another regulated body that is or has been responsible for a vehicle for which the regulated body is or has been responsible, or
 - (ii) a suspected offence under section 25, or a suspected offence arising by virtue of section 26 or 27, that is predicated on an offence within sub-paragraph (i).
- (3) The international purpose is the purpose of sharing information with an authority in a country or territory outside Great Britain (an “overseas authority”), where—
 - (a) the overseas authority has requested the information,
 - (b) the overseas authority has functions under the law of that country or territory that are similar to those referred to in subsection (2), and
 - (c) the information is likely to assist the overseas authority in performing those functions in respect of the regulated body.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

17 Power to issue information notice

- (1) The Secretary of State may issue an information notice to a regulated body if the Secretary of State considers it appropriate to do so for any of the investigative purposes.
- (2) An information notice is a notice requiring the regulated body to provide information to the Secretary of State.
- (3) An information notice must specify—
 - (a) the information that must be provided,
 - (b) the form and manner in which it must be provided, and
 - (c) when (or by when) it must be provided.
- (4) In specifying the form and manner in which information must be provided, an information notice may, in particular—
 - (a) require documents, or copies of documents, to be produced;
 - (b) require the information to be provided in a form different from that in which it currently exists;
 - (c) require the regulated body to procure the attendance of an individual at a particular place and at a particular time in order to provide the information.
- (5) An information notice must explain the consequences of the notice under section 19(5) (if applicable) and section 20.

18 Power to issue interview notice

- (1) The Secretary of State may issue an interview notice to a regulated body if the Secretary of State considers it appropriate to do so for any of the investigative purposes.
- (2) An interview notice is a notice requiring the regulated body to procure the attendance of an individual at a particular place and at a particular time in order to answer questions.
- (3) An interview notice must indicate in general terms the intended subject-matter of the questioning.
- (4) An interview notice must explain the consequences of the notice under sections 19(5) and 20.

19 Notices requiring individual attendance

- (1) This section applies in relation to—
 - (a) an information notice so far as it includes a requirement of the sort described in section 17(4)(c), and
 - (b) an interview notice.
- (2) The notice may—
 - (a) identify a particular individual, or
 - (b) describe a class of individuals.
- (3) The individual, or the individuals within that class, must be carrying out, or have carried out, paid work for the regulated body (in whatever capacity).

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) But that individual or those individuals need not have any further connection with the United Kingdom.
- (5) The regulated body complies with the notice if it takes all steps that it could reasonably be expected to take in order to—
 - (a) procure the attendance of the identified individual, or an individual within the described class, at the place and time specified in the notice, and
 - (b) enable that individual to provide the information specified, or answer questions on the subject-matter indicated, in the notice.
- (6) The references in sections 17(4)(c) and 18(2) to attendance at a particular place include attendance at a particular meeting held remotely by electronic means (and section 20(3)(c)(i) and (4)(c)(i) is to be read accordingly).

20 Offences of non-compliance

- (1) A regulated body commits an offence if it—
 - (a) fails to provide information as required by an information notice,
 - (b) provides, in purported compliance with an information notice, information that is false or misleading in a material respect, or
 - (c) fails to comply with an information notice or interview notice as described in section 19(5).
- (2) It is a defence for the regulated body to prove that it took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (3) A person commits an offence if—
 - (a) the person is an individual identified in an information notice as described in section 19(2)(a),
 - (b) the person has been made aware of the contents of the notice, and
 - (c) the person—
 - (i) fails, without reasonable excuse, to attend at the place and time specified in the notice or provide information as required by the notice, or
 - (ii) provides, in purported compliance with the notice, information that is false or misleading in a material respect, knowing it to be so or being reckless as to whether it is.
- (4) A person commits an offence if—
 - (a) the person is an individual identified in an interview notice as described in section 19(2)(a),
 - (b) the person has been made aware of the notice, and
 - (c) the person—
 - (i) fails, without reasonable excuse, to attend at the place and time specified in the notice,
 - (ii) on being interviewed further to the notice, fails, without reasonable excuse, to answer a question, or
 - (iii) on being interviewed further to the notice, answers a question in a way that is false or misleading in a material particular, knowing it to be so or being reckless as to whether it is.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) A person commits an offence if—
- (a) the person destroys, suppresses or alters, or causes or permits the destruction, suppression or alteration of, any information, and
 - (b) the person does so with the intention of preventing the provision of accurate information in response to an information notice, or at an interview undertaken further to an interview notice.
- (6) In subsection (5)—
- (a) the reference to information required to be provided by an information notice includes anything in or on which that information is recorded;
 - (b) the references to suppressing information include destroying the means of reproducing information recorded otherwise than in a legible form.
- (7) A person who commits an offence under this section is liable—
- (a) on summary conviction in England or Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).

21 Enforcement by court

The High Court or the Court of Session may, on application by the Secretary of State, make such order as the court thinks fit in order to secure compliance with an information notice or interview notice by the person to whom it is issued.

22 Use of information obtained

- (1) Subsections (2) to (4) apply to information obtained as a result of the exercise of a power in section 17 or 18.
- (2) The Secretary of State may use the information for any of the investigative purposes in relation to any regulated body, irrespective of the purpose for which it was initially obtained.
- (3) If the information is shared with an overseas authority, it must be shared on terms designed to prevent the overseas authority from—
 - (a) using the information for a purpose other than the purpose for which it was disclosed, or
 - (b) further sharing the information, without the Secretary of State's consent.
- (4) The Secretary of State may also use the information for the purposes of the arrangements put in place under section 38 (monitoring and assessing the general performance of automated vehicles).
- (5) Subsection (6) applies to a statement made by a person in response to a notice under section 17 or 18.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) In any criminal proceedings against the person who made the statement, no evidence relating to the statement may be adduced, and no question relating to it may be asked, by or on behalf of the prosecution.
- (7) Subsection (6) does not apply—
- (a) if the proceedings are for—
 - (i) an offence under section 20, 24, 25 or 30,
 - (ii) an offence under section 5 of the Perjury Act 1911 (false statutory declarations and other false statements without oath),
 - (iii) an offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements and declarations), or
 - (b) in any other proceedings, if evidence relating to the information is adduced, or a question relating to the information is asked, by or on behalf of the person who provided it.
- (8) In this section, “overseas authority” has the meaning indicated by section 16(3).

23 Supplementary provision

- (1) Where the Secretary of State has issued an information notice or an interview notice to a regulated body, the Secretary of State may by further notice issued to that body—
- (a) cancel the notice, or
 - (b) vary it in any way that does not make it more onerous.
- (2) For the purposes of the sections from section 16 to this section, a person who has ceased to be a regulated body is to be treated, in relation to anything that occurred when the person was a regulated body, as if the person were still a regulated body.

Offences relating to information about safety

24 False or withheld information relevant to vehicle safety

- (1) A person commits an offence if—
- (a) the person is, or is seeking to become, a regulated body,
 - (b) the person provides to the Secretary of State—
 - (i) information about a vehicle for which the person is, has been, or is seeking to become responsible, or
 - (ii) other information in connection with the person’s role (or proposed role) as a regulated body, and
 - (c) the information is false or misleading in a respect in which it is relevant to the safety of the person’s automated vehicle operations.
- (2) Subsections (3) and (4) apply where—
- (a) a person is, or is seeking to become, a regulated body,
 - (b) the person is required by—
 - (i) a regulatory requirement, or
 - (ii) an information notice under section 17,to provide information to the Secretary of State, and
 - (c) the information is relevant to the safety of the person’s automated vehicle operations.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) That person commits an offence if the person fails to provide the information as required.
- (4) Any person commits an offence if—
 - (a) the person destroys, suppresses or alters, or causes or permits the destruction, suppression or alteration of, the information, and
 - (b) the person does so with the intention of preventing the provision of accurate information in accordance with the requirement or notice concerned.
- (5) In subsection (4)—
 - (a) the reference to the information includes anything in or on which that information is recorded;
 - (b) the references to suppressing information include destroying the means of reproducing information recorded otherwise than in a legible form.
- (6) For the purposes of this section, information is relevant to the safety of a person’s automated vehicle operations if it would affect a reasonable observer’s assessment—
 - (a) in the case of a person who is, or is seeking to become, an authorised self-driving entity, of how safely a vehicle for which the person is (or would be) the authorised self-driving entity is likely to travel while an authorised automation feature is engaged, or
 - (b) in the case of a person who is, or is seeking to become, a licensed no-user-in-charge operator, of how safely a vehicle is likely to undertake a no-user-in-charge journey that is overseen by the person.
- (7) It is a defence for a person accused of an offence under subsection (1) or (3) to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (8) A person who commits an offence under this section is liable—
 - (a) on summary conviction in England or Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).

25 Aggravated offence where death or serious injury occurs

- (1) A person commits an offence if—
 - (a) the person has committed an offence under section 24(1) or (3),
 - (b) had information been provided in a way that avoided the commission of any such offence, that information would have disclosed a heightened risk that a vehicle in which an authorised automation feature is engaged would be involved in a dangerous incident of a particular kind,
 - (c) a vehicle in which that feature is engaged is involved in a dangerous incident of that kind, and
 - (d) an individual is killed or seriously injured as a result of that incident.
- (2) A person commits an offence if—
 - (a) the person has committed an offence under section 24(4),

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) the conduct constituting the offence prevented the provision of accurate information to the Secretary of State,
 - (c) had that information been provided in the way that that conduct prevented, it would have disclosed a heightened risk that a vehicle in which an authorised automation feature is engaged would be involved in a dangerous incident of a particular kind,
 - (d) a vehicle in which that feature is engaged is involved in a dangerous incident of that kind, and
 - (e) an individual is killed or seriously injured as a result of that incident.
- (3) For the purposes of subsections (1) and (2)—
- (a) information would have “disclosed a heightened risk” if it would have caused a reasonable person to perceive a greater risk than the person would have perceived from the information (if any) that was in fact provided when the offence under section 24 occurred;
 - (b) “dangerous incident” means an incident of a sort that carries an obvious risk of serious injury to an individual.
- (4) It is a defence for a person accused of an offence under this section to prove that the offence under section 24 had, by the time the dangerous incident occurred, no significant continuing effect on the risk of its occurring.
- (5) A person who commits an offence under this section is liable, on conviction on indictment, to imprisonment for a term not exceeding 14 years or a fine (or both).
- (6) In this section, “serious injury” means—
- (a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861;
 - (b) in Scotland, severe physical injury.

Liability of individuals

26 Liability of nominated individual

- (1) If—
- (a) a person (“B”) who is, or is seeking to become, a regulated body commits an offence under section 20 or 24, and
 - (b) at the time of that offence, another person (“A”) is the nominated individual for the information to which the offence relates,
- A also commits the offence.
- (2) For the purposes of subsection (1), A is the nominated individual for information if A stands nominated by B as the individual responsible for the information further to—
- (a) an authorisation requirement of the sort described in section 15(1), or
 - (b) operator licensing regulations of the sort described in section 15(2).
- (3) In determining for the purposes of subsection (1)(a) whether an offence has been committed by B, the defence in section 20(2) or 24(7) is to be ignored.
- (4) It is a defence for A to prove that A took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by B.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

27 Liability of senior manager

- (1) If—
- (a) an individual (“A”) is a relevant senior manager of a relevant entity (“B”),
 - (b) B commits an offence under section 20 or 24, and
 - (c) A consents to or connives in the commission of the offence by B,
- A also commits the offence.
- (2) A is a “relevant senior manager” of B if A plays a significant role in making decisions about how—
- (a) the activities of B as a whole, or
 - (b) the relevant activities of B,
- are managed or organised.
- (3) In subsection (2)(b), “the relevant activities” means the activities to which the relevant information relates; and in this subsection “the relevant information” means the information to which the offence mentioned in subsection (1)(b) relates.
- (4) In subsection (1), “relevant entity” means—
- (a) a body corporate,
 - (b) a partnership, or
 - (c) a firm or other entity similar in nature to a partnership established under a foreign law.

CHAPTER 4

POWERS TO INVESTIGATE PREMISES USED BY REGULATED BODIES

28 Warrants for entry, search and seizure

- (1) A justice of the peace may, if satisfied that the conditions in subsection (2) are met, grant a warrant to the Secretary of State authorising the exercise of the powers in section 29 in relation to premises identified in the warrant.
- (2) The conditions are—
- (a) that the premises are being used by a regulated body,
 - (b) that it is appropriate to grant the warrant for any of the investigative purposes (see section 16), and
 - (c) that it is necessary to grant the warrant for one of the reasons given in subsection (3).
- (3) The reasons are—
- (a) that an information notice or interview notice has been issued to the regulated body and not complied with;
 - (b) that there is reason to believe that, if an information notice or interview notice were issued to the regulated body, it would not be complied with;
 - (c) that an information notice or interview notice to which section 19 applies has been issued to the regulated body but has not succeeded in obtaining the information that it sought to obtain;
 - (d) that the need to exercise the powers is too urgent to await the obtaining of information further to an information notice or interview notice.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) A justice of the peace may be satisfied that the conditions in subsection (2) are met only on the basis of information or evidence given on oath on behalf of the Secretary of State.
- (5) References in this section to a justice of the peace include a sheriff in Scotland.
- (6) For the purposes of this section, a person who has ceased to be a regulated body is to be treated, in relation to anything that occurred when the person was a regulated body, as if the person were still a regulated body.

29 Powers exercisable under warrant

- (1) The powers in this section are powers to—
 - (a) enter the premises;
 - (b) search the premises;
 - (c) examine any document, equipment or other item or material on the premises (including by operating a computer or other device in order to gain access to information);
 - (d) seize any document, equipment or other item or material on the premises and remove it;
 - (e) record (in whatever form) any document, equipment or other item or material on the premises, or any information contained in or accessible by means of any such document, equipment, item or material;
 - (f) require any person on the premises to provide information or assistance for the purpose of—
 - (i) enabling or facilitating the exercise of the preceding powers, or
 - (ii) allowing anything inspected, seized or recorded in the exercise of those powers to be better understood.
- (2) A person exercising those powers—
 - (a) may do so only so far as the person reasonably considers necessary for any of the investigative purposes (see section 16), and
 - (b) in particular, may not exercise the power to seize and remove something unless the person considers that exercising the power to record it would be insufficient.
- (3) A warrant under section 28 is to be executed (and the powers in this section accordingly exercised) on behalf of the Secretary of State by a person authorised in writing by the Secretary of State.
- (4) That person may take other persons, equipment and materials onto the premises for the purposes of assisting in the exercise of the powers in this section.
- (5) A person so taken onto the premises may also exercise the powers in this section on behalf of the Secretary of State if the person is in the company, and under the supervision, of the person authorised under subsection (3).
- (6) A person exercising the powers in this section may use reasonable force if necessary (except to enforce a requirement under subsection (1)(f)).
- (7) A warrant under section 28 authorises the exercise of the powers in this section—
 - (a) only at a reasonable hour,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) only within a period of one month beginning with the day on which it is issued, and
 - (c) only on one occasion, unless the warrant specifies a greater number of occasions;
- and may be granted subject to further conditions or limitations.
- (8) On each occasion on which premises are entered further to a warrant under section 28, the person executing the warrant—
- (a) must be accompanied by a constable until entry to the premises is fully secured;
 - (b) must give a copy of the warrant to any person appearing to be in charge of the premises at the earliest opportunity (if possible before entering the premises);
 - (c) if no such copy is given during the period of entry on the premises, must leave a copy of the warrant in a prominent place on the premises;
 - (d) must produce, on request by any person appearing to be in charge of the premises, proof of identity and of authorisation under subsection (3);
 - (e) if no person appearing to be in charge of the premises is present when the person executing the warrant is on the premises, must leave the premises as effectively secured against trespassers as that person found them.
- (9) The Secretary of State must arrange for the publication of information on the exercise of the powers in this section at such intervals as seem appropriate.

30 Offences of impeding execution of warrant

- (1) A person commits an offence if the person—
- (a) intentionally obstructs a person in the exercise of the powers in section 29,
 - (b) fails, without reasonable excuse, to comply with a requirement made of the person in the exercise of those powers, or
 - (c) in response to such a requirement, makes a statement that is false or misleading in a material respect, knowing it to be so or being reckless as to whether it is.
- (2) A person who commits an offence under this section is liable—
- (a) on summary conviction in England or Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).

31 Seizure of items

- (1) This section applies where a person exercises the power of seizure and removal in section 29(1)(d).
- (2) The person must, on request by any person appearing to be in charge of the premises—
- (a) give a receipt for the thing seized, and
 - (b) in the case of a document readily capable of being copied, give a copy of it.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) The thing seized may be retained in the possession of the Secretary of State for so long as the Secretary of State considers necessary for any of the investigative purposes (irrespective of the purpose for which it was initially obtained).
- (4) For any such purpose, a person acting on behalf of the Secretary of State may—
 - (a) examine the thing seized (using reasonable force if necessary), and
 - (b) record (in whatever form) any information obtained from the thing seized.
- (5) The Secretary of State may, by regulations, make further provision about how the thing seized is to be dealt with.
- (6) Such regulations may, in particular—
 - (a) authorise the retention or use of the thing seized for purposes other than the investigatory purposes;
 - (b) authorise the delivery of the thing seized to a person other than its owner;
 - (c) authorise the destruction of the thing seized.

32 Return of warrant

- (1) If a warrant under section 28 is executed, the person who executed it must return it to the court from which it was issued as soon as reasonably practicable with an endorsement summarising the exercise of the powers in section 29.
- (2) If a warrant under section 28 is not executed, the Secretary of State must return it to the court from which it was issued as soon as reasonably practicable with an endorsement stating that it was not executed.

33 Use of information obtained

- (1) Subsections (2) to (4) of section 22 (use of information for the investigative purposes) apply to information obtained as a result of the exercise of a power in section 29 or 31 as they apply to information obtained as a result of the exercise of a power in section 17 or 18.
- (2) Subsections (6) and (7) of section 22 (admissibility of information in criminal proceedings) apply to a statement made by a person in response to a requirement under section 29(1)(f) as they apply to a statement made by a person in response to a notice under section 17 or 18.

CHAPTER 5

CIVIL SANCTIONS AGAINST REGULATED BODIES

34 Compliance notices

- (1) The Secretary of State may issue a compliance notice to a regulated body if satisfied that a regulatory requirement is not, or has not been, met by the body.
- (2) The Secretary of State may issue a compliance notice to an authorised self-driving entity if satisfied that an authorised automated vehicle has committed a traffic infraction while the entity was responsible for it.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) Subsection (2) does not apply if it appears to the Secretary of State that the commission of the traffic infraction was wholly caused by a failure of a licensed no-user-in-charge operator to comply with a requirement under operator licensing regulations.
- (4) A compliance notice is a notice requiring the person to whom it is issued to take such actions within subsection (5) as are specified in the notice.
- (5) The actions that may be specified are—
 - (a) in the case of a notice under subsection (1), actions that the Secretary of State considers appropriate in order to secure, or make it more likely, that the regulated body complies with the regulatory requirement in the future;
 - (b) in the case of a notice under subsection (2), actions that the Secretary of State considers appropriate in order to avoid, or make less likely, the future commission of similar traffic infractions by authorised automated vehicles for which the authorised self-driving entity is responsible.
- (6) The actions may be specified by referring (with or without further particulars) to the actions necessary to achieve a result described in the notice.
- (7) A compliance notice must—
 - (a) explain the Secretary of State’s reasons for issuing the notice, and
 - (b) specify the time by which, or period during which, the specified actions must be taken.
- (8) The reference in subsection (4) to taking action includes refraining from taking action; and “actions” in this section is to be read accordingly.

35 Redress notices

- (1) The Secretary of State may issue a redress notice to a regulated body if satisfied that—
 - (a) a regulatory requirement is not, or has not been, met by the body, and
 - (b) as a result, users of roads in Great Britain have suffered loss, damage, inconvenience or annoyance.
- (2) The Secretary of State may issue a redress notice to an authorised self-driving entity if satisfied that—
 - (a) an authorised automated vehicle has committed a traffic infraction while the entity was responsible for it, and
 - (b) as a result, users of roads in Great Britain have suffered loss, damage, inconvenience or annoyance.
- (3) Subsection (2) does not apply if it appears to the Secretary of State that the commission of the traffic infraction was wholly caused by a failure of a licensed no-user-in-charge operator to comply with a requirement under operator licensing regulations.
- (4) A redress notice is a notice requiring the person to whom it is issued to take such actions within subsection (5) as are specified in the notice.
- (5) The actions that may be specified are actions that the Secretary of State considers appropriate in order to rectify, mitigate, or compensate for (whether directly or indirectly) the loss, damage, inconvenience or annoyance that has been suffered.
- (6) A redress notice must—
 - (a) explain the Secretary of State’s reasons for issuing the notice, and

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) specify the time by which, or period during which, the specified actions must be taken.
- (7) If a redress notice requires a regulated body to pay a sum of money to another person, the sum may be recovered by that person as a civil debt.
- (8) The reference in subsection (4) to taking action includes refraining from taking action; and “actions” in this section is to be read accordingly.
- (9) In this section, “users of roads” includes persons exercising statutory functions in relation to roads.

36 Monetary penalties

- (1) The Secretary of State may issue a monetary penalty notice to a regulated body if satisfied that—
 - (a) a regulatory requirement is not, or has not been, met by the body, or
 - (b) the body has failed to comply with—
 - (i) an information notice,
 - (ii) an interview notice,
 - (iii) a compliance notice, or
 - (iv) a redress notice.
- (2) The Secretary of State may issue a monetary penalty notice to an authorised self-driving entity if satisfied that an authorised automated vehicle has committed a traffic infraction while the entity was responsible for it.
- (3) Subsection (2) does not apply if it appears to the Secretary of State that the commission of the traffic infraction was wholly caused by a failure of a licensed no-user-in-charge operator to comply with a requirement under operator licensing regulations.
- (4) A monetary penalty notice is a notice requiring the regulated body to pay a monetary penalty, of a sum specified in the notice, to the Secretary of State.
- (5) Subsection (6) applies in relation to a monetary penalty notice issued under subsection (1) if it appears to the Secretary of State that the failure to which the notice relates is or may be a continuing one.
- (6) The monetary penalty notice may provide for a sum specified in the notice to be added to the penalty for each day in the period—
 - (a) beginning with the day after the day on which the notice is issued, and
 - (b) ending with—
 - (i) the day on which the failure is brought to an end, or
 - (ii) such earlier day as is specified in the notice.
- (7) A monetary penalty notice must—
 - (a) explain the Secretary of State’s reasons for issuing the notice, and
 - (b) specify the time by which, and manner in which, the penalty must be paid.
- (8) If a monetary penalty is not paid in time—
 - (a) the penalty (or the unpaid part of it) carries interest at the rate for the time being specified in section 17 of the Judgments Act 1838;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) the Secretary of State may recover the penalty (or the unpaid part of it), with the interest, as a civil debt.
- (9) The Secretary of State must, by regulations, provide for the determination of—
 - (a) a maximum sum that may be specified under subsection (4), and
 - (b) a maximum sum that may be specified under subsection (6).
- (10) Those regulations may determine the sum by reference to the turnover of the regulated body or other entities or undertakings that are connected with the regulated body in a manner specified in the regulations; and if they do so they may also make provision about—
 - (a) what counts as “turnover”;
 - (b) how turnover is to be calculated or assessed.
- (11) A regulated body is not, in respect of the same conduct or omission, liable both to conviction of an offence under section 24 or 25 and to a monetary penalty under this section (so the occurrence of one, unless overturned or cancelled, means that the other can no longer take place).

37 Supplementary provision

- (1) A single notice issued under this Chapter may relate to more than one occurrence by virtue of which the power to issue the notice arises (or is said to arise).
- (2) Where the Secretary of State has issued a notice to a regulated body under this Chapter, the Secretary of State may by further notice issued to that body—
 - (a) cancel the notice, or
 - (b) vary it in any way that does not make it more onerous.
- (3) **Part 2 of Schedule 1** makes provision—
 - (a) about the procedure applicable in connection with compliance notices, redress notices and monetary penalty notices (including the recovery of costs and rights of appeal), and
 - (b) for the assignment of functions under this Chapter to traffic commissioners.
- (4) For the purposes of this Chapter, a person who has ceased to be a regulated body is to be treated, in relation to anything that occurred when the person was a regulated body, as if the person were still a regulated body.

CHAPTER 6

OTHER REGULATORY POWERS AND DUTIES

38 General monitoring duty

- (1) The Secretary of State must put in place arrangements that the Secretary of State considers effective and proportionate for monitoring and assessing the general performance of authorised automated vehicles on roads and other public places in Great Britain.
- (2) Those arrangements must, in particular, include monitoring and assessing the extent to which that performance is consistent with the statement of safety principles.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) The Secretary of State must, as soon as practicable after the end of each reporting period, publish a report setting out the Secretary of State’s conclusions from the monitoring and assessment undertaken in accordance with this section.
- (4) For the purposes of this section, each of the following periods is a “reporting period”—
 - (a) the period of 12 months beginning with the month in which the first grant of an automated vehicle authorisation takes effect, and
 - (b) each subsequent period of 12 months.

39 Duty with respect to incidents with potential regulatory consequences

- (1) The Secretary of State must put in place arrangements that the Secretary of State considers effective and proportionate for—
 - (a) identifying the occurrence of relevant incidents,
 - (b) enquiring into the causes of those incidents (including by means of the investigative powers), and
 - (c) deciding whether any of the enforcement powers should be exercised in response.
- (2) In this section—

“relevant incidents” means incidents that—

 - (a) occur on a road or other public place,
 - (b) involve an authorised automated vehicle, and
 - (c) reveal grounds for enquiring into whether any of the enforcement powers has become exercisable as a result of the incident;

“the investigative powers” means the powers in sections 16 to 23 and Chapter 4;

“the enforcement powers” means the powers in section 8(2) and (3) and Chapter 5.
- (3) The investigative powers do not limit what the Secretary of State may do for the purposes of the arrangements put in place under subsection (1) without relying on powers of coercion.

40 Power to require reports from police and local authorities

- (1) The Secretary of State may, by regulations, require an authority within subsection (3) to report to the Secretary of State incidents which—
 - (a) occur in the area of the authority, and
 - (b) are of a description set out in the regulations.
- (2) Such regulations may limit the requirement to cases in which the Secretary of State requests a report.
- (3) The authorities within this subsection are—
 - (a) a chief officer of police;
 - (b) a strategic highways company;
 - (c) the Scottish Ministers (in their capacity as roads authority or traffic authority);
 - (d) the Welsh Ministers (in their capacity as highways authority or traffic authority);

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (e) a combined authority (established under section 103 of the Local Democracy, Economic Development and Construction Act 2009) that exercises functions in relation to highways or road traffic;
 - (f) a county council or county borough council;
 - (g) a district council for an area for which there is no county council;
 - (h) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
 - (i) Transport for London;
 - (j) a London borough council;
 - (k) the Common Council of the City of London (in its capacity as a local authority);
 - (l) the Council of the Isles of Scilly.
- (4) Regulations under this section must be framed with the intention that only relevant incidents, or incidents that may be found to be relevant incidents, will be reported.
- (5) In subsection (4), “relevant incidents” has the same meaning as in section 39.
- (6) Regulations under this section require incidents to be reported only so far as the authority in question has obtained information about them in the performance of its functions.
- (7) Regulations under this section may contain provision about the timing, form and contents of reports.

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).

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (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—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (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);

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

“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.