



Automated Vehicles Act 2024

2024 CHAPTER 10

PROSPECTIVE

PART 5 **E+W+S**

PERMITS FOR AUTOMATED PASSENGER SERVICES

Content and effect of permits

82 Power to grant permits **E+W+S**

- (1) The appropriate national authority may grant a person a permit for the provision by the person of automated passenger services.
- (2) An “automated passenger service” is a service that consists of the carrying of passengers in a road vehicle that—
 - (a) is designed or adapted to travel autonomously, or
 - (b) is being used for a trial with the aim of developing vehicles that are so designed or adapted.
- (3) A permit may be granted for either or both of the following purposes—
 - (a) securing the application of [section 83](#) (disapplication of taxi, private hire vehicle and bus legislation);
 - (b) satisfying a requirement imposed by regulations under [section 12](#) (licensing of no-user-in-charge operators) in relation to the holding of a permit.
- (4) A permit must specify—
 - (a) the areas in which services may be provided under the permit,
 - (b) the vehicles (or descriptions of vehicle) in which services may be provided under the permit,
 - (c) the period for which the permit is valid, and
 - (d) any conditions subject to which the permit is granted (“permit conditions”).

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Changes to legislation: There are currently no known outstanding effects for the Automated Vehicles Act 2024, Part 5. (See end of Document for details)

- (5) Permit conditions may take the form—
- (a) further limitations on the services that may be provided under the permit, or
 - (b) obligations that the permit holder has to fulfil as a condition of holding the permit.
- (6) In [subsection \(2\)\(a\)](#), “travel autonomously” has the same meaning as in [Part 1](#) (see [section 1\(5\)](#)).

Commencement Information

11 S. 82 not in force at Royal Assent, see [s. 99\(1\)](#)

83 Disapplication of taxi, private hire vehicle and bus legislation **E+W+S**

- (1) Subsections (2) and (3) apply while a permit holder is providing an automated passenger service in an area in which, and in a vehicle in which, services may be provided under the permit.
- (2) The vehicle is not to be treated for any purpose as being, or as being used or operated as—
- (a) a hackney carriage within the meaning of the Town Police Clauses Act 1847 or the Metropolitan Public Carriage Act 1869,
 - (b) a private hire vehicle within the meaning of the Private Hire Vehicles (London) Act 1998, the Plymouth City Council Act 1975 or Part 2 of the Local Government (Miscellaneous Provisions) Act 1976,
 - (c) a public service vehicle within the meaning of the Public Passenger Vehicles Act 1981, or
 - (d) a hire car within the meaning of section 23 of the Civic Government (Scotland) Act 1982.
- (3) The provision of the service is not to be treated as driving, standing or plying for hire with the vehicle for the purposes of section 45 of the Town Police Clauses Act 1847.

Commencement Information

12 S. 83 not in force at Royal Assent, see [s. 99\(1\)](#)

84 Civil sanctions for infringements **E+W+S**

- (1) A permit holder commits an infringement of the permit scheme if the permit holder breaches a permit condition of the sort described in [section 82\(5\)\(b\)](#).
- (2) A permit holder also commits an infringement of the permit scheme if—
- (a) the permit holder provides, or offers to provide, a service that consists of the carrying of passengers in a road vehicle,
 - (b) the permit holder says or does anything that would lead a reasonable passenger (or potential passenger) of the service to think that the service was provided under a permit, and
 - (c) the service is not such as could be provided under the permit.

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- (3) [Schedule 6](#) provides for civil sanctions in respect of infringements of the permit scheme.

Commencement Information

I3 S. 84 not in force at Royal Assent, see [s. 99\(1\)](#)

Requirements before granting permit

85 **Consent requirement for services resembling taxis or private hire vehicles** **E** **+W+S**

- (1) Subsection (3) applies where—
- (a) the appropriate national authority proposes to grant a permit, and
 - (b) under the proposed permit, an automated passenger service may be provided in a way that would, on the assumptions in [subsection \(2\)](#), require a taxi or private hire vehicle licence.
- (2) The assumptions are—
- (a) that [section 83](#) does not apply, and
 - (b) (so far as would not otherwise be the case) that the vehicle in which the service is provided is driven by an individual.
- (3) The appropriate national authority may not grant the permit without the consent of each licensing authority in whose area the service may be provided under the proposed permit.
- (4) A licensing authority is to be taken to have given such consent if—
- (a) the appropriate national authority requests consent in writing, and
 - (b) within the relevant period, the licensing authority either—
 - (i) fails to give or refuse consent, or
 - (ii) refuses consent but fails to give written reasons for doing so.
- (5) For the purposes of subsection (4), “the relevant period” is the period of six weeks beginning with the day on which the request is made.
- (6) In this section, “taxi or private hire vehicle licence” means a licence under—
- (a) section 37 or 46 of the Town Police Clauses Act 1847 (hackney carriages: England and Wales),
 - (b) section 6 or 8 of the Metropolitan Public Carriage Act 1869 (hackney carriages: London),
 - (c) section 5, 9 or 13 of the Plymouth City Council Act 1975 (private hire vehicles: Plymouth),
 - (d) section 48, 51 or 55 of the Local Government (Miscellaneous Provisions) Act 1976 (private hire vehicles: England and Wales),
 - (e) section 10 or 13 of the Civic Government (Scotland) Act 1982 (taxis and private hire vehicles: Scotland), or
 - (f) section 3, 7 or 13 of the Private Hire Vehicles (London) Act 1998 (private hire vehicles: London),

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and a “licensing authority” means a person who is responsible for granting a licence under any of those provisions.

Commencement Information

I4 S. 85 not in force at Royal Assent, see [s. 99\(1\)](#)

86 Consent requirement for services resembling buses **E+W+S**

- (1) Subsection (2) applies where—
- (a) the appropriate national authority proposes to grant a permit, and
 - (b) under the proposed permit, an automated passenger service may be provided that would, if [section 83](#) did not apply, be subject to bus franchising restrictions.
- (2) The appropriate national authority may not grant the permit without the consent of each relevant franchising body.
- (3) A service is “subject to bus franchising restrictions” if it is a local service within the meaning of section 2 of the Transport Act 1985, and—
- (a) it is provided in Greater London,
 - (b) it is provided in an area in England covered by a franchising scheme and is not exempt from the scheme, or
 - (c) it is provided in an area in Scotland covered by a franchising framework and is not exempt from the framework.
- (4) In [subsection \(2\)](#), “relevant franchising body” means—
- (a) where [subsection \(3\)\(a\)](#) applies, Transport for London;
 - (b) where [subsection \(3\)\(b\)](#) applies, the franchising authority or authorities operating the scheme;
 - (c) where [subsection \(3\)\(c\)](#) applies, the local transport authority by which the framework was made.
- (5) A relevant franchising body is to be taken to have given consent under subsection (2) if—
- (a) the appropriate national authority requests consent in writing, and
 - (b) within the relevant period, the body either—
 - (i) fails to give or refuse consent, or
 - (ii) refuses consent but fails to give written reasons for doing so.
- (6) For the purposes of subsection (5), “the relevant period” is the period of six weeks beginning with the day on which the request is made.
- (7) In this section—
- “franchising authority” has the same meaning as in Part 2 of the Transport Act 2000 (see section 123A(4) of that Act);
- “franchising framework” means a framework made under section 13A of the Transport (Scotland) Act 2001 ([asp 2](#));
- “franchising scheme” means a scheme made under section 123A(1) of the Transport Act 2000;

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“local transport authority” has the same meaning as in the Transport (Scotland) Act 2001 (asp 2) (see section 82(1) of that Act).

- (8) For the purposes of subsection (3)—
- (a) a service is exempt from a franchising scheme if it is of a class that is excepted from regulation arising because of the scheme (see section 123H of the Transport Act 2000);
 - (b) a service is exempt from a franchising framework if it is of a description that is exempted from the framework (see section 13D(2) of the Transport (Scotland) Act 2001 (asp 2)).

Commencement Information

I5 S. 86 not in force at Royal Assent, see s. 99(1)

87 Further requirements **E+W+S**

- (1) Before granting a permit, the appropriate national authority must consult any traffic authorities and emergency services that it considers are likely to be substantially affected if the permit is granted.
- (2) In subsection (1), “traffic authority” has the same meaning as in the Road Traffic Regulation Act 1984 (see section 121A of that Act) (but does not include the appropriate national authority itself).
- (3) In deciding whether to grant a permit, the appropriate national authority must have regard to whether, and to what extent, the granting of the permit is likely to lead to an improvement in the understanding of how automated passenger services should best be designed for, and provided to, older or disabled passengers.
- (4) Where the appropriate national authority grants a permit, it must include a permit condition (of the sort described in section 82(5)(b)) requiring the permit holder to publish reports about the automated passenger services which it provides, and in particular about the steps which it takes—
 - (a) to meet the needs of older or disabled passengers, and
 - (b) to safeguard passengers more generally.

Commencement Information

I6 S. 87 not in force at Royal Assent, see s. 99(1)

Supplementary provision

88 Collection, sharing and protection of information **E+W+S**

- (1) Permit conditions may, in particular, include conditions as to the collection and sharing of information.
- (2) That reference to sharing includes—
 - (a) sharing with the appropriate national authority or other public authorities, and
 - (b) sharing with private businesses (such as vehicle manufacturers or insurers).

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- (3) The following provisions of this section apply in relation to information that a person obtains further to a permit condition as to the sharing of information.
- (4) In those provisions, “the recipient” means—
- (a) the person who obtains the information as described in subsection (3), or
 - (b) any other person to whom the information is subsequently disclosed.
- (5) The appropriate national authority 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.
- (6) 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 (5) or any other enactment.
- (7) But it is a defence to prove that—
- (a) the person from whom the information was obtained as described in subsection (3) 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.
- (8) A person who commits an offence under subsection (6) 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.
- (9) Regulations under subsection (5) are 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—
- (a) the regulations otherwise provide, or
 - (b) the person disclosing or using the information reasonably considers such disclosure or use necessary in view of the purpose of the regulations.

Commencement Information

I7 S. 88 not in force at Royal Assent, see [s. 99\(1\)](#)

89 Procedural and administrative matters **E+W+S**

- (1) A permit may be varied, renewed, suspended or withdrawn in such circumstances as are specified in regulations made by the appropriate national authority.
- (2) The appropriate national authority may, by regulations, make provision about the procedure to be followed in connection with the grant, retention, renewal, expiry, variation, suspension or withdrawal of a permit.

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- (3) Regulations under subsection (2) may, in particular, make provision about—
- (a) the form and content of an application for a permit (or for the renewal of a permit);
 - (b) fees payable in respect of—
 - (i) an application for a permit (or for the renewal of a permit), or
 - (ii) the grant, retention or renewal a permit;
 - (c) the notification of decisions;
 - (d) reviews of, or appeals against, decisions.
- (4) If fees are made payable as mentioned in subsection (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 appropriate national authority in connection with any function under this Part (whether or not directly related to what the fee is for).
- (5) 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.
- (6) The appropriate national authority may, by regulations, set a maximum period for which a permit may be valid.
- (7) The appropriate national authority may, by regulations, provide for its functions under any provision made by or under this Part to be exercisable by a traffic commissioner instead of, or in addition to, the appropriate national authority.
- (8) Regulations under subsection (7) made by the Scottish Ministers or the Welsh Ministers—
- (a) if they apply to a function in respect of which a fee is payable, must also apply to the function of charging and receiving that fee;
 - (b) if they apply to the function of issuing a notice under paragraph 1 or 2 of Schedule 6 (compliance notices and monetary penalty notices), must also apply to the functions under paragraph 4 of that Schedule (costs notices) so far as exercisable in connection with the first function.
- (9) Money received by a traffic commissioner as a result of regulations under subsection (7) must, unless subsection (10) applies, be paid into the Consolidated Fund in such manner as the Treasury may direct.
- (10) Money received by a traffic commissioner under paragraph 2(2) of Schedule 6 (monetary penalties) as a result of regulations under subsection (7) made by the Scottish Ministers or the Welsh Ministers must be paid to those Ministers.

Commencement Information

18 S. 89 not in force at Royal Assent, see s. 99(1)

90 Interpretation **E+W+S**

- (1) In this Part—
- “automated passenger service” has the meaning given by section 82(2);
 - “permit” means a permit under section 82(1) (and “permit holder” is to be read accordingly);
 - “permit condition” has the meaning indicated in section 82(4)(d).

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- (2) The remaining subsections apply for the purposes of this Part.
- (3) An automated passenger service is “provided in” an area if (and only if) it involves passengers being carried in that area.
- (4) Subject to subsection (5), the “appropriate national authority” is—
 - (a) the Secretary of State, in relation to a permit for the provision of a service in England;
 - (b) the Scottish Ministers, in relation to a permit for the provision of a service in Scotland;
 - (c) the Welsh Ministers, in relation to a permit for the provision of a service in Wales.
- (5) In relation to a permit for the provision of a service in a public service vehicle, the “appropriate national authority” is the Secretary of State.
- (6) A permit is of that description if, under the permit, a service could be provided in a vehicle that, by virtue of its use in providing that service, would count as a public service vehicle within the meaning of the Public Passenger Vehicles Act 1981 (assuming that section 83 did not apply).
- (7) In relation to the exercise of power by a traffic commissioner further to regulations under [section 89\(7\)](#), references in this Part to the appropriate national authority are to be read as including a traffic commissioner.

Commencement Information

19 S. 90 not in force at Royal Assent, see [s. 99\(1\)](#)

Status:

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