



Automated Vehicles Act 2024

2024 CHAPTER 10

PART 2

CRIMINAL LIABILITY FOR VEHICLE USE

CHAPTER 2

OFFENCES

53 Use of vehicle without driver or licensed oversight

(1) In the Road Traffic Act 1988, before the italic heading before section 35 insert—

“Road vehicles used without human control

34B Using vehicle without driver or licensed oversight

- (1) A person commits an offence if—
- (a) the person uses, or causes or permits another person to use, a road vehicle on a road or other public place,
 - (b) at any time while the vehicle is so used—
 - (i) the vehicle is mechanically propelled, and
 - (ii) there is no individual who is exercising, or in position to exercise, control of the vehicle, and
 - (c) subsection (2) does not apply.
- (2) This subsection applies if—
- (a) an authorised no-user-in-charge feature is engaged at all times when subsection (1)(b) is satisfied, and
 - (b) the journey undertaken by the vehicle is overseen by a licensed no-user-in-charge operator.

Status: This is the original version (as it was originally enacted).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

- (3) It is a defence for a person accused of an offence under this section to prove that, at the time of the acts said to constitute the offence, the person did not know, and could not reasonably have been expected to know, that—
- (a) the facts were, or would be, as described in subsection (1)(b), or
 - (b) the facts were not, or would not be, as described in subsection (2).
- (4) Subsection (1) does not apply to the use of a vehicle on a public place other than a road if the vehicle is designed primarily for a purpose other than—
- (a) the carriage of persons, or
 - (b) the carriage of goods on roads.
- (5) Section 44 of the Automated Vehicles Act 2024 applies for the interpretation of this section as it applies for the interpretation of Part 1 of that Act.
- (6) In this section, “road vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.

34C Causing death or serious injury by using vehicle without driver or licensed oversight

- (1) A person commits an offence if—
- (a) the person commits an offence under section 34B, and
 - (b) while being used in the way that constitutes the offence under section 34B, the vehicle causes the death of another person.
- (2) A person commits an offence if—
- (a) the person commits an offence under section 34B, and
 - (b) while being used in the way that constitutes the offence under section 34B, the vehicle causes serious injury to another person.
- (3) In this section, “serious injury” has the meaning given by section 1A(2).”
- (2) In Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988, at the appropriate places insert—

“RTA section 34A	Using a road vehicle without driver licensed oversight.	(a) Summarily. (b) On indictment.	(a) On conviction in England and Wales: a period not exceeding the general limit in a magistrates’ court or a fine or both.	Discretionary. Discretionary. 6”;
------------------	---	--------------------------------------	--	-----------------------------------

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

On conviction in Scotland: 12 months or a fine not exceeding the statutory maximum or both.
 (b) 2 years or a fine or both.

“RTA section 34C(1)	Causing death by using a road vehicle without a driver or licensed oversight.	On indictment.	Imprisonment for life.	Obligatory.	Obligatory.	3-11
34C(2)	Causing serious injury by using a road vehicle without a driver or licensed oversight.	(a) Summarily. (b) On indictment.	(a) On conviction in England and Wales: a period not exceeding the general limit in a magistrates’ court or a fine or both. (b) On conviction in Scotland: 12 months or a fine not exceeding the statutory	Obligatory.	Obligatory.	3-11”

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

- maximum
or both.
- (b) 5 years
or a fine
or both.

(3) [Schedule 3](#) makes amendments in connection with the preceding provisions of this section.