



Automated Vehicles Act 2024

2024 CHAPTER 10

PART 4

MARKETING RESTRICTIONS

79 Communications likely to confuse as to autonomous capability

- (1) A person commits an offence if—
 - (a) the person makes, or causes or permits the making of, a communication in connection with the promotion or supply of any product or service,
 - (b) the person is acting in the course of business,
 - (c) the communication is directed at an end-user or potential end-user of a road vehicle,
 - (d) it is reasonable to anticipate that the communication will come to the attention of an end-user or potential end-user of a road vehicle in Great Britain, and
 - (e) the communication would be likely to confuse end-users of road vehicles in Great Britain as to whether a vehicle that is not an authorised automated vehicle is capable of travelling autonomously, safely and legally on roads or other public places in Great Britain.
- (2) It is to be assumed for the purposes of this section that a vehicle that is not an authorised automated vehicle is not so capable.
- (3) It is a defence for a person accused of an offence under this section to prove that the person took all reasonable precautions and exercised all due diligence to prevent end-users or potential end-users of road vehicles in Great Britain from being confused as described in subsection (1)(e).
- (4) It is a defence for a person accused of an offence under this section to prove that—
 - (a) the business in the course of which the person was acting did not involve the manufacture or supply of the product, or the supply of the service, in question,
 - (b) the communication was formulated in the course of another business, and
 - (c) the person did not know, and had no reason to suspect, that the making of the communication would amount to an offence 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Status: This is the original version (as it was originally enacted).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.

- (5) 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).