VEHICLE TECHNOLOGY AND AVIATION BILL

NOTE
This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Resolution of the Programming Sub-Committee.

RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE

The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 13 March (Standing Order 83C):

That—
1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 14 March) meet—
   (a) at 2.00 pm on Tuesday 14 March;
   (b) at 11.30 am and 2.00 pm on Thursday 16 March;
   (c) at 9.25 am and 2.00 pm on Tuesday 21 March;
   (d) at 11.30 am and 2.00 pm on Thursday 23 March;
2. the Committee shall hear oral evidence on Tuesday 14 March in accordance with the following Table:

<table>
<thead>
<tr>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Until no later than</td>
<td>Automated Driving Insurers Group;</td>
</tr>
<tr>
<td>10.25 am</td>
<td>Society of Motor Manufacturers and Traders;</td>
</tr>
<tr>
<td></td>
<td>RAC Foundation; TRL</td>
</tr>
</tbody>
</table>
Vehicle Technology and Aviation Bill, continued

<table>
<thead>
<tr>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Until no later than 11.25 am</td>
<td>National Grid; UK Electric Vehicle Supply Equipment Association; Quentin Willson, motoring journalist</td>
</tr>
<tr>
<td>Until no later than 3.00 pm</td>
<td>The Institute of the Motor Industry; Downstream Fuel Association; Association of Convenience Stores</td>
</tr>
<tr>
<td>Until no later than 3.45 pm</td>
<td>Association of British Insurers; Centre for Connected and Autonomous Vehicles</td>
</tr>
<tr>
<td>Until no later than 4.30 pm</td>
<td>Civil Aviation Authority; Association of British Travel Agents</td>
</tr>
<tr>
<td>Until no later than 5.30 pm</td>
<td>British Airlines Pilots Association; Metropolitan Police; National Police Air Services; UK Flight Safety Committee</td>
</tr>
</tbody>
</table>

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 16; Schedules 1 and 2; Clause 17; Schedules 3 and 4; Clauses 18 to 24; Schedule 5; Clauses 25 to 27; new Clauses; new Schedules; remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 23 March.

Mr John Hayes has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].

Mr John Hayes

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Mr John Hayes

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.
Vehicle Technology and Aviation Bill, continued

Andy McDonald
Richard Burden
Vicky Foxcroft

17
★ Clause 1, page 1, line 10, at end insert—
“(1A) The Secretary of State must consult on and publish the criteria that they will use to determine whether, in their opinion, a motor vehicle is designed or adapted to be capable, in at least some circumstances or situations, of safely driving themselves without having to be monitored by an individual.

(1B) The Secretary of State may not change the criteria until further consultation has taken place with vehicle manufacturers, insurers and other such persons as the Secretary of State considers appropriate.”

Member’s explanatory statement
This amendment requires the Government to consult on and publish criteria for the definition of “automated vehicles” that will be used by the Secretary of State.

Andy McDonald
Richard Burden
Vicky Foxcroft

18
★ Clause 2, page 2, line 18, leave out “owner of the vehicle” and insert “person in charge of the vehicle at the time of the accident”

Member’s explanatory statement
This amendment ensures that the person who was in charge of the vehicle at the time of the accident is liable, rather than the owner of the vehicle who may not necessarily have been in the vehicle at the time. However “person in charge of the vehicle at the time of the accident” can also include the owner of the vehicle if they were in charge of it at the time.

Andy McDonald
Richard Burden
Vicky Foxcroft

19
★ Clause 3, page 3, line 6, at end insert—
“(3) The Secretary of State may by regulations define when it is and is not appropriate for a person in charge of the vehicle to allow the vehicle to drive itself.”

Member’s explanatory statement
This amendment requires the Government to provide regulatory guidance for when it is and is not appropriate for a person to allow an automated vehicle to drive itself.

Mr Steve Baker

1
★ Clause 4, page 3, line 12, leave out “operating system” and insert “software”

Member’s explanatory statement
This amendment replaces “operating system” which is too narrow a term. A vehicle may have
Vehicle Technology and Aviation Bill, continued

firmware which is software in non-volatile memory, an operating system which is software in volatile memory, and application software.

Andy McDonald
Richard Burden
Vicky Foxcroft

20

★ Clause 4, page 3, line 15, leave out “vehicle’s operating system” and insert “application software related to the vehicle’s automated function”.

Member’s explanatory statement

This amendment makes clear that insurance liability is limited or excluded where damage is suffered following an accident as a result of failure to update the application software related to the vehicle’s automated function, rather than the whole operating system.

Mr Steve Baker

2

★ Clause 4, page 3, line 15, leave out “’s operating system”

Member’s explanatory statement

See explanatory statement for amendment 1.

Mr Steve Baker

21

★ Clause 4, page 3, line 17, at end insert “, provided that the vehicle manufacturer has made all reasonable efforts to—

(i) notify the owner of a vehicle about the need for an update of the vehicle’s operating system,
(ii) provide the relevant update of the vehicle’s operating system to the owner or insured person, and
(iii) arrange for the installation and update of the vehicle’s operating system.”

Member’s explanatory statement

This amendment ensures that manufacturers have made all reasonable efforts to provide an update to the vehicle’s system for the owner before placing liability on the owner for not updating the software.

Mr Steve Baker

3

★ Clause 4, page 3, line 20, leave out “operating system” and insert “software”

Member’s explanatory statement

See explanatory statement for amendment 1.

Mr Steve Baker

4

★ Clause 4, page 3, line 23, after “install software updates” add “to the vehicle”

Mr Steve Baker

5

★ Clause 4, page 3, line 29, leave out “operating system” and insert “software”

Member’s explanatory statement

See explanatory statement for amendment 1.
Mr Steve Baker

★ Clause 4, page 3, line 32, leave out “‘s operating system”
   
   Member’s explanatory statement
   See explanatory statement for amendment 1.

Mr Steve Baker

★ Clause 4, page 3, line 39, leave out “operating system” and insert “software
   
   Member’s explanatory statement
   See explanatory statement for amendment 1.

Mr Steve Baker

★ Clause 7, page 5, line 31, at end insert “‘software” in relation to an insured vehicle, means those components of the vehicle’s computer system that are intangible rather than physical, however stored.”
   
   Member’s explanatory statement
   This amendment would add a definition of software.

Mr Steve Baker

★ Clause 8, page 6, line 5, leave out “electrical”
   
   Member’s explanatory statement
   This amendment would allow the Bill to cover hydrogen fuel used to power internal combustion engines.

Richard Burden
Andy McDonald
Vicky Foxcroft

★ Clause 9, page 6, line 33, at end insert—
   
   “(4) The Secretary of State must consult charge point operators and vehicle manufacturers on the prescribed requirements for connecting components (before regulations under subsection 9(1b) are made).”
   
   Member’s explanatory statement
   This amendment requires consultation with charge point operators and vehicle manufacturers on the requirements for connecting components for the charging of electric vehicles.
Vehicle Technology and Aviation Bill, continued

Richard Burden
Andy McDonald
Vicky Foxcroft

★ Clause 10, page 7, line 2, at end insert—

“(2A) Regulations under subsection (1) must provide exemptions for retailers and operators in instances where adhering to such regulations would—
(a) require an expansion of land, or
(b) result in any other disproportionate costs for retailers and operators.”

Member’s explanatory statement
This amendment ensures that there are exemptions for operators with limited forecourt space who are unable to accommodate public charging points without an expansion of land and that retailers and operators do not incur disproportionate costs for complying with regulations.

Richard Burden
Andy McDonald
Vicky Foxcroft

★ Clause 10, page 7, line 4, at end insert—

“(4) The Secretary of State must publish, in draft, the criteria and definition of “large fuel retailers” and “service area operators” at least six months before regulations under subsection 10(3) are made.”

Member’s explanatory statement
This amendment would require the Secretary of State to consult on and publish criteria to be used for the definitions of “large fuel retailers” and “service area operators”. This will make clear to the industry which kinds of companies are covered by these regulations.

Richard Burden
Andy McDonald
Vicky Foxcroft

★ Clause 12, page 7, line 38, after “security” insert “and provide safeguards against hacking”

Member’s explanatory statement
This amendment clarifies that smart charge points must have measures in place to safeguard against the risk of being hacked.

Richard Burden
Andy McDonald
Vicky Foxcroft

★ Clause 15, page 9, line 1, leave out from “consult” to end and insert—

“(a) the National Grid,
(b) large fuel retailers and service area operators as defined under section 10, and
Vehicle Technology and Aviation Bill, continued

(c) any other such persons as the Secretary of State considers appropriate.”

Member’s explanatory statement
This amendment would require the Secretary of State to consult specifically with the National Grid, large fuel retailers and service area operators before introducing regulations.

Richard Burden
Andy McDonald
Vicky Foxcroft

Mr Steve Baker

★ Clause 22, page 17, line 9, leave out “five” and insert “ten”

Member’s explanatory statement
This amendment would increase the maximum term of imprisonment from five years to 10 years for conviction on indictment for the offence of shining or directing a laser at a vehicle.

NEW CLAUSES

Sir Greg Knight

★ To move the following Clause—

“Automated vehicles and criminal liability
(1) Where a road traffic offence is committed by an automated vehicle which is driving itself, neither the owner of the vehicle nor the occupant who would be deemed to be in charge of the vehicle, shall be liable for the offence unless the following condition applies.
(2) The condition is that the owner or occupant of the vehicle knew, or ought reasonably to have known, before the journey began that an offence was likely to be committed.”

Sir Greg Knight

★ To move the following Clause—

“Access to driving log and recorded data
(1) The Secretary of State must set out in regulations a system for owning, recording, monitoring and accessing data produced by automated vehicles.
(2) These regulations must make provision for—
   (a) the format and content of the data recorded by automated vehicles,
   (b) how such data may be shared between interested parties, and
   (c) any limitation that should be placed on how that data can be shared or used.
(3) Where a statutory instrument contains the first regulations made under this section, the instrument may not be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.
(4) A statutory instrument containing regulation under this section, that is not the first such regulation made under this section, is subject to annulment in pursuance of a resolution of either House of Parliament.”

Richard Burden  
Andy McDonald  
Vicky Foxcroft

★ To move the following Clause—

“Strategy for encouraging uptake of electric vehicles

The Secretary of State must, within 12 months, lay a report before Parliament setting out a strategy to further encourage the uptake of electric vehicles in the United Kingdom.”

*Member’s explanatory statement*
This new clause would require the Secretary of State to bring forward a broader Government strategy to address the issue of encouraging the uptake of electric vehicles in the United Kingdom.

Richard Burden  
Andy McDonald  
Vicky Foxcroft

★ To move the following Clause—

“Air pollution and vehicle technology

The Secretary of State must, within 12 months, lay a report before Parliament setting out a strategy for using vehicle technologies, including electric vehicles, to contribute to meeting Government ambitions relating to air pollution and the UK’s climate change obligations.”

*Member’s explanatory statement*
This new clause would require the Secretary of State to bring forward a strategy for using vehicle technology to address the issue of air pollution in the UK.
Vehicle Technology and Aviation Bill, continued

Richard Burden
Andy McDonald
Vicky Foxcroft

NC5

★ To move the following Clause—

“Review of regulations in Part 2

(1) Within 12 months, and once in each 12 month period thereafter, the Secretary of State must lay a report before Parliament on the regulations made using powers granted in Part 2 of this Act.

(2) The report must consider—

(a) the effectiveness of the regulations,
(b) the impact the regulations are having on public charge point operators,
(c) the impact the regulations are having on fuel retailers,
(d) the impact the regulations are having on the National Grid, and
(e) how the regulations are impacting on the uptake of electric vehicles.”

Member’s explanatory statement

This new clause would require the Secretary of State to lay a report before Parliament each year assessing the effectiveness and impact of the regulations in Part 2.

Richard Burden
Andy McDonald
Vicky Foxcroft

NC6

★ To move the following Clause—

“Licensing and accreditation scheme for technicians working on automated and electric vehicles

(1) The Secretary of State must by regulations establish a scheme for the licensing and accreditation of technicians working on automated and electric vehicles.

(2) The scheme must include details of—

(a) which professional body will operate the licensing and accreditation of technicians,
(b) how the licensing and accreditation scheme will operate,
(c) a minimum level of training for technicians working on automated and electric vehicles, and
(d) how a list of accredited individuals will be prepared and kept up-to-date.

(3) In this section “working on automated and electric vehicles” includes isolating, inspecting, repairing and maintaining vehicles that are listed under section 1 of this Act.”

Member’s explanatory statement

This new clause would require the Government to bring forward regulations for technicians working on automated and electric vehicles in order to ensure they are properly trained, accredited and licensed to carry out that work. This would be regulated by a professional body who would operate a licensing scheme for those technicians.
Vehicle Technology and Aviation Bill, continued

Richard Burden
Andy McDonald
Vicky Foxcroft

★ To move the following Clause—

“Cyber Security and hacking of automated and electric vehicles

The Secretary of State must, within the next 12 months, consult with such persons as the Secretary of State considers appropriate on what steps will be required for the effective cyber security of automated and electric vehicles to protect those vehicles against hacking.”

Member’s explanatory statement
This new clause would require the Government to consult on the risks of automated and electric vehicles being hacked and to ensure that measures are in place to address this.

Andy McDonald
Richard Burden
Vicky Foxcroft

★ To move the following Clause—

“Consultation on the collection and use of data from automated and electric vehicles

The Secretary of State must consult with such persons as the Secretary of State considers appropriate on the collection and use of data from automated and electric vehicles. The consultation must address—

(a) who is responsible for collecting data from automated and electric vehicles and from any associated charging or network infrastructure used by such vehicles,
(b) how the data is shared between different parties, and
(c) any limitations on the use of such data.”

Member’s explanatory statement
This new clause would require the Government to consult on how that data should be handled, who should own the data and what it should be used for.
Vehicle Technology and Aviation Bill, continued

Andy McDonald
Richard Burden
Vicky Foxcroft

★ To move the following Clause—

“Updates to software and operation of automated vehicles

The Secretary of State must bring forward regulations to require that automated vehicles cannot operate in automated mode on public roads unless the application software relating to the vehicle’s automated function is up to date.”

Member’s explanatory statement

This new clause would require the Government to introduce regulations that require automated vehicles to be up to date in order for them to utilise automated functions on public roads.

________________________________________________________________________

Andy McDonald
Richard Burden
Vicky Foxcroft

★ To move the following Clause—

“Review of regulations in Part 1

(1) By September 2019, the Secretary of State must lay a report before Parliament on the regulations made using powers granted in Part 1 of this Act.

(2) The report must consider—

(a) the effectiveness of the regulations,
(b) the impact the regulations are having on the insurance industry,
(c) the impact the regulations are having on the cost of insurance premiums for automated vehicles,
(d) the number of instances of disagreement on liability between manufacturers and insurers, and
(e) how the regulations are impacting the uptake of automated vehicles.”

Member’s explanatory statement

This new clause would require the Government to lay a report before Parliament assessing the effectiveness and impact of the regulations in Part 1.

________________________________________________________________________

ORDER OF THE HOUSE [6 MARCH 2017]

That the following provisions shall apply to the Vehicle Technology and Aviation Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 23 March 2017.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.
Vehicle Technology and Aviation Bill, continued

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.