



House of Commons

Tuesday 31 October 2017

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 1 to 12 and NC1 to NC11

AUTOMATED AND ELECTRIC VEHICLES 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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 30 October (Standing Order No. 83C):

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 31 October) meet—
 - (a) at 2.00 pm on Tuesday 31 October;
 - (b) at 11.30 am and 2.00 pm on Thursday 2 November;
 - (c) at 9.25 am and 2.00 pm on Tuesday 14 November;
 - (d) at 11.30 am and 2.00 pm on Thursday 16 November;
- (2) the Committee shall hear oral evidence on Tuesday 31 October in accordance with the following Table:

TABLE

<i>Time</i>	<i>Witness</i>
Until no later than 10.30 am	Automated Driving Insurers Group; TRL; Association of British Insurers
Until no later than 11.00 am	Unite; ITF

Automated and Electric Vehicles Bill, *continued*

<i>Time</i>	<i>Witness</i>
Until no later than 11.25 am	Robert Llewelyn, presenter, Fully Charged
Until no later than 3.00 pm	Society of Motor Manufacturers and Traders; RAC Foundation; Petrol Retailers Association; Institute of the Motor Industry
Until no later than 3.45 pm	Quentin Willson, Journalist and TV presenter
Until no later than 4.15 pm	National Grid; UK Electrical Vehicle Supply Equipment Association; UK Power Network
Until no later than 5pm	TRL; FiveAI
(3)	proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 16; Schedule; Clauses 17 to 19; 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 16 November.

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.

Karl Turner

★ 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 itself without having to be monitored by an individual.

Automated and Electric Vehicles Bill, continued

- (1B) The Secretary of State may not change the criteria without consulting 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.

Clive Efford

8

- ★ Clause 1, page 1, line 10, at end insert—

“(1A) The Secretary of State may only add a vehicle to the list if the Secretary of State is satisfied that the vehicle’s software has been approved for safe use on roads or in other public places in Great Britain.”

Member’s explanatory statement

This amendment would ensure that vehicles cannot be listed as automated vehicles by the Secretary of State unless he or she is satisfied that the vehicle’s software has been through an approval process (see NC11).

Clive Efford

9

- ★ Clause 2, page 1, line 22, at end insert—

“or by an automated vehicle when transitioning between driving itself and being driven by a person,”

Member’s explanatory statement

This amendment would ensure that the liability for accidents caused by an automated vehicle that is transitioning between driving itself and being driven by a person would be the same as the liability for accidents caused by an automated vehicle when driving itself.

Clive Efford

10

- ★ Clause 2, page 2, line 6, at end insert—

“or by an automated vehicle when transitioning between driving itself and being driven by a person,”

Member’s explanatory statement

This amendment would ensure that the liability for accidents caused by an automated vehicle that is transitioning between driving itself and being driven by a person would be the same as the liability for accidents caused by an automated vehicle when driving itself.

 Automated and Electric Vehicles Bill, *continued*

Karl Turner

2

★ Clause 3, page 3, line 4, 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.

Alan Brown

11

★ Clause 4, page 3, line 13, 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 would ensure the manufacturer has made every possible effort to inform the owner of the vehicle that a software update is needed before liability is passed to the owner.

Alan Brown

12

★ Clause 4, page 3, line 36, at end insert—

“(7) The Secretary of State must by regulations establish a system by which an automated vehicle may only be approved for driving itself on public roads if all application software is up to date.”

Member’s explanatory statement

This amendment would require the Government to introduce regulations to establish a system that requires automated vehicle software to be up to date in order for them to utilise automated functions on public roads.

Karl Turner

3

★ Clause 9, page 6, line 22, 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(1)(b) 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.

Automated and Electric Vehicles Bill, continued

Karl Turner

4

- ★ Clause 10, page 6, line 34, 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.

Karl Turner

5

- ★ Clause 10, page 6, line 36, 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.

Karl Turner

6

- ★ Clause 12, page 7, line 29, 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.

Karl Turner

7

- ★ Clause 15, page 8, line 33, 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

(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.

Automated and Electric Vehicles Bill, *continued*

Karl Turner

NC1

- ★ 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.”
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Karl Turner

NC2

- ★ 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.”
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Automated and Electric Vehicles Bill, continued

Karl Turner

NC3

- ★ 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.

Karl Turner

NC4

- ★ 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.

Karl Turner

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,

Automated and Electric Vehicles Bill, *continued*

- (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.

Karl Turner

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.

Karl Turner

NC7

- ★ To move the following Clause—

“Cyber Security and hacking of automated and electric vehicle

The Secretary of State must, within 12 months of this Act receiving Royal Assent, 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.

Automated and Electric Vehicles Bill, continued

Karl Turner

NC8

- ★ 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.

Karl Turner

NC9

- ★ 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.

Karl Turner

NC10

- ★ To move the following Clause—

“Review of Part 1

- (1) By September 2019, the Secretary of State must lay a report before Parliament assessing the effectiveness of the system for defining and insuring automated vehicles introduced by Part 1 of this Act.
- (2) The report must consider—
 - (a) the impact on the insurance industry,
 - (b) the impact on the cost of insurance premiums for automated vehicles,
 - (c) the impact on the uptake of automated vehicles, and

Automated and Electric Vehicles Bill, continued

- (d) the levels of disagreement between manufacturers and insurers on liability.”

Member’s explanatory statement

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

Clive Efford

NC11

- ★ To move the following Clause—

“Approval of automated vehicle software

- (1) The Secretary of State must set out in regulations a system for approving automated vehicle software.
- (2) These regulations must, in particular, make provision for—
 - (a) the criteria to be used in the approval process to determine whether automated vehicle software is safe for use on roads or other public places in Great Britain, including, but not limited to the way in which the vehicle is programmed to—
 - (i) deal with moral judgements, and
 - (ii) transition between driving itself and being driven by a person.
 - (b) the process by which manufacturers of automated vehicles may apply for software approval, including, but not limited to, any inspection and testing that the vehicle may be required to undergo, and
 - (c) the process by which manufacturers of automated vehicles may appeal if their software is not approved.
- (3) In this section, a “moral judgement” refers to any situation where an automated vehicle has, and makes, a choice of action during an accident while the vehicle is driving itself.
- (4) In this section and section 2, the definition of transition of an automated vehicle “between driving itself and being driven by a person” may be set out by the Secretary of State in regulations.
- (5) 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.
- (6) 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.”

Member’s explanatory statement

This new clause would require the Government to establish a system for approving automated vehicle software. The approval process would include an opportunity for manufacturers to appeal against a failed approval process. Criteria for approval would include consideration of the way in which the vehicle was programmed to deal with moral judgements.

Automated and Electric Vehicles Bill, *continued*

ORDER OF THE HOUSE [23 OCTOBER 2017]

That the following provisions shall apply to the Automated and Electric Vehicles 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 16 November.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and on 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 may be programmed.
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