



House of Commons

Thursday 16 November 2017

PUBLIC BILL COMMITTEE PROCEEDINGS

AUTOMATED AND ELECTRIC VEHICLES BILL

[FIRST TO EIGHTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

FIRST AND SECOND SITTINGS

Mr John Hayes

Agreed to

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:

Automated and Electric Vehicles Bill, *continued*

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
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 5.00 pm	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

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

Agreed to

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.

Agreed to

Automated and Electric Vehicles Bill, *continued*

THIRD AND FOURTH SITTINGS

Karl Turner

Negated on division 1

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.

(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.”

Clive Efford

Not called 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.”

Clause agreed to.

Clive Efford

Withdrawn after debate 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,”

Clive Efford

Not called 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,”

Clause agreed to.

Karl Turner

Withdrawn after debate 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.”

Clause agreed to.

Automated and Electric Vehicles Bill, *continued*

FIFTH AND SIXTH SITTINGS

Alan Brown

Negatived on division **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.”

Alan Brown

Not called **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.”

Clause agreed to.

Clause 5 agreed to.

Clause 6 agreed to.

Karl Turner
Vicky Foxcroft

Withdrawn after debate **14**

Clause 7, page 5, line 15, at end insert—

“(c) an automated vehicle may be listed, under section 1, as being capable of driving itself “safely” if the vehicle is designed and manufactured to be—

- (i) capable of driving itself in a manner unlikely to cause damage to the automated vehicle or another vehicle, or injury to a person, on the road or surrounding area, and
- (ii) protected from hacking risks that the manufacturer knew, or ought reasonably to have known, are likely to cause damage to the automated vehicle or another vehicle, or injury to a person, on the road or surrounding area (see section (Cyber security and hacking of automated vehicles)).”

Clause agreed to.

Clause 8 agreed to.

Automated and Electric Vehicles Bill, *continued*

Karl Turner
Vicky Foxcroft

Withdrawn after debate 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 (1)(b) are made).”

Clause agreed to.

Karl Turner
Vicky Foxcroft

Withdrawn after debate 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.”

Karl Turner
Vicky Foxcroft

Not called 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.”

Clause agreed to.

Clause 11 agreed to.

Karl Turner
Vicky Foxcroft

Withdrawn after debate 6

Clause 12, page 7, line 29, after “security” insert “and provide safeguards against hacking”

Clause agreed to.

Clause 13 agreed to.

Clause 14 agreed to.

Automated and Electric Vehicles Bill, *continued*

Karl Turner
Vicky Foxcroft

Withdrawn after debate 7

- Clause 15, page 8, line 32, 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.”

Alan Brown

Not called 13

- Clause 15, page 9, line 33, at end insert—
- “(3A) Before making regulations under this Part, the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views.”

Clause agreed to.

SEVENTH AND EIGHTH SITTINGS

Clause 16 agreed to.

Schedule agreed to.

Clause 17 agreed to.

Clause 18 agreed to.

Clause 19 agreed to.

NEW CLAUSES

Karl Turner
Vicky Foxcroft

Not called 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.”
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Automated and Electric Vehicles Bill, *continued*

Karl Turner
Vicky Foxcroft

Not called 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.”

Karl Turner
Vicky Foxcroft

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

Clive Efford

Not called 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

Automated and Electric Vehicles Bill, *continued*

- (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.”

Alan Brown

Withdrawn after debate **NC12**

To move the following Clause—

“Review of impact of Part 2

- (1) The Secretary of State must, within 12 months of this Act receiving Royal Assent, lay a report before Parliament setting out the impact of regulations made under Part 2 on—
 - (a) the number and location of charge points in the United Kingdom,
 - (b) the resulting uptake of electric vehicles in the United Kingdom, and
 - (c) the manufacturing of electric vehicles in the United Kingdom.
- (2) Before exercising their duties under subsection (1), the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views.”

Alan Brown

Withdrawn after debate **NC13**

To move the following Clause—

“Report on electric charging points

- (1) The Secretary of State must, within 12 months of this Act receiving Royal Assent, lay a report before Parliament setting out a UK-wide electric charging point strategy that must include, but is not limited to, a strategy for establishing charging points for —
 - (a) domestic properties,
 - (b) urban and rural settlements, and
 - (c) the road network.

Automated and Electric Vehicles Bill, *continued*

- (2) Before exercising their duties under subsection (1), the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views.”
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Alan Brown

Withdrawn after debate NC14

To move the following Clause—

“Report on impact of electric vehicle charging points on energy consumption

- (1) The Secretary of State must, within 12 months of this Act receiving Royal Assent, lay a report before Parliament on the impact of charging points on—
- (a) energy consumption,
 - (b) grid management, and
 - (c) grid storage capacity.
- (2) Before exercising their duties under subsection (1), the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views.
- (3) As well as consulting those in subsection (2) the Secretary of State must consult with—
- (a) the National Grid, and
 - (b) any other such persons as the Secretary of State considers appropriate.”
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Clive Efford

Withdrawn after debate NC15

To move the following Clause—

“Liability of insurers etc where accident is caused by automated vehicles in convoy

- (1) That the Secretary of State must set out in regulations liability for insurers and other parties where an accident is caused by automated vehicles driving themselves in convoy.
- (2) These regulations must make provision for—
- (a) a definition of automated vehicles driving themselves in convoy,
 - (b) determining liability of insurers and automated vehicle owners in cases where—
 - (i) the automated vehicles travelling in convoy are insured, including where the vehicles may be insured by different companies;
 - (ii) one or more of the automated vehicles driving in convoy are not insured.
 - (c) resolving liability disputes where automated vehicles are driving in convoy,
 - (d) ensuring any compensation received by the injured party in such accidents is not delayed by liability disputes.

Automated and Electric Vehicles Bill, *continued*

- (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 resolution of the House.
- (4) A statutory instrument containing regulation under this section that is not the first such regulation made under this section, is subject to an annulment in pursuance of a resolution of either House of Parliament.”

Karl Turner
Vicky Foxcroft

Withdrawn after debate NC16

To move the following Clause—

“Sharing of data to resolve liability disputes

- (1) Where an accident occurs under sections 2, 3 or 4, the insurer and other interested parties have the right to acquire data from the automated vehicle for the purpose of determining the extent of liability.
- (2) The Secretary of State must set out in regulations a system for handling and sharing data generated in respect of accidents involving automated vehicles.
- (3) These regulations must make provision for—
 - (a) the format and content of the data recorded by automated vehicles,
 - (b) identifying who is responsible for data collection,
 - (c) identifying which interested parties have the right to acquire data from the automated vehicle,
 - (d) how such data may be acquired by the insurer and other interested parties, and
 - (e) any limitation that should be placed on how that data can be shared or used.
- (4) Prior to making regulations under this section, the Secretary of State must consult with such persons as the Secretary of State considers appropriate.
- (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 regulations under this section, that is not the first such instrument made under this section, is subject to annulment in pursuance of a resolution of either House of Parliament.”

Karl Turner
Vicky Foxcroft

Withdrawn after debate NC17

To move the following Clause—

“Accident resulting from unauthorised inspection, repair or maintenance of automated vehicle

- (1) An insurance policy in respect of an automated vehicle may exclude or limit the insurer’s liability under section 2(1) for damage suffered by an insured person arising from an accident occurring as a direct result of unauthorised inspection,

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- repair or maintenance of the automated vehicle, made by the insured person, or with the insured person's knowledge, that are prohibited under the policy.
- (2) But as regards liability for damage suffered by an insured person who is not the holder of the policy, subsection (1) applies only in relation to unauthorised inspection, repair or maintenance of the automated vehicle which, at the time of the accident, the person knows are prohibited under the policy.
 - (3) Subsection (4) applies where an amount is paid by an insurer under section 2(1) in respect of damage suffered, as a result of an accident, by someone who is not insured under the policy in question.
 - (4) If the accident occurred as a direct result of unauthorised inspection, repair or maintenance of the automated vehicle, made by the insured person, or with the insured person's knowledge, that are prohibited under the policy, the amount paid by the insurer is recoverable from that person to the extent provided for by the policy.
 - (5) But as regards recovery from an insured person who is not the holder of the policy, subsection (4) applies only in relation to unauthorised inspection, repair or maintenance of the automated vehicle which, at the time of the accident, the person knew were prohibited under the policy.
 - (6) For the purposes of this section the Secretary of State must by regulations establish a scheme for authorised inspection, repair and maintenance of automated vehicles by licensed and accredited technicians.
 - (7) 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 listed automated vehicles, and
 - (d) how a list of accredited individuals will be prepared and kept up-to-date.
 - (8) Prior to making regulations under this section, the Secretary of State must consult with such persons as the Secretary of State considers appropriate.
 - (9) 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.
 - (10) A statutory instrument containing regulations under this section, that is not the first such instrument made under this section, is subject to annulment in pursuance of a resolution of either House of Parliament.”
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Karl Turner
Vicky Foxcroft

Not called NC18

To move the following Clause—

“Cyber Security and hacking of automated vehicles

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

Automated and Electric Vehicles Bill, *continued*

steps will be required for the effective cyber security of automated vehicles listed under section 1 to protect those vehicles against accidents caused by hacking.”

Karl Turner
Vicky Foxcroft

Not called **NC19**

To move the following Clause—

“Cyber Security and hacking of electric vehicle charge points

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 electric vehicle charge points to protect those charge points against hacking.”

Karl Turner
Vicky Foxcroft

Withdrawn after debate **NC20**

To move the following Clause—

“Consultation on the collection and use of data from electric vehicle charging points and smart charge points

The Secretary of State must consult with such persons as the Secretary of State considers appropriate on the collection and use of data from electric vehicle charging points and smart charge points. The consultation must address—

- (a) who is responsible for collecting the data from 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.”

Bill to be reported without amendment.
