

LORDS AMENDMENTS TO THE
AUTOMATED AND ELECTRIC VEHICLES BILL

[The page and line references are to HL Bill 82, the bill as first printed for the Lords]

Clause 1

- 1 Page 1, line 6, leave out paragraph (a)
- 2 Page 1, line 10, at end insert “, and
() may lawfully be used when driving themselves, in at least some circumstances or situations, on roads or other public places in Great Britain.”

Clause 2

- 3 Page 1, line 22, after “itself” insert “on a road or other public place in Great Britain”
- 4 Page 2, line 6, after “itself” insert “on a road or other public place in Great Britain”

After Clause 6

- 5 Insert the following new Clause –
- “Report by Secretary of State on operation of this Part**
- (1) The Secretary of State must prepare a report assessing –
- (a) the impact and effectiveness of section 1;
 - (b) the extent to which the provisions of this Part ensure that appropriate insurance or other arrangements are made in respect of vehicles that are capable of safely driving themselves.
- (2) The report must be laid before Parliament no later than two years after the first publication of the list under section 1.”

Clause 7

- 6 Page 5, line 22, at end insert—
“road” has the same meaning as in the Road Traffic Act 1988 (see section 192(1) of that Act).”

Clause 8

- 7 Page 5, line 39, after “charging” insert “or refuelling”
8 Page 5, line 42, after “charging” insert “or refuelling”

Clause 9

- 9 Page 6, line 5, after “charging” insert “or refuelling”
10 Page 6, line 8, after “charging” insert “or refuelling”
11 Page 6, line 8, at end insert—
“(aa) performance, maintenance and availability of public charging or refuelling points;”
12 Page 6, line 9, after “charging” insert “or refuelling”
13 Page 6, line 13, after “charging” insert “or refuelling”
14 Page 6, line 18, at end insert—
“(2A) Regulations under subsection (1)(aa) may, for example, require the operator of a public charging or refuelling point to ensure that the point complies with prescribed requirements (which may include technical specifications).”
15 Page 6, line 20, after “charging” insert “or refuelling”

Clause 10

- 16 Page 6, line 27, after “charging” insert “or refuelling”
17 Page 6, line 30, after “charging” insert “or refuelling”
18 Page 6, line 31, after “charging” insert “or refuelling”
19 Page 6, line 34, after “charging” insert “or refuelling”

After Clause 10

- 20 Insert the following new Clause—
“Duty to consider making regulations under section 10 on request by elected mayor
(1) The Secretary of State must consider making section 10(1)(a) regulations in relation to the whole or part of a relevant area if—
(a) the mayor for the relevant area makes a request for such regulations to be made,
(b) conditions 1 to 3 are met, and
(c) the Secretary of State considers that the mayor has complied with any prescribed requirements before making the request.

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- (2) “Section 10(1)(a) regulations” means regulations under section 10(1) that impose requirements on large fuel retailers within section 10(1)(a).
- (3) Condition 1 is that the Secretary of State is satisfied that, before making the request, the mayor –
- (a) published proposals for section 10(1)(a) regulations to be made in relation to the whole or part of the relevant area, and
 - (b) consulted –
 - (i) each local authority any part of whose area falls within the relevant area or, if the request relates to part of the relevant area, within that part,
 - (ii) persons who would be likely to be subject to requirements under the regulations (if made), and
 - (iii) such other persons as the mayor considers appropriate, in relation to the published proposals.
- (4) Condition 2 is that the mayor has given the Secretary of State a summary of the responses to the consultation referred to in subsection (3)(b).
- (5) Condition 3 is that regulations have been made under section 10(3) in relation to the meaning of “large fuel retailer”.
- (6) If the Secretary of State decides not to make section 10(1)(a) regulations in response to the mayor’s request, the Secretary of State must notify the mayor of the decision and the reasons for it.
- (7) For the purposes of this section –
- (a) “relevant area” means the area of a combined authority or Greater London;
 - (b) the mayor for a relevant area is –
 - (i) in the case of the area of a combined authority, the mayor for the area elected in accordance with section 107A(2) of the 2009 Act;
 - (ii) in the case of Greater London, the Mayor of London.
- (8) In this section –
- “the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;
- “combined authority” means a combined authority established under section 103(1) of the 2009 Act;
- “large fuel retailer” has the same meaning as in section 10;
- “local authority” means –
- (a) a district council,
 - (b) a county council, or
 - (c) a London borough council.”

Clause 11

21 Page 6, line 38, after “charging” insert “or refuelling”

22 Page 6, line 41, after “charging” insert “or refuelling”

Clause 12

- 23 Page 7, line 25, leave out “public charging points” and insert “provided for use by members of the general public”
- 24 Page 7, line 26, leave out “public charging points” and insert “provided as mentioned in paragraph (a)”
- 25 Page 7, line 27, at end insert “(subject to subsection (3A)).”
- 26 Page 7, line 27, at end insert –
 “(3A) Regulations under subsection (1) may not impose requirements on owners or occupiers of domestic premises.”

Clause 16

- 27 Page 9, line 17, at end insert –
 “(4A) Where –
 (a) a statutory instrument contains regulations under section 10 (large fuel retailers etc), and
 (b) the regulations amend the definition of “large fuel retailer” or “service area operator”,
 the instrument containing the regulations may not be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.”
- 28 Page 9, line 19, leave out “are the” and insert “are –
 (a) the”
- 29 Page 9, line 19, leave out “Part, is” and insert “Part, or
 (b) regulations to which subsection (4A) applies,
 is”
- 30 Page 9, line 22, leave out paragraph (a) and insert –
 “() section 9(2A) or (3) (prescribed requirements for public charging or refuelling points or for connecting components), or”
- 31 Page 9, line 25, at end insert –
 “(8) If a draft of a statutory instrument containing relevant section 10(1) regulations would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.
 (9) In subsection (8) “relevant section 10(1) regulations” means regulations under section 10(1) that are made pursuant to section (*Duty to consider making regulations on request by elected mayor*).”

After Clause 16

- 32 Insert the following new Clause –
“Report by Secretary of State on operation of this Part
 (1) The Secretary of State must, in respect of each reporting period, prepare a report assessing –
 (a) the impact and effectiveness of regulations made under this Part;

- (b) the need for regulations to be made under this Part during subsequent reporting periods.
- (2) Each report must be laid before Parliament after the end of the reporting period to which it relates.
- (3) The first reporting period is the period of two years beginning with the day on which this Act is passed.
- (4) Each subsequent period of 12 months after the first reporting period is a reporting period.”

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AUTOMATED AND ELECTRIC
VEHICLES BILL

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