

Automated and Electric Vehicles Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

BARONESS RANDERSON

- 1 Page 1, line 6, at end insert “including vehicles manufactured and purchased outside Great Britain,”
- 2★ Page 1, line 8, leave out paragraph (b) and insert –
“(b) meet the conditions listed in levels 4 and 5 of SAE International’s levels of driving automation.”
- 3 Page 1, line 8, leave out “or adapted”
- LORD BORWICK
- 4★ Page 1, line 9, leave out “, in at least some circumstances or situations,”
- 5★ Page 1, line 9, leave out “safely”
- 6★ Page 1, line 10, at end insert “at the time at which the list is made or updated”
- 7★ Page 1, line 10, at end insert “, and which are designed to perform safety-critical driving functions and to monitor roadway conditions in any scenario where otherwise a human would be required to be in control of the vehicle.”

Clause 1 - continued

LORD TUNNICLIFFE
BARONESS WORTHINGTON

8 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 under subsection (1A) until they have consulted vehicle manufacturers, insurers and other such persons as the Secretary of State considers appropriate.”

LORD BORWICK

9★ Page 1, line 17, leave out “must” and insert “may”

After Clause 1

LORD LUCAS
BARONESS WORTHINGTON

10 Insert the following new Clause –

“Standards for automated vehicles

- (1) The Secretary of State may by regulations require all, or any description of, automated vehicles to comply with standards or regulations as a condition of being listed under section 1.
- (2) Before issuing such regulations the Secretary of State may consult such persons as he or she thinks appropriate.
- (3) Standards may in particular –
 - (a) require the acquisition, retention and sharing of data;
 - (b) specify the capability, characteristics and use of software and of communication systems;
 - (c) require automated vehicles to observe restrictions when driving themselves, which may vary according to the environment in which they are driving or in accordance with local byelaws;
 - (d) require automated vehicles to be aware of whether their software is up to date and in accordance with manufacturers’ specifications, and to act in specified ways if this is not so;
 - (e) provide for the method of transfer of control from an automated vehicle to a human driver, and in particular for evidence of transfer, evidence of identity or evidence of a current driving licence or insurance or both, together with necessary data transfers.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

After Clause 1 - continued

LORD CRAIG OF RADLEY

11 Insert the following new Clause—**“Safety standards for automated vehicles**

The Secretary of State must by regulation specify safety standards, including MOT requirements, which must be met by any automated vehicle listed under section 1 before such a vehicle is insured for on road use.”

LORD BORWICK

12★ Insert the following new Clause—**“Duty to notify the Secretary of State**

- (1) Any person, including any manufacturer, registered keeper or owner, who manufactures any new motor vehicle or retrofits or modifies any existing motor vehicle such that it could fall within the definition under section 1(1), must give written notice to the Secretary of State at least 3 months prior to either—
 - (a) the offer for sale of that vehicle within the United Kingdom, or
 - (b) the use of any such vehicle on roads or public places in the United Kingdom.
- (2) A written notice under subsection (1) must include—
 - (a) the name, make and model of the vehicle,
 - (b) the engine capacity and top speed of the vehicle,
 - (c) the date upon which the vehicle will first be used on roads or public places, and
 - (d) whether the vehicle is going to be for sale or provided as a service, and the date upon which the vehicle is intended to be first sold or provided as a service.
- (3) On receipt of a notice under this section, the Secretary of State must decide whether to revise the list under section 1 to include the vehicle, and must notify the manufacturer or registered owner or keeper of their decision.
- (4) The Secretary of State may require any such person who fails to comply with subsection (1) to pay a fine.
- (5) The Secretary of State must by regulations made by statutory instrument specify the period within which notice must be given by specified classes of person and the maximum fine under subsection (4).
- (6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, both Houses of Parliament.”

Clause 2

LORD BORWICK

13★ Page 1, line 22, leave out paragraphs (a) and (b) and insert—

“(a) damage is caused by an automated vehicle when driving itself,

Clause 2 - continued

(b) the vehicle that caused the damage is insured at the time of the accident, and”

- 14★ Page 2, line 6, leave out paragraph (a) and insert –
 “(a) damage is caused by an automated vehicle in an accident when driving itself,”
- 15★ Page 2, line 14, leave out paragraph (d) and insert –
 “(d) damage is caused to a person,”
- 16★ Page 2, line 15, leave out “that damage” and insert “the damage caused by the accident.”

BARONESS RANDESON
 LORD BORWICK

- 17★ Page 2, line 24, at end insert –
 “() Subject to the liability of other road users for damage caused in a road accident as set out in subsection (7) below, in this Part an accident is “caused” by an automated vehicle when driving itself where the driving behaviour of that vehicle has fallen below the standard of a reasonable motorist in similar circumstances and that driving behaviour has caused the accident.”

LORD BORWICK

- 18★ Page 2, line 34, after “the” insert “damage caused by the”

Clause 3

LORD BORWICK

- 19★ Page 3, line 3, after “begin” insert “or continue”
- 20★ Page 3, line 4, leave out “not appropriate” and insert “avoidable and unreasonable”

LORD TUNNICLIFFE

- 21 Page 3, line 4, at end insert –
 “() 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 4

LORD LUCAS
 BARONESS WORTHINGTON

- 22 Page 3, line 7, at beginning insert –
 “(A1) An insurer may not insure an automated vehicle unless it is satisfied that –

Clause 4 - continued

- (a) the vehicle meets the standard specified in regulations for the purposes of subsection (3)(d) of section (*Standards for automated vehicles*);
- (b) the vehicle's owner has stated that—
 - (i) their vehicle meets, on an on-going basis, the standard specified in regulations for the purposes of subsection (3)(d) of section (*Standards for automated vehicles*); and
 - (ii) they understand the implications of subsection (1) of this section for their insurance policy.”

LORD BORWICK

23★ Page 3, line 12, leave out paragraph (b) and insert—

- “(b) the manufacturer of the automated vehicle (or owner or registered keeper retrofitting or modifying the vehicle to become an automated vehicle) failing to ensure that latest safety-critical software was automatically installed before that vehicle was moved from a parked and deactivated position.”

24★ Page 3, line 21, leave out “accident occurred” and insert “damage was caused”

LORD TUNNICLIFFE

25 Page 3, line 30, at end insert—

- “() In all cases under subsection (3) the amount is to be paid by the insurer to the party who has suffered damage and afterwards recovered from the insured person.”

After Clause 4

LORD LUCAS

BARONESS WORTHINGTON

26 Insert the following new Clause—

“Right of insurer to data and control

- (1) An insurer may require, as a condition of insurance, that an automated vehicle transmits to the insurer when requested, at specified intervals or in real time, such data as the insurer may specify.
- (2) An insurer may require, as a condition of insurance, that an automated vehicle behaves in a fashion specified by the insurer on receipt of electronic instructions from the insurer.”

LORD BORWICK

27★ Insert the following new Clause—

“Offence: deleting data after a road traffic accident

- (1) It is an offence for data stored in an automated vehicle to be deleted following a road traffic accident before the status of the software has been determined for the purposes of this Part of this Act.

After Clause 4 - continued

- (2) It is a defence for a person to prove that the data was not deleted with the intent of perverting the course of justice.
- (3) A person guilty of an offence under this section is liable on summary conviction—
 - (a) in England and Wales, to imprisonment for a term not exceeding 24 months;
 - (b) in Scotland, to imprisonment for a term not exceeding 24 months;
 - (c) in Northern Ireland, to imprisonment for a term not exceeding 24 months.”

After Clause 5

LORD TUNNICLIFFE

28 Insert the following new Clause—

“Updates to software and operation of automated vehicles

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

29 Insert the following new 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, repair or maintenance of the automated vehicle, made by the insured person, or with the insured person’s knowledge, that is 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 is 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 is 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 knows is prohibited under the policy.

After Clause 5 - continued

- (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 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.”

After Clause 6

LORD BORWICK

30★ Insert the following new Clause—

“Regulations

- (1) The Secretary of State may by regulations make such provision as the Secretary of State considers appropriate in consequence of this Part of this Act.
- (2) The power to make regulations under subsection (1) may (among other things) be exercised by modifying any provision under this Act.
- (3) But regulations under this section may not—
 - (a) impose or increase taxation or fees,
 - (b) make retrospective provision, or
 - (c) create a criminal offence.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, both Houses of Parliament.”

Clause 7

LORD BORWICK

31★ Page 5, line 11, leave out “being controlled” and insert “under the direct manual or remote control of a person in charge of the vehicle”

Clause 7 - continued

- 32★ Page 5, line 11, leave out “an individual” and insert “that person for a continuous period of time when the vehicle is driving itself”

LORD TUNNICLIFFE

- 33 Page 5, line 15, at end insert –
- “() 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.”

LORD BORWICK

- 34★ Page 5, line 15, at end insert –
- “() a vehicle is being “monitored” by a person in charge of that vehicle when that person is positioned nearest to the steering wheel or manual control mechanisms in order to manually or remotely control that vehicle and that person is actively focused upon the driving behaviour of the vehicle, the road and other road users.”

- 35★ Page 5, line 22, at end insert –
- ““roads” has the same meaning as in section 192(1) of the Road Traffic Act 1988 (general interpretation) and section 151(1) of the Roads (Scotland) Act 1984 (interpretation).”

After Clause 7

LORD TUNNICLIFFE

- 36 Insert the following new 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.”

Clause 8

BARONESS RANDERSON
BARONESS WORTHINGTON

37 Page 5, line 39, after “charging” insert “or refuelling”

LORD LUCAS

38 Page 5, line 40, at end insert “, complies with regulations under section 13, and is available to them without hindrance, or priority being given to private users, for at least 600 hours per year”

BARONESS WORTHINGTON
LORD BERKELEY

39★ Page 5, line 40, at end insert –

- “() “electric vehicle” means a motor vehicle equipped with a powertrain containing at least one non-peripheral electric machine as energy converter, with an electric rechargeable energy storage system which can be recharged externally;
- () “zero-emission vehicle” means a motor vehicle that has no tailpipe emissions of CO₂, hydrocarbons or carbon monoxide.”

Clause 9

BARONESS WORTHINGTON

40 Page 6, line 5, leave out “may” and insert “must”

BARONESS RANDERSON
BARONESS WORTHINGTON

41 Page 6, line 5, after “charging” insert “or refuelling”

42 Page 6, line 8, after “charging” insert “or refuelling”

43 Page 6, line 9, after “charging” insert “or refuelling”

LORD BROOKE OF ALVERTHORPE
LORD BROERS

BARONESS RANDERSON
BARONESS WORTHINGTON

44 Page 6, line 10, at end insert –

- “() performance standards for public charging points;
- () procedures to be put in place to repair faulty public charging points.”

BARONESS RANDERSON
BARONESS WORTHINGTON

45 Page 6, line 13, after “charging” insert “or refuelling”

BARONESS RANDERSON

46 Page 6, line 13, at end insert “, which must include the use of contactless payment”

Clause 9 - continued

LORD BROOKE OF ALVERTHORPE
LORD BROERS
BARONESS WORTHINGTON

- 47 Page 6, line 18, after “person” insert “or to take certain steps in relation to repairing a faulty charging point”

LORD LUCAS
BARONESS WORTHINGTON

- 48 Page 6, line 18, at end insert—
“() to take prescribed steps to ensure efficient queuing at charge points, including preventing vehicles which have completed charging at a charge point from delaying access for other vehicles.”

BARONESS RANDERSON
BARONESS WORTHINGTON

- 49 Page 6, line 20, after “charging” insert “or refuelling”

LORD BERKELEY

- 50 Page 6, line 22, at end insert—
“() The Secretary of State, when making regulations under subsection (1), must have regard to the desirability of encouraging and facilitating innovation, customer choice and competition in the public charging points market.”

LORD LUCAS

- 51 Page 6, line 22, at end insert—
“() Installation of a public charge point is in all circumstances a permitted development on private land, or strategic infrastructure on public land.
() The provision of a connection between such charge points and an adequate supply of electricity is in all circumstances a permitted development, and associated wayleaves must be granted.”

LORD TUNNICLIFFE
BARONESS WORTHINGTON

- 52 Page 6, line 22, at end insert—
“() Before making regulations under subsection (1)(b), the Secretary of State must consult charge point operators and vehicle manufacturers on the prescribed requirements for connecting components.”

BARONESS RANDERSON

- 53★ Page 6, line 22, at end insert—
“() Regulations may prohibit the removal of public charging or refuelling points unless the appropriate permission is obtained from the relevant local authority.”

Clause 9 - continued

LORD BORWICK

54★ Page 6, line 22, at end insert –

- “() If, within two years of this section commencing and in the opinion of the Secretary of State, the number of charging points available on local authority controlled roads is insufficient, the Secretary of State may make regulations to authorise the Mayor of London or an elected mayor of a combined authority to install charging points subject only to local planning laws and regulations.”

After Clause 9

BARONESS RANDEKSON

55 Insert the following new Clause –

“Report on the installation and use of public charging or refuelling points and the effectiveness of current incentive schemes

- (1) The Secretary of State must commission a review of the current schemes available to local authorities, individuals and any other relevant parties to encourage the installation and use of public charging or refuelling points.
- (2) The review must determine whether further steps are necessary to encourage the installation and use of public charging or refuelling points, and if so what those steps could be.
- (3) The Secretary of State must lay the report of the review under subsection (1) before each House of Parliament within six months of this Act coming into force.”

56 Insert the following new Clause –

“Report on the impact of the provisions in this Act on the development of the hydrogen fuel cell vehicle market

- (1) The Secretary of State must commission a review of the impact of the provisions in this Act on the development of the hydrogen fuel cell vehicle market.
- (2) The Secretary of State must lay the report of the review under subsection (1) before each House of Parliament within 12 months of this Act coming into force.”

BARONESS WORTHINGTON
LORD BERKELEY

57 Insert the following new Clause –

“Permitted development and charging infrastructure rights

- (1) Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015/596) is amended as follows –
 - (a) in Part 2, Minor operations, Class D – electrical outlet for recharging vehicles –
 - (i) at end of Permitted development D, insert “and its associated infrastructure and maintenance”,

After Clause 9 - continued

- (ii) leave out paragraph (b) (“face onto and be within 2 metres of a highway”) of Development not permitted D.1;
- (b) in Part 2, Minor operations, Class E – electrical upstand for recharging vehicles –
 - (i) at end of Permitted development E, insert “and its associated infrastructure and maintenance”,
 - (ii) leave out paragraph (a) (“exceed 1.6 metres in height from the level of the surface used for the parking of vehicles”) of Development not permitted E.1,
 - (iii) leave out paragraph (b) (“be within 2 metres of a highway”) of Development not permitted E.1.
- (2) “Associated infrastructure” includes an adequate supply of electricity and works required in connection with the operation of any service administered by a charge point operator in accordance with regulations made under the Automated and Electric Vehicles Act 2018.
- (3) Transport for London is to be treated as a local authority for the purposes of Part 12 of Schedule 2 (permitted development rights) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015/596) but only in respect of electric vehicle charging points and any associated infrastructure.
- (4) Section 16 of the London Local Authorities and Transport for London Act 2013 is amended as follows –
 - (a) in subsections (1)(a) and (2)(a) after “authority” insert “or in the case of Transport for London, in any public off-street car park in Greater London under the management and control of an authority”,
 - (b) in subsections (1)(b) and (2)(b) after “authority” insert “or in the case of Transport for London, on any highway in Greater London except for a highway for which Highways England is responsible as highway authority”.
- (5) Section 18 of the London Local Authorities and Transport for London Act 2013 is amended as follows –
 - (a) in subsection (1) –
 - (i) after “section 16(1)” leave out “unless they have consulted” and insert “except with the consent of”; and
 - (ii) at end insert “and such consent must not be unreasonably withheld or delayed”;
 - (b) in subsection (2) –
 - (i) after “section 16(2)” leave out “unless the authorised person has consulted” and insert “except with the consent of”; and
 - (ii) at end insert “and such consent must not be unreasonably withheld or delayed”;
 - (c) leave out subsection (3).
- (6) Notwithstanding that it is not the relevant local authority, highway authority or traffic authority, Transport for London may make an order under section 6, 35 or 45 of the Road Traffic Regulation Act 1984 in respect of –
 - (a) any parking place in Greater London provided by a local authority pursuant to sections 32 and 33 of that Act; or

After Clause 9 - continued

- (b) any highway in Greater London except for a highway for which Highways England is responsible as highway authority.
- (7) Transport for London may exercise the power in subsection (6) only if the parking place to which the order relates is associated with an electric vehicle charging point.
- (8) The power in subsection (6) includes the power to amend an existing order made under section 6, 35 or 45 of the Road Traffic Regulation Act 1984 by any local authority.
- (9) The requirement in section 45(1) of the Road Traffic Regulation Act 1984 for Transport for London to obtain the consent of the traffic authority in relation to a highway or road for which Transport for London is not the traffic authority does not apply to an order made under this section.
- (10) Section 45(1A) of the Road Traffic Regulation Act 1984 does not apply to an order made under this section.
- (11) The Secretary of State must by regulations make provision for charging infrastructure rights.
- (12) For the purposes of this Part a “charging infrastructure right”, in relation to a charge point operator and any land, is a right exercised for the purposes of providing the operator’s charge point or associated infrastructure.
- (13) Regulations under subsection (11) may make provision about –
- (a) the conferral of charging infrastructure rights,
 - (b) the persons who confer and who are subject to charging infrastructure rights,
 - (c) the exercise of charging infrastructure rights,
 - (d) the assignment of charging infrastructure rights, and
 - (e) the circumstances in which the court is to impose an agreement conferring charging infrastructure rights.
- (14) Regulations under subsection (11) may confer rights including (but not limited to) rights to –
- (a) install and keep charge points and associated infrastructure including ducting and pre-cabling on, under or over the land,
 - (b) inspect, maintain, adjust, alter, repair, upgrade or operate charge points and associated infrastructure that are on, under or over the land,
 - (c) carry out any works on the land for or in connection with the installation, maintenance, adjustment, alteration, repair, upgrading or operation of charge points and associated infrastructure,
 - (d) enter the land to inspect, maintain, adjust, alter, repair, upgrade or operate any charge points and associated infrastructure that are on, under or over the land or elsewhere,
 - (e) connect to a power supply, and
 - (f) access land.”

Clause 10

BARONESS WORTHINGTON

58 Page 6, line 24, leave out “may” and insert “must”

LORD LUCAS

BARONESS WORTHINGTON

59 Page 6, line 26, at end insert –

“() any provider of off-road parking that is available to the public, whether freely or on payment or in connection with the supply of goods or services,”

BARONESS RANDESON

BARONESS WORTHINGTON

60 Page 6, line 27, after “charging” insert “or refuelling”

61 Page 6, line 31, after “charging” insert “or refuelling”

62 Page 6, line 34, after “charging” insert “or refuelling”

LORD LUCAS

BARONESS WORTHINGTON

63 Page 6, line 34, at end insert –

“() require charging points to be of a particular specification, or mix of specifications, so that the needs of all users are catered for.”

BARONESS WORTHINGTON

64 Page 6, line 34, at end insert –

“() require public charge points to be of a minimum rated power (in kW) and of a specific current type (DC or AC).”

LORD BORWICK

65★ Page 6, line 34, at end insert –

“() require a maximum distance between the location of charging points and the amenities provided by the fuel retailer.”

LORD TUNNICLIFFE

66 Page 6, line 34, at end insert –

“() 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.”

67 Page 6, line 36, at end insert –

“() At least six months before making regulations under this section, the Secretary of State must publish, in draft, the criteria and definitions of “large fuel retailers” and “service area operators”.”

Clause 10 - continued

BARONESS RANDEKSON

68★ Page 6, line 36, at end insert –

- “() Before making regulations under this section, the Secretary of State must consult with fuel retailers as to whether the proposed requirements are appropriate and proportionate.”

After Clause 10

LORD BROOKE OF ALVERTHORPE

LORD BROERS

BARONESS WORTHINGTON

69 Insert the following new Clause –

“Public facility operators: provision of public charging points

- (1) Regulations may impose requirements on owners and operators of public facilities falling within a prescribed description, in connection with the provision on their premises of public charging points.
- (2) Regulations under subsection (1) may, for example –
 - (a) require owners and operators of public facilities to provide public charging points;
 - (b) require owners and operators of public facilities to work with local authorities on the provision of public charging points;
 - (c) require charging points to be available for use at prescribed times; and
 - (d) require services or facilities prescribed by the regulations to be provided in connection with public charging points.
- (3) In this section “public facilities” means –
 - (a) supermarkets;
 - (b) public car parks;
 - (c) airports;
 - (d) train stations; and
 - (e) such other public facilities as may be prescribed in regulations.”

BARONESS RANDEKSON

BARONESS WORTHINGTON

70 Insert the following new Clause –

“Report on location of public charging or refuelling points across the United Kingdom

- (1) The Secretary of State must lay before Parliament a report outlining the Government’s strategy to ensure that public charging or refuelling points are widely accessible across the United Kingdom.
- (2) The report must make reference to the following –
 - (a) the need to ensure sufficient access to charging or refuelling points in both urban and rural areas of the United Kingdom,

After Clause 10 - continued

- (b) the merits of converting lamp posts into charging points in residential areas where homes do not have driveways, and
 - (c) the merits of a scheme by which residents or community groups are able to install charging or refuelling infrastructure in local public spaces if there is demand or they are self-funded.
- (3) The Secretary of State must lay the report before both Houses of Parliament within one year of the passing of this Act.”

71 Insert the following new Clause—

“Requirement for charging or refuelling points in new developments

- (1) Regulations must introduce a requirement that all new residential, commercial and industrial developments include charging or refuelling points.
- (2) The requirement under subsection (1) applies only where it does not affect the overall viability of the development.
- (3) Regulations may specify the appropriate number of charging or refuelling points required depending on the size of the development.”

72 Insert the following new Clause—

“Public facility operators: provision of public charging points

- (1) Regulations may impose requirements on owners and operators of public facilities falling within a prescribed description, in connection with the provision on their premises of public charging or refuelling points.
- (2) Regulations under subsection (1) may, for example—
 - (a) require owners and operators of public facilities to provide public charging or refuelling points;
 - (b) require owners and operators of public facilities to work with local authorities on the provision of public charging or refuelling points;
 - (c) require charging or refuelling points to be available for use at prescribed times; and
 - (d) require services or facilities prescribed by the regulations to be provided in connection with public charging or refuelling points.
- (3) In this section “public facilities” means—
 - (a) supermarket car parks with 25 or more parking spaces;
 - (b) public car parks;
 - (c) airport car parks;
 - (d) train station car parks;
 - (e) such other public facilities as prescribed in regulations.”

After Clause 10 - continued

LORD BROOKE OF ALVERTHORPE
LORD BROERS
BARONESS WORTHINGTON

73 Insert the following new Clause—

“Private facility operators: provision of charging points

- (1) Regulations may impose requirements on owners and operators of private facilities falling within a prescribed description, in connection with the provision on their premises of charging points.
- (2) Regulations under subsection (1) may, for example—
 - (a) require owners and operators of private facilities to provide charging points;
 - (b) require owners and operators of private facilities to work with local authorities on the provision of charging points;
 - (c) require charging points to be available for use at prescribed times; and
 - (d) require services or facilities prescribed by the regulations to be provided in connection with charging points.
- (3) In this section “private facilities” means—
 - (a) private car parks, including those provided by large employers;
 - (b) residential housing developments; and
 - (c) such other private facilities as may be prescribed in regulations.”

LORD LUCAS
BARONESS WORTHINGTON

74 Insert the following new Clause—

“Charge points on leased premises

- (1) Any leaseholder who legitimately requires a charge point or points to be installed on leased premises may require the landlord to install them to the leaseholder’s specification at the leaseholder’s expense.
- (2) Any leaseholder who pays for a charge point to be installed as in subsection (1) retains ownership of the charge point and all the associated works that the leaseholder has paid for when the lease ends, but the landlord may acquire ownership of them by paying the leaseholder one sixtieth of their cost for each month that remains of the five years since they were installed.”

BARONESS WORTHINGTON
LORD BERKELEY

75 Insert the following new Clause—

“Designated premises

- (1) The Mayor of London may designate premises in Greater London and an elected mayor of a combined authority may designate premises in the area of the combined authority where the relevant mayor considers regulations which may be made under section 10 should apply.

After Clause 10 - continued

- (2) Prior to designating premises under subsection (1), the relevant mayor must consult the occupier of the designated premises and any other relevant person.
- (3) If a mayor designates premises under subsection (1), the relevant mayor must—
 - (a) publish the designation;
 - (b) notify the Secretary of State of the designation; and
 - (c) provide the Secretary of State with any consultation responses received in respect of the consultation undertaken under subsection (2).
- (4) If the Secretary of State receives notification of a designation under subsection (3), the Secretary of State must either make regulations under section 10 in respect of the designated premises or notify the relevant mayor of his or her decision not to make regulations under section 10 and give reasons for the decision.
- (5) In this section, an “elected mayor of a combined authority” is a mayor elected by local government electors pursuant to an order made under section 107A of the Local Democracy, Economic Development and Construction Act 2009.”

BARONESS WORTHINGTON
LORD BERKELEY
BARONESS RANDESON

76

Insert the following new Clause –

“Provision of charging points and ducting in residential and non-residential buildings

- (1) Regulations must impose requirements for non-residential and residential buildings with a minimum defined number of parking spaces in connection with the provision of charging points.
- (2) For the purposes of subsection (1), regulations must define the minimum number of parking spaces.
- (3) Regulations must provide that from 1 January 2020 in all new non-residential buildings, and in all existing non-residential buildings undergoing major renovation, with more than a defined minimum number of parking spaces inside or adjacent to the building, either suitable pre-cabling or ducting is installed to enable the construction of charge points or charge points are constructed.
- (4) Regulations must provide that from 1 January 2020 new residential buildings and existing residential buildings undergoing major renovations including the electric infrastructure or the car park, with more than a minimum defined number of parking spaces inside or adjacent to the building, must include the appropriate pre-cabling or pre-ducting to enable the installation of charge points in line with best available technology for every parking space.
- (5) For the purposes of subsections (3) and (4) regulations must specify the number of charge points to be constructed and the number of parking spaces to be furnished with pre-cabling or ducting.”

Clause 11

BARONESS WORTHINGTON

77 Page 6, line 38, leave out “may” and insert “must”

BARONESS RANDESON
BARONESS WORTHINGTON

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

BARONESS WORTHINGTON

79 Page 6, line 40, leave out “may” and insert “must”

BARONESS RANDESON
BARONESS WORTHINGTON

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

BARONESS WORTHINGTON

81 Page 7, line 11, leave out “may” and insert “must”

Clause 12

BARONESS WORTHINGTON

82 Page 7, line 18, leave out “may” and insert “must”

83 Page 7, line 24, leave out “may” and insert “must”

BARONESS RANDESON
BARONESS WORTHINGTON

84 Page 7, line 25, after “charging” insert “or refuelling”

85 Page 7, line 26, after “charging” insert “or refuelling”

BARONESS WORTHINGTON

86 Page 7, line 28, leave out “may” and insert “must”

After Clause 12LORD TUNNICLIFFE
BARONESS WORTHINGTON
BARONESS RANDESON

87 Insert the following new Clause—

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

- (1) 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.
- (2) The consultation must address—

After Clause 12 - continued

- (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.”

Clause 13

BARONESS WORTHINGTON

88 Page 7, line 31, leave out “may” and insert “must”

89 Page 7, line 32, at end insert –

- “() Regulations under subsection (1) must prescribe a requirement, if technically feasible and if not prohibited by financial constraints that are reasonable, to make use of smart charging systems.
- () Regulations under subsection (1) must prescribe a requirement, if technically feasible and if not prohibited by financial constraints that are reasonable, to make use of intelligent metering systems.
- () For the purposes of this Part “intelligent metering systems” means an electronic system that can measure energy consumption, can provide more information than a conventional meter and can transmit and receive data using a form of electronic communication.”

90 Page 7, line 33, leave out “may” and insert “must”

91 Page 7, line 33, after “(1)” insert “may”

LORD LUCAS
BARONESS WORTHINGTON

92 Page 7, line 38, at end insert “in a prescribed fashion”

LORD BROOKE OF ALVERTHORPE
LORD BROERS

93 Page 7, line 44, at end insert –

- “() to meet performance standards specified in regulations under section 9.”

LORD LUCAS
BARONESS WORTHINGTON

94 Page 7, line 44, at end insert –

- “() to publish as open data prescribed information in a prescribed format (such as availability, rate of charge and price for the next 4 hours, and location),

Clause 13 - continued

- () to reserve time slots for customers who have contractually agreed to use and pay for them in a prescribed fashion, and who have transmitted the state of charge (and associated data) of their vehicle to the charge point, and to accept such reservations through an open interface in a prescribed format,
- () to make clear to customers, in a prescribed manner, in advance of using or reserving services, the amount that they will have to pay or are likely to have to pay.”

BARONESS RANDEKSON

95★ Page 7, line 44, at end insert –

- “() When making regulations under this section the Secretary of State must take into account the effect they will have on –
- (a) night-shift workers; and
 - (b) households with solar panels.”

BARONESS WORTHINGTON

96 Page 8, line 1, leave out “may” and insert “must”

LORD LUCAS

97 Page 8, line 2, at end insert “, including requiring confirmation from a local electricity supplier that they and their suppliers have reserved sufficient capacity to supply the charge point in respect of its expected use.”

After Clause 13

BARONESS WORTHINGTON
LORD BERKELEY

98★ Insert the following new Clause –

“Reporting

- (1) Within 12 months of the passing of this Act, and once in each 12 month period thereafter, the Secretary of State must make a report to each House of Parliament on the impact of this Act.
- (2) The report must include –
 - (a) the effectiveness of the Act and its regulations with regard to the goal of ensuring that nearly all cars and vans on the road are zero-emission vehicles by 2050,
 - (b) the effectiveness of the Act and its regulations with regard to the goal of ensuring that 90 per cent of electric vehicle drivers are within 50 miles of a rapid charger,
 - (c) the extent to which the number of electric vehicles on the road and having been sold in the preceding 12 months is matched by an adequate supply of charge points,
 - (d) the extent to which smart charging has contributed to the supply, demand and balancing of electricity across the electricity transmission and distribution networks,

After Clause 13 - continued

- (e) the total number and location of charge points in the United Kingdom,
- (f) the number of public and shared charge points in the United Kingdom, and
- (g) the number of drivers using charge points and the ratio of charge points to drivers in the United Kingdom.”

BARONESS RANDEKSON

99★ Insert the following new Clause –

“Report of the impact of Part 2 on air quality

Within six months of this Act coming into force, the Secretary of State must lay before Parliament a report on the impact of Part 2 of this Act on the Government’s ability to meet its air quality targets and its commitment to ensure that nearly all cars and vans in the UK are zero-emission vehicles by 2050.”

Clause 14

BARONESS WORTHINGTON

100 Page 8, line 10, leave out “may” and insert “must”

Clause 16

BARONESS WORTHINGTON
LORD BERKELEY

101 Page 9, line 9, at end insert –

“() The Secretary of State must within 12 months of the passing of this Act lay before Parliament drafts of all regulations required under this Part.”

LORD TUNNICLIFFE

102 Page 9, leave out line 11 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.”

BARONESS RANDEKSON

103 Page 9, line 17, at end insert –

“() Regulations made under this Part that provide or amend a definition in this Act may not be made unless a draft of the statutory instrument containing those regulations has been laid before, and approved by a resolution of, each House of Parliament.”

After Clause 16

LORD TUNNICLIFFE
BARONESS WORTHINGTON

104 Insert the following new Clause –

“Review of regulations under Part 2

- (1) Within 12 months of the passing of this Act, 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 of the regulations on public charge point operators,
 - (c) the impact of the regulations on fuel retailers,
 - (d) the impact of the regulations on the National Grid, and
 - (e) the impact of the regulations on the uptake of electric vehicles.”

Clause 18

BARONESS WORTHINGTON
LORD BERKELEY

105 Leave out Clause 18 and insert the following new Clause –

“Commencement

This Act comes into force on the day on which it is passed.”

Clause 20

BARONESS RANDERSON

106 Leave out Clause 20 and insert the following new Clause –

“Short title

This Act may be cited as the Automated, Electric and Hydrogen Fuel Cell Vehicles Act 2018.”

BARONESS WORTHINGTON

107 Leave out Clause 20 and insert the following new Clause –

“Short title

This Act may be cited as the Insurance Provisions for Automated Vehicles and Charging Infrastructure for Electric Vehicles Act 2018.”

In the Title

BARONESS RANDERSON

108 Line 1, after “electric” insert “and hydrogen fuel cell”

Automated and Electric Vehicles Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

4 May 2018
