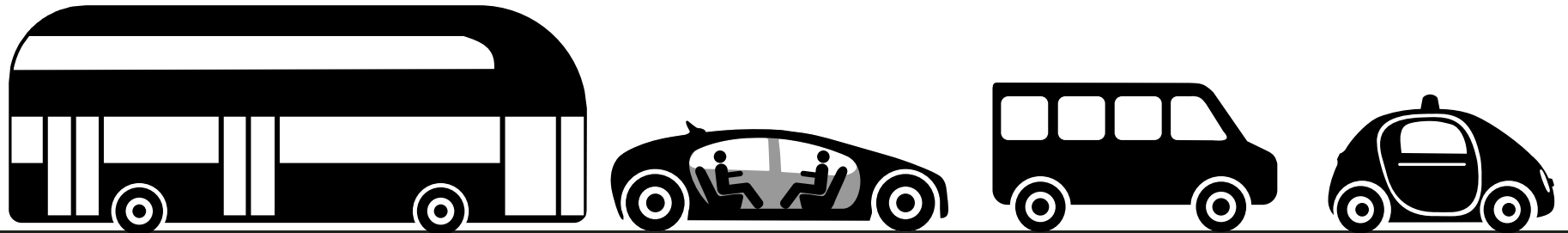


Developing the UK's regulatory framework for automated vehicles



Jessica Uguccioni
Law Commission of England and Wales
79th Session of WP.1
18 September 2019

The Law Commissions

- Independent statutory bodies created in 1965
- Purpose: to keep the law up to date, simple, cost effective and fair



**Law
Commission**
Reforming the law



Scottish Law Commission
promoting law reform

The Law Commissions' three year project

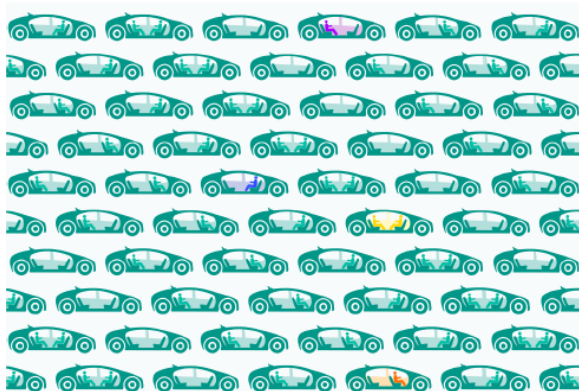
- **Consultation Paper 1:** safety and legal accountability (8 Nov 2018)
- **Consultation Paper 2:** passenger services and public transport (Autumn 2019)
- **Consultation Paper 3:** Bringing proposals together (2020)
- **Final report (2021)**



Law Com Consultation Paper 1: Safety and Legal Responsibility



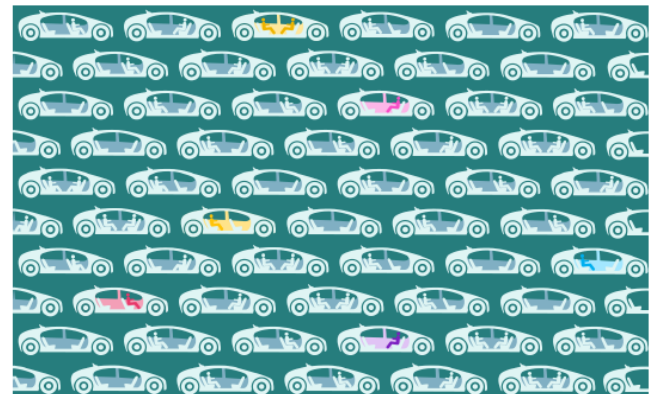
Automated Vehicles: Summary of the Preliminary Consultation Paper



Summary of LCCP No 240 / SLCDP No 166

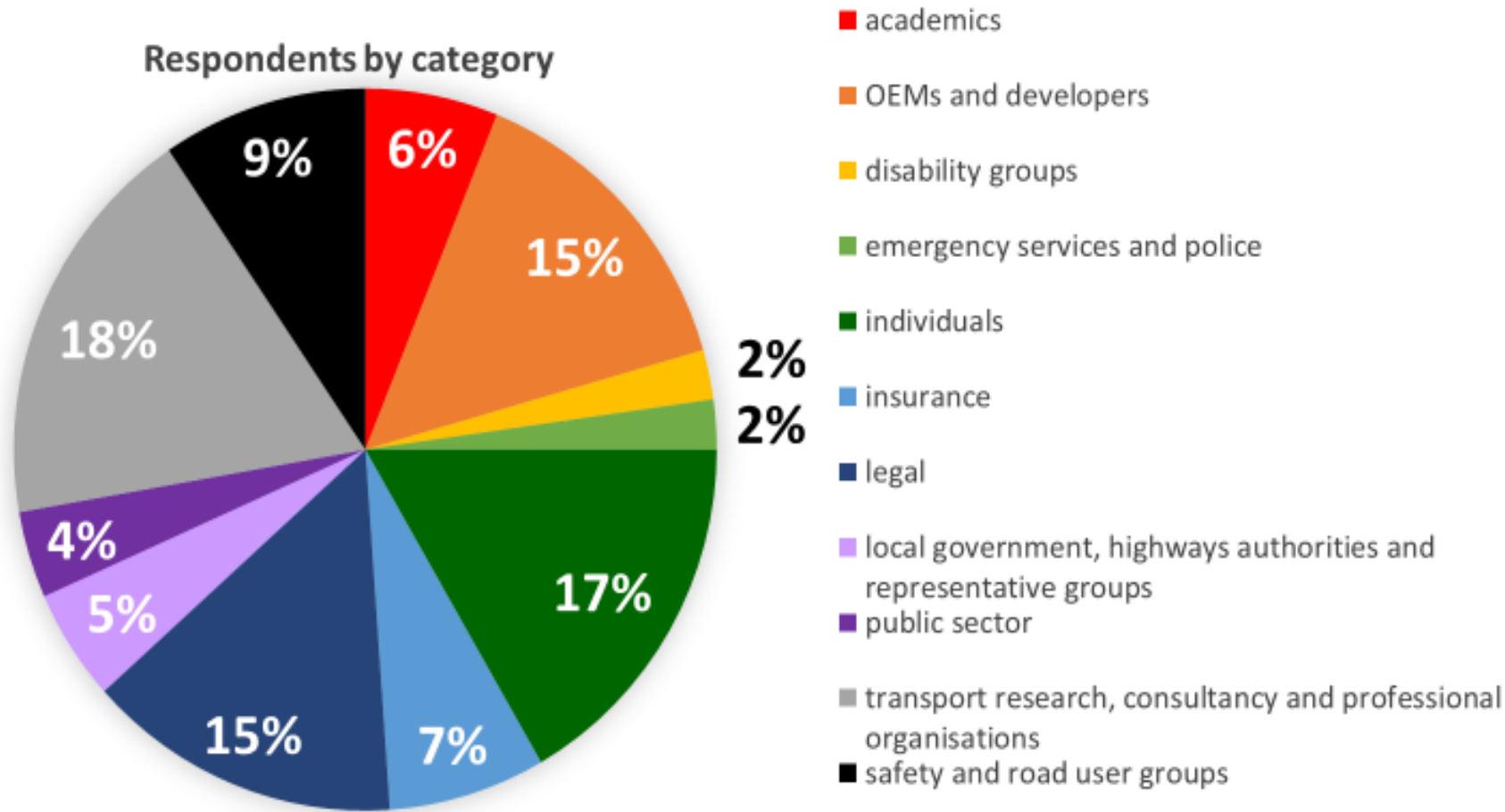


Automated Vehicles: Summary of the Analysis of Responses to the Preliminary Consultation Paper



Summary of the Analysis of Responses to LCCP No 240/SLCDP No 166
19 June 2019

Who responded?



Safety assurance scheme

- Strong support for a national safety assurance scheme to complement international type approval
 - Prohibit unauthorised systems
 - Modifications and small series
- Dutch 'driving licence' for self-driving cars
- UK GOVERNMENT ACTION:
CAV PASS announced 4/09/2019



Automated Driving System Entity

- Role: submits ADS for authorisation and vouches for its safety
- Presence in jurisdiction
- Subject to range of regulatory sanctions
- Most respondents (85%) agreed



Road incident investigation

- General consensus that focus needs to shift from allocating blame to learning for the future
- Need to review law on corporate offences where wrongs by developer result in death/serious injury
- Short term: need to provide specialist help to police



Two development paths

A photograph of a paved road that starts as a single path from the bottom center and splits into two separate paths that curve outwards to the left and right, disappearing into a vast green field under a bright blue sky with scattered white clouds. The road has white dashed lines down the center and solid white lines on the edges.

Path 1:

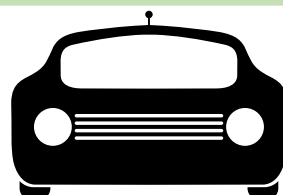
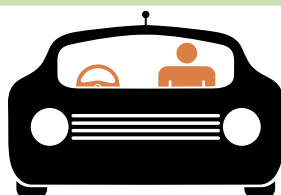
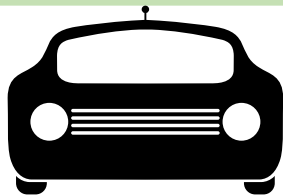
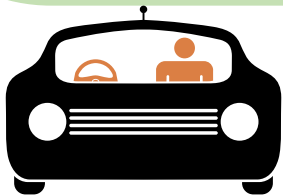
- Consumer vehicles sold across borders;
- Continue to have human in the driving seat

Path 2:

- Sells a journey rather than a vehicle.
- No driving seat

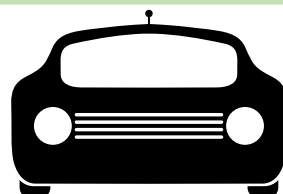
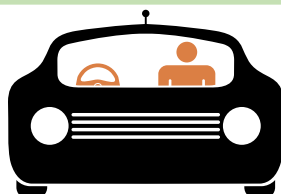
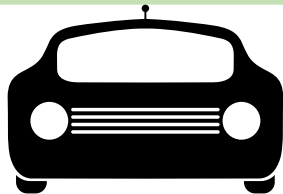
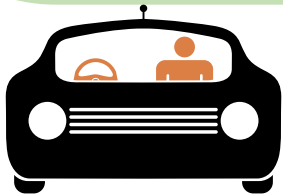
Path 1: User-In-Charge

- Who:
 - Human in or line of sight of vehicle
 - Qualified and fit to drive
- Role:
 - Non-dynamic control responsibilities, e.g. insurance, maintenance
 - Not responsible for dynamic control while ADS is engaged
 - Takes over from highly automated driving system



Path 1: User-in-charge

- Key premise: if the User-In-Charge is not responsive the vehicle can come to a safe stop.
- Most consultees (79%) agreed
- 52% against secondary activities in conditional automation, SAE Level 3
- Remote operator \neq user-in-charge



Upcoming Consultation Paper 2: Automated Vehicles: Passenger Services & Public Transport

KEY THEMES

Focus on Path 2: passenger-only vehicles

Aims of regulation

Operator licensing: A single national system

Private ownership

Accessibility

**Local regulatory tools for controlling
congestion and cruising**

Integration with public transport



Path 2: passenger services



Highly Automated Road Passenger Services (HARPS)

- A service which uses highly automated vehicles to supply journeys to passengers without a human driver or user-in-charge
- For at least part of the journey, a HARPS would be able to travel empty or with only passengers on board.
- Fleets providing mobility services



Operator as key concept for HARPS



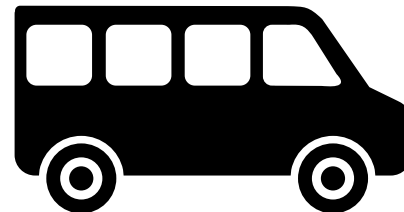
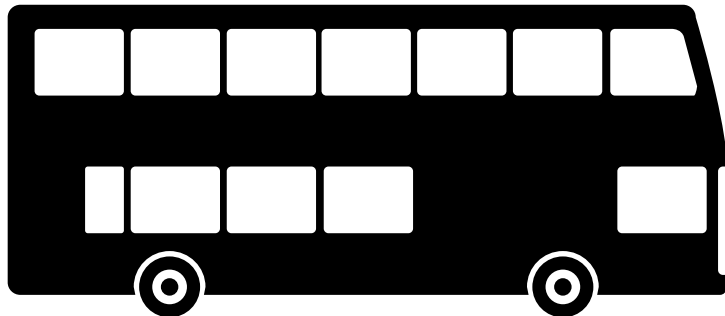
- Operating a fleet of vehicles vs developing ADS
- Remote supervision
- Responsible for maintenance, insurance, duties after an accident
- Protocols for intervention in the event of ADS malfunction (e.g. removed a vehicle stopped in the middle of the road)

Legal responsibility for driving tasks

	Path 1: User-In-Charge vehicles	Path 2: HARPS fleet vehicles
Dynamic Control	ADSE	ADSE
Non-Dynamic Control	USER-IN-CHARGE	HARPS OPERATOR

HARPS national operator licensing

- We provisionally propose a new single national system to licence HARPS operators
- New unified system not replicating distinctions between taxis, pre-booked only services and buses



Q&A

automatedvehicles@lawcommission.gov.uk

