

Automated Vehicles Bill [HL]

AMENDMENTS TO BE MOVED ON REPORT

Clause 2

LORD DAVIES OF GOWER

Clause 2, page 2, line 16, after “that” insert “–

- (a) authorised automated vehicles will achieve a level of safety equivalent to, or higher than, that of careful and competent human drivers, and
- (b)”

Member's explanatory statement

This amendment embodies the standard of a careful and competent driver in the statement of safety principles that will guide the operation of the automated vehicle authorisation scheme.

LORD DAVIES OF GOWER

Clause 2, page 2, line 20, at end insert –

- “(3A) Those organisations must include organisations appearing to the Secretary of State to represent –
- (a) the interests of businesses involved, or likely to be involved, in the manufacture or operation of mechanically propelled road vehicles designed to travel autonomously,
 - (b) the interests of road users, and
 - (c) the cause of road safety.”

Member's explanatory statement

This amendment provides details of the types of organisation that will have to be consulted on the statement of safety principles.

LORD DAVIES OF GOWER

Clause 2, page 2, line 22, leave out subsections (5) to (8) and insert –

- “(5) The statement takes effect if both Houses of Parliament resolve that it should.

- (6) The Secretary of State may revise or replace the statement that has effect under this section; and subsections (2) to (4) apply to a revision or replacement.
- (7) A revision or replacement takes effect at the end of the period of 40 days beginning with the day on which it is laid, unless either House resolves before then that it should not.
- (8) For the purposes of subsection (5)—
 - (a) where a revision or replacement is laid before each House on different days, the later day is to be taken to be the day on which it was laid before both Houses, and
 - (b) in counting any period of 40 days, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.”

Member's explanatory statement

This amendment imposes a positive requirement for both Houses to approve the proposed statement of safety principles, instead of the current power to prevent it from taking effect (which will however still apply to any subsequent revision or replacement).

Clause 42

LORD DAVIES OF GOWER

Clause 42, page 29, line 3, leave out from “liable” to end of line 4 and insert “—

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
- (c) on conviction on indictment, to a fine.”

Member's explanatory statement

This amendment clarifies that a fine for an offence under clause 42(4) imposed in summary proceedings in Scotland may not exceed the maximum fine generally available in such proceedings.

Clause 88

LORD DAVIES OF GOWER

Clause 88, page 62, line 1, leave out “Secretary of State” and insert “appropriate national authority”

Member's explanatory statement

This amendment corrects a drafting mistake, enabling the devolved administrations to make regulations about information-sharing in relation to passenger services within their competence.

LORD DAVIES OF GOWER

Clause 88, page 62, line 19, leave out from “liable” to end of line 20 and insert “–

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
- (c) on conviction on indictment, to a fine.”

Member's explanatory statement

This amendment clarifies that a fine for an offence under clause 88(6) imposed in summary proceedings in Scotland may not exceed the maximum fine generally available in such proceedings.

Clause 97

LORD DAVIES OF GOWER

Clause 97, page 70, line 6, leave out subsections (5) to (8) and insert –

- “(5) The following regulations are subject to the affirmative procedure –
- (a) regulations under section 36(9),
 - (b) regulations under section 50 that amend an Act, an Act of the Scottish Parliament or an Act of Senedd Cymru, and
 - (c) regulations under paragraph 2(7) of Schedule 6;
- and all other regulations are subject to the negative procedure.
- (6) The effect of regulations being subject to the affirmative procedure is –
- (a) in the case of regulations made by the Secretary of State, that the statutory instrument containing the regulations may not be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament;
 - (b) in the case of regulations made by the Welsh Ministers, that the statutory instrument containing the regulations may not be made unless a draft of it has been laid before, and approved by a resolution of, Senedd Cymru;
 - (c) in the case of regulations made by the Scottish Ministers, the effect provided by section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).
- (7) The effect of regulations being subject to the negative procedure is –
- (a) in the case of regulations made by the Secretary of State, that the statutory instrument containing the regulations is (unless it also contains regulations subject to the affirmative procedure) subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) in the case of regulations made by the Welsh Ministers, that the statutory instrument containing the regulations is (unless it also contains regulations subject to the affirmative procedure) subject to annulment in pursuance of a resolution of Senedd Cymru;

- (c) in the case of regulations made by the Scottish Ministers, the effect provided by section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010.”

Member's explanatory statement

This amendment means that regulations setting the maximum monetary penalties under the automated vehicle authorisation scheme and the passenger service permitting scheme will be subject to the affirmative procedure.

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