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Rt Hon Alison Johnston MSP
Presiding Officer
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22 November 2023

Dear Alison

Automated Vehicles Bill

I am writing to let you know that the Scottish Government is considering the need to lodge a Legislative Consent Memorandum (LCM) in respect of the UK Government Automated Vehicles Bill.

Scottish Parliament Standing Orders provide that an LCM should normally be lodged with the Scottish Parliament two working weeks after the introduction of a relevant Bill in Westminster. In the case of this Bill the deadline would be 22 November 2023.

Unfortunately, we will not be able to meet Standing Orders. The Bill is large and complex and was first shared with Transport Scotland on 1 November 2023. A revised version of the Bill was shared with officials on 8 November 2023, the day that the Bill was introduced. Officials have had little opportunity to engage with their counterparts in the UK on the details of the Bill.

The purpose of the Bill is to implement the recommendations of the 4-year review of regulation for automated vehicles carried out jointly by the Law Commission of England and Wales and the Scottish Law Commission (the Law Commissions). It is intended to set the legal framework for the safe deployment of self-driving vehicles in Great Britain. The Bill extends and applies to Scotland and will alter the executive competence of the Scottish Ministers and impact on devolved matters, such as the granting of permits for automated passenger services insofar as they relate to any passenger services not provided in public service vehicles.

We are analysing the Bill and its implications, engaging with a wide range of policy areas, and anticipate to be in a position to lodge a Legislative Consent Memorandum on 21 December 2023.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

I am copying this letter to the Cabinet Secretary for Net Zero, Energy and Transport and Convener of the Delegated Powers and Law Reform Committee, Convener of the Net Zero, Energy and Transport Committee.

Kind regards

GEORGE ADAM

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