



The Scottish Parliament
Pàrlamaid na h-Alba

Paul White
Director
Confederation of Passenger Transport

By email only

**Net Zero, Energy and Transport
Committee**

The Scottish Parliament
Edinburgh
EH99 1SP

netzero.committee@parliament.scot

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Dear Paul,

Automated Vehicles Bill – UK Parliament Legislation

The Net Zero Energy and Transport Committee has been asked to report to the rest of the Scottish Parliament on the [Automated Vehicles Bill](#). This is a proposed new law for the whole of the UK put forward by the UK Government in the UK Parliament. The Scottish Parliament is being asked whether it consents to the Bill because parts of it make provision in matters devolved to the Scottish Parliament or alter the executive competence of the Scottish Ministers.

The Bill regulates the use of automated vehicles and is based on a [joint report by the Law Commission and Scottish Law Commission](#).

The Scottish Government has lodged a [Legislative Consent Memorandum](#) (LCM) and a [supplementary LCM](#) in relation to this Bill. It is recommending that the Parliament gives its consent to all but one of the relevant provisions.

The provisions that the UK Government is seeking consent to are:

Clause 40 – this gives the Secretary of State the power to require reports from police, local authorities and Scottish Ministers on incidents involving automated vehicles.

Part 5 and schedule 6 – Part 5 sets out a scheme for obtaining permits for automated passenger services and schedule 6 creates civil sanctions for infringing that scheme.

Additionally, the Scottish Government considers clauses 46 to 51 to require the consent of the Scottish Parliament, although the UK Government does not (because it thinks they do not seek to make laws in devolved areas). These relate to criminal liability in respect of the use of automated vehicles.

The clause which the Scottish Government does not recommend consent to is clause 50. This gives the Secretary of State a regulation-making power to

clarify the application of other legislation to the user in charge of an automated vehicle. The Scottish Government's objection to this clause is that the power can be exercised in devolved areas without having to seek the consent of, or consult, the Scottish Ministers or Scottish Parliament.

Given that a number of the provisions requiring consent (in particular, those in Part 5 of the Bill) relate to, or may impact upon, passenger services that use automated vehicles, the Committee would welcome any views you have on the Bill. In particular:

- How big an impact is this Bill likely to have on bus operators in Scotland – how many operators use automated vehicles in their services at present; are the provisions in the Bill likely to encourage or discourage their use?
- Does the permit scheme set out in Part 5 of the Bill seem to strike the right balance between regulation and allowing operators to make use of new technology?

Due to the pace at which this Bill is now proceeding in the UK Parliament, I would be grateful for a response by 10 am on 14 March to allow the Committee to have reference to your views in its further consideration. I realise this does not leave much time to consult your members and I apologise for any inconvenience.

Yours sincerely,

Ben Macpherson MSP
Deputy Convener
Net Zero, Energy and Transport Committee