

**Response to Law Commissions' second consultation on Automated Vehicles  
(Law Commission Consultation Paper 245; Scottish Law Commission Discussion Paper 169)**

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Any personal email addresses and phone numbers have been excluded from this document.

Unanswered questions have been deleted from this document.

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What is your name?

Patricia La Torre

What is the name of your organisation?

Humanising Autonomy

Are you responding to this consultation in a personal capacity or on behalf of your organisation?

[Respondents chose from the following options: Personal response; Response on behalf of your organisation; Other.]

Responding on behalf of organisation

### **CHAPTER 3: OPERATOR LICENSING – A SINGLE NATIONAL SYSTEM**

#### ***A single national scheme***

**Consultation Question 2** (Paragraph 3.86): Do you agree that there should be a national scheme of basic safety standards for operating a HARPS?

[Respondents chose from the following options: yes; no; other.]

Yes

Yes, there should be a national scheme of basic safety standards for operating a HARPS, but we urge the scheme to be flexible, updated continuously, and be based on consultations similar to this one.

### **CHAPTER 4: OPERATOR LICENSING –SCOPE AND CONTENT**

#### ***Compliance with the law***

**Consultation Question 12** (Paragraph 4.125): Do you agree that HARPS operators should be subject to additional duties to report untoward events, together with background information about miles travelled (to put these events in context)?

[Respondents chose from the following options: yes; no; other.]

Yes

Yes, we believe that cross-industry data sharing will be vital to helping avoid mistakes, increasing safety, and there is a high chance that the data would include edge cases that others are trying to solve or gather more data on.

## **CHAPTER 5: PRIVATELY-OWNED PASSENGER-ONLY VEHICLES**

### ***Protecting consumers from high ongoing costs***

**Consultation Question 23** (Paragraph 5.60): We seek views on whether the safety assurance agency proposed in Consultation Paper 1 should be under a duty to ensure that consumers are given the information they need to take informed decisions about the ongoing costs of owning automated vehicles.

Yes. Clear information for consumers will be vital for increasing the market acceptance of future vehicle technologies, therefore transparency is a key enabler that all should be supporting.

## **CHAPTER 6: ACCESSIBILITY**

### ***What we want to achieve***

**Consultation Question 24** (Paragraph 6.11): We seek views on how regulation can best promote the accessibility of Highly Automated Road Passenger Services (HARPS)? In particular, we seek views on the key benefits and concerns that regulation should address.

We believe that in addition to regulation, there should be an emphasis on providing training data which adequately represents accessibility scenarios. It will be difficult for industry to be compliant with these scenarios if they're not encountered in real-world data. Any regulation addressing this aspect also needs to take product development into consideration and how to encourage the sharing of best practices.

### ***Core obligations under equality legislation***

**Consultation Question 25** (Paragraph 6.31): We provisionally propose that the protections against discrimination and duties to make reasonable adjustments that apply to land transport service providers under section 29 of the Equality Act 2010 should be extended to operators of HARPS. Do you agree?

[Respondents chose from the following options: yes; no; other.]

Other

This raises the question whether or not (and to what extent) the protections against discrimination need to be "programmed" into future HARPS stacks. There needs to be a clear distinction here between the expectations on human operators and vs. the technology expectations.

### ***Specific accessibility outcomes***

**Consultation Question 26** (Paragraph 6.106): We seek views on how regulation could address the challenges posed by the absence of a driver, and the crucial role drivers play in order to deliver safe and accessible journeys. For example, should provision be made for:

(1) Ensuring passengers can board and alight vehicles?

[Respondents chose from the following options: yes; no; other.]

Yes

Yes, provisions should be made, but it's too early to discuss these before we know the full extend of HARPS and their usability. For example, there's no standardisation yet on the vehicle design and how on/off ramps may function in the future. Without more research into this scenario it will be hard to provision an on-boarding process.

(2) Requiring reassurance when there is disruption and accessible information?

[Respondents chose from the following options: yes; no; other.]

Not Answered

(3) Expansion of support at designated points of departure and arrival?

[Respondents chose from the following options: yes; no; other.]

Yes

Yes, but this may require V2V and V2X communication that is not at a sufficient level yet.

### ***Developing national minimum accessibility standards for HARPS***

**Consultation Question 27** (Paragraph 6.109): We seek views on whether national minimum standards of accessibility for HARPS should be developed and what such standards should cover.

Yes, but we believe these standards should be developed by a multi-stakeholder cohort and be a continuation of already ongoing work by CCAV, Law Commission, and others. As these discussions continue, there may also be international best-practices to consider. These standards should not only focus on accessibility but also usability and how any design changes may require re-training of individuals. For example, will blind individuals need to learn a reconfigured car interior? Additionally, one needs to consider disabilities which require guide dogs or other aides - how will these be addressed and how will systems be trained to integrate these edge scenarios?

### ***Enforcement mechanisms and feedback loops***

**Consultation Question 28** (Paragraph 6.124): We seek views on whether operators of HARPS should have data reporting requirements regarding usage by older and disabled people, and what type of data may be required.

[Respondents chose from the following options: yes; no; other.]

Yes

To a certain extent, and this also depends on the data sharing requirements for other types of vehicles. There will also be a need for special data sharing requirements for post collision/incident that need to be clarified.

## **CHAPTER 7: REGULATORY TOOLS TO CONTROL CONGESTION AND CRUISING**

### ***Quantity restrictions***

**Consultation Question 33** (Paragraph 7.97): Do you agree that the agency that licenses HARPS operators should have flexible powers to limit the number of vehicles any given operator can use within a given operational design domain for an initial period? If so, how long should the period be?

[Respondents chose from the following options: yes; no; other.]

Other

This would depend, based on the type of ODD i.e. rural vs. suburban. However, these high level distinctions will not suffice as cities have varying degrees of urban density and complexity.

## **CHAPTER 8: INTEGRATING HARPS WITH PUBLIC TRANSPORT**

### ***The current system of bus regulation: HARPS as mass transit***

**Consultation Question 35** (Paragraph 8.92): Do you agree that a HARPS vehicle should only be subject to bus regulation if it:

(1) can transport more than eight passengers at a time and charges separate fares?

[Respondents chose from the following options: yes; no; other.]

Other

This depends and will require a deeper dive into current bus safety standards and which ones would be applicable to HARPS. For example, today's standards for bus cameras would not suffice to enable the safe deployment of HARPS, therefore the bus safety standards need to be amended as well.

(2) does not fall within an exemption applying to group arrangements, school buses, rail replacement bus services, excursions or community groups?

[Respondents chose from the following options: yes; no; other.]

Other

Same answer as above applies - the bus regulation needs to be amended first to see if/what HARPS vehicle would be applicable.