



Public Affairs

RAC response to the Law Commission consultation: Automated Vehicles: Consultation Paper 2 on Passenger Services and Public Transport

About the RAC

The RAC provides complete peace of mind to 12 million UK private and business drivers, whatever their motoring needs. We provide breakdown assistance, with a 1,600-strong branded patrol workforce attending more than two million breakdowns every year, fixing on average four out of five vehicles at the roadside.

Additional products include insurance, a used car buying website, vehicle inspections and checks, legal services or up-to-the-minute traffic and travel information.

The RAC also works to support the interests of its members and UK drivers on the most important motoring issues which it identifies via the annual RAC Report on Motoring and the RAC Opinion Panel. The Report on Motoring is the longest running analysis of driver opinion in the UK having been published every year since 1989. The 2019 RAC Report on Motoring can be found [here](#). The RAC website can be found at www.rac.co.uk.

RAC Response

Please note that the RAC is responding only to questions of relevance:

9. Consultation Question 9 (Paragraph 4.89): Do you agree that HARPS operators should: (1) be under a legal obligation to ensure roadworthiness; and (2) demonstrate “adequate facilities or arrangements” for maintaining vehicles and operating systems “in a fit and serviceable condition”?

(1) Yes. Roadworthiness is the minimum we would expect and would anticipate a similar system to the MOT or for the current system to be expanded to include HARPS .

(2) Yes, however we believe that operators would work with breakdown and recovery organisations such as ourselves which would be able to assist in preventing breakdowns and attending vehicles when required. We believe HARPS operators should be encouraged or even required to have some form of roadside rescue provision.

10. Consultation Question 10 (Paragraph 4.90): Do you agree that legislation should be amended to clarify that HARPS operators are “users” for the purposes of insurance and roadworthiness offences?

We agree with this in principle.

11. Compliance with the law Consultation Question 11 (Paragraph 4.124): Do you agree that HARPS operators should have a legal duty to: (1) insure vehicles; (2) supervise vehicles; (3) report accidents; and (4) take reasonable steps to safeguard passengers from assault, abuse or harassment?

(1) The RAC agrees that HARPS operators should have a legal duty to insure their vehicles in the same manner that owners of conventional vehicles are required to insure their vehicles. Insurers will be able to assess the risk to/of these vehicles once the regulatory framework is clear and once these vehicle types have been fully tested for use on public roads.



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(2) We question whether this refers to 'remote supervision' and would be interested in understanding what this would consist of. We note that within the consultation document it states: "However, a stopped vehicle may still cause a hazard to oncoming vehicles or reduce traffic flow. Supervisors will need to act in a timely fashion to remove vehicles, provide assistance to passengers, alert emergency services and prevent problems from occurring again." We would point out that supervisors should also have responsibility to contact a roadside rescue and recovery organisation should vehicles break down. The risk of not making this explicit is that HARPS vehicles remain stranded at the roadside with passengers.

(3) Yes, we agree with this.

(4) Yes, we agree with this.

18. Consultation Question 18 (Paragraph 5.40): Do you agree that where a passenger-only vehicle is not operated as a HARPS, the person who keeps the vehicle should be responsible for: (1) insuring the vehicle; (2) keeping the vehicle roadworthy; (3) installing safety-critical updates; (4) reporting accidents; and (5) removing the vehicle if it causes an obstruction or is left in a prohibited place?

The RAC agrees with all of the above responsibilities in relation to privately owned passenger vehicles. We reiterate our views in our response to Question 11 that private owners should be encouraged to take out membership of a roadside rescue and recovery organisation to ensure the vehicle can be attended to and not cause an obstruction in the event of a breakdown.

Please address any comments or further contact to:

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