



UNIVERSITY OF  
LEICESTER

# Criminal Liability

Sally Kyd



## Automated Vehicles Act 2024

2024 CHAPTER 10

An Act to regulate the use of automated vehicles on roads and in other public places;  
and to make other provision in relation to vehicle automation. [20th May 2024]



# No Driver?! New terminology: UiC v NUiC

- Pilots of automated passenger services require a safety driver. What about when we remove the safety driver?
- The Law Commission envisaged 2 types of AV:
  1. User-in-Charge (**UiC**) – person responsible to take over driving where needed (defined in s.46)
  2. No-User-in-Charge (**NUiC**) – nobody in the driving seat

It was thought that the technology was such that NUiCs were several years away. The Act therefore provides offences that would be committed by UiCs as well as regulating NUiCs.



## New regulatory system

- Vehicles with automated technology to be put forward for **authorisation** by the Secretary of State. If assessed as self-driving, authorisation identifies the organisation responsible for system.
- A self-driving system will require a licensed operator, or authorised self-driving entity (**ASDE**) to oversee the service. If the service carries passengers, it will require a permit for automated passenger services.
- System of regulation holds ASDEs to account; sanctions and penalties apply if ASDEs fail to meet obligations. No-blame safety investigations by inspectors to shape safe development of AVs.
- The desire is for robotaxis to run as NUIc vehicles. This means a robotaxi will require NUIc licensed operator in addition to the ASDE.



## s.1 Basic concepts

- (2) A vehicle “satisfies the self-driving test” if-
  - (a) it is designed or adapted with the intention that a feature of the vehicle will allow it to travel autonomously, and
  - (b) it is capable of doing so, by means of that feature, **safely and legally**.
- (7) A vehicle that travels autonomously does so –
  - (a) “safely” if it travels to an acceptably safe standard, and
  - (b) “legally” if it travels with an acceptably low risk of committing a traffic infraction.



## s.2 Statement of Safety Principles

- (1) The Secretary of State must prepare a statement of the principles that the Secretary of State proposes to apply in assessing, for the purposes of this Part, whether a vehicle is capable of travelling autonomously and safely.
- (2) The principles must be framed with a view to securing that—
  - (a) authorised automated vehicles will achieve **a level of safety equivalent to, or higher than, that of careful and competent human drivers**, and
  - (b) road safety in Great Britain will be better as a result of the use of authorised automated vehicles on roads than it would otherwise be.

([Consultation on SoSPs](#) closed on 1 Sept 2025)



# Criminal Liability of UiCs

s.47 – UiC **does not** commit an offence arising from the way in which a vehicle is driven when in it is in self-driving mode.

s.48 – UiC **does** commit an offence if the act takes place after a **transition demand** has been issued and the transition period has ended.

s.53 - Offence of use of AV requiring UiC without UiC. Defence if person did not know and could not reasonably be expected to know need for UiC. Where death or serious injury is caused, separate offences are committed.

s.54 – Offence of using an AV where it would be obvious to a competent and careful user that the current state of the vehicle would make it dangerous to use. Where death or serious injury is caused, separate offences are committed.



# Criminal Liability of ASDE/licensed operators

- Under the Act, a notice may be issued for investigative purposes to assess whether they have met the regulatory requirements placed on them and to investigate a traffic infraction or offence by a vehicle for which they are responsible.
- s.20 creates an offence of failing to provide the information requested or providing false information.
- s.24 separately creates an offence of providing false or misleading information relevant to the safety of AV operations.
- ss.25-27 = aggravated offence where false or withheld info would have disclosed a heightened risk and subsequently a dangerous incident results in someone being killed or seriously injured.