



25 October 2016

The Earl of Selborne GBE FRS DL  
Chairman  
Select Committee on Science and Technology  
Committee Office  
House of Lords  
London  
SW1A 0PW

Dear Lord Selborne

### **Autonomous Vehicles**

1. The Association of Personal Injury Lawyers (APIL) is a not-for-profit organisation which is dedicated to campaigning for improvements in the law to enable injured people to gain the full access to justice they deserve. Our members comprise principally practitioners who specialise in personal injury and whose interests are predominantly on behalf of injured claimants, including those involved in road traffic accidents.
2. APIL welcomes the opportunity to respond to the committee's inquiry into autonomous vehicles. Due to the nature of our work and the work of our members, we have limited our comments to the question of insurance.
3. It is vital that there is insurance in place which can provide financial compensation to those involved in an accident caused by an automated or partially automated vehicle. Section 145(3)(a) of the Road Traffic Act 1988 states that a motor insurance policy "must insure such person...in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person or damage to property caused by, or arising out of, the use of the vehicle on a road in Great Britain". Section 185 of the Act defines a "motor vehicle" as a "mechanically propelled vehicle intended or adapted for use on roads".

4. The existing insurance framework should, therefore, already provide that automated and driverless vehicles are covered by compulsory motor insurance. For the avoidance of doubt, however, there should be a specific reference in legislation to the need for compulsory motor insurance for these vehicles.
  
5. The proposed Modern Transport Bill provides an opportunity to clarify the law on insurance for automated and driverless cars. Part VI of the Road Traffic Act could either be amended by the Modern Transport Bill, or the Government could repeal Part VI, and include the provisions within the Modern Transport Bill with a specific reference to automated and driverless cars.
  
6. The recent consultation by the Centre for Connected and Autonomous Vehicles (CCAV) proposed amending the Road Traffic Act 1988 to “extend the compulsory insurance requirements for automated vehicles so that the owner must also ensure that there is an insurance policy in place that covers the manufactures’ and other entities’ product liability”<sup>1</sup>. We do not believe that this is necessary, as the driver of an automated vehicle should already have cover under his existing motor insurance policy if, for example, the car crashes of its own accord and injures the driver after he has handed full control over to the vehicle.

Yours sincerely

Sam Ellis  
Parliamentary Officer

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<sup>1</sup> Centre for Connected & Autonomous Vehicles, Pathway to Driverless Cars: Proposals to support advanced driver assistance systems and automated vehicle technologies, July 2016, page 18