

8 November 2018



Our ref: L2/10/4/F

Dear Consultee

**JOINT CONSULTATION PAPER ON AUTOMATED VEHICLES
LCCP No 240; SLCDP No 166**

We invite comment on the above mentioned joint Consultation Paper which has been published today. The paper is available on our website at <https://www.scotlawcom.gov.uk/publications/discussion-papers-and-consultative-memoranda/2010-present/>, together with a news release, a summary and some background papers.

Along with the Law Commission for England and Wales we are currently examining options for the regulation of automated road vehicles on our roads. This project has been commissioned by the Centre for Connected and Automated Vehicles, and it is due to last for three years. The current paper is the first publication.

There are various technologies which fall under the umbrella of driving automation. At present some assistance is available to human drivers, for example in the form of cruise control or parking assistance. Equally, however, driving automation may refer to a system which drives a vehicle itself with no human intervention. One of our main focuses is on those systems which do not need a human driver for at least part of the journey.

The main theme of the joint Consultation Paper is on the safety of passenger vehicles. We look at three principal themes: first, the ways in which safety can be assured before and after automated driving systems are deployed; secondly, how existing criminal and civil law may need to be adapted or expanded to deal with automated vehicles; and, thirdly, how the rules of the road may need to be adapted to take account of the use of artificial intelligence.

Consultation is critical in all our law reform projects to ensure that the final recommendations contained in our report would, if implemented, result in law which is just, principled, responsive and easy to understand. We would therefore be grateful to receive your views on any or all of the questions in this paper; they will be fully considered and analysed in the course of reaching our final conclusions.

As the Law Commission for England and Wales is co-ordinating the submission of responses, please send your comments to the address shown at the front of the paper. Where possible, we would prefer the electronic submission of comments. Please note that the consultation process for this project will conclude on **8 February 2019**; accordingly, we would be grateful if comments were submitted by then.



PLEASE NOTE THAT information about this joint Consultation Paper, including copies of responses, may be made available in terms of the Freedom of Information Act 2000 and the Freedom of Information (Scotland) Act 2002. Any confidential response will be dealt with in accordance with these Acts and as stated at the front of the joint Consultation Paper. We may also attribute comments and publish a list of respondents' names.

More information about the work of the Commission can be found on our website at <https://www.scotlawcom.gov.uk/>.

Finally, should you wish to offer any comments on the way in which we conduct our consultation exercises, we would be pleased to hear from you.

Yours faithfully

MALCOLM McMILLAN
Chief Executive