

Automated Vehicles Consultation Centre for Connected and Autonomous Vehicles

Consultation response: Safe Use Rules for Automated Vehicles

About BIBA

The British Insurance Brokers' Association (BIBA) is the UK's leading general insurance intermediary organisation representing the interests of insurance brokers, intermediaries, and their customers.

BIBA membership includes around 1800 regulated firms, employing more than 100,000 staff. General insurance brokers contribute 1% of GDP to the UK economy; they arrange 67% of all general insurance with a premium totalling £65.1bn and 81% of all commercial insurance business. Insurance brokers put their customers' interests first, providing advice, access to suitable insurance protection and risk management.

BIBA receives hundreds of thousands of enquiries per year to its Find Insurance Services, online and via the telephone, which are directed to insurance broking firms.

BIBA is the voice of the sector advising members, Government, regulators, consumer bodies and other stakeholders on key insurance issues

Consultation response

Question

We ask whether respondents are satisfied that the proposed wording below achieves the outcomes articulated above for The Highway Code? And if not, why?

BIBA Response

This change is being made to support the safe use of ALKS and to ensure clear responsibility between the driver and the vehicle. BIBA is of the firm view that ALKS does not constitute automated driving and should be considered as 'assisted driving'. ALKS only satisfies 2 of Thatcham Research's 12 principles for a vehicle to be classified as automated. On this basis the driver MUST stay in control of the vehicle at all times.

If ALKS is approved, then we think the Highway Code needs to make it very clear what a driver can and cannot do while the system is engaged. The proposed wording is too vague.

As per our response to the Law Commission's Call for Evidence on ALKS, we state that no tasks other than using handsfree telephony should be permitted by the driver. We went on to disagree that an exception should be added to enable the use of the infotainment system for activities other than driving. In our opinion, we believe this will cause driver distraction/inattention and inhibit ability

to react quickly to a transition demand. We went on to list examples of unsafe activities that should not be performed by the driver through a vehicle's infotainment system while ALKS is engaged:

- Reading/sending Emails
- Reading/sending texts messages
- Watching media

We think that the Highway Code needs to go into this level of specificity. We think that the driver needs to keep their hands on the wheel at all times and that this should be stipulated in the Code.

Your consultation states the following:

“Automated vehicles can perform all the tasks involved in driving, in at least some situations. They differ from vehicles fitted with assisted driving features (like cruise control and lane-keeping assistance), which carry out some tasks, but where the driver is still responsible for driving. If you are driving a vehicle with assisted driving features, you MUST stay in control of the vehicle”.

We believe it to be dangerously confusing for consumers to use the example of lane keeping assistance as just an assistance system here (as a non-automated system) and then refer elsewhere to automatic lane keeping systems as an autonomous system as well – we are concerned many consumer will not appreciate the nuance between the two and would recommend there be a specific section explaining the difference between these two-lane keeping systems.

Question

Do you have concerns about the impacts of the proposed changes to The Highway Code? Why?

BIBA Response

Yes, we have serious concerns and think the changes are both premature and vague. Again, we are not convinced that ALKS constitutes safe automated driving, but rather constitutes 'assisted' driving. On this basis it needs to be made clear that while ALKS is engaged, the driver MUST stay in control of the vehicle.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graeme Trudgill', with a long horizontal flourish extending to the right.

**Graeme Trudgill FCII, Chartered Insurance Practitioner
Executive Director**

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