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### **Safe Use of Automated Lane Keeping System (ALKS) Call for Evidence**

The British Vehicle Rental and Leasing Association (BVRLA) represents over 1000 members in the vehicle rental and leasing sector. BVRLA members and their customers are collectively responsible for over 5 million vehicles on UK roads, purchasing around 50% of new vehicles sold annually in the UK.

Consumer protection and the safety and security of vehicles is of paramount importance to BVRLA members. We welcome the opportunity to respond to this call for evidence.

#### **Driver education**

It is imperative that drivers are informed about the abilities and limitations of the system to ensure it is used safely. However, significant questions remain about who is responsible for educating drivers about autonomous features in vehicles and confirming that these features are understood. This needs to be given careful consideration across a range of different vehicle use cases and business models, including leasing, rental and car club.

#### **Automated vehicle definition/classification**

We have a number of reservations relating to the scenario where any vehicle approved to the ALKS regulation would be automatically considered to be an automated vehicle under the Automated and Electric Vehicles Act (AEVA).

In our former responses to the Law Commission's review of autonomous vehicles we have flagged our concern about liability and where this sits if a rental or leased vehicle was involved in an accident or if it had a recall notice issued. An outstanding question we have raised relates to how 'over the air' updates would be managed/controlled. We have all experienced computer blue screens or mobile phone lock outs. If software updates are delivered over the air for autonomous vehicles, who ensures that these are processed correctly and have corrected the issue that needed fixing? Cybersecurity will be of upmost importance and the regulation and liability behind new technologies needs to be addressed.

We are also concerned about ownership of data and whether automatic consideration of vehicles to be autonomous may start to hinder our members ability to access the in-vehicle data. This would have significant implications for road safety if fleet owners do not have instant and indiscriminate access to the in-vehicle data and are therefore not kept updated, hindering their option to intervene if a vehicle has been recalled or if it is overdue for a service/needs essential maintenance.

#### **British Vehicle Rental and Leasing Association**

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Manufacturers retaining control of the in-vehicle generated data (through the Extended Vehicle model) prevents independent businesses from embracing digital opportunities. This jeopardises innovation. It also affects consumer choice and hinders a competitive “after-market” in the field of repairs and servicing.

### **Automation as an optional package**

We are keen to understand how manufacturers respond to the question about ALKS being an optional package. Due to ongoing uncertainty about liability, our members may want the ability to choose whether they opt in/out for ALKS. If they did opt out or had the ability to disable the ALKS then this would need to be recognised by the DVLA. This would ensure the rental or leasing company choosing to disable the functionality would not be liable if the vehicle was then involved in an accident due to an automation fault.

With the review by the Law Commission ongoing and with continued uncertainty in areas such as responsibility for driver education, liability, insurance and ownership/control of vehicle data, we feel that the introduction of vehicles classed as autonomous is too soon and needs a more comprehensive review.

We would welcome the opportunity to host a meeting with CCAV and BVRLA members to work through the concerns raised within this response and to agree on how best to move things forward.

Thank you for this opportunity to provide feedback. We look forward to speaking further as this work continues.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T Poston', written over a horizontal line.

Toby Poston  
Director of Corporate Affairs

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