

## **Motorcycle Industry Association (MCIA) submission**

### *Automated passenger services (APS) permitting scheme consultation*

#### **About MCIA**

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MCIA is the trade association for 'L-Category' vehicles, which includes powered two, three, and light four-wheeled vehicles (i.e., mopeds, motorcycles, tricycles, and quadricycles). Members include manufacturers of whole vehicles, accessory and components and those providing associated services to the industry.

With a mission to promote and protect the industry, MCIA works tirelessly to advance the growth, safety, and sustainability of L-Category vehicles. MCIA plays a vital role in shaping policies and regulations that impact the industry, working closely with Government bodies and other relevant stakeholders to ensure the potential of our vehicles is fully harnessed.

MCIA also actively promotes motorcycle safety, aiming to enhance awareness and education among users and the general public. Through campaigns, initiatives, and partnerships, MCIA strives to reduce accidents, improve rider skills, and advocate for the implementation of effective safety measures.

#### **Executive Summary**

MCIA emphasises the urgent need to integrate the safety of L-Category vehicles into the Automated Passenger Services (APS) permitting scheme. As some of the most vulnerable road users (VRUs), users of such vehicles face unique risks due to their smaller size, variable road positioning, and manoeuvrability – factors that present significant challenges for automated driving systems.

MCIA's submission makes clear that APS can only be deployed safely and with public confidence if explicit mandatory requirements are introduced to ensure reliable detection, prediction, and safe interaction with L-Category vehicles. This includes compulsory mixed-traffic testing, conflict point risk assessments, robust data reporting, and meaningful engagement with rider groups.

MCIA further stresses that the APS permitting scheme must not adopt long permit cycles without interim oversight. Given the rapid pace technological change, shorter validity periods or mandatory revalidation are essential safeguards. Regulatory mechanisms – such as permit suspension, independent audits, and DVSA reviews – must be proactive and decisive, particularly where risks to L-Category vehicles are evident.

MCIA highlights the importance of transparency and accountability. Public trust will depend on clear reporting of safety performance, open data on incidents involving L-Category vehicles, and visible evidence of continuous improvement in APS operation.

## Introduction

MCIA welcomes the opportunity to contribute to the **APS permitting scheme** consultation. We are committed to working collaboratively with Government, regulators and the wider automotive sector to ensure that the deployment of commercial passenger services with no human driver in the UK delivers genuine safety improvements without detriment to L-Category vehicles.

The unique riding characteristics of motorcycles and mopeds – such as higher speed relative to other VRUs, lane filtering, variable road positioning, and split-second manoeuvrability – create complex scenarios for automated driving systems to detect, interpret and respond to. Research by the RDW (the Netherlands Vehicle Authority) has already shown that advanced systems such as adaptive cruise control often fail to respond to motorcycles,<sup>1</sup> therefore, it is critical that these complexities are understood and addressed in the APS permitting scheme prior to deployment.

While L-Category vehicles are not mentioned directly in the consultation, their presence on UK public highways means that they will be directly affected by the introduction of APS. Motorcycles and mopeds are already recognised as VRUs; of the 336.2bn miles driven in Great Britain in 2024, circa 0.9% can be attributed to “motorcycle and scooters”.<sup>2</sup> However, motorcycle users account for 21% of fatalities.<sup>3</sup> Their small size, dynamic movement patterns and variable positioning within road space create challenges for drivers, and these challenges must not be overlooked in the development of APS systems. The permitting scheme must require explicit consideration of L-Category vehicles at every stage of development, testing, deployment and oversight.

At the same time, APS also presents significant opportunities. By eliminating common human-driver errors – such as misjudging speed, unsafe overtaking, or failing to check blind spots – APS has the potential to reduce some of the most frequent causes of collisions involving L-Category vehicles. If properly designed and regulated, APS could therefore deliver net safety benefits for riders, complementing wider Government goals in line with the Highway Code’s hierarchy of road users, the AV Act’s accessibility requirements, and the forthcoming Integrated Transport Strategy. MCIA believes the APS permitting scheme should ensure risks are managed, while also harnessing these opportunities to improve safety for all.

## Response to Consultation Questions

***Question 1: what guidance, if any, do you think government should provide to enable preliminary discussions between those wishing to apply for an APS permit and authorities?***

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<sup>1</sup> [RDW: ‘Adaptive cruise control does not always see motorcyclists’ - FEMA](#)

<sup>2</sup> [Road traffic estimates in Great Britain, 2024](#) – Department for Transport

<sup>3</sup> [Reported road casualties in Great Britain, provisional estimates: 2024](#) – Department for Transport

It would be appropriate for Government to issue guidance to permit seekers. This would help to ensure there is uniformity across authorities where APS are in operation, and ensure that where APS traverse authority boundaries, permits can remain valid.

MCIA recommends that Government publish a clear, standardised pre-application guidance pack and checklist for use by applicants and authorities. This could include:

- A required safety-case template - this should include mandatory sections on detection, prediction and understanding of L-Category vehicles which the APS permit-seeking body would need to satisfy. This guidance should also encourage applicants to demonstrate how their systems can not only match but exceed human driver performance in detecting and safely responding to L-Category vehicles. By benchmarking APS safety against the common causes of rider collisions, Government can ensure that automation actively contributes to casualty reduction.
- Evidence of minimum mixed-traffic testing - MCIA is concerned that without compulsory testing, APS may perform well in car-dominated scenarios but fail in the presence of L-Category vehicles. This represents an unacceptable risk given the vulnerability of users of these vehicle types.
  - Government would need to consult and determine what would be an acceptable level of mixed-traffic testing. By way of comparison, in California, regulators have proposed that autonomous-vehicle companies using passenger vehicles must conduct a minimum of 50,000 miles of testing with a safety driver before they can apply for a permit to do driverless testing. This would then be followed at least 50,000 additional miles of driverless testing before they could apply to deploy vehicles for commercial operations.<sup>4</sup>
- Data and reporting expectations - guidance should specify processes for how incident and near-miss data is to be provided and how often.
- Stakeholder engagement - a checklist should be provided, to be completed by the permit seeker, with suggestions on who to engage with, such as local motorcycle rider groups and road safety partners.

***Question 2: in your view, should we support any coordination, information sharing and best practice sharing between authorities?***

MCIA strongly believes that national and regional coordination, structured information sharing, and best practice sharing between authorities is essential.

Consistent standards and oversight across different localities are vital to ensuring safety. APS may operate across multiple local authority boundaries, and without coordinated oversight, there is a real risk of fragmented regulation, inconsistent safety expectations, and gaps in enforcement.

MCIA believes that coordination should specifically include:

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<sup>4</sup> [Reuters](#), Apr 2025

- Consistency of standards - ensuring that all APS operators are held to the same requirements nationwide, particularly in relation to detecting, predicting, and safely interacting with L-Category vehicles.
- Cross-boundary continuity - APS operations may not always be confined to a single licencing authority. Information sharing between authorities is therefore critical to ensure continuity of permits and consistent safety requirements for APS crossing local or regional boundaries.
- Incident and near-miss data sharing - authorities should have access to shared databases of incidents and near-misses, with data disaggregated to highlight interactions with L-Category vehicles. This would allow unsafe patterns of behaviour to be identified rapidly and corrective action to be taken nationally rather than in isolation.
- Best practice development - authorities should collaborate in developing best practice guidance, drawing on lessons from across the UK and internationally, to improve APS safety in mixed traffic, specifically in relation L-Category vehicles.

Coordination and information sharing are not just desirable, but essential. A nationally consistent approach, supported by structured information exchange, will help ensure APS safety standards are robust, prevent local disparities, and enable rapid identification of risks, particularly those affecting L-Category vehicles.

Shared learning should extend to documenting where APS has demonstrably reduced risks for L-Category vehicle users, such as at junctions or lane changing. Highlighting these positive safety outcomes will reinforce public confidence and provide evidence of APS delivering on Government's road safety ambitions.

***Question 3: in your view, what would you expect to see included to make the proposed guidance as useful as possible for your authority?***

While MCIA is not an authority, we would expect any guidance to be clear, practical and focussed on ensuring APS services are safe for all road users. It should provide authorities with requirements and processes to identify, assess and manage road-safety risks to passengers **and** other road users, particularly L-Category vehicles.

***Question 4: in your view, what information are taxi and private hire licensing authorities likely to view as useful in deciding whether to grant or refuse consent?***

Taxi and private hire licensing authorities will need clear, practical information which enables them to judge whether an APS can operate safely in their local area. From a road safety perspective – and particularly for the protection of L-Category vehicle users – MCIA contends that the following information would be necessary:

- Safety case evidence – a clear demonstration that APS can reliably detect, predict and respond safely to VRUs in mixed-traffic conditions, including in

scenarios unique to L-Category vehicles, such as lane filtering, variable road positioning, and rapid manoeuvres.

- Route-specific risk assessments – identification and mitigation of potential conflict points along proposed operating routes, such as junctions, roundabouts, bus lanes, pick-up and drop-off zones.
- Mixed-traffic testing results – evidence that APS vehicles have been tested in real-world environments with L-Category vehicles, including in poor weather, low light conditions and congested environments.
- Incident and near-miss reporting plans – clear commitments on how APS operators will log, investigate, and share safety data (disaggregated for VRUs), so that licensing authorities can track performance and intervene if necessary.
- Emergency and contingency procedures – protocols for responding to breakdowns, collisions, or unsafe behaviour, with clarity on how risks to other road users will be minimised.
- Information on the training, medical checks, and vetting of any safety drivers or passenger assistants, to ensure they meet standards equivalent to conventional vehicle drivers.
- Stakeholder engagement – evidence that the operator has consulted with local road safety groups and motorcycle rider organisations to understand local risks and incorporate this into service planning.
- Transparency commitments – confirmation that the operator will publish regular, accessible safety information to support public confidence in APS operation.

By requiring this information, taxi and private hire licensing authorities will be better equipped to make consistent, evidence-based decisions that protect both passengers and the wider community of road users.

***Question 5: in your view, what information are bus franchising bodies likely to view as useful in deciding whether to grant or refuse consent?***

Bus franchising bodies will require information that allows them to judge whether an APS can integrate safely and effectively into the wider public transport network. From the perspective of road safety and L-Category vehicle users, MCIA contends that the following information would be necessary.

- Safety case evidence – proof that APS vehicles can consistently detect, predict, and safely interact with VRUs in mixed-and-complex road traffic environments.
- Network and route-level risk assessments – analysis of how APS operations will affect safety along bus routes, particularly at conflict points, and how these will be mitigated.
- Mixed-traffic and bus-lane testing results – evidence that APS vehicles have undertaken thorough real-world testing in environments typical of bus services, including congested urban conditions, poor weather, low light, night-time operation – all with evidence of interacting with L-Category vehicles. This would further include evidence of APS interacting with motorcycles and mopeds in scenarios usually reserved only for buses, e.g. bus lanes.



- Incident and near-miss reporting frameworks – commitments from operators to log, investigate, and share all incidents and near-misses, with data disaggregated for VRUs, to enable ongoing oversight of safety in the franchised network.
- Emergency and contingency planning – detailed procedures for how APS services will respond to collisions, breakdowns, or operational disruptions, including coordination with emergency services and traffic authorities to minimise risks for passengers and other road users.
- Safety personnel standards – where safety drivers or passenger assistants are used, evidence that they meet the same medical and vetting standards as conventional bus drivers, to ensure accountability and safeguard public confidence.
- Stakeholder and community engagement – evidence of meaningful engagement with local motorcycle rider groups, road safety organisations, and passenger representatives to ensure local risks and needs are fully addressed.
- Transparency commitments – confirmation that APS operators will publish regular safety performance information, including VRU-related data, to support public confidence and demonstrate accountability.

By requiring this information, bus franchising bodies can make consistent, evidence-based decisions that ensure APS services integrate safely into public transport networks while protecting the interests of passengers and other road users.

***Question 6: what information would you expect to see published by permit holders on the safeguarding of passengers?***

It must be a clear requirement that APS permit holders publish accessible, transparent information on how passenger safeguarding is being addressed. Safeguarding must cover not only the welfare of passengers, inside the APS vehicle, but also the way services operate in relation to other road users, particularly L-Category vehicles.

MCIA contends that the following information should be published:

- Risk management measures – summaries of risk assessments, incidents and near-miss reporting procedures, and how risks to passengers and other road users are monitored and mitigated.
- Incident response – clear procedures for managing collisions, breakdowns, and passenger safety incidents, including coordination with emergency services.
- Vehicle safety validation – evidence that APS vehicles have been tested and assessed as safe to operate in varied traffic environments, weather conditions, and levels of VRU activity.
- Safety driver and assistant standards – where used, details of expectations for training, qualifications, medical fitness, and criminal record checks for safety drivers and passenger assistants.
- Continuous improvement – summaries of how lessons learned from incidents, near-misses, and audits are being incorporated into operational practice to strengthen safeguarding.

Publishing this information is essential for transparency, accountability, and building public confidence. It assures passengers, regulators, and other road users that APS services are being operated responsibly, with safeguarding at the centre of system design and day-to-day operations. This approach is consistent with the Government's wider commitment to transparency in automated vehicle regulation under the Automated Vehicles Act 2024. It also reinforces the Highway Code's principle that those operating vehicles which pose the greatest risk bear the greatest responsibility for safeguarding others. By publishing this information, APS operators can demonstrate accountability not only to passengers but to the wider road-using public.

***Question 7: what information would you expect to see published by permit holders on how the service was meeting the needs of older and disabled people?***

MCIA is not in a position to comment on information which should be published by permit holders on how APS services meet the needs of older and disabled people, however, it is important that reporting does not only reflect passengers, but reflects the diversity of other road users. For example, it is important to note that many motorcycle users are older; research by the Motorcycle Action Group and Lund University<sup>5</sup> found that in every region of Great Britain, with the exception of Scotland and London, the highest proportion of motorcycle licence holders were either in the 55-64 age bracket, or the over 70 bracket. For both London and Scotland, the highest proportion were found in the 55-64 bracket, followed by 45-54 years.

As older riders will potentially be directly interacting with APS, it is important that this diversity is reflected in any information published by permit holders to demonstrate that they have been considered in day-to-day operations. It would also be in line with the accessibility provisions of the Automated Vehicles Act 2024<sup>6</sup>, in that the APS should demonstrate inclusivity in how they interact with all road users. This should include:

- User engagement and testing – evidence of consultation with L-Category vehicle users, including how feedback has been incorporated
- Continuous improvement – summaries of lessons learned from incidents, near-misses or user feedback, and how services have been adapted to improve accessibility and inclusion.

Publishing this information ensures accountability, demonstrates commitment to inclusive design, and provides reassurance that APS are being delivered in a way that respects and protects the needs of fellow road users.

***Question 8: what information do you think should be requested in the APS permit application process?***

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<sup>5</sup> [Motorcycle and car driving licence holders: age demographic and GB regional comparison](#), Nov 22

<sup>6</sup> S.87 (3), Automated Vehicles Act 2024

MCIA contends that it is essential that the APS permit application process places specific, explicit emphasis on the ability of APS to operate safely in mixed traffic environments that include L-Category vehicles. These vehicles present unique detection and behavioural challenges for automated systems due to their smaller profile, variable lane positioning, rapid acceleration and deceleration, and higher vulnerability in collisions. To ensure that APS deployments are safe and publicly acceptable, MCIA believes that the permit application process should require the following:

- Demonstration of detection and prediction capabilities - applicants should provide clear evidence that their systems can reliably detect the range of L-Category vehicles in a wide range of scenarios, e.g. filtering, variable lane positions. Systems must also demonstrate predictive modelling of L-Category vehicles' behaviour, recognising that they may behave differently to cars and vans, and must show how they mitigate risk.
- Mixed-traffic testing requirements - prior to obtaining a permit, APS operators must provide evidence of mixed-traffic testing that explicitly includes L-Category vehicles. Testing should cover all weather and lighting conditions as adverse conditions may exacerbate the challenges of detecting an L-Category vehicle.
- Incident and near-miss reporting - permit applications should set out processes for recording, reporting and sharing data on all incidents and near-misses involving L-Category vehicles. This should include mechanisms for independent oversight so regulators (and the wider public) can assess performance and identify systemic risks early. Such data could also capture positive outcomes, e.g. lower incident rates compared to human-driven services.
  - Applicants should also demonstrate how APS performance compares to human driver baselines in terms of collision causation. This would enable regulators to assess whether APS is reducing risks relative to current norms – turning the technology into a proactive safety intervention aligned with Government objectives to reduce road injuries and fatalities and the objectives of the pending Integrated Transport Strategy to achieve better integration between transport services throughout the country.
- Conflict point analysis - APS applicants should identify potential conflict points along their proposed operating routes where interactions with L-Category vehicles is most likely (e.g. junctions, roundabouts, bus lanes). The application must explain the strategies and mitigations in place to reduce risk at these locations.
- Stakeholder engagement - applicants should be required to demonstrate meaningful engagement with local motorcycle rider groups in areas where they propose to operate. Engagement should include consultation on route planning, safety concerns, and incident reporting, ensuring that the voices of VRUs are included in deployment decisions.

The APS permit application process must not treat L-Category vehicles as an afterthought. Instead, it should include explicit requirements to prove safe detection, prediction and mitigation of L-Category vehicles interactions, supported by rigorous



testing, transparent reporting, and active engagement with the rider community. These measures are essential to ensuring that APS can be introduced without increased risks for some of the most VRUs.

***Question 9: what information do you think should be requested in the APS permit renewal process?***

It is paramount that the APS permit renewal process does not become a “rubber-stamp” exercise, but rather a critical opportunity to reflect on the vehicles’ operation over the period. Renewal should require operators to present up-to-date evidence that their services continue to operate safely in mixed traffic, with specific reference to L-Category vehicles.

MCIA recommends that renewal applications include the following:

- Evidence of continued safe operation
  - Comprehensive logs of incidents, collisions, and near-misses since the last permit was approved, with disaggregated data relating specifically to L-Category vehicles.
  - Analysis of trends, lesson learned, and how risks have been addressed over time.
  - Such evidence could also capture positive outcomes, e.g. lower incident rates compared to human-driven services.
- Software and hardware validation
  - Clear evidence of re-validation testing following any changes to the automated driving system software, perception systems, or sensor hardware.
  - Renewal applications should include a full explanation of updates, modifications, or patches made to the system and how these have been tested for reliability in detecting and responding to L-Category vehicles.
- Remedial actions taken
  - Operators must demonstrate how they have acted upon any previous safety findings, complaints, or regulatory interventions.
  - Renewal should be contingent on proof of corrective measures being successfully implemented and tested.
- Stakeholder engagement
  - Renewal applications should include evidence of continued engagement with local motorcycle rider groups and road safety organisations.
  - This should include consultation on operational experiences, incident reports, and any proposed route or service changes.
- Independent safety audits
  - Renewal should require an independent audit and certification from an external body to review the APS safety performance, specifically including performance in mixed traffic and interactions with L-Category vehicles.
- Transparency and accountability

- Operators should be required to publish a summary of their safety record – including L-Category vehicle related data – so that the public, and especially VRUs, can have confidence in the ongoing operation of APS.

The APS permit renewal process must not simply check whether operators have met minimum standards, but instead actively verify continued safety, improvement, and accountability. For L-Category vehicle users, who remain some of the most VRUs, this means ensuring that systems are kept up-to-date, risks are mitigated, and meaningful engagement with rider groups continues. Renewal should only be granted where operators can prove they are learning, adapting, and maintaining the highest standards of safety for all road users.

***Question 10: what information do you think would be useful to include in any guidance to support discussions between APS permit applicants and emergency services and traffic authorities?***

Guidance should ensure that discussion between APS permit applicants, emergency services and traffic authorities are focused on practical safety measures that protect both passengers and other road users, particularly L-Category vehicles.

MCIA contends that the following information should be included:

- Vehicles interaction protocols – how APS vehicles detect and respond to emergency vehicles responding to emergencies and manage interactions in complex scenarios such as junctions, roundabouts, and when motorcycles and mopeds are filtering or changing lane position.
- Incident management procedures – detailed plans for responding to collisions, near-misses, and breakdowns, including communication channels with emergency services and traffic authorities.
- Access and control mechanisms – clarity on how emergency services and traffic authorities can communicate with, override, or otherwise engage with APS vehicles in urgent situations to manage safety risks.
- Route and operations information – disclosure of intended routes, pick-up/drop-off locations, and operational hours so authorities can anticipate impacts on traffic flow, congestion, and risks to VRUs.
- Simulation and testing evidence – results of testing APS behaviour in emergency and traffic-control scenarios, demonstrating safe and predictable responses.
- Data sharing arrangements – agreed mechanisms for providing real-time or post-incident data (anonymised where appropriate) on APS interactions with emergency vehicles and VRUs to support rapid response and continuous learning.

By requiring these elements, the guidance would help to ensure that emergency services and traffic authorities are equipped to manage APS safely, maintain traffic resilience, and reduce risks to both passengers and VRUs.

***Question 11: do you agree or disagree that safety drivers or passenger assistants should be subject to the same criminal record checks and medical standards as taxis and PHV drivers and why?***

MCIA agrees with this proposal. When APS vehicles operate with a safety driver or passenger assistant on board, those individuals carry a critical responsibility not only for safeguarding passengers, but also for ensuring safe operation around other road users, particularly L-Category vehicle users.

Applying the same criminal record checks and medical standards as required for taxi and PHV drivers is essential for several reasons:

- Passenger safety – safety drivers and assistants must be fit, responsible, and appropriately vetted to intervene effectively in the event of a system failure or emergency.
- Road user protection – in mixed-traffic environments, safety personnel may be required to take rapid decisions to avoid collisions with VRUs; ensuring they are medically fit and properly vetted is vital.
- Public confidence – equal standards of accountability and trustworthiness will reassure the public that APS operators are held to the same standards as existing passenger services.
- Consistency and fairness – applying equivalent requirements avoids creating a lower threshold for APS services compared to conventional taxi/PHV operations.

To summarise, extending the same checks and standards is a proportionate and necessary measure to protect passengers, other road users, and to build confidence in the safe deployment of APS.

***Question 12: do you agree or disagree that regulations should set the maximum permit validity period at 5 years***

MCIA disagrees with the proposal to set the maximum permit validity period at 5 years. This position is consistent with the Government's own acknowledgement, through the Automated Vehicles Act implementation programme,<sup>7</sup> that technology in this field is evolving rapidly and regulatory oversight must remain flexible. Shorter validity periods or interim revalidation requirements would better reflect this principle and ensure continuous assurance of safety for vulnerable road users.

L-Category vehicles are often the most challenging road users for automated systems to detect, predict, and respond to safely. A 5-year period without mandatory revalidation or audit could mean that flaws in the system behaviour towards L-Category vehicles persist for years before being scrutinised.

MCIA contends that a shorter maximum permit period (3 years) would be more appropriate. Many UK/EU frameworks (e.g. REACH, Type Approval, UNECE vehicles

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<sup>7</sup> [Automated Vehicles Act implementation programme](#), Centre for Connected and Autonomous Vehicles, Feb 2025

regulations) use 3-year cycles for transitions, reviews and conformity updates, so a proposal to extend this to include APS permitting would be proportionate and not without precedent. A 3-year permit duration achieves a reasonable balance between regulatory oversight and the administrative and operational demands on permit holders/seekers.

At the very least, mandatory interim revalidation or safety audits should be required within the 5-year period, with specific reference to APS performance around L-Category vehicles.

An interim revalidation should include:

- Regular submission of incident and near-miss data disaggregated for L-Category vehicles.
- Evidence of safe system updates following any software or hardware changes.
- Independent safety checks to ensure that evolving systems continue to perform at or above the required standard in detecting, predicting, and safely interacting with VRUs.

To summarise, a 5-year maximum validity period without mandatory interim reassessment is too long in a field where technology – and its associated risks – develops so quickly. To protect VRUs, regulations must ensure continuous assurance of APS safety through shorter validity periods or mandatory periodic revalidation.

***Question 13: do you agree or disagree with our proposed approach to initially grant APS permits for a shorter validity period?***

MCIA agrees with the proposal to initially grant APS permits for a shorter validity period. Given the rapid pace of technological development in automated vehicle systems, and the particular challenges these systems face in reliably detecting and safely interacting with L-Category vehicles, a shorter initial validity period is both necessary and proportionate. This also aligns with the Government's incremental and safety-first approach to automation.<sup>8</sup> It will allow regulators to:

- Closely monitor early performance - APS operations will be at their most uncertain during initial deployment. A shorter permit period ensures that performance, especially in relation to VRUs, can be reviewed and validated before longer-term operation is authorised.
- Incorporate learning and improvements - the shorter validity period creates a structured opportunity to incorporate lessons-learned, respond to incident and near-miss data (including L-Category-specific data), and adjust requirements as technology and operating practices evolve.
- Ensure accountability - requiring operators to return for renewal more quickly ensures ongoing accountability and provides regulators with a regular opportunity to demand evidence of safety improvements, software/hardware

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<sup>8</sup> Ibid.

updates, and engagement with external stakeholders, e.g. motorcycle rider groups.

***Question 14: do you agree or disagree with the length of the proposed APS permit renewal window?***

MCIA does not object to the proposed 2–6-month renewal window, provided it allows sufficient time for applicants to compile robust safety evidence — including disaggregated data on L-Category vehicles — and for regulators to meaningfully assess any system changes.

***Question 15: do agree or disagree with our proposal for an existing permit to remain valid, subject to the maximum 5-year period, where the renewal process is delayed?***

Whilst MCIA has already set out that we disagree with the proposed 5-year maximum permit period (Q.12), we do not fundamentally disagree with the proposal for an existing permit to remain valid in circumstances where the renewal process is delayed due to administrative reasons.

However, MCIA's agreement should not be construed as unfettered:

- Interim monitoring - during any delay period, APS operators must still be subject to active monitoring and ongoing reporting obligations, including incident and near-miss data, comprising of disaggregated data for L-Category vehicles. This ensures that safety oversight does not lapse during the delay.
- Defined timeframe for delays - there must be a clear timeframe within which an administrative delay is acceptable. Indefinite extensions of permit validity would not be acceptable from a safety perspective and undermines the purpose of having a defined permit duration. Government should separately consult with stakeholders on what constitutes a reasonable limit for such delays.
- Accountability and transparency - if permits are extended temporarily due to delays, there should be transparency in reporting the reasons for the delay, the expected timeframe for resolution, and public confirmation that safety monitoring remains in place throughout.

***Question 16: do you agree or disagree with the proposal to not immediately charge an APS application fee?***

No answer provided.

***Question 17: do you agree or disagree with the proposal to introduce an APS application fee in the future, following the implementation of the full act?***

No answer provided.



***Question 18: do you agree or disagree with our proposed approach to vary, suspended or withdraw an APS permit?***

MCIA agrees with the proposal to vary, suspend or withdraw an APS permit and considers this to be an essential safeguard. APS must be held to the highest standards of safety, particularly in relation to VRUs, who are disproportionately affected in the event of a collision. This would align with the Highway Code and the hierarchy of road users.

Repeated interactions that jeopardise the safety of L-Category vehicle users should be treated as significant grounds for varying, suspending, or withdrawing a permit. This must apply not only to actual collisions but also to near-misses, which provide vital early warning of unsafe system behaviour.

The ability to vary suspend or withdraw permits ensures that unsafe pattern of behaviour towards VRUs can be addressed before they lead to serious harm. This proactive approach is critical to maintaining trust in APS technology. L-Category vehicle users, and other VRUs need confidence that regulatory systems will act promptly and decisively where unsafe behaviour is identified. Knowing that unsafe patterns will triggers regulatory intervention will provide important reassurance to these road users.

***Question 19: do you agree or disagree that in ordinary cases, the Secretary of State for Transport should give the APS permit holder and consenting authority notice of an intention to vary a permit and invite representations?***

In ordinary cases, it is appropriate that the Secretary of State provide notice to the APS permit holder and the consenting authority before varying a permit and invite representations. This process ensures fairness, transparency, and the opportunity for local knowledge and operational experience to be factored into decision-making.

However, it is equally important that this safeguard does not create delays in addressing urgent safety risks. In circumstances where there is an immediate threat to passengers and other road users – particularly VRUs – the Secretary of State must retain the ability to act without notice; the framework must allow for rapid intervention where safety-critical concerns are identified.

***Question 20: do you agree or disagree that in urgent cases, the Secretary of State for Transport may suspend or make a temporary variation to an APS permit first, and then invite representations?***

MCIA agrees with this proposal. For urgent safety threats it is appropriate for the Secretary of State to be able to act promptly. This ensures that potential risks to VRUs are addressed without delay and that public safety is rightly prioritised.

However, the consultation lacks definition on what would constitute “urgent”. MCIA contends that repeated interactions with L-Category vehicles – whether collisions or near-misses – that jeopardise safety should be explicitly defined as urgent, requiring immediate intervention by the Secretary of State.

Allowing for urgent intervention will provide the following safeguards:

- Rapid risk reduction – unsafe system behaviour or repeated near-misses involving VRUs can be halted before they result in serious harm.
- Public reassurance – road users and passengers can be confident that regulators will act decisively when safety concerns emerge.
- Accountability – APS operators remain under continuous scrutiny and cannot continue operations unchecked where serious risks are evident.

***Question 21: do you agree or disagree with our proposed approach to reviews of decisions made by DVSA?***

MCIA agrees with this approach. A formal review mechanism is vital to ensure that regulatory decisions are fair, transparent, and subject to appropriate scrutiny. This strengthens accountability and builds public trust in the APS permitting regime.

From a safety perspective, the ability to review DVSA decisions is especially important where concerns relate to L-Category vehicle users. Reviews create a structured opportunity to ensure that safety evidence, incident data, and stakeholder input – such as from rider groups – are fully considered.

By providing operators, authorities, and stakeholders with a clear and fair process for challenging or reviewing DVSA decisions, the system will help ensure that safety standards are upheld consistently, and that continuous improvement in APS oversight is achieved.

***Question 22: do you agree or disagree with our proposed approach to information sharing?***

MCIA agrees with the proposed approach to information sharing. We recognise the importance of protecting commercial interests and proprietary technology. However, MCIA also believes that it is entirely appropriate that the Secretary of State is empowered to disclose safety-related information. Public trust in APS will only be secured if there is transparency around safety performance.

In particular:

- Public interest - it is firmly in the public interest for safety-related information to be made routinely available. This will drive transparency, encourage higher safety standards, and provide much-needed reassurance to L-Category vehicle users that their safety is being actively monitored and prioritised.
- Transparency without harming commercial interests - safety-related data can be disclosed in ways that protect commercial interests. For example,

information can be anonymised and aggregated to demonstrate the overall safety record of APS operations.

- Focus on VRUs - at the same time, data should be disaggregated to show how APS perform in relation to VRUs, including L-Category vehicles. This can still be achieved without harming legitimate commercial interests. This will allow regulators, road safety groups, and the wider public to assess whether APS technology is reliably detecting and safely interacting with VRUs.

## **Summary of Key Recommendations**

- Inclusion of L-Category vehicles in APS Design
  - APS systems must explicitly account for L-Category vehicles in detection, prediction, and response processes.
  - Mixed-traffic testing (including adverse weather and lighting conditions) should be mandatory.
  - Conflict point analysis and mitigation strategies must be part of permit applications.
- Permit Application and Renewal
  - Applications must include evidence of detection capability, mixed-traffic testing, incident and near-miss reporting, and stakeholder engagement.
  - Renewals must require fresh evidence of continued safe operation, updated testing after software/hardware updates, independent audits, and proof of remedial actions.
  - MCIA opposes a 5-year permit validity without interim reassessment, recommending a shorter 3-year period or mandatory mid-term safety audit.
- Safety Oversight and Transparency
  - Authorities must coordinate nationally with consistent standards, shared databases or incidents/near-misses, and best practice exchanges.
  - Operators must publish data on safeguarding, risk management, incidents, near-miss reports, and system validation.
  - Stakeholder engagement (e.g. local rider groups, road safety partners) should be mandatory at application and renewal stages.
- Safeguard and Regulatory Powers
  - Safety drivers and passenger assistant should meet the same criminal record checks and medical standards as taxi and PHV drivers.
  - The Secretary of State for Transport must retain urgent powers to suspend/withdraw permits immediately where VRU safety is compromised.
  - Independent audits and DVSA review mechanisms should reinforce accountability.
- Passenger and Road User Safeguarding
  - Published information should cover risk management, contingency plans, safety validation, and continuous improvement.
  - APS must demonstrate how services consider diverse road users, including older riders who often use motorcycles.

## **Conclusion**

While APS poses challenges for L-Category vehicles, it also presents opportunities to improve rider safety by eliminating common human driver errors. If designed and regulated with vulnerable road users at the forefront, APS could contribute reducing collisions and advancing wider Government objectives, including the Highway Code' hierarchy of road users, the accessibility requirements of the Automated Vehicles Act, and the forthcoming Integrated Transport Strategy and Road Safety Strategy.

MCIA's position is therefore twofold: APS permitting must explicitly safeguard L-Category vehicle users at every stage of system development, testing, and oversight, but should also actively harness the potential of automation to improve safety outcomes compared with the human baselines. By embedding this balance of caution and opportunity, the APS permitting framework can deliver both innovation and protection, ensuring the UK becomes a global leader in safe and inclusive automated passenger services.