

“Automated passenger services (APS) permitting scheme” – techUK response

28 September 2025

Introduction

techUK is a membership organisation launched in 2013 to champion the technology sector and prepare and empower the UK for what comes next, delivering a better future for people, society, the economy and the planet. It is the UK's leading technology membership organisation, with a network that enables our members to learn from each other and grow in a way which contributes to the country both socially and economically. By working collaboratively with government and others, we provide expert guidance and insight for our members and stakeholders about how to prepare for the future, anticipate change and realise the positive potential of technology in a fast-moving world.

Our Self-Driving Vehicles Working Group is building political and public understanding of the benefits that automation can deliver for our transport system and wider economy. Its work also includes ensuring that the UK's regulatory system is fit-for-purpose and capable of supporting deployment on public roads. This work considers the industry's requirements from a technical, insurance and legal perspective, involving a diverse collection of businesses from across techUK membership. We welcome the opportunity to respond to this consultation and are available for any follow-up questions that you might wish to ask.

Overview

techUK supports the establishment of a rigorous permitting regime for Automated Passenger Services, underpinned by high standards in service provision, passenger safeguarding, and accessibility. We believe that public trust in autonomous vehicle (AV) technologies is essential to the sector's long-term commercial success, and that robust regulatory oversight will help foster this trust.

We highlight the importance of clarity, consistency, and coordination across the APS permitting landscape, combined with a need for fair and transparent review mechanisms, appropriate safeguarding standards, and practical support for local authorities. techUK urges government to ensure that the permitting regime is not only legally sound but also operationally viable, enabling the safe and successful deployment of AV passenger services across the UK. To that end, we support a permitting framework of similar rigour to the existing Private Hire Vehicle (PHV) licensing regime, providing a clear and credible benchmark for safety, accountability, and public confidence.

Question-by-Question Responses

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

We would support the provision of clear, consistent, and proactive government guidance to facilitate preliminary discussions between APS permit applicants and relevant authorities. This should be done in a way that is accessible, regularly updated, and co-developed with industry stakeholders.

The APS market will involve a complex ecosystem of regulators, local authorities, transport bodies, and technology providers, and the government is well-positioned to coordinate these actors and should develop a framework that enables applicants to understand expectations and prepare robust applications that meet both national and local requirements, reducing delay and wasted resources. Any such guidance could also take account of existing trials with safety operators under the Trialling Code of Practice. Transitioning from pilot testing to driverless services under the new regime needs more clarity and support.

As the APS permitting scheme precedes full implementation of the AV Act, there is a risk of duplication in reporting and compliance. Government guidance should clarify how APS permits will interact with any near-term requirements that enable the listing of vehicles as automated (such as requiring the application of Vehicle Special Orders) and any longer-term requirements that flow down from UN ADS approval under authorisation. We do not think that APS permitting and consenting authorities should deal with issues that are rightly considered under the authorisation of a vehicle and the NUICO licensing regime.

The role of consenting authorities also needs to be clarified, and guidance could play a helpful role here. Guidance should include consenting authorities' responsibilities in the permit process, and how national standards interact with local discretion, along with their responsibilities in reviewing applications and mechanisms for resolving inconsistencies.

Without structured coordination, there is a real risk of inconsistent standards, duplicative processes, and delays that could undermine business confidence and increase costs for operators. The government should act as a central convenor to ensure alignment across jurisdictions. Any such guidance should clearly define the baseline conditions that will apply to all APS permits, as well as ensuring consistency in terms of the conditions applied between both local areas and operators, regardless of location. This will help ensure a competitive level playing field, and avoid the inconsistencies seen in the existing taxi and ride-hailing sector, where local variations have complicated scale and innovation. The APS scheme should aim to establish a coherent national framework with room for local adaptation where justified.

Additionally, there are concerns that some local authorities might lack the resources or knowledge about this technology to assess APS proposals effectively. Coordinated working with other bodies responsible for aspects of technical approval and authorisation, alongside training, shared resources, and access to expert advice, can help build knowledge and understanding at the local level. This will enable authorities to make informed decisions and engage constructively with industry and other actors involved in authorisation.

Currently, the decisions of consenting authorities are not bound by any guidance, or subject to a review, and so we would ask for the draft regulations to be amended to require consenting authorities to have regard to any such guidance. This would have the effect of strengthening the role of any guidance issued.

Finally, while we support information-sharing in principle, this must be carefully balanced against the need to protect commercially sensitive information. Government guidance should clearly define what data may be shared, under what conditions, and with what safeguards, with information shared only when strictly necessary.

Question 3: in your view, what would you expect to see included to make the proposed guidance as useful as possible for your authority? AND 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? AND Question 5: in your view, what information are bus franchising bodies likely to view as useful in deciding whether to grant or refuse consent?

We refer to points made in our response questions 1&2 on guidance for consenting authorities. Additionally, the Government has committed to consult on whether to make local transport authorities (including Strategic Authorities) responsible for taxi and private hire vehicle licensing. If these changes are brought forward, there will need to be consideration of the impacts for APS permitting. More broadly, other stakeholders will be in a better position to answer these questions in detail.

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

We support current systems for protecting and safeguarding passengers – older and disabled passengers in particular – using transport systems, and our members are committed to

upholding them. Where appropriate, we should seek to adapt these existing safety and customer standards and expectations to the APS regime, so as not to duplicate or set unachievable thresholds specifically on APS operators in the nascent stages of this new market.

More broadly, we would caution against requiring APS operators – at least at the early stages – to provide services specialised for all potential passengers unless they are specifically designed for that purpose. It is unlikely that all APS vehicles introduced onto UK roads during trial periods will be fully accessible. This, however, should not act as an impediment to their deployment, as conventional vehicles can be used to provide the expected service provision for disabled and older people.

Question 8: what information do you think should be requested in the APS permit application process? AND Question 9: what information do you think should be requested in the APS permit renewal process?

We support a streamlined and consistent application process that provides clarity for operators and avoids duplication with other regulatory regimes. The information requested should be proportionate to the scale and risk of the proposed service, and should reflect the maturity of the technology and the operational model.

We believe that the proposals in the consultation should focus on service provision. Technical vehicle safety is addressed through the approval and authorisation process – it is not in the scope of the APS regime to re-open or assess technical vehicle safety, which is in the competence of the Type Approval Authority. Guidance can help set public and industry expectations and should also address operational aspects such as lost property handling, customer service standards, signage and livery, accessibility, and integration with existing transport networks. Other aspects of this technology and its operation will be covered in other domestic and international regulations so, to avoid duplication, a focus on the experience from the passenger's point of view will be valuable.

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?

Other stakeholders may be better placed to answer this question, but we make the general point that – as with consenting authorities – guidance should ensure that national standards are applied across the board, with unnecessary regional variation minimised. Guidance here should also outline exactly what information should be sought and in what format, to ensure that APS permit applicants are able to enter discussions with these authorities with confidence and consistency. Additionally, government should run an initial assessment of the baseline skills and technical capabilities of these authorities in this area to ensure that they are capable of engaging with these issues effectively and provide support for any required improvements as early as possible.

Question 12: do you agree or disagree that regulations should set the maximum permit validity period at 5 years? AND Question 13: do you agree or disagree with our proposed approach to initially grant APS permits for a shorter validity period?

On the overall 5-year permit validity, we think that this period is appropriate and can provide a reasonable balance between regulatory oversight and operational certainty for businesses. However, with the scope that is proposed to be given to consenting authorities to offer permits for shorter durations, we argue that permits of a shorter duration run the risk of not giving permit holders the time and confidence to run successful schemes. Therefore, permits should typically be awarded at, or towards, the maximum, and not significantly shorter.

This is particularly true with respect to the proposals to offer initial pilot permits for considerably shorter durations, a proposal with which we disagree. Whilst we understand the rationale for caution, a shorter initial permit period may be counterproductive, especially if it expires before meaningful operational data have been gathered, adding little benefit to creating a system of more frequent renewal processes. Where appropriate, regulators will already have powers to vary, suspend, or revoke permits if issues arise, which provides sufficient safeguards without needing to artificially shorten the general validity period.

It should be more broadly noted, however, that indefinite licences (issued to applicants who can demonstrate ongoing compliance with permit conditions and regulated via powers to vary, suspend or revoke) are not uncommon in other sectors, and would be helpful for investment certainty and should also be considered in this case. We would draw attention to the potential for a cliff-edge to be created at the 5-year limit if a renewal decision is not made in time. This is concerning as it could prevent the continued operation of service, causing significant disruption. We provide more detail on the cliff-edge risk in our response to Questions 14 and 15.

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

We strongly caution against creating a cliff-edge at the end of the validity period, five years or otherwise. There should be mechanisms to extend or renew permits in a timely and predictable manner, especially where services have demonstrated compliance and public benefit.

We are concerned that there is no guarantee that a well-informed and considered decision can and will always be made by consenting authorities within the few months allowed in the renewal window. This can have an impact both at the end of a five-year validity period (where

there is no possibility for any continuing validity in the case of a delayed decision) or for a short validity period (where operators, keen to ensure a successful renewal will likely begin the renewal process the full six months before end of the validity period, creating a situation where a renew is sought unhelpfully soon after the original approval was granted). Particularly for the former case, we would ask for a situation where, once a renewal has been requested, a permit remain valid until a decision is made, rather than create a cliff edge, which will be very detrimental to business confidence and operations, as well as creating an unhelpful and unnecessary deadline for consenting authorities to make – potentially rushed – decisions.

More broadly, we recommend that guidance be issued to create clear timelines and service standards for processing renewals, to avoid delays and uncertainty. Operators and passengers should be able to rely on a predictable process that does not disrupt service continuity and delays attributable to the regulator must not penalise the operator.

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

Our priority is that the permitting regime is efficient, predictable and properly resourced from the outset. We agree with the proposal to not immediately charge an APS application fee during the initial phase of the scheme if deferral provides a better pathway to moving quickly while resourcing is put in place sustainably. This approach is pragmatic and supportive of early market development and will help encourage participation and reduce barriers to entry.

However, we recommend that the government clearly communicate its intention to introduce fees in the future and provide a timeline and criteria for when fees will be considered appropriate. There should also be the guarantee of a comprehensive consultation process if and when fees are to be introduced. Without any sense of the level at which these fees are to be set, it is difficult to make an initial judgement, but we would argue that it may not, in principle, be reasonable, fair, or sustainable for the full costs of managing a permitting system to be borne by the operators using those permits. We note that DfT has not communicated any consideration for a consultation on APS fees before the stated date of 2027 for implementing the full framework.

More broadly, it is essential that consenting authorities are properly resourced to carry out their roles effectively. We urge government and CCAV to ensure that funding mechanisms are in place to support these authorities, especially during the early phases of deployment when capacity and expertise may be limited.

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

Generally, we agree with the principle that APS permits should be subject to variation, suspension, or withdrawal where necessary to protect public safety, ensure compliance, or respond to significant operational changes. This is a standard regulatory safeguard and aligns with best practice in other transport sectors. However, we ask that the process for variation be clearly defined, including more detail on exactly how the grounds for unilateral action by the Secretary of State are to be understood, interpreted, and applied. It is vital that, a permit having been granted and the operator already complying with a large range of other domestic and international legal requirements, any unilateral alteration or revocation of a permit will be limited to material breaches, safety concerns, or failure to meet vital permit conditions.

In particular, we would ask that further limitations be placed on what exactly will constitute an “urgent” case, allowing the Secretary of State to act before seeking representations from the permit holder. Providing notice and inviting representations ensures transparency, due process, and regulatory fairness. It allows operators and authorities to respond to proposed changes, clarify misunderstandings, and offer mitigating actions before a decision is finalised, and so acting before receiving these representations should be strictly limited to occasions involving immediate safety threats, serious breaches, or significant public interest concerns, and made on a temporary basis to allow for mitigating representations to be made.

Furthermore, we ask for clarification that the Secretary of State will not vary, suspend, or withdraw a licence in cases where either the responsibility for any breach of regulation does not sit with the APS permit holder (e.g. because of a fault on the part of a NUICO or ASDE), or where the Secretary of State has not first considered and ruled out sanctions available in other parts of the regime.

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

We strongly disagree with a number of aspects of these proposals.

In particular, we disagree with the proposal to rely solely on an internal review process conducted by DVSA. While internal reviews may serve as a useful first step, they do not provide the level of independence, transparency, or procedural fairness expected in a mature regulatory framework. There is a vital need for a proper appeals process and not rely on either

a decision-maker reviewing their own decision (which does not allow for the independence of an appeal that proper procedural fairness demands) or on a full judicial review (which is not feasible for most operators). Other transport sectors – including licensing for taxis, PHVs, and PSVs – benefit from independent appeal mechanisms, such as tribunals or oversight by the Traffic Commissioners. The APS permitting scheme should offer a similar route to challenge decisions. We recommend that the Government consider establishing either a dedicated Traffic Commissioner focussing solely on AVs with oversight of regulatory decisions and appeals, or an expanded role for each relevant regional Traffic Commissioner who already has experience in regulating passenger services.

In relation to timelines, the proposed 28-day window may well be too short for a full response from an appealing applicant, especially given that all written representations must be presented at the same time. Additionally, the lack of a defined timeline for completing the review could lead to uncertainty and operational disruption. This is particularly problematic if the review concerns a renewal or variation request, where delays could result in a cliff-edge scenario for ongoing services. We would, therefore, also ask for a statutory timeline for completing these reviews.

Finally, leaving any appeal of a consenting authority's decision to their own individual local processes leaves too much scope for uncertainty and arbitrary local variation. Appeals should be heard in a uniform manner across the country, with decisions, understandings, and precedents from one case applied fairly to others.

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

We broadly agree with the proposed approach to information sharing, provided it is implemented in a way that is proportionate, clearly scoped, aligned with existing regulatory frameworks, and protects commercial interests. On commercially sensitive data in particular, it is important that data are aggregated and anonymised as much as possible pre-publication, along with clearer detail about what constitutes “public interest”, how publication decisions are made, and a process to make representations to the Secretary of State on any proposed publication before such data are published.

We recognise the need for APS permit holders to report failures or damage affecting safety, but the scope of reporting should be carefully aligned with existing obligations under approval and authorisation. We would recommend a tiered reporting framework that distinguishes between critical safety incidents, non-critical faults, and routine maintenance, and also full alignment with either type-approval and/or authorisation requirements to avoid duplication. APS operators will likely already be subject to various reporting obligations under Road Traffic Act 1988 powers or other Parts within the Automated Vehicles Act 2024. The APS permitting scheme should be designed to complement, not duplicate, these requirements.

On Open Bus Data Requirements, we would urge caution. Many APS deployments will not resemble traditional bus services and may operate on flexible, on-demand models. Imposing BODS obligations could be onerous and inappropriate for these services, so integration should only be mandated where necessary.

Additional comments

Whilst there is a comprehensive assessment of the legal requirements necessary for the APS regime, industry remains unclear on the practical, end-to-end process beginning with an APS applicant applying for a permit right up until a member of the public is carried in a vehicle. There remain several open practical questions as to how to make this possible, and we do not see these questions being addressed within this consultation. We strongly urge government to convene representative meetings of industry, consenting authorities, and the DVSA to ensure there is a functional system in place before Spring 2026.

ENDS