

Cycling and Walking Investment Strategy: Safety Review Consultation on a review of The Highway Code

Moving Britain Ahead

Department for Transport

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Summary for Devon Countryside Access Forum

Introduction

1. The Cycling and Walking Investment Strategy Safety Review Call for Evidence, published in March 2018, aimed to gather information on how to tackle the safety issues that cyclists and pedestrians face, or perceive, when travelling on our roads, to support the Government's aim of increasing cycling and walking. It generated a huge response, with over 14,000 people taking part. A testament to the fact that we are a nation that has a passion for cycling, walking and horse riding.
2. The subsequent Government response to the call for evidence set out a two-year plan of action to address the key themes and issues raised. One of the top priorities identified by major stakeholders was to review the guidance in The Highway Code to improve safety for cyclists, pedestrians and horse riders, with a specific reference to responsibility and junctions.
3. This consultation document is therefore seeking views on proposed changes to The Highway Code to improve safety for vulnerable road users. This includes pedestrians, particularly children, older adults and disabled people, cyclists and horse riders. It is important that these groups feel safe in their interactions with other road users.
4. The Highway Code contains advice to all road users and is made under the Road Traffic Act 1988. The Highway Code is a collection of rules of two types:
 - **MUST/MUST NOT** rules relate to legislation and if you breach these rules you are committing an offence. These rules include reference to the legislation which creates the offence; and
 - **SHOULD/SHOULD NOT** or **DO/DO NOT** rules are advisory and breach in itself is not an offence but it may be used in court when considering evidence in relation to driving or riding behaviour.

The consultation includes many questions associated with how road users use the road and negotiate crossings, junctions and roundabouts but the ones most relevant to the Devon Countryside Access Forum are below. Changes to the current Highway Code are in italics, either new sections or changes in wording. Some of the

minor changes include the addition of horse riders and/or horse-drawn carriages to the list of users to look out for.

There is a new hierarchy of users:

Hierarchy of Road Users

The 'Hierarchy of Road Users' is a concept which places those road users most at risk in the event of a collision at the top of the hierarchy. The road users most likely to be injured in the event of a collision are pedestrians, in particular children, older adults and disabled people, followed by cyclists, horse riders and motorcyclists. The hierarchy does not remove the need for everyone to behave responsibly. The following H rules clarify this concept

Rule H1

It is important that ALL road users are aware of The Highway Code, are considerate to other road users and understand their responsibility for the safety of others.

Everyone suffers when road collisions occur, whether they are physically injured or not. But those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others. This principle applies most strongly to drivers of large goods and passenger vehicles, followed by vans/minibuses, cars/taxis and motorcycles.

Cyclists, horse riders and horse drawn vehicles likewise have a responsibility to reduce danger to pedestrians.

Always remember that the people you encounter may have impaired sight, hearing or mobility, and may not be able to see or hear you.

None of this detracts from the responsibility of all road users, including pedestrians, cyclists and horse riders, to have regard for their own and other road users' safety.

Question

Rule H1

Do you agree with the introduction of new Rule H1 (hierarchy of road users)?

Is the proposed wording easy to understand?

New Rule 63 (cyclists)

Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted take care when passing pedestrians, especially children, older adults or disabled people. Let them know you are there when necessary e.g. by ringing your bell (it is recommended that a bell is fitted to your bike), or by calling out politely.

Remember that pedestrians may be deaf, blind or partially sighted and that this may not be obvious.

Do not pass pedestrians, horse riders or horse drawn vehicles closely or at high speed, particularly from behind. Remember that horses can be startled if passed without warning. Always be prepared to slow down and stop when necessary.

Questions

Rules for cyclists

Do you agree with proposed change to Rule 63 (guidance for cyclists using shared spaces)?

Is the proposed wording easy to understand?

Rule 163 – using the road

Overtake only when it is safe and legal to do so. You should

- not get too close to the vehicle you intend to overtake
- use your mirrors, signal when it is safe to do so, take a quick sideways glance if necessary into the blind spot area and then start to move out
- not assume that you can simply follow a vehicle ahead which is overtaking; there may only be enough room for one vehicle
- move quickly past the vehicle you are overtaking, once you have started to overtake. Allow plenty of room. Move back to the left as soon as you can but do not cut in
- take extra care at night and in poor visibility when it is harder to judge speed and distance
- give way to oncoming vehicles before passing parked vehicles or other obstructions on your side of the road
- only overtake on the left if the vehicle in front is signalling to turn right, and there is room to do so
- stay in your lane if traffic is moving slowly in queues. If the queue on your right is moving more slowly than you are, you may pass on the left. *Cyclists may pass slower moving or stationary traffic on their right or left, including at the approach to junctions, but are advised to exercise caution when doing so*
- give motorcyclists, cyclists, horse riders and *horse drawn vehicles* at least as much room as you would when overtaking a car (see Rules 211 to 215). As a *guide*:
 - *leave a minimum distance of 1.5 metres at speeds under 30 mph*
 - *leave a minimum distance of 2.0 metres at speeds over 30 mph*
 - *for a large vehicle, leave a minimum distance of 2.0 metres in all conditions*
 - *pass horse riders and horsedrawn vehicles at speeds under 15 mph and allow at least 2.0 metres space*
 - *allow at least 2.0 metres space where a pedestrian is walking in the road (e.g. where there is no pavement) and you should pass them at low speed*
 - *you should wait behind the motorcyclist, cyclist, horse rider, horse drawn vehicle or pedestrian and not overtake if it is unsafe or not possible to meet these clearances*

- *take extra care and give more space when overtaking motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians in bad weather (including high winds) and at night.*

Questions

Using the road

Do you agree that cyclists may pass slower moving traffic on their right or left as detailed in Rule 163?

Do you agree with the proposed speed limits detailed at Rule 163 for overtaking: - motorcyclists? - cyclists? - horse riders? - horse drawn vehicles?

Do you agree with the proposed passing distances detailed at Rule 163 for overtaking: - motorcyclists? - cyclists? - horse riders? - horse drawn vehicles?

Is the proposed wording easy to understand?

Rule 204

The road users *most at risk from road traffic* are pedestrians, *followed by* cyclists, horse riders and motorcyclists. It is particularly important to be aware of children, *older* adults and disabled people, and learner and inexperienced drivers and riders. *In any interaction between road users, those who can cause the greatest harm have the greatest responsibility to reduce the danger or threat they pose to others.*

Rule 212

Give motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians walking in the road (e.g. where there is no pavement), at least as much room as you would when overtaking a car (see Rules 162 to 167). Drivers should take extra care and give more space when overtaking motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians in bad weather (including high winds) and at night. If the rider looks over their shoulder it could mean that they intend to pull out, turn right or change direction. Give them time and space to do so.

Rule 215 Horse riders and horse-drawn vehicles. Be particularly careful of horse riders, horse-drawn vehicles and *feral ponies* especially when *approaching*, overtaking, passing or moving away. Always pass wide and slowly. *When you see a horse on a road, always slow down to a maximum of 15 mph. Be patient, don't sound your horn or rev your engine. When safe to do so, pass wide and slow, allowing at least 2.0 metres space.*

Horse riders are often children, so take extra care and remember riders may ride in double file when escorting a young or inexperienced horse or rider. Look out for horse riders' and horse drivers' signals and heed a request to slow down or stop. Take great care and treat all horses as a potential hazard; they can be unpredictable despite the efforts of their rider/driver. *Remember there are three brains at work when you pass a horse; the rider's, the driver's and the horse's. Don't forget horses are flight animals and can move incredibly quickly if startled.*

Questions

Road users requiring extra care

Do you have any further comments about other changes proposed in the chapter on road users requiring extra care?

Annex 1. You and your bicycle

Make sure that you feel confident of your ability to ride safely on the road. Be sure that

- you *have* the right size and type of cycle for *your* comfort and safety
- *the* lights and reflectors are clean and in good working order
- *the* tyres are in good condition and inflated to the pressure shown on the tyre
- *the wheels spin freely*
- *the* gears are working correctly
- the chain is properly adjusted and oiled
- the saddle and handlebars are adjusted to the correct height. You *should* fit a bell to your cycle. (**Note: rule 66 only recommends a bell**).

You MUST

- ensure your brakes are efficient
- have *white* front and red rear lights *lit when cycling at night*. Laws PCUR regs 6 & 10 & RVLR reg 18

Cycle training: If you are an inexperienced cyclist or have not ridden for a while, consider taking a cycle training course. Some councils offer national standard cycle training such as Bikeability and in certain areas this is free of charge. It can help build up your skills and confidence.

There are three levels to Bikeability, starting with the basics of balancing, stopping and starting safely, through to handling complex and busy junctions. You will also learn about traffic signs and the rules of the road, planning routes, safe road positioning and signalling (particularly at junctions) and basic cycle maintenance. For more information, see www.bikeability.org.uk

Questions

Annexes

Do you have any comments about the changes proposed to: - annex 1?

Do you have any further comments regarding the proposed amendments to The Highway Code which focus on safety improvements for cyclists, pedestrians and horse riders?

Any other comments?