

## **Response to Consultation on a Review of the Highway Code**

### **1. INTRODUCTION**

- 1.1** This report advises the Board on the UK Government's consultation on a review of the Highway Code, and the final response submitted, following consultation with Members.

### **2. Background to the Consultation**

- 2.1** In 2018, the UK Government published the [Cycling and Walking Investment Strategy Safety Review Call for Evidence](#). As part of the UK Government's own response to this document, it determined to carry out a review of some of the provisions of the Highway Code. That review resulted in a Consultation on proposed changes, which closed on 28<sup>th</sup> October.
- 2.2** The Consultation stresses that this is not a wholesale review of the Code. In particular, other current developments, such as micromobility vehicles, including e-scooters, may require further changes.
- 2.3** The current review focuses on giving enhanced priority to 'vulnerable road users,' said to include: 'pedestrians, particularly children, older adults and disabled people, cyclists and horse riders.' The main changes proposed focus on:
- introducing a hierarchy of road users which ensures that those road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to others
  - clarifying existing rules on pedestrian priority on pavements, and that drivers and riders should give way to pedestrians crossing or waiting to cross the road,
  - establishing guidance on safe passing distances and speeds when overtaking cyclists or horse riders, and ensuring that they have priority at junctions when travelling straight ahead.

The Consultation on the proposed changes ran from 28<sup>th</sup> July until 28<sup>th</sup> October this year. A draft response was prepared for approval at the 25<sup>th</sup> September Board. However, its postponement meant the response had to be submitted in advance of the rescheduled date. Members were consulted on the response, and comments submitted were taken into account as far as possible.

### **3. The Hierarchy of Road Users**

- 3.1** The main principles of the change are set out in Section 1 of the consultation document, which outlines that there should be a hierarchy of road users. Whilst this is not designed to give priority to pedestrians, cyclists and horse riders in every situation, the intention is to ‘ensure a more mutually respectful and considerate culture of safe and effective road use that benefits all users.’
- 3.2** In order to do this, the Government proposes to insert three new rules to the Introduction to the Code, stressing the Hierarchy of Road Users. These rules are reproduced at Appendix 1.

#### **4. Discussion**

- 4.1** For some, the proposed changes do not go far enough, as they will not have the force of law. However, the changes themselves are in general in line with SEStran’s policy position of supporting cycling, walking, and wheeling, as expressed in the RTS and elsewhere.
- 4.2** The proposed introduction of a ‘hierarchy’ of road users is in general welcome, and helps to underline the extra care that less vulnerable road users should take.
- 4.3** Rule H2 introduces a new concept: drivers should wait before turning into or out of junctions for pedestrians to cross. Whilst this is welcome, it is a change to current behaviour and the response suggests this change be well publicised, and shown in the Code with diagrams as well as the text. The wording could also be improved on, as suggested in the response.
- 4.4** The remainder of the changes elsewhere in the Code support the basic principles of the Hierarchy, and are in general easy to follow. The drafters of the changes have also taken the chance to update the Code to reflect things like new types of crossing, the increased prevalence of 20 mph speed limits, and improvements to technology such as in-car audible warning systems.
- 4.5** The main areas where it is felt the wording could be improved, or the revisions are unhelpful, concern giving way on a zebra crossing; the suggestion of cyclists’ positioning on the roads (see Rule 72 proposals); and some of the consequential changes to rules for cyclists.

#### **5. Recommendation**

- 5.1** It is recommended that the Board note the response to the UK Government’s ongoing consultation on a review of the Highway Code set out at Appendix 2, submitted under delegated powers after consultation with the Members.

Andrew Ferguson  
**Consultant to SEStran**  
12<sup>th</sup> November 2020

Policy Implications	None
Financial Implications	None
Equalities Implications	None
Climate Change Implications	None

## Appendix 1: The three new Hierarchy Rules

The aim of The Highway Code is to promote safety on the road, whilst also supporting a healthy, sustainable and efficient transport system

**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.

**Rule H2:** Rule for drivers, motorcyclists, horse riders and cyclists

At a junction you should give way to pedestrians crossing or waiting to cross a road into which or from which you are turning.

You **MUST** give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.

You should give way to pedestrians waiting to cross a zebra crossing, and pedestrians and cyclists waiting to cross a parallel crossing.

Horse riders and horse drawn vehicles should also give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.

Pedestrians have priority when on a zebra crossing, on a parallel crossing or at light controlled crossings when they have a green signal.

Cyclists should give way to pedestrians on shared use cycle tracks. Only pedestrians may use the pavement. This includes people using wheelchairs and mobility scooters. Pedestrians may use any part of the road and use cycle tracks as well as the pavement, unless there are signs prohibiting pedestrians.

Laws [TSRGD Schedule 14 part 1 and part 5](#) and [HA 1835 sect 72](#) & [R\(S\)A 1984, sect 129](#)

**Rule H3: Rule for drivers and motorcyclists**

You should not cut across cyclists going ahead when turning into or out of a junction or changing direction or lane, just as you would not turn across the path of another motor vehicle. This applies whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road and you should give way to them.

Do not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve, just as you would do with a motor vehicle.

You should stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are:

- approaching, passing or moving off from a junction
- moving past or waiting alongside stationary or slow-moving traffic
- travelling around a roundabout

# Changes to The Highway Code: improving safety for cyclists, pedestrians and horse riders

## Introduction

Thank you for responding to our consultation on The Highway Code. Your views will assist in helping us to update The Highway Code to improve safety for cyclists, pedestrians and horse riders.

We suggest you read the full consultation document which contains the background information and proposals in full.

The closing date for this interim review of The Highway Code consultation is 11:59pm on 27 October 2020.

### Print or save a copy of your response

When you get to the end of this questionnaire, you will be offered the chance to either print or save a copy of your response for your records. This option appears after you press 'Submit your response'.

### Save and continue option

You have an option to 'save and continue' your response at any time. If you do that you will be sent a link via email to allow you to continue your response where you left off.

It's very important that you enter your correct email address if you choose to save and continue. If you make a mistake in the email address you won't receive the link you need to complete your response.

### Confidentiality and data protection

The Department for Transport (DfT) is running this consultation on The Highway Code as part of its [Cycling and walking safety review](#). Your views will assist in helping us to update The Highway Code to improve safety for cyclists, pedestrians and horse riders. The consultation will run until midnight on 27 October 2020.

Your consultation response and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. Any information you provide that allows individual people to be identified, including yourself, will be protected by data protection law and DfT will be the controller for this information.

[DfT's privacy policy](#) has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

In this consultation we're asking for:

- your name and email address, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions)
- whether you are representing an organisation and, if so, the name of that organisation

Additionally as an individual we are asking for your main method of travel in order to better understand how your:

- opinions may be influenced towards
- situation may be affected by

the changes to The Highway Code.

Your information will be kept securely and destroyed within 12 months after the closing date. Any information provided through the online questionnaire will be moved to our internal systems within 2 months of the funding period end date.

## Your details

**Your (used for contact details only):**

name?

email?

**Are you responding: \***

- ☐ as an individual? (Go to main method of travel section)
- ☒ on behalf of an organisation?

## Organisation details

**What is the name of your organisation?**

(Go to The Highway Code review)

## Main method of travel

**Do you identify mainly as a:**

- ☐ vehicle driver?
- ☐ motorcyclist?
- ☐ cyclist?
- ☐ pedestrian?
- ☐ mobility scooter user?
- ☐ horse rider?

✓ ☒ other?

SEStran is a statutory partnership created by the Transport (Scotland) Act 2005. Its principal function is to create a Regional Transport Strategy for the region. The current Main Issues Report on the Strategy can be viewed at: <https://sestran.gov.uk/publications/sestran-rtts-main-issues-report/>

## The Highway Code review

This interim review of The Highway Code focusses on:

- cyclists
- pedestrians
- horse riders

It is specifically considering:

- overtaking
- passing distances
- cyclist and pedestrian priority at junctions
- opening vehicle doors
- responsibility of road users

There are 3 main changes that are being proposed through this consultation:

1. introduction of a hierarchy of road users which ensures that those road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to others
2. clarifying existing rules on pedestrian priority on pavements and that drivers and riders should give way to pedestrians crossing or waiting to cross the road
3. establishing guidance on safe passing distances and speeds when overtaking cyclists or horse riders, and ensuring they have priority at junctions when travelling straight ahead

## Hierarchy of road users



Rule H1 of The Highway Code establishes a hierarchy of road users which ensures that those road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to other road users.

The hierarchy places vulnerable road users before motorised vehicles so the top of the hierarchy would therefore be:

1. pedestrians, in particular children, older adults and disabled people
2. cyclists
3. horse riders
4. motorcyclists

The objective of Rule H1 is not to give priority to pedestrians, cyclists and horse riders in every situation, but rather to ensure a more mutually respectful and considerate culture of safe and effective road use that benefits all users. This does not detract from the requirement for everyone to behave responsibly.

The proposed new text is:

"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."

### **Do you agree with the introduction of new Rule H1?**

- ☒ Yes (Go to Hierarchy of users wording)
- ☐ No
- ☐ Don't know? (Go to Hierarchy of users wording)

## **Disagree with hierarchy of users**

Why not?

## Hierarchy of users wording

Is the proposed wording easy to understand?

- ☒ Yes (Go to clarification of right of way and stronger priorities for pedestrians)
- ☐ No
- ☐ Don't know? (Go to clarification of right of way and stronger priorities for pedestrians)

## Disagree with hierarchy of users wording

Why not?

## Clarification of right of way and stronger priorities for pedestrians

Rule H2 clarifies where pedestrians have right of way and creates clearer and stronger priorities for pedestrians, particularly at junctions. It seeks to emphasise where road users:

- SHOULD give way to pedestrians crossing a road
- MUST give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a

## parallel crossing

It introduces a new obligation for drivers and riders to give way to pedestrians waiting to cross a junction (side road), or zebra crossing.

The proposed new text is:

"Rule for drivers, motorcyclists, horse riders and cyclists

At a junction you should give way to pedestrians crossing or waiting to cross a road into which or from which you are turning.

You **MUST** give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.

You should give way to pedestrians waiting to cross a zebra crossing, and pedestrians and cyclists waiting to cross on a parallel crossing

Horse riders and horse drawn vehicles should also give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.

Pedestrians have priority when on a zebra crossing, on a parallel crossing or at light controlled crossings when they have a green signal.

Cyclists should give way to pedestrians on shared use cycle tracks.

Only pedestrians may use the pavement. This includes people using wheelchairs and mobility scooters.

Pedestrians may use any part of the road and use cycle tracks as well as the pavement, unless there are signs prohibiting pedestrians."

### Do you agree with the introduction of new Rule H2?

☒ Yes (Go to stronger priorities for pedestrians wording)

☐ No

☐ Don't know? (Go to stronger priorities for pedestrians wording)

## Disagree with stronger priorities for pedestrians

Why not?

## Stronger priorities for pedestrians wording

Is the proposed wording easy to understand?

☐

Yes (Go to cyclists priorities and right of way)

✓

No

☐

Don't know? (Go to cyclists priorities and right of way)

## Disagrees with stronger priorities for pedestrians wording

Why not?

The text should be clarified to make it clear that vehicles turning onto a main road *from* a side road should give way to pedestrians under rule H2 if that is what is intended.

The new rules saying that drivers **should** allow pedestrians to cross any road, and then that they are **obliged to** let them cross at any junction, carry a degree of risk if not widely known and understood, especially in the case of drivers who have already passed their test.

Presumably a publicity campaign will reinforce this change. There is a potential for considerable confusion at first if not.

However, the use of diagrams in the Code, illustrating when pedestrians have right of way and when they should be given way to, might also be useful.

While the language of H2 is general and every road user needs to consider others' safety as much as their own, the directive for pedestrians needs to be strong i.e. 'Pedestrians can use any part of the road excluding cycle tracks, dual carriageways and motorways.' The ambiguity leads to more conflict opportunity between pedestrians and cyclists, which in the UK is often adversarial.

"Cyclists should give way to pedestrians on shared use cycle tracks". This is neither clear nor achievable in most situations.

Some facilities are clearly segregated, for which there is no specific provision. It does not make sense to say "shared-use" but then to give priority to certain users. Instead of "priority", perhaps just emphasise "courtesy" and "sharing".

Although 'parallel crossing' is defined later on in the revised Code, it would be useful

to have the definition here where it first occurs, at it is not the most commonly known terms for a crossing.

## Cyclists priorities and right of way

Rule H3 clarifies cyclists' priorities. It makes clear that a driver should not cut across the path of a cyclist going straight ahead when they are:

- turning into or out of a junction
- changing direction
- changing lane

This applies whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road.

It also recommends that drivers and motorcyclists should not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve.

The proposed new text is:

"Rule for drivers and motorcyclists

You should not cut across cyclists going ahead when turning into or out of a junction or changing direction or lane, just as you would not turn across the path of another motor vehicle. This applies whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road and you should give way to them.

Do not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve, just as you would do with a motor vehicle.

You should stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are:

- approaching, passing or moving off from a junction
- moving past or waiting alongside stationary or slow-moving traffic
- travelling around a roundabout"

### Do you agree with the introduction of new Rule H3?

☒ Yes (Go to cyclists priorities and right of way wording)

☐ No

☐ Don't know? (Go to cyclists priorities and right of way wording)

## Disagree with cyclists priorities and right of way

Why not?

## Cyclists priorities and right of way wording

Is the proposed wording easy to understand?

- ☒ Yes (Go to rules for pedestrians)
- ☐ No
- ☐ Don't know? (Go to rules for pedestrians)

## Cyclists priorities and right of way

Why not?

## Rules for pedestrians

The Highway Code already advises drivers and riders to give priority to pedestrians who have started to cross the road. The proposed change is to introduce a responsibility for drivers and riders to give way to pedestrians waiting to cross:

- a junction or side road
- at a zebra crossing

For Rule 8 on junctions the proposed new text is:

"When you are crossing or waiting to cross the road other traffic should give way."

For Rule 19 on zebra crossings the proposed new text is:

"Drivers and riders should give way to pedestrians waiting to cross and **MUST** give way to pedestrians on a zebra crossing."

**Do you agree with the proposed change to give way to pedestrians waiting at a:**

	Yes	No	Don't know?
junction?	✓	<input type="checkbox"/>	<input type="checkbox"/>
zebra crossing?	<input type="checkbox"/>	✓	<input type="checkbox"/>

If no, why not?

The rule should be that drivers and riders **MUST** give way when pedestrians are *waiting* at a zebra crossing. The Code in Northern Ireland is clearer in this regard.

**Is the proposed wording easy to understand?**

- ✓ Yes (Go to rules for pedestrians further comments)
- No
- ☐ Don't know? (Go to rules for pedestrians further comments)

## Disagrees with rules for pedestrians wording

### Why not?

See above, and comments relating to clarity of Rule H2.

## Rules for pedestrians

### Do you have any further comments about other changes to the rules for pedestrians?

See comments above re clarification of wording for pedestrians having right of way at junctions.

Consider wording to the effect that pedestrians should take care not to obstruct or endanger cyclists unnecessarily, which is the reciprocal wording.

It would be worth considering some guidance for pedestrians on dogs on leads in shared pedestrian/cycle spaces as this can be a source of hazard and conflict.

## Rules about animals

To ensure inexperienced or returning horse riders consider training before riding on roads we are proposing amending Rule 52 to include a suggestion that they take the [British Horse Society Ride Safe Award](#). The proposed new text is:

"If you are an inexperienced horse rider or have not ridden for a while, consider taking the Ride Safe Award from the British Horse Society. The Ride Safe Award provides a foundation for any horse rider to be safe and knowledgeable when riding in all environments but particularly on the road."

### Do you agree to the proposed change to Rule 52?

☒ Yes (Go to rules for animals wording)

☐ No

☐ Don't know? (Go to rules for animals wording)



## Disagrees with rules for animals

Why not?

## Rules for animals wording

Is the proposed wording easy to understand?

- ☒ Yes (Go to rules for cyclists)
- ☐ No
- ☐ Don't know? (Go to rules for cyclists)

## Disagrees with rules for animals wording

Why not?

# Rules for cyclists

The main proposed changes to the rules for cyclists section of The Highway Code are to:

- clarify priorities
- provide guidance to encourage safe cycling

Rule 63 will be amended to provide guidance for cyclists on sharing space. The additional proposed text is:

"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."

**Do you agree with the proposed change to rule 63?**

- ☒ Yes (Go to rule 63 for cyclists wording: shared spaces)
- ☐ No
- ☐ Don't know? (Go to rule 63 for cyclists wording: shared spaces)

## Disagrees with Rule 63 for cyclists: shared spaces

**Why not?**

## Rule 63 for cyclists wording: shared spaces

**Is the proposed wording easy to understand?**

✓ Yes (Go to Rule 72 for cyclists)

☐ No

☐ Don't know? (Go to Rule 72 for cyclists)

## **Disagrees with Rule 63 for cyclists wording: shared spaces**

**Why not?**

## **Rules for cyclists**

Rule 72 will be amended to provide guidance on road positioning for cyclists to ensure that they adopt safe cycling behaviours. The additional proposed text is:

"Road positioning. When riding on the roads, there are two basic road positions you should adopt, depending on the situation.

1. Ride in the centre of your lane, to make yourself as clearly visible as possible, in the following situations:

- on quiet roads or streets – if a faster vehicle comes up behind you, move to the left to enable them to overtake, if you can do so safely
- in slower-moving traffic move over to the left, if you can do so safely, so that faster vehicles behind you can overtake when the traffic around you starts to flow more freely
- at the approach to junctions or road narrowings where it would be unsafe for drivers to overtake you

2. When riding on busy roads, with vehicles moving faster than you, allow them to overtake where it is safe to do so whilst keeping at least 0.5m (metres) away from the kerb edge. Remember that traffic on most dual carriageways moves quickly. Take extra care crossing slip roads."

**Do you agree with the proposed change to Rule 72 to ride:**

	Yes	No	Don't know?
in the centre of your lane on quiet roads?	<input type="checkbox"/>	✓	<input type="checkbox"/>

	Yes	No	Don't know?
in the centre of your lane in slower moving traffic?	<input type="checkbox"/>	✓	<input type="checkbox"/>
in the centre of your lane when approaching junctions?	✓	<input type="checkbox"/>	<input type="checkbox"/>
at least 0.5 metres away from the kerb on busy roads?	<input type="checkbox"/>	✓	<input type="checkbox"/>

If no, why not?

A cyclist should not be expected to take a judgement on when it's safe for the following vehicle to pass. They should be allowed to remain in the centre of the carriageway and not be expected to move over.

As regards the description of distance from kerb as .5m, later in the driver's section there is mention of a door's width, which is closer to a metre. We would suggest a minimum distance of .75-1m from kerb as in the occurrence of a fast vehicle passing, any back draft can be mitigated for safely out of the gutter.

**Is the proposed wording easy to understand?**

- ☐ Yes (Go to Rule 73 for cyclists)
- ✓ No
- ☐ Don't know? (Go to Rule 73 for cyclists)

## Disagrees with Rule 72 for cyclists: road positioning

**Why not?**

Other road users must respect the judgement of cyclists on the safe position that they take. "If you can do so safely" needs to be reciprocated by the overtaking vehicle or indeed cycle.

It must be for the faster vehicles to overtake safely, which is the case more generally. It should not necessarily be dependent on the cyclist moving to the left.

## Rules for cyclists

Rule 73 will be amended to provide guidance for cyclists on how to proceed safely at junctions, both with and without separate cyclist facilities. The additional proposed text is:

"Junctions. Some junctions, particularly those with traffic lights, have special cycle facilities, including small cycle traffic lights at eye-level height, which may allow you to move or cross separately from or ahead of other traffic. Use these facilities where they make your journey safer and easier.

At junctions with no separate cyclist facilities, it is recommended that you proceed as if you were driving a motor vehicle (see Rules 170 to 190). Position yourself in the centre of your chosen lane, where you feel able to do this safely, to make yourself as visible as possible and to avoid being overtaken where this would be dangerous. If you do not feel safe to proceed in this way, you may prefer to dismount and wheel your bike across the junction."

**Do you agree with the proposed change to Rule 73 at junctions with:**

	Yes	No	Don't know?
special cyclist facilities?	✓	<input type="checkbox"/>	<input type="checkbox"/>
no separate cyclist facilities?	✓	<input type="checkbox"/>	<input type="checkbox"/>

If no, why not?

**Is the proposed wording easy to understand?**

- ☐ Yes (Go to Rule 76 for cyclists)
- ✓ ☒ No
- ☐ Don't know? (Go to Rule 76 for cyclists)

## Disagrees with Rule 73 for cyclists wording: junctions

Why not?

See comments below on Rule 75.

## Rules for cyclists

Rule 76 will be amended to clarify priorities when going straight ahead. The additional proposed text is:

"Going straight ahead. If you are going straight ahead at a junction, you have priority over traffic waiting to turn into or out of the side road, unless road signs or markings indicate otherwise (see Rule H3). Check that you can proceed safely, particularly when approaching junctions on the left alongside stationary or slow-moving traffic.

Watch out for drivers intending to turn across your path. Remember the driver ahead may not be able to see you, so bear in mind your speed and position in the road.

Be particularly careful alongside lorries and other long vehicles, as their drivers may find it difficult to see you. Remember that they may have to move over to the right before turning left, and that their rear wheels may then come very close to the kerb while turning."

### Do you agree with the proposed change to Rule 76?

☒ Yes (Go to rule 76 for cyclists wording: going straight ahead)

☐ No

☐ Don't know? (Go to rule 76 for cyclists wording: going straight ahead)

## Disagrees with Rule 76 for cyclists: going straight ahead

Why not?

## Rule 76 for cyclists wording: going straight ahead

Is the proposed wording easy to understand?

☒ Yes (Go to rules for cyclists further comments)

☐ No

☐ Don't know? (Go to rules for cyclists further comments)

## Disagrees with Rule 76 for cyclists wording: going straight ahead

Why not?

## Rules for cyclists

There are several other changes within the rules for cyclists section (and we recommend reading the chapter before answering). Some of these changes are to update The Highway Code to recognise new cyclist facilities that are already in use on the highway. Other proposed amendments are to provide guidance on safe riding behaviour and practices. In summary, some of the changes include, but are not limited to:

- clarification on cycle tracks and their use
- riding in groups on narrow lanes
- advice on riding safely on the road and when turning
- clarification on cyclist facilities at crossings and their use

**Do you have any further comments about other changes to the rules for cyclists?**

Rule 75 – Use of two stage crossing –this should be prefaced with “you may find it safer to use”.

Rule 79 – Disagree with use of any lane for roundabout use. It's dangerous when cars do it so not a great idea when something slower does it.

Rule 59 – Delete ‘should’ and replace with ‘can’ wear a helmet. The guidance at the start describes the meanings of must/must not and should/should not. If this is a suggestion it cannot be termed with one of the directive wordings.

Rule 64 - suggest the following addition for clarity in applying the Highway Code and this rule: "You MUST NOT cycle on a pavement...even if you do not feel safe in using a cycle route or the carriageway. If this is the case then the cyclist should dismount and wheel the cycle until they do feel safe to continue on the cycle route or carriageway."

Rule 66 - second bullet point must be reworded correctly. "When riding in larger groups on narrow lanes, it is sometimes safer to ride two abreast. Ride in single file to allow overtaking only when it is safe to do so. Drivers wishing to overtake must only do so when it is safe, whether cyclists are riding one or two abreast."

Rule 67 second bullet point must be amended to allow for a "move to the left or right, whichever is safer to avoid them." Current wording lessens the validity of moving right when this may be the safer option.

## Rules for drivers and motorcyclists

Rule 97 has been amended to include additional text which states that before setting off you should ensure that:

"any fitted audible warning systems for other road users, and camera and audio alert systems for drivers are all working and active (and should be used appropriately on the road)."

**Do you have any comments about the proposed change to Rule 97?**



No.

## General rules, techniques and advice for all drivers and riders

The proposed changes to the general rules, techniques and advice for all drivers and riders section of The Highway Code include ensuring that 20mph speed limits and other local speed limits, which already exist, are recognised in The Highway Code.

For Rule 123 on the driver and the environment, the proposed new text is:

"In some local authority regions or in built up areas the limit may be reduced to 20 mph."

For Rule 124 on maximum speed limits, the proposed new text is:

"Local signed speed limits may apply, for example:

- 20 mph (rather than 30 mph) where it could be the limit across a region or in certain built-up areas such as close to schools
- 50 mph (rather than 60 mph) on stretches of road with sharp bends"

### Is the proposed wording in Rule:

	Yes	No	Don't know?
123 easy to understand?	✓	<input type="checkbox"/>	<input type="checkbox"/>
124 easy to understand?	✓	<input type="checkbox"/>	<input type="checkbox"/>

If no, why not?

## General rules, techniques and advice for all drivers and riders

Rule 140 will be amended to provide advice on cycle lanes and cycle tracks, ensuring that drivers and riders know that cyclists have priority and should give way when turning across their path. The additional proposed text is:

"You should give way to any cyclists in a cycle lane, including when they are approaching from behind you – do not cut across them when turning or when changing lane (see Rule H3). Be prepared to stop and wait for a safe gap in the flow of cyclists before crossing the cycle lane.

Cycle tracks are routes for cyclists that are physically protected or located away from motor traffic, other than where they cross side roads. Cycle tracks may be shared with pedestrians.

You should give way to cyclists approaching or using the cycle track when turning into or out of a junction (see Rule H3). Be prepared to stop and wait for a safe gap in the flow of cyclists before crossing the cycle track, which may be used by cyclists travelling in both directions.

Bear in mind that cyclists are not obliged to use cycle lanes or cycle tracks."

**Do you agree with the proposed changes to Rule 140 on giving way to cyclists using a cycle:**

	Yes	No	Don't know?
lane?	✓	<input type="checkbox"/>	<input type="checkbox"/>
track?	✓	<input type="checkbox"/>	<input type="checkbox"/>

If no, why not?

**Is the proposed wording easy to understand?**

- ☒ Yes (Go to general rules, techniques and advice for all drivers and riders further comments)
- ☐ No
- ☐ Don't know? (Go to general rules, techniques and advice for all drivers and riders further comments)

## **Disagrees with Rule 140 on general rules, techniques and advice for all drivers and riders wording: cycle lanes and cycle tracks**

Why not?

## **General rules, techniques and advice for all drivers and riders**

There are several other changes within the general rules techniques and advice for all drivers section (and we recommend reading the chapter before answering). Some of these changes are to update The Highway Code to recognise processes and practices that are already in use on the highway. In summary, some of the changes include, but are not limited to:

- providing further clarity on when drivers of motorised vehicles should give way to pedestrians, cyclists and horse riders
- making clear that those groups have priority over traffic that may be turning across their path in certain situations
- reinforcing advice around inappropriate speed

**Do you have any further comments about the changes to the general rules, techniques and advice for all drivers and riders?**

No

## **Using the road**

The 'Using the road' chapter in The Highway Code provides guidance and advice on overtaking, manoeuvring at road junctions and roundabouts, and procedures at different types of crossings.

Rule 163 on overtaking will be amended to advise drivers that cyclists may pass on their right or left. It will also provide a guide of safe passing distances and speeds for passing motorcyclists, cyclists, horse riders and horse drawn vehicles. The additional proposed text is:

"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 horse-drawn 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."

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

- ☒ Yes (Go to using the road rule 163 overtaking speeds)
- ☐ No
- ☐ Don't know? (Go to using the road rule 163 overtaking speeds)

## Disagree with using the road: passing on the right or left

Why not?

## Using the road

Do you agree with the proposed speed limits detailed at Rule 163 for overtaking:

	Yes	No	Don't know?
motorcyclists?	✓	<input type="checkbox"/>	<input type="checkbox"/>
cyclists?	✓	<input type="checkbox"/>	<input type="checkbox"/>
horse riders?	✓	<input type="checkbox"/>	<input type="checkbox"/>
horse drawn vehicles?	✓	<input type="checkbox"/>	<input type="checkbox"/>

If no, why not?

Do you agree with the proposed passing distances detailed at Rule 163 for overtaking:

	Yes	No	Don't know?
motorcyclists?	✓	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Don't know?
cyclists?	✓	<input type="checkbox"/>	<input type="checkbox"/>
horse riders?	✓	<input type="checkbox"/>	<input type="checkbox"/>
horse drawn vehicles?	✓	<input type="checkbox"/>	<input type="checkbox"/>

If no, why not?

**Is the proposed wording easy to understand?**

- ✓ Yes (Go to using the road rule 186)
- ☐ No
- ☐ Don't know? (Go to using the road rule 186)

## Disagrees with Rule 163 for using the road wording: overtaking

**Why not?**

## Using the road

Rule 186 on signals and position will be amended to advise drivers to give priority to cyclists on roundabouts, and to take care not to cut across a cyclist, horse rider or horse drawn vehicle that may be continuing around the roundabout in the left-hand lane. The additional proposed text is:

"You should give priority to cyclists on the roundabout. They will be travelling more slowly than motorised traffic. Give them plenty of room and do not attempt to overtake them within their lane. Allow them to move across your path as they travel around the roundabout.

Cyclists, horse riders and horse drawn vehicles may stay in the left-hand lane when they intend to continue across or around the roundabout. Drivers should take extra care when entering a roundabout to ensure that they do not cut across cyclists, horse riders or horse drawn vehicles in the left-hand lane, who are continuing around the roundabout."

**Do you agree with the proposed changes to Rule 186 that:**

	Yes	No	Don't know?
you do not overtake cyclists within their lane?	✓	<input type="checkbox"/>	<input type="checkbox"/>
you allow cyclists to move across your path?	✓	<input type="checkbox"/>	<input type="checkbox"/>
cyclists may stay in the left lane when continuing across or around the roundabout?	<input type="checkbox"/>	✓	<input type="checkbox"/>
horse riders may stay in the left lane when continuing across or around the roundabout?	<input type="checkbox"/>	✓	<input type="checkbox"/>
horse drawn vehicles may stay in the left lane when continuing across or around the roundabout?	<input type="checkbox"/>	✓	<input type="checkbox"/>

If no, why not?

See comments above on Rule 79.

**Is the proposed wording easy to understand?**

- ✓ Yes (Go to using the road rule 195)
- ☐ No
- ☐ Don't know? (Go to using the road rule 195)

# Disagrees with Rule 186 using the road wording: signals and position

Why not?

## Using the road

Rule 195 on zebra crossings will be updated to include reference to parallel crossings and also amended to advise drivers to give way to pedestrians and cyclists waiting to cross at a zebra crossing or parallel crossing. This rule restates guidance in Rule 17 and reinforces Rule H2. The additional proposed text is:

"[Zebra crossings] you should give way to pedestrians waiting to cross

Parallel crossings are similar to zebra crossings, but include a cycle route alongside the black and white stripes.

As you approach a parallel crossing:

- look out for pedestrians or cyclists waiting to cross and slow down or stop
- you should give way to pedestrians or cyclists waiting to cross
- you **MUST** give way when a pedestrian or cyclist has moved onto a crossing
- allow more time for stopping on wet or icy roads
- do not wave or use your horn to invite pedestrians or cyclists across; this could be dangerous if another vehicle is approaching
- be aware of pedestrians or cyclists approaching from the side of the crossing.

A parallel crossing with a central island is two separate crossings."

**Do you agree with the proposed change to Rule 195 to give way to pedestrians and cyclists waiting to cross at a parallel crossing?**

✓ Yes (Go to using the road Rule 195 wording: zebra and parallel crossings)



☐

No

☐

Don't know? (Go to using the road Rule 195 wording: zebra and parallel crossings)

## **Disagrees with Rule 195 using the road: give way at parallel crossings**

Why not?

## **Using the road Rule 195 wording: zebra and parallel crossings**

Is the proposed wording easy to understand?

✓

Yes (Go to using the road further comments)

No

☐

Don't know? (Go to using the road further comments)

## **Disagrees with Rule 195 using the road wording: zebra and parallel crossings**

Why not?

See earlier comment on including the definition of parallel crossings where it first occurs in the Code.

## **Using the road**

There are several other changes within the using the road section (and we recommend reading the chapter before answering). Some of these changes are to update The Highway Code to recognise facilities and practices that are already in use on the highway. Other proposed amendments are to provide guidance on safe behaviour and practices. In summary, some of the changes include, but are not limited to:

- strengthening priority for cyclists
- road positioning at junctions to ensure the safety of cyclists and motorcyclists
- further clarity on behaviour at Advanced Stop Lines
- keeping crossings clear of traffic

**Do you have any further comments about the changes to the rules on using the road?**

Greater clarity is needed on the changes to Rule 170, and whether they apply to pedestrians crossing the main road and other road users emerging from side roads as well as vice versa. Diagrams would be helpful.

## Road users requiring extra care

The chapter on 'road users requiring extra care' in The Highway Code provides further advice on proceeding with caution around pedestrians, cyclists, horse riders and motorcyclists, as the main vulnerable user groups. It also strengthens the advice in earlier chapters on giving these groups priority in certain circumstances.

Rule 213 will be amended to advise that cyclists may ride in the centre of the lane for their safety. The additional proposed text is:

"On narrow sections of road, at road junctions and in slower-moving traffic, cyclists may sometimes ride in the centre of the lane, rather than towards the side of the road. Allow them to do so for their own safety, to ensure they can see and be seen. Cyclists are also advised to ride at least a door's width or 0.5m (metres) from parked cars for their own safety."

**Do you agree with the proposed changes to Rule 213?**

☐

Yes (Go to rule 213 road users requiring extra care: cycling on narrow roads)

✓

No

☐

Don't know? (Go to rule 213 road users requiring extra care: cycling on narrow roads)

## **Disagrees with Rule 213 road users requiring extra care: cycling on narrow roads**

**Why not?**

We would suggest that distance is at least a metre

## **Rule 213 road users requiring extra care: cycling on narrow roads**

**Is the proposed wording easy to understand?**

☐

Yes (Go to road users requiring extra care further comments)

✓

No

☐

Don't know? (Go to road users requiring extra care further comments)

## **Disagrees with Rule 213 road users requiring extra care: cycling on narrow roads**

**Why not?**

See above

## Road users requiring extra care

There are several other changes within the road users requiring extra care section (and we recommend reading the chapter before answering). Some of these changes are to recognise facilities and practices that are already in use on the highway, or to reinforce advice stated in other rules within The Highway Code.

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

## Waiting and parking

The main change to the chapter in The Highway Code on 'waiting and parking' is the introduction of a new technique, commonly known as the 'Dutch Reach', that advises road users to open the door of their vehicle with the hand on the opposite side to the door. The additional proposed text is:

"you should open the door using your hand on the opposite side to the door you are opening, e.g. use your left hand to open a door on your right-hand side. This will make you turn your head to look over your shoulder. You are then more likely to avoid causing injury to cyclists or motorcyclists passing you on the road, or to people on the pavement"

**Do you agree with the proposed change to Rule 239?**

☒ Yes (Go to rule 239 waiting and parking: Dutch reach)

☐ No

☐ Don't know? (Go to rule 239 waiting and parking: Dutch reach)

## Disagree with Rule 239 waiting and parking: Dutch reach

Why not?

## Rule 239 waiting and parking: Dutch reach

Is the proposed wording easy to understand?

- ☒ Yes (Go to waiting and parking further comments)
- ☐ No
- ☐ Don't know? (Go to waiting and parking further comments)

## Disagree with Rule 239 waiting and parking wording: Dutch reach

Why not?

Should ensure that the wording makes clear use of the Dutch Reach does not replace the need to use mirrors.

## Waiting and parking

The only other change in the section on waiting and parking is to provide advice on good practice when charging an electric vehicle (also Rule 239).

Do you have any further comments about the other change proposed to Rule 239 on waiting and parking?

No.

# Annexes

The annexes to The Highway Code provide useful advice for drivers and riders. We are proposing additional new text to Annex:

- 1 on 'you and your bicycle' aims to ensure that riders are comfortable with their bike and associated equipment. The proposed new text will recommend cycle training
- 6 provides useful advice to drivers of motorised vehicles on how to undertake simple maintenance checks to ensure the safety and road worthiness of the vehicle, the proposed new text will recommend daily walkaround checks for commercial vehicles

**Do you have any comments about the changes proposed to:**

annex 1?	<input type="text" value="No."/>
annex 6?	<input type="text" value="No."/>

## Other comments on The Highway Code

**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?**

## Final comments

**Any other comments?**

Thanks for the opportunity to comment.