

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

Your details

Q1. Your (used for contact details only):

name? Martin McDonnell

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Q2. Are you responding:

on behalf of an organisation?

Organisation details

Q3. What is the name of your organisation?

Spokes - the Lothian Cycle Campaign

Hierarchy of road users

Q5. Do you agree with the introduction of new Rule H1?

Yes

Hierarchy of users wording

Q7. Is the proposed wording easy to understand?

No

Disagree with hierarchy of users wording

Q8. Why not?

The principle should apply with equal strength to all groups ie that all groups should behave responsibly - eg the pedestrian that steps out without looking. I understand that HGVs pose the greatest harm but think that should be in the explanation and that they carry the greatest burden of responsibility.

Calling it a "Hierarchy of Road Users" is confusing when you then say "The objective of Rule H1 is not to give priority" as there are already road user hierarchies. "A hierarchy of road use responsibility" may be a more suitable alternative.

Clarification of right of way and stronger priorities for pedestrians

Q9. Do you agree with the introduction of new Rule H2?

Yes

Disagree with stronger priorities for pedestrians

Q10. Why not?

A law needs to be introduced so that road users MUST give way to people waiting to cross at junctions and crossings. Whilst pedestrians are allowed to use cycleways this is no different than that they are allowed to use carriageways. They should be advised here to take care when using cycleways and no cause obstruction - as is stated elsewhere. There is inconsistency in the wording of related rules on this topic.

Q10. Why not?

Stronger priorities for pedestrians wording

Q11. Is the proposed wording easy to understand?

No

Disagrees with stronger priorities for pedestrians wording

Q12. Why not?

A law needs to be introduced so that road users MUST give way to people waiting to cross at junctions and crossings. Whilst pedestrians are allowed to use cycleways this is no different than that they are allowed to use carriageways. They should be advised here to take care when using cycleways and no cause obstruction - as is stated elsewhere. There is inconsistency in the wording of related rules on this topic.

Cyclists priorities and right of way

Q13. Do you agree with the introduction of new Rule H3?

Yes

Cyclists priorities and right of way wording

Q15. Is the proposed wording easy to understand?

No

Cyclists priorities and right of way

Q16. Why not?

1. Rule 76 states that cyclists have priority (but does not include "whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road") - this seems stonger than in H3 advising drivers that they "should not" cut across.
2. Drivers are advised not to turn at junctions if it would cause the cyclist going straight ahead to stop or swerve
- this seems to be too extreme - the cyclists should not have their safe and convenient passage impacted - this would include having to slow down, rather than stop, or by causing them to be anxious. (see also Rule 211)
3. Drivers often do not look carefully enough before pulling out of a junction when cyclists (and other road users) are approaching. They will often underestimate the speed of a cyclist. Research shows that looking twice before manoeuvring significantly reduces the risk of collisions. Can this issue and possibly a recommendation be included?

Rules for pedestrians

Q17. Do you agree with the proposed change to give way to pedestrians waiting at a:

	Yes	No	Don't know?
junction?	X		
zebra crossing?	X		

Q18. Is the proposed wording easy to understand?

No

Disagrees with rules for pedestrians wording

Q19. Why not?

Law needs changing so that can say that other traffic MUST give way to pedestrians waiting to cross.

Rules for pedestrians

Q20. Do you have any further comments about other changes to the rules for pedestrians?

There are several rules applying to giving way etc to pedestrians at crossings that should be reviewed as to whether they also apply to cyclists. Maybe better to start using the term "People".

Rules about animals

Q21. Do you agree to the proposed change to Rule 52?

Don't know?

Rules for animals wording

Q23. Is the proposed wording easy to understand?

Don't know?

Rules for cyclists

Q25. Do you agree with the proposed change to rule 63?

Yes

Rule 63 for cyclists wording: shared spaces

Q27. Is the proposed wording easy to understand?

No

Disagrees with Rule 63 for cyclists wording: shared spaces

Q28. Why not?

It needs to be made clear that cyclists need to go slowly (rather than just "Not at high speed") when sharing space with pedestrians and warn them in advance of overtaking. It's not clear where it would or wouldn't be "necessary" to give a warning of approach but it always helps and can be a sociable exchange.

Rules for cyclists

Q29. 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?	X		
in the centre of your lane in slower moving traffic?	X		
in the centre of your lane when approaching junctions?	X		
at least 0.5 metres away from the kerb on busy roads?	X		

Q30. Is the proposed wording easy to understand?

No

Q30. Is the proposed wording easy to understand?

Disagrees with Rule 72 for cyclists: road positioning

Q31. Why not?

The wording for "in slower moving traffic" is unclear. Suggest change to:
in slower-moving traffic - when the traffic around you starts to flow more freely, move over to the left, if you can do so safely, so that faster vehicles behind you can overtake

Rules for cyclists

Q32. Do you agree with the proposed change to Rule 73 at junctions with:

	Yes	No	Don't know?
special cyclist facilities?	X		
no separate cyclist facilities?	X		

Q33. Is the proposed wording easy to understand?

Yes

Rules for cyclists

Q35. Do you agree with the proposed change to Rule 76?

Yes

Rule 76 for cyclists wording: going straight ahead

Q37. Is the proposed wording easy to understand?

No

Disagrees with Rule 76 for cyclists wording: going straight ahead

Q38. Why not?

It's good that "you have priority" however the equivalent rules for motor vehicle users do not sufficiently reflect this and should be reworded.

The rule should not just mention vehicles "waiting to turn" - it needs to include approaching vehicles too.

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.

Stronger wording is needed re undertaking large vehicles at junctions - maybe pointing out the very high ratio of collisions in this situation - and the consequences - but without taking responsibility away from the drivers.

Rules for cyclists

Q39. Do you have any further comments about other changes to the rules for cyclists?

Rule 59 is being updated but still states "you should wear a helmet". This is often used as a reason to apportion blame to cyclists who were not wearing a helmet. Change the wording to "If you choose to wear a helmet". Many people especially children wear helmets either too high on their heads - eg when over a hat - or at an angle that exposes for example their forehead. Add advice to wear the helmet correctly - ideally with an illustration - maybe including "horizontally" in order to get the most benefit and not make the helmet a liability.

Q39. Do you have any further comments about other changes to the rules for cyclists?

Rule 66 - the added section "ride in single file when drivers wish to overtake" - put the control in the drivers hands rather than the cyclists. It should be the cyclists decision when it is safe to ride single file. Change the wording along the lines of:

Be considerate to the needs of other road users when riding with anothe or in a group. Single out only when you consider that it is necessary (ie to provide sufficient distance for safe passing) and safe to do so. It is not generally necessary to ride single file in order to be overtaken on sufficiently wide roads.

Cyclists are entitled to ride 2 abreast including when riding beside children and less experienced riders and riding in small groups to make it quicker and safer to overtake, and larger groups at other times.

Rule 67. Add "at least" to "when passing parked vehicles leaving enough room ([at least] a door's width or 0.5m)". This is then also consistent with similar reference elsewhere.

Rules 72 and 74 (merged). Rule 72 mentioned looking for "undertaking" road users befor turning left. The merged wording doesn't make it so clear as to where one should be looking or what for.

Rules for drivers and motorcyclists

Q40. Do you have any comments about the proposed change to Rule 97?

Should drivers also switch off mobile phones and put them out of reach?

General rules, techniques and advice for all drivers and riders

Q41. Is the proposed wording in Rule:

	Yes	No	Don't know?
123 easy to understand?	X		
124 easy to understand?	X		

General rules, techniques and advice for all drivers and riders

Q42. Do you agree with the proposed changes to Rule 140 on giving way to cyclists using a cycle:

	Yes	No	Don't know?
lane?	X		
track?	X		

Q43. Is the proposed wording easy to understand?

Yes

General rules, techniques and advice for all drivers and riders

Q45. Do you have any further comments about the changes to the general rules, techniques and advice for all drivers and riders?

Rule 163 Overtaking distances. When passing cyclists drivers should ideally be using a separate lane. The distance/speed minimums are a useful start but should be introduced with advice to give cyclists as much room as it is safe to do so; that these are minimum distances; that drivers should slow down so that there is less of a speed difference between their vehicle and that of the cyclist; that this guidance applies to oncoming vehicles as well.

Rule 167 drivers are advised not to overtake advise drivers not to overtake where a vehicle ahead is slowing to stop for a pedestrian that is crossing from a pedestrian island. Why is this different from at a crossing - doesn't this count as a crossing? Are cycllists included - ie as "vehicles" - or sould they be specifiacally mentioned - drivers often overtake cyclists just before pedestrian islands and are in danger of cutting across the cyclist.

Rule 192 Should include cycle crossings not being obstructed in slow moving/queuing traffic.

Rule 206 ADD "cyclists" or cvhange to peopel in :approaching zebra and parallel crossings as you MUST give way to pedestrians on the crossing (see Rule 195)

Rule 211 As in H3, rather than "cyclist going straight ahead to stop or swerve" change to safe and convenient passage to be affected or add "slow" and "not cause anxiety"

Rule 213 - includes "at least" in recommended distance for cyclists passing parked vehicle - revious reference did not

Q45. Do you have any further comments about the changes to the general rules, techniques and advice for all drivers and riders?

Rule 239 - we support use of the "Dutch Reach", Suggest adding "and check for approaching cyclists/vehicles" to "you should open the door using your hand on the opposite side to the door you are opening"

Using the road

Q46. Do you agree that cyclists may pass slower moving traffic on their right or left as detailed in Rule 163?

Yes

Using the road

Q48. Do you agree with the proposed speed limits detailed at Rule 163 for overtaking:

	Yes	No	Don't know?
motorcyclists?			X
cyclists?		X	
horse riders?			X
horse drawn vehicles?			X

If no, why not?

Safe overtaking distance varies tremendously with speed and conditions and consideration of the cyclist's speed and capability - eg to give a child more space. Further advice is needed and recommendation to slow down, use the other lane, etc as mentioned previously. Oncoming traffic also needs such guidance.

Q49. Do you agree with the proposed passing distances detailed at Rule 163 for overtaking:

	Yes	No	Don't know?
motorcyclists?			X
cyclists?		X	
horse riders?			X
horse drawn vehicles?			X

If no, why not?

Safe overtaking distance varies tremendously with speed and conditions and consideration of the cyclist's speed and capability - eg to give a child more space. Further advice is needed and recommendation to slow down, use the other lane, etc as mentioned previously. Oncoming traffic also needs such guidance.

Q50. Is the proposed wording easy to understand?

No

Disagrees with Rule 163 for using the road wording: overtaking

Q51. Why not?

Safe overtaking distance varies tremendously with speed and conditions and consideration of the cyclist's speed and capability - eg to give a child more space. Further advice is needed and recommendation to slow down, use the other lane, etc as mentioned previously. Oncoming traffic also needs such guidance. Input from the officers involved in Operation Close Pass may help with wording.

Using the road

Q52. Do you agree with the proposed changes to Rule 186 that:

	Yes	No	Don't know?
you do not overtake cyclists within their lane?	X		
you allow cyclists to move across your path?	X		
cyclists may stay in the left lane when continuing across or around the roundabout?	X		
horse riders may stay in the left lane when continuing across or around the roundabout?			X
horse drawn vehicles may stay in the left lane when continuing across or			X

Q52. Do you agree with the proposed changes to Rule 186 that:	Yes	No	Don't know?
	around the roundabout?		

Q53. Is the proposed wording easy to understand?
Yes

Using the road

Q55. 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

Using the road Rule 195 wording: zebra and parallel crossings

Q57. Is the proposed wording easy to understand?
No

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

Q58. Why not?
Previous reference to this situation needs to also include cyclists, as we have commented.

Using the road

Q59. Do you have any further comments about the changes to the rules on using the road?
The above points seem to have already been covered in previous sections.

Road users requiring extra care

Q60. Do you agree with the proposed changes to Rule 213?
Yes

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

Q62. Is the proposed wording easy to understand?
No

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

Q63. Why not?
See previous comments to same situation.

Waiting and parking

Q65. Do you agree with the proposed change to Rule 239?

Yes

Rule 239 waiting and parking: Dutch reach

Q67. Is the proposed wording easy to understand?

No

Disagree with Rule 239 waiting and parking wording: Dutch reach

Q68. Why not?

see previous comment re getting drivers to specifically look for overtaking road users

Annexes

Q70. Do you have any comments about the changes proposed to:

annex 1? 1. Add something about correct wearing of helmets, should people choose to use them. 2. Recommend people to check their brakes every trip - people sometimes unhook other's brake cables whilst the bike is parked for example! 3. Recommend that children/inexperienced cyclists ride in front or beside you - NOT behind.

annex 6? -

Other comments on The Highway Code

Q71. 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?

A lot of good changes. Some new laws badly needed. Quite a few details to address.
Thanks.