

Changes to The Highway Code: The Bikeability Trust response overview

Introduction

The Bikeability Trust welcomes the opportunity to engage with the DfT's consultation on The Highway Code.

The Bikeability Trust is a Charitable Incorporated Organisation whose object is to advance the education of the public in general (and particularly amongst children) on the subject of cycling.

High-quality cycle education enables confident and enjoyable cycling, raises awareness of skillful cycling among all road users, and contributes to better transport, health and wellbeing.

The Trust manages, develops and promotes the Bikeability programme, supports local Bikeability commissioners, schemes and instructors, and distributes Bikeability award materials.

The Bikeability Trust has overseen delivery of training to over 400,000 children annually, with 3.5 million children having been taught since 2007. Our responses are informed by our knowledge of and adherence to the National Standard for Cycle Training, which outlines the skills and understanding needed to cycle safely and responsibly, and to enable others to cycle. We are mindful of the impact some changes will have on the Bikeability Delivery Guide. This guide is for the delivery of Bikeability to the National Standard for cycle training. It is for registered Bikeability providers and instructors to use when planning, delivering and reviewing Bikeability training modules, activities and assessments based on the four core functions that underpin safe and responsible cycling.

To accompany our formal response, the Bikeability Trust has sought to engage with all Bikeability programme professionals prior to collating a response. This includes gathering feedback from our Grant Recipients including Local Authorities and School Games Organisers, Bikeability training providers and Bikeability instructors. The Bikeability Trust received 181 individual responses. Collated feedback accompanies our response submission.

The Bikeability Trust welcomes many of the changes suggested in the Highway Code consultation to create a more predictable and benign road environment. Our fundamental position is that changes should give members of the public increased confidence to cycle more often and more safely, and should simplify and align the rules for all road users where possible.

The Bikeability Trust is especially supportive of the following, although we have suggested some alternatives to wording in our formal response submission.

New Rule H1: The Hierarchy of Road Users'. A mutually considerate and responsible culture is essential for our roads.

New Rule H3: We welcome the clarification on cyclist's priorities.

We also welcome the proposed changes to wording in **Annex 1**, encouraging people to consider training, and Bikeability in particular.

Suggestions:

The Bikeability Trust encourages the DfT to consider the challenges below. This text has been included in our formal response.

New Rule H2

We welcome almost all of new **Rule H2** as a very practical clarification of priorities for pedestrians and to express the hierarchy of road users.

We believe that the following statement in new **Rule H2** needs further consideration:

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

In the current Highway Code, Rule 170 states that if a pedestrian has 'started to cross' a road, they have priority. This is currently largely unknown or ignored by road users and pedestrians alike. On the whole, people do not currently behave according to this rule.

We strongly maintain that any strengthening of this rule must be accompanied by an extremely robust publicity campaign in order to have any affect at all, otherwise the potential is that this small part of Rule H2 will increase conflict and incidents.

Without enforcement and public understanding, this rule will be severely weakened as to be ineffective.

We are additionally concerned that a vulnerable road user, such as a cyclist turning left, who may have stopped on a major road to allow a pedestrian to cross at the top of a junction, is potentially exposed to being struck from behind by another road user who have not carried out appropriate observations. This problem would be increased on roads with higher speed and traffic volume.

We feel that to accompany the implementation of Rule 1 and 2, and to reduce incidents at junctions, speed restrictions of 20mph in all built up areas should be considered. Slower moving road users have more time to observe their surrounding and react to other road users. However, we realise that this is outside of the scope of The Highway Code consultation.

Cycle Lanes and Tracks

We suggest alterations to the proposed description of cycle lanes. In our experience, some road users assume that cycles belong only within cycle infrastructure. Swapping the order of some of the words in The Highway Code would draw closer attention to the fact that cyclists can choose whether or not to use infrastructure.

The proposed description of cycle lanes should read:

Cyclists are not obliged to use cycle lanes, and may exercise their judgement when doing so. Cycle lanes are marked by a white line (which may be broken) along the carriageway (see Rule 140). Use facilities such as cycle lanes and tracks, advanced stop lines and toucan crossings (see Rules 62, 63 and 73) where they make your journey safer and easier. This will depend on your experience, skills and the situation at the time.

The description of cycle tracks should read:

Cyclists are not obliged to use cycle tracks, and may exercise their judgement when doing so. These are routes for cyclists that are physically protected or located away from motor traffic, other than where they cross side roads (see Rule 206). Cycle tracks may run alongside footpaths or pavements and be separated by a feature such as a change of material, a verge, a kerb or a white line.

Rule 59

A proposed update to Rule 59 will state *that evidence suggests that wearing a cycle helmet will reduce your risk of sustaining a head injury in certain circumstances.*

We suggest that any rule around helmets must make clear that wearing a helmet is a personal choice. If someone chooses to wear a helmet, it must conform to current regulations, and must be fitted properly.

Rule 66

The proposed addition to Rule 66 reads:

[cyclists 'should'] ride in single file when drivers wish to overtake, and it is safe to let them do so. When riding in larger groups on narrow lanes, it is sometimes safer to ride two abreast

We believe that this should not be included for the following reasons:

1. It undermines the hierarchy of road users.
2. It is ambiguous and open to interpretation.
3. The decision to overtake should rest with the person overtaking, not with the person being overtaken.
4. A line of cyclists doubled up is shorter than a line in single file. Any overtaking should be done when there is no oncoming traffic, so the width of the vehicle being overtaken is immaterial.
5. People ride doubled up for several different reasons, including riding as a family, with a parent acting as a shield and confidence booster for a child. It is also a helpful to move groups of new or less confident cyclists.
6. During Bikeability training, groups of 12 riders are often moved from one site to another riding two abreast. This method helps the group to travel as a unit, gives confidence to less confident riders and takes up less space. Pressure to change from riding two abreast to single out can encourage hazardous overtaking and can split the group.
7. We agree with the wording suggested by British Cycling:
You should be considerate of the needs of other road users when riding in small or large groups. You can ride two abreast and it is often safer to do so, particularly in larger groups or when accompanying children or less experienced riders. Be aware of drivers behind you, allowing them to overtake (e.g. by moving into single file) when you feel it is safe to let them do so.

Rule 67

Proposed new wording to this rule says: *'take care when passing parked vehicles, leaving enough room (a door's width or 0.5m)'*

We suggest that the reference to 0.5m is removed. A car door is often significantly longer than this, and riders should be encouraged to remain more than a doors width away from any parked car.

Rule 72

Additional proposed text to Rule 72 is as follows:

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 away from the kerb edge. Remember that traffic on most dual carriageways moves quickly. Take extra care crossing slip roads.

The National Standard for Cycle Training and the Bikeability Deliver Guide use the two road positions as defined by John Franklin in CycleCraft. We suggest they are especially helpful and well worth considering:

The primary and secondary riding positions taught in Bikeability have been defined by John Franklin in Cyclecraft as follows:

'The primary position is in the centre of the leftmost moving traffic lane for the direction in which you wish to travel....

The secondary position ... is about 1 metre (3 feet) to the left of the moving traffic lane if the road is wide, but not closer than 0.5 metre (1.5 feet) to the edge of any road.... The secondary riding position is always relative to the line of moving traffic, not the road edge.'

We believe that the text in Rule 72 should read:

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:*

- at the approach to junctions and when passing through them, or road narrowings where it would be unsafe for drivers to overtake you*
- when passing side roads*
- in slower-moving traffic when you can keep pace with the traffic flow.*

2. *When riding with vehicles moving faster than you, ride 1 metre to the left of the moving traffic lane if the road is wide, but not closer than 0.5 metre (1.5 feet) to the edge of any road. Remember that traffic on most dual carriageways moves quickly. Take extra care crossing slip roads.*

Road position for a cyclist should not be dictated by volume of traffic, but rather by other factors such as relative traffic speed, the amount of space available, and the need for a cyclist to ride assertively and visibly through or past a junction

Rule 74

Advice on turning will be merged in Rule 72 and 74:

'It maybe safer to wait on the left until there is a safe gap or to dismount and push your cycle across the road.'

Every vehicle turning right must wait for oncoming traffic to clear. On the strength of the hierarchy of road users, cyclists should be given the confidence not to get off and walk their cycle. This part of the proposed wording does not promote a cyclist as an equal road user or support the hierarchy of road users. When turning right, a cyclist should wait in the centre of their lane.

Rule 76

We have concerns over the clarity of the wording for Rule 76. When passing a side road, a cyclist should ride in the centre of their lane to see and be seen, and to prevent hazardous over or undertaking. In stationary or slow-moving traffic, a cyclist may choose to filter, but not undertake vehicles which are about to turn left.

We suggest the following changes to rule 76:

"Going straight ahead. If you are going straight ahead on a major road and passing 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). When passing a side road, cyclists should ride in the centre of their lane to increase visibility and prevent hazardous overtaking.

When approaching junctions in stationary or slow-moving traffic see Rule 163 for advice on passing slow-moving or stationary traffic.

As new Rule H3 makes clear, drivers must not turn left across the path of a cyclist, however cyclists must still be particularly careful around 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 not undertake a vehicle when it is turning left.

Cyclists should always be aware of driver blind spots, another road user may not be able to see you, so make good and frequent observations, and make eye contact with other road users."

Rule 79

Additional text to rule 79 will read:

If you are turning right you can ride in the left or right-hand lanes and move left when approaching your exit. Position yourself in the centre of your lane if it is safe to do so (see Rule 72) and signal right to indicate that you are not leaving the roundabout.

To avoid confusion, we believe that cycles should use the same lanes as other road users when negotiating junctions and roundabouts. Also, some riders may be less confident to signal on a roundabout when control is needed most. We suggest the additional text should read:

If you are turning right you should ride in right-hand lane and move left when approaching your exit. Make good and frequent observations, position yourself in the centre of your lane when it is safe to do so (see Rule 72). You should signal your intention to move left or right when necessary, provided you have full control of the cycle.

Rule 140

We welcome proposed changes to advice on cycle lanes and tracks, however we propose that they be strengthened further from 'should' to 'must'.

Rule 140 should read:

You must 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 must 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.

This then strengthens the recognition that people on cycles are legitimate road users and is more in keeping with the hierarchy of road users.

Rule 154

We support British Cycling in their suggested addition to Rule 154, regarding riding two abreast:

When meeting groups of cyclists riding two abreast, they may choose to move to single file if they deem it safer to do so. They are under no compulsion to do so and it can be safer and easier for you to overtake a compact group, when conditions allow, rather than a longer line of cycles.

Rule 163

Amendments to Rule 163 proposes different minimum passing distance at different speeds for different vulnerable road users. We believe that this should be simplified to a minimum passing distance of 2 metres at all times.

Rule 213

Amended text on question 213 advises drivers on cyclists' road positioning, but we believe the wording should be strengthened, so this is expected by other road users. We also suggest removing the reference to 0.5 metres from a parked car, as this distance is not sufficient.

We suggest the following text is adopted:

On narrow sections of road, at road junctions and in slower-moving traffic, cyclists should 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 more than a doors width from parked cars for their own safety.

Closing remarks:

The Bikeability Trust is available for further discussion on the points raised above and in the formal submission. Once again we would like to thank the DfT for the opportunity to contribute to the consultation for proposed changes to The Highway Code.

We think it is vitally important that a robust national awareness campaign for behavior change is undertaken to disseminate the changes, without which, a significant number of excellent changes will be rendered ineffective.