

Jesse Norman MP  
Department for Transport  
Great Minster House  
33 Horseferry Road  
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1 November 2017

Dear Minister,

### **Motorway safety - suggested changes to the Highway Code**

I would like to highlight several safety-related issues concerning motorways that are currently not addressed adequately, or indeed at all, in the Highway Code.

Drivers must adhere to the Code and it is each drivers' responsibility to ensure they keep up with any changes to the Code. At the same time, we know your department is keen to ensure that the Highway Code itself is updated to reflect progress in vehicle and road design.

However, we feel that the Code is currently deficient in respect of driving on motorways, particularly regarding:

- Breakdowns on All Lane Running (ALR) motorways
- Emergency services access to incidents where there is no continuous hard shoulder
- Protecting breakdown, recovery and emergency services operatives working on the hard shoulder.

### **Breakdowns on All Lane Running (ALR) motorways**

Eight out of ten (79%) drivers say that the removal of the hard shoulder has made them feel that motorway driving has become more dangerous (AA-Populus Driver Poll of more than 20,500 AA members).

Alongside design and engineering improvements, such as more ERAs, it's clear that driver education, improved awareness and better understanding of the safety issues is key to improving acceptance of All Lane Running motorways.

Despite the latest changes to ERAs which have included better signage and painting them to improve visibility, many drivers remain uncertain about what they must do if they need to use an ERA or what they must do if they breakdown in a live lane.

The current edition of the Highway Code gives advice when breaking down on a motorway (rules 275 to 278) but refers only to motorways with a continuous hard shoulder.

As there are now more than 500 miles of ALR motorway and the HE Business Plan talks of adding 4,000 miles of extra capacity through smart motorways, we believe that the Highway Code should be updated to include breakdown advice specific to this type of highway.

### **Safety of recovery and emergency services operators on the hard shoulder**

Two recent deaths and two serious accidents have highlighted the dangers associated with waiting or working (breakdown and recovery operators) on the hard shoulder.

One way to improve the safety of those putting their lives at risk in this situation is to require passing drivers to slow down or move over.

More than two thirds (69%) of drivers (AA-Populus Driver Poll of 19,018) said that they would support a requirement on drivers to either create a one lane gap, or slow down significantly, when passing a stationary breakdown or emergency vehicle showing amber flashing lights.

To highlight the danger, we have proposed a simple amendment to Rule 264, 'keep left unless overtaking', to include advice to slow down and move over when passing vehicle(s) on the hard shoulder.

### **Emergency services access to incidents where there is no continuous hard shoulder**

Getting access quickly and safely to an incident on a motorway without a hard shoulder can be a serious challenge for the emergency services, traffic officers and breakdown/recovery vehicles.

Several countries across Europe – Germany, Slovenia, Switzerland and Austria – all have rules requiring drivers to form an emergency corridor when congested traffic comes to a halt on motorways and expressways.

In Austria, the rule applies to all vehicle types on multi-lane highways and is backed up by regulation. The penalty for obstructing emergency vehicles or unlawful driving in the emergency corridor is a fine of up to 2,180 euros. More information can be found at these websites;

<https://www.asfinag.at/road-safety/being-safe-on-the-road/the-emergency-corridor/>

[https://www.youtube.com/watch?time\\_continue=1&v=MvTsr-s3J8k](https://www.youtube.com/watch?time_continue=1&v=MvTsr-s3J8k)

An AA-Populus Driver Poll of 19,018 AA members found that seven out of ten (71%) drivers supported the idea that, in the event of an accident, drivers should be required to move to the left and right to create an "emergency corridor" to allow the emergency services to reach the scene.

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A new Highway Code rule (possibly under 'stopping' (rules 270 and 271), and applying only to motorways without a continuous hard shoulder will help to highlight the important issue of access to incidents on smart motorways.

We are not proposing regulation nor are we suggesting that emergency corridors are necessary on motorways with a hard shoulder or on most of the strategic road network but we do believe that guidance to drivers using motorways without a continuous hard shoulder could make a significant difference. For major incidents, the faster response facilitated by an emergency corridor could be the difference between life and death, while all incidents should be cleared more quickly.

The attached shows one possible way in which these three issues could be addressed through amendments to the Highway Code.

We would be delighted to discuss these issues with you or your officials.

I look forward to hearing from you.

Yours sincerely,



**Edmund King OBE**

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