

Road Safety Bill 2005

Some implications for the emergency
services

2005 Bill

- Almost the same as the 2004 one
- 116 Pages
- 48 Clauses
- 5 schedules

Current Position

- Committee Stage in House of Lords
- 2 days set aside - used 2, about 2 more to go
- House sits again in October
- Then to Commons
- Royal Assent ---- Easter 2006?

The show isn't over..

- We don't know what amendments may yet arise
- Can be details - where the devil lies
- Final wording of the Bill becomes the Act
- till the royal lady signs

Content

- Covers a great deal of ground
- Most has no specific significance to the emergency services, but.....
- Speed Limit exemption
- Driver Training/Instructor qualification
- A few miscellaneous odds and

Miscellaneous issues

- Increase of penalty for failing to nominate driver
- Provision to make Regs re use of a loaded vehicle for driving test
- Provision to compel Photocard licence

Speed limit exemption

- Amends s 87 RTRA 1984
- Clause 17 of the Bill
- Needs a Commencement Order

Speed limit exemption

- No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when -

Exemption contd

- A) it is being used for fire and rescue authority purposes or for or in connection with the exercise of any function of any relevant authority as defined in Section 6 of the Fire (Scotland) Act 2005, for ambulance purposes or for police or Serious Organised Crime Agency purposes,

Exemption contd (again)

- b) it is being used for other prescribed purposes in such circumstances as may be prescribed, or

Exemption contd (yet again)

- c) it is being used for training persons to drive vehicles for use for any of the purposes mentioned in paragraph (a) or (b) above,
- if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

Exemption contd (still - he does go on doesn't he)

- (2) Except where the vehicle is being used for training **the person by whom it is being driven, subsection (1) above does not apply unless the vehicle is being driven by a person who has been trained in driving vehicles at high speeds.**

Power to define training

- Clause 30 (2)(b) amends RTA 1988 to cover “driver training courses” instead of only “training course for motor cyclists” (s99 and 173).

Driving instruction

- Current position unclear, but roughly ..
- ADI, or police driving instructor
- Covers Gp B licence
- No requirement Gp C, but voluntary register
- Commitment in Tomorrow's Roads to make Gp D register
- Gp A - CBT/DAS only

New Provisions

- Change to s 123 etc
- Removes *current* police exemption (s124)
- Allows other alterations
- Powers to do virtually anything in this area

Register

- Power to create new register of training providers
- Power to create new instructor register
- Power to exempt by Regulation

Time Span

- Needs a commencement order
- Needs Regulations to be drafted/passed
- Needs a consultation process
- 18 months/2 years?

Politics

- Order of priorities of work from Bill not yet decided
- Decision at political level
- “Blue light” issue tends to have high media profile

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