



By the end of this lesson you will be able to:

1. Identify the importance of road safety and the five most commonly occurring contributory factors, i.e. 'Fatal 5'.
2. Recognise the legislation governing speed limits on roads, the terms 'national speed limit', 'restricted road', 'restricted vehicle' including any exemptions that exist.
3. Describe what is a 'lawful traffic sign' (with examples), and offences associated with their contravention.
4. Recognise the offences and exemptions relating to double white lines.
5. Identify the legislation giving police the power to stop vehicles including failing to stop powers.
6. Identify the offence of 'riding a motor cycle without a helmet' and other restrictions for motorcyclists



5 times as many people are killed in **road traffic collisions** each year than are killed by homicide



Statistics show that 5 times as many people are killed in Road Traffic Collisions each year than are killed by homicide (murder, manslaughter etc.)

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When the causes of RTCs were examined it was established that there were a number of contributory factors and common offences.

These factors/offences are commonly referred to as the '**Fatal 5**'

The Fatal Five Offences are as follows.

Drink / Drug driving

Alcohol is a depressant and therefore slows the brain reducing the ability to process information resulting in over confidence and slower hazard perception.

Illegal drugs and some prescription drugs also affect the body resulting in slow hazard perception or aggressive driving.

Approximately 1 in 6 road deaths involve drivers over the legal drink drive limit.

Speeding

The faster a vehicle is travelling the less time the driver has to identify then react by stopping or avoiding a hazard. Should the driver fail to avoid the hazard the greater the impact speed and subsequently an increase in the likelihood of sustaining fatal or serious injury.

Speed is the most significant factor in death and serious injury collisions and the risk of death is approximately four times higher when a pedestrian is hit at 40mph than at 30mph

Not wearing a seatbelt

The seatbelt is designed to prevent the occupant of the vehicle being propelled out of their seat when the vehicle is involved in a collision. The belt will prevent injuries sustained when the occupant is in collision with structures within the vehicle, hitting the road when ejected from the vehicle or injuries sustained when hitting other occupants within the vehicle.

Seat belts were found to be about 60% effective at preventing fatal injuries, and about 32% effective at preventing serious injuries.

Mobile Phone

Using a mobile phone whilst driving reduces the ability of the brain to process information, this in turn reduces hazard perception and concentration which increases the risk of a collision.

You're 4 times more likely to crash if you use a mobile phone while driving.

Dangerous driving / Anti Social Driving

Driving aggressively, carrying out high risk manoeuvres, ignoring road signage and driving at inappropriate speeds for the conditions all significantly increase the risk of a collision.

Vulnerable Road Users

Analysis is also used to identify high risk groups. Priority is deliberately given to people using the road who pose the highest risk of harm to themselves and others.

These are currently Young drivers and Motorcyclists.

Young people aged 17-25 make up 15% of population; 10% of driving licence

holders and 26% of drivers involved in accidents (2008 figures)

The Deadly Mates campaign (<http://www.deadlymates.com/>) is a peer pressure campaign predominantly aimed at passengers of young drivers. The campaign has been designed to raise awareness of the specific risks amongst young drivers and includes branding, literature and a website, which has been adopted across Wales. The enforcement operation targets all young drivers at key times, locations and targeting of PPOs followed by a home visit and the offer of free post-test training.

Speed Limits



Road Traffic Regulation Act (RTRA) 1984



All public roads are governed by speed limits. Excessive speed is a major contributory factor to the number of people killed or seriously injured in road traffic collisions.

The majority of urban accidents are caused by excessive speed.

Very few drivers keep to the legal limit all the time, and those who do are often abused by those who do not.

The consequences for pedestrians of even small increases in speed can be very significant.

For example, a small increase in speed of say, 30 to 33 mph (10%) actually gives rise proportionally to a much larger increase in energy (21%) and therefore the severity of the injuries suffered by the pedestrian are greater.

This is one reason why the law insists on a strict adherence to speed limits in residential areas.

Speed Limits

What is the speed limit on motorways?

70 mph

What is the speed limit on dual carriageways?

70 mph

What is the speed limit on other roads?

60 mph

What is the speed limit on Restricted roads?

30 mph





All public roads are governed by speed limits. Excessive speed is a major contributory factor to the number of people killed or seriously injured in road traffic collisions.

There is a **national speed limit** governing all roads:

70mph on motorways and dual carriageways

60mph on other roads

30mph on restricted roads

These national speed limits are further reduced by:

- The road being restricted to a lower maximum speed, or
- The vehicle being restricted to a lower maximum speed

A **restricted road** is a road where there is provided a system of street lighting by means of lamps placed not more than 200 yards apart.

A **restricted vehicle** is one whereby a maximum speed limit has been determined due to the nature of the vehicle itself. For example, a car towing a caravan is limited to 60mph on a motorway as opposed to the national speed limit of 70mph. This is also true of an articulated HGV.

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Who is exempt?

Exemptions from speed limits

Fire service, ambulance and police vehicles are exempt from the statutory provisions imposing speed limits on motor vehicles, if the observance of any such provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

This is not a general exemption. The particular purpose of use on each occasion must be examined. However, the exemption is clearly essential as without it police vehicles would not be permitted to pursue speeding vehicles or respond as quickly as possible to emergency situations.

Automatic detection devices

Speeding offences

Traffic light offences



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Tynny Saint David

Excessive speed is a major contributory factor to the number of people seriously injured and killed on roads each day.

Enforcement of the speed limits has an important part to play in limiting the number of deaths and injuries.

The Road Traffic Offenders Act 1988 allows use of automatic devices approved by the Secretary of State.

These devices detect speeding and traffic light offences.

In practice this means a use of camera equipment which photographs the offending vehicle and shows its speed (or it crossing a red light) and its registration number.

The Act allows evidence to be given by way of documentation only, thus reducing prosecution and court time.

Traffic Signs and Signals



Unlawful Traffic Signs and Signals

Stop sign
Give way
Red lights – traffic lights or at level crossing
Keep left/right
Double white lines
No U turn
No entry
One-way street



Failing to conform to any of the above signs would require a Traffic Offence Report (TOR).

Lawful Traffic Signs are used to control & direct traffic and to promote road safety. They are placed by the highways authority

An offence committed if a person fails to conform to a traffic sign that has been lawfully placed on a highway

For example, for the offence of failing to conform to a stop sign it would be necessary to prove:

- Sign was lawfully placed
 - Vehicle did not stop before crossing the traverse white line or enters the major road if the line is not visible AND
 - Vehicle proceeds beyond the white line (or enters the main road if the line is not visible) so as to be likely to cause the driver of any other vehicle on the major road to alter his speed, vary his course so as to avoid an accident, or cause danger to any vehicle driver on the major road or passenger in any such vehicle
- Vehicle should stop at the line not at the sign

Double White Lines: Offences

It is an offence to:

- Stop a vehicle on a road having double white lines
- Cross or straddle the continuous line

There are exceptions for both offences





Traffic Signals

Any person driving a mechanically propelled vehicle, or riding a pedal cycle on a road, shall stop on being required to do so by a Constable in uniform.

If a person fails to comply he is guilty of an offence

Section 163 Road Traffic Act 1988



Section 163 of the Road Traffic Act 1988 allows a constable in uniform or a traffic officer to stop a mechanically propelled vehicle being driven, or a cycle being ridden, on a road. 163(1) A person [driving](#) a [mechanically propelled vehicle](#) on a [road](#) must stop the vehicle on being required to do so by a [constable in uniform](#) or a [traffic officer](#).

163(2) A person riding a [cycle](#) on a road must stop the cycle on being required to do so by a constable in uniform or a traffic officer.

163(3) If a person fails to comply with this section he is guilty of an offence.

Traffic Signals

When a PC or traffic warden is engaged in the regulation of traffic, drivers of all vehicles must obey his/her signals.

Offence to fail to conform to the signals given by a police officer or traffic warden
Section 35 Road Traffic Act 1988

Pedestrians must also stop if signalled to do so by a PC in uniform
Section 37 Road Traffic Act 1988







Section 35 of the Road Traffic Act 1988 provides the offences of drivers neglecting or refusing to comply with traffic directions given by a police constable. 35(1) Where a [constable](#) (see note below) or a traffic officer is for the time being engaged in the regulation of traffic in a [road](#), a person [driving](#) or propelling a [vehicle](#) who neglects or refuses -

(a) to stop the vehicle, or
 (b) to make it proceed in, or keep to, a particular line of traffic,
 when directed to do so by the constable in the execution of his duty or the traffic officer (as the case maybe) is guilty of an offence.

35(2) Where -

(a) a traffic survey of any description is being carried out on or in the vicinity of a road, and

(b) a constable or traffic officer gives to a person driving or propelling a vehicle a direction:

(i) to stop the vehicle,
 (ii) to make it proceed in, or keep to, a particular line of traffic, or
 (iii) to proceed to a particular point on or near the road on which the vehicle is being driven or propelled,
 being a direction given for the purposes of the survey (but not a direction requiring any person to provide any information for the purposes of a traffic survey),
 the person is guilty of an offence if he neglects or refuses to comply with the direction.

35(3) The power to give such a direction as is referred to in subsection (2) above for the purposes of a traffic survey shall be so exercised as not to cause any unreasonable delay to a person who indicates that he is unwilling to provide any information for the purposes of the survey .

Section 37 of the Road Traffic Act 1988 provides the offence of pedestrians failing to obey directions given by a constable in uniform or traffic officer whilst engaged in directing vehicular traffic on a road.

Where a [constable](#) in uniform or traffic officer is for the time being engaged in the regulation of vehicular traffic in a [road](#), a person on foot who proceeds across or along the carriageway in contravention of a direction to stop given by a constable in the [execution of his duty](#) or the traffic officer (as the case maybe), either to persons on foot or to persons on foot and other traffic, is guilty of an offence.

Offences Involving Motorcycles





Section 16 of the Road Traffic Act 1988 allows the Secretary of State for Transport to make regulations requiring persons driving or riding (otherwise than in sidecars) on motor cycles to wear protective headgear.

16(1) The Secretary of State may make regulations requiring, subject to such exceptions as may be specified in regulations, persons driving or riding (otherwise than in sidecars) on motor cycles of any class specified in the regulations to wear protective headgear of such description as may be so specified.

16(2) A requirement imposed by regulations under this section shall not apply to any follower of the Sikh religion while he is wearing a turban.

16(3) Regulations under this section may make different provision in relation to different circumstances.

16(4) A person who drives or rides on a motor cycle in contravention of regulations under this section is guilty of an offence; but notwithstanding any enactment or rule of law no person other than the person actually committing the contravention is guilty of an offence by reason of the contravention unless the person actually committing the contravention is a child under the age of sixteen years.

Notes

(i) Every person driving or riding on a motor bicycle (other than in a sidecar) on a road -

(a) must wear protective headgear, which

(b) must be securely fastened to the head of the wearer by means of straps or other fastening provided for that purpose (if it has a chin cup it must have an additional strap to go under the jaw), and

(c) must bear a mark indication in compliance with the British Standard/equivalent EU standard, or

(d) be of a type which, by virtue of its shape, material and construction could reasonably be expected to afford protection similar to, or greater than a helmet which conforms to the latest British Standard 6658:1985 (or equivalent EU standard).

(iii) A driver who is propelling the vehicle by foot is exempt from wearing a helmet. However, if it is being propelled "scooter" style, then the rider should wear a helmet.

(iv) Although riders of motor cycles need to wear protective helmets, surprisingly passengers in sidecars do not, even though they are often at a lower level than the cycle and therefore at greater risk from objects thrown up by other traffic such as stones.

(v) Motor bicycle - means a two-wheeled motor cycle with or without a sidecar attached thereto or not. If the distance between the wheels is less than 460mm, then they shall be counted as one wheel. The BMW - C1 (a recent innovation) which is a motor bicycle where the windscreen extends into a roof which continues behind the rider to form a kind of open sided enclosure of the rider is still a motor bicycle and the Department of Transport maintain that there is still a requirement to wear a protective helmet when riding these machines. This view has been confirmed by the High Court on an appeal by the Director of Public Prosecutions in the case of DPP v Parker [2005] RTR 1616, QBD on 7th May 2004 ie there is a requirement to where a protective helmet when riding a BMW - C1.

*(vi) **Exemptions -***

(a) motor mowers, which could come within the definition of a motor cycle;

(b) followers of the Sikh religion who are allowed to wear turbans whilst driving or riding motor bicycles having regard to the impracticality of Sikhs conforming with their religion and wearing protective helmets at the same time.

It will be for the prosecution to prove that the driver or rider of a motor cycle on a road was not wearing protective headgear of the appropriate type for a prosecution to be brought.

MODE OF TRIAL AND PENALTY

Offences Involving Motorcycles

Sec 23 Road Traffic Act 1988 provides restrictions concerning the carriage of persons on motor cycles and creates the appropriate offences.



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Offences Involving Motorcycles

Not more than one person in addition to the driver may be carried on a motor cycle

No person in addition to the driver may be carried on a motor cycle otherwise than sitting astride the motor cycle on a proper seat

If a person is carried on a motor cycle in contravention of this section **the driver** of the motor cycle is guilty of an offence

Sec 23 Road Traffic Act 1988







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23(1) Not more than one person in addition to the driver may be carried on a [motor bicycle](#).

23(2) No person in addition to the driver may be carried on a motor bicycle otherwise than sitting astride the motor cycle and on a proper seat securely fixed to the motor cycle behind the driver's seat.

23(3) If a person is carried on a motor cycle in contravention of this section, the driver of the motor cycle is guilty of an offence.

Notes

(i) *The carriage of passengers on a motor bicycle is therefore limited to the carriage of one passenger who must be sitting astride the motor bicycle on a proper seat, fixed behind the driver's seat, and supports or footrests must be provided for his feet. There is no requirement that such a passenger need be facing the front. It is more than likely that this has never been considered.*

(ii) *A person being carried in contravention of these requirements may be proceeded against for [aiding, abetting, counselling or procuring](#) the offence.*

(iii) *In addition to the above, the Road Vehicles (Construction and Use) Regulations 1986 reg. 102 prohibits the [carriage of a passenger](#) on a two-wheeled motor cycle (whether it has a sidecar attached to it or not) on which there is not available suitable supports or rests for the feet of such passenger.*

(iv) *There is very little scope for defence; however, given the tendency of some motor cyclists for "off road" riding the question of the venue of the alleged offence is often critical and the status of any land which is not obviously a road needs consideration in the light of the definition of a [road](#). Likewise the "[driving](#)" element of the offence can often be critical given the capacity for propelling motor cycles by scooting. A person who propels a motor cycle or moped by "paddling" with his feet, drives that vehicle even where the engine is not running and will not start, if his hands are on the handlebars and he is controlling the movement of the vehicle.*

****note that it is the driver who will be guilty for passenger offences, however, the passenger can be convicted of aid and abet****

Summary: A fine not exceeding level three on the [standard scale](#)

Discretionary disqualification

Obligatory endorsement - licence endorsed three penalty points

Fixed penalty offence.

