

Draft Highway Code consultation response

This letter is a response to the consultation you are currently undertaking on the draft for the revised edition of the Highway Code, which you were good enough to send us a copy of. (Incidentally we are used to finding DETR consultation material on the Internet now, and were disappointed that this document was not to be found there).

Cambridge Cycling Campaign

By way of introduction, Cambridge Cycling Campaign promotes cycling and the interests of cyclists in the Cambridge area. From its formation in 1995, Cambridge Cycling Campaign now has about 400 members, which we believe makes us the largest local cycling interest group in the U.K. outside London. We have a place on the joint committee of Cambridgeshire County Council's Cycling Liaison group with two local district councils and other interest groups. We are also a partner in the Cambridge's Cycle Friendly Employer Scheme, now broadened as Travel for Work. We maintain a strong interest in both local and national transport policy.

Cycling is a very important mode of transport in the Cambridge area. Around 20% of all journeys in Cambridge City and around 30% of those originating within the City are made by bike. Safety is an important concern of those cycling and potential cycle users.

However, many existing cyclists in our area and elsewhere continue to be exasperated by the poor quality and decreased convenience of provision for cycles compared with the road, and the throwing together of pedestrians and cyclists. We promote the hierarchy of Cycle-friendly Infrastructure [\[1\]](#) para 4.3.2 which places a safer road environment ahead of construction of special facilities for cyclists.

The New Highway Code

Our main concern about the draft highway code is that its approach to cycle safety is unreasonably biased towards keeping cyclists out of the way of cars and not enough to giving useful advice to cyclists as to how they can use the highway effectively.

Cyclists have a right to use the highway and they have a right to do so in safety. We are unhappy that some of the advice given in the draft code appears to ignore this and instead adopts the approach that cyclists should be kept safe by keeping them off the road, out of the way of motor traffic and by forcing them to wear protective clothing. The logical extension of this would simply be to advise cyclists to stay at home. This is surely not the purpose of the Highway Code. We might not worry about this so much were it not for the legal complications facing a cyclist casualty when, for example, not using a cycle track alongside the road, whatever its condition or suitability.

This approach leads to a victim blaming stance: that it is the cyclist's fault that they were injured simply because they were where they are fully entitled to be, behaving lawfully, arguably safer, and certainly more convenient to them. Or that a pedestrian was partly at fault because they were not wearing an arm band when a car ploughed into them.

We believe that the Highway Code should instead contain a much greater stress on advising cyclists how to ride better. For example, it should discuss the issues of confidence and assertiveness and explain how it can be safer for adult cyclists to ride confidently, in the correct position on the highway, rather than timidly by the kerb. If a cyclist takes the correct position on the road then this makes it easier for other road users to see them and they are less likely to surprise other road users by unexpected movements.

A recent cycling safety campaign undertaken by Cambridgeshire County Council adopted this point and stressed the need for cyclists to ride confidently and assertively.

Unfortunately the draft code contains advice which is quite contrary to this. In particular, the section on roundabouts includes the advice that timid cyclists should consider riding all the way round in the leftmost lane, even if they were turning right. We believe this to be truly terrible advice and we are simply astonished to see it perpetuated from edition to edition, including in this new draft. Cyclists following this suggestion in today's traffic would put themselves at grave risk.

Pedestrians

Rule

2 We consider the general enjoinder to walk in single file is unreasonably prohibitive and will do nothing to encourage recreational walking.

3 Requiring people to wear special clothing such as reflective stripes for walking at night, even in urban areas, is completely unrealistic. The author of this rule is living in a world of his or her own making - the picture in particular is laughable. It is a wholly unreasonable imposition on pedestrians to expect them to adopt this behaviour.

13 The reference to "shared-use" is ambiguous. Most cycle paths shared with pedestrians in Cambridge are not divided at all.

Cyclists

The revision of this section would be much benefited by reference to Cycle-friendly Infrastructure [1] and the HMSO publication Cyclecraft [2], by John Franklin. Many of the Rules for Cyclists appear to assume the standards of cycleway engineering described in Cycle-friendly Infrastructure reflect reality on the ground; they do not, and Cyclecraft is a realistic approach to dealing with this disparity.

46 The bald injunction to Wear Helmets fails entirely to acknowledge the controversy of this topic; see Franklin, p192. Whatever the merits, it is essential to state in this Rule the perils of ill-fitted helmets, and that a helmet will not prevent an accident.

48 Single-file riding on 'cycle tracks' is unnecessarily pro-scriptive. Also, the Rules make no provision for overtaking other cyclists - here or anywhere else.

50 This Rule should indicate the same exception as the corresponding rule 137 for drivers.

51 'Always use cycle tracks.' is entirely unacceptable advice, ignoring the reality of obstacles, inferior widths, surfaces, maintenance and lighting and the imposition of detours. Such tracks may often not be safer and are very rarely quicker as you state. We think you should say 'use cycle tracks ... if suitable'. Ref. Franklin p150 ff.

52 'Cyclists Dismount': this is an obsession of cycle regulators and is completely unnecessary and unreasonable here. "Give Way" suffices.

53 Insert 'if possible', considering the frequent obstacles encountered.

55 General awareness promotion is better than rote rules. Mentioning the use of cycle mirrors would be appropriate here,

61 Keeping to the left on the roundabout is foolish advice - not at all to be recommended The best advice is to simply follow rules as referenced and otherwise Rule 63. Ref. Franklin, p95. We feel very strongly that this rule should be completely reconsidered.

General

'GENERAL RULES FOR ALL DRIVERS AND RIDERS' are in fact, as before, largely instructions for drivers. Many are clearly inapplicable to cyclists, contrary both to the introduction here and to the introduction to RULES FOR CYCLISTS. This muddle serves to feed ambiguity and contention as to what rules, and in what context, apply to whom.

96 Append: 'Don't dazzle cyclists', especially including when parked with headlights on the wrong side of the road. Motorists often do not seem to think that cyclists could be dazzled in the same way as car drivers.

101 Point out that ABS does not increase braking power.

104 [graphic]: we think that a 20mph column should be included, as these zones are becoming more widespread.

114 Does this mean cyclists? - this a good example of fudge and contention.

121 This could include shared bus/cycle lanes.

131 We think you should append 'Especially do not attempt to overtake cyclists at narrowings, chicanes, etc.' Cyclists are particularly vulnerable at these points.

132 Insert 'and cyclists'.

139 Cyclists here are treated as mere obstacles in the highway. You could usefully include reminder to be aware of cycles passing on the inside. This is commendable advice on overtaking cyclists, however.

143 point 7: Insert 'especially a bicycle' after 'another vehicle'.

162 This omits reference to possible cycle tracks crossing driveways and the like, where there are normally no markings to offer help and visibility is frequently limited.

177 This should include 'cyclists',

188 This applies equally to cyclists.

And, we might add:

The Highway Code introduction states: 'If these rules are followed, many accidents will be prevented'. We are certain that adherence to the Code, revised or not, would eliminate the vast majority of road traffic 'accidents'. The central problem as we see it lies in the continuing failure to enforce even its mandatory provisions on those with the propensity to harm others, to the extent that, once having passed the Driving Test, motorists can discard the Code, secure in the conviction that it will rarely if ever be invoked against them. Indeed, its more frequent employment is as a tool for the castigation of cyclists.

Until the Highway Code is actively deployed to restrain the dangerous behaviour of those in charge of large lethal machines, rather than further to restrict the freedom of the harmless and vulnerable, we fear any process in Road Safety will be at best peripheral

References

[1] *Cycle Friendly Infrastructure: Guidelines for Planning and Design*. Department of Transport, Bicycle Association, Cyclists Touring Club and The Institution of Highways & Transportation, 1996. ISBN 0 902237 17 9.

[2] *Cyclecraft: Skilled Cycling Techniques for Adults*. John Franklin. H.M.S.O. 1997 ISBN 0 11 702051

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