

# Review of Highway Code to improve safety on motorways and high-speed roads

RoSPA's response to Highways England's consultation

March 2021



Response to Highways England's consultation: Review of Highway Code to improve safety on motorways and high-speed roads

## Introduction

This is the response of The Royal Society for the Prevention of Accidents (RoSPA) to the Highways England's consultation the review of the Highway Code to improve safety on motorways and high-speed roads. It has been produced following consultation with RoSPA's National Road Safety Committee.

The consultation seeks views on proposed changes to The Highway Code to improve safety for users of motorways and high-speed roads.

The proposed changes include new and additional guidance on:

- the availability, appearance and safe use of emergency areas
- the use of variable speed limits to manage congestion
- the use of the red 'X' sign to close lanes and provide a safer area for the people and vehicles involved in incidents and road works
- the use of hard shoulders that become extra lanes during periods of congestion
- how road users can help keep themselves safe in the event of a breakdown
- how safety cameras are employed to promote compliance with speed limits and lane closures.



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## Your details

### What is your name?

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### What is your organisation, if representing one?

The Royal Society for the Prevention of Accidents (RoSPA)



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## Rule 97 – Before setting off

**Before setting off.** You **MUST** ensure that

- you have a valid licence and insurance to drive the vehicle you intend to use (see [Annex 3](#) Motor vehicle documentation and learner driver requirements for driving licence and insurance requirements)
- your vehicle is legal and roadworthy (see [Annex 3](#) Motor vehicle documentation and learner driver requirements for details of MOT and vehicle excise duty (VED) requirements and [Annex 6](#) Vehicle maintenance, safety and security for details of vehicle checks you should make before setting off)

**Before setting off.** You should ensure that

- you have planned your route and allowed sufficient time for breaks and possible delays
- you have sufficient fuel or charge for your journey, especially if it includes motorway driving. It can be dangerous to lose power when driving
- clothing and footwear do not prevent you using the controls in the correct manner
- you know where all the controls are and how to use them before you need them. Not all vehicles are the same; do not wait until it is too late to find out
- your mirrors and seat are adjusted correctly to ensure comfort, full control and maximum vision
- head restraints are properly adjusted to reduce the risk of neck and spine injuries in the event of a collision
- for emergency use, you take a charged mobile telephone (see [Rule 149](#)), containing emergency telephone numbers, and high visibility clothing



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*Rule 97: Make sure head restraints are properly adjusted*

Laws RTA 1988 sects 42, 45, 47, 49, 53, 87, 99(4) & 143, MV(DL)R reg 16, 40 & sch 4, VERA sect 29, RVL R 1989 regs 23 & 27, & CUR regs 27, 30, 32 & 61

**Do you agree or disagree with the proposed changes to rule 97?**

### **RoSPA response**

RoSPA agrees with the proposed changes to Rule 97. This removes the previous requirement to “switch off your phone” which does not consider the use of mobile phones for navigation purposes.

The changes ensure that the reader understands that vehicles need to be in a legal and roadworthy condition before setting off on any journey, the basic vehicle maintenance and safety checks that should be undertaken before setting off and that they must have sufficient fuel or charge for their journeys.



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## Rule 98 – Vehicle towing and loading

**Vehicle towing and loading.** As a driver

- you **MUST NOT** tow more than your licence permits. If you passed a car test after 1 Jan 1997 you are restricted on the weight of trailer you can tow
- you **MUST NOT** overload your vehicle or trailer. You should not tow a weight greater than that recommended by the manufacturer of your vehicle
- you should distribute the weight in your caravan or trailer evenly with heavy items over the axle(s) and ensure a downward load on the tow ball. Manufacturer's recommended weight and tow ball load should not be exceeded. This should avoid the possibility of swerving or snaking and going out of control. If this does happen, ease off the accelerator and reduce speed gently to regain control
- you **MUST** secure your load and it **MUST NOT** stick out dangerously. Make sure any heavy or sharp objects and any animals are secured safely. If there is a collision, they might hit someone inside the vehicle and cause serious injury
- if your vehicle is narrower than your trailer then towing mirrors should be used
- you should be aware that reduced speed limits may apply (see [Rule 124](#))
- carrying a load or pulling a trailer may require you to adjust your headlights
- (['Further reading'](#)) contains additional advice about safe towing.

In the event of a breakdown, be aware

- that towing a vehicle on a tow rope is potentially dangerous. You should consider professional recovery
- it may take longer to build up speed when rejoining a carriageway (see also [Rule 276](#))

Laws CUR reg 100 & MV(DL)R reg 43

### Do you agree or disagree with the proposed changes to rule 98?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 98. We particularly welcome the addition of towing safety guidance currently on the [www.gov.uk](http://www.gov.uk) website. We believe that this advice could help to reduce the safety risks



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posed by towing-related incidents by increasing awareness of the safety checks that should be undertaken before driving a vehicle with a trailer.

## Rule 124 – Speed limits

You **MUST NOT** exceed the maximum speed limits for the road and for your vehicle (see table below). The presence of street lights generally means that there is a 30mph (48km/h) speed limit unless otherwise specified.

Speed Limits	Built-up areas	Single carriageways	Dual carriageways	Motorways
Type of vehicle	mph (km/h)	mph (km/h)	mph (km/h)	mph (km/h)
<b>Cars &amp; motorcycles</b> (including car derived vans up to 2 tonnes maximum laden weight)	<b>30</b> (48)	<b>60</b> (96)	<b>70</b> (112)	<b>70</b> (112)
<b>Cars towing caravans or trailers</b> (including car derived vans and motorcycles)	<b>30</b> (48)	<b>50</b> (80)	<b>60</b> (96)	<b>60</b> (96)
<b>Buses, coaches and minibuses</b> (not exceeding 12 metres in overall length)	<b>30</b> (48)	<b>50</b> (80)	<b>60</b> (96)	<b>70</b> (112)
<b>Goods vehicles</b> (not exceeding 7.5 tonnes maximum laden weight)	<b>30</b> (48)	<b>50</b> (80)	<b>60</b> (96)	<b>70+</b> (112)
<b>Goods vehicles</b> (exceeding 7.5 tonnes maximum laden weight) in England and Wales	<b>30</b> (48)	<b>50</b> (80)	<b>60</b> (96)	<b>60</b> (96)
<b>Goods vehicles</b> (exceeding 7.5 tonnes maximum laden weight) in Scotland	<b>30</b> (48)	<b>40</b> (64)	<b>50</b> (80)	<b>60</b> (96)

†60 mph (96 km/h) if articulated or towing a trailer.

Local signed speed limits may apply, for example:



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- 20 mph (rather than 30 mph) in some built-up areas
- 50 mph (rather than 60 mph) on stretches of road with sharp bends
- on motorways and dual carriageways, signs which display the speed for the road within a red ring can be used to vary the maximum speed limit

**Speed limits are enforced by the police.**



*Rule 124: Police officer carrying out roadside speed enforcement*



*Rule 124: Example of automatic speed enforcement*

Law RTRA sects 81, 86, 89 & sched 6 as amended by MV(VSL)(E&W)

**Do you agree or disagree with the proposed changes to rule 124?**

### **RoSPA response**

RoSPA welcomes the proposed changes to rule 124 on speed limits. The advice contained in this rule clearly shows that speed limits apply to different vehicles and vary dependent on road type. It also makes readers aware that speed limits can be changed by a signal on both motorways and high-speed dual carriageways.

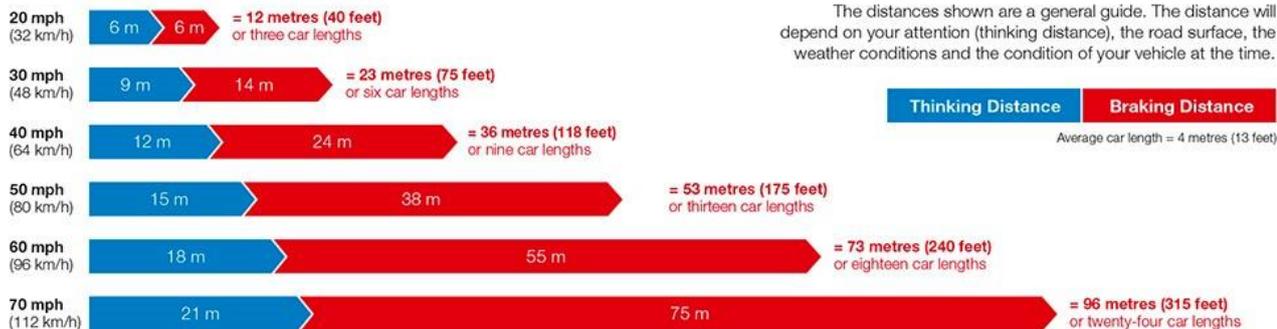
We are also pleased to see the addition of the sentence highlighting that speed limits are routinely enforced by the police, including via roadside cameras. The use of images in this rule is also welcomed.



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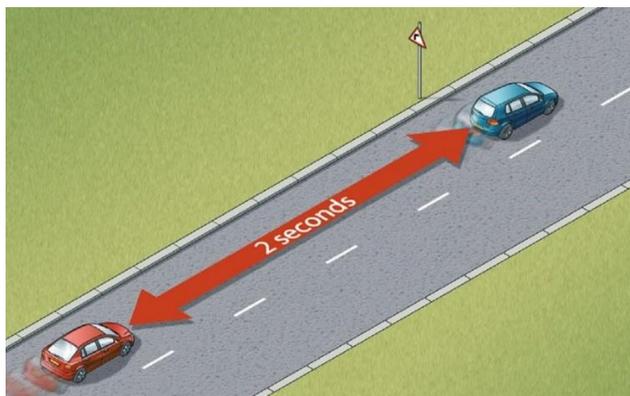
## Rule 126 – Stopping distances

### Typical Stopping Distances



**Stopping Distances.** Drive at a speed that will allow you to stop well within the distance you can see to be clear. You should

- leave enough space between you and the vehicle in front so that you can pull up safely if it suddenly slows down or stops. The safe rule is never to get closer than the overall stopping distance (see Typical Stopping Distances diagram, shown above)
- allow at least a two-second gap between you and the vehicle in front on roads carrying faster-moving traffic and in tunnels where visibility is reduced. The gap should be at least doubled on wet roads and increased still further on icy roads
- remember, large vehicles and motorcycles need a greater distance to stop. If driving a large vehicle in a tunnel, you should allow a four-second gap between you and the vehicle in front.
- If you have to stop in a tunnel, leave at least a 5-metre gap between you and the vehicle in front.



*Rule 126: Use a fixed point to help measure a two-second gap*



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**Tailgating** is where the gap between you and the vehicle in front is too small for you to be able to stop safely if the vehicle in front suddenly brakes.

Tailgating is dangerous, intimidating and can cause collisions, especially when driving at speed. Keeping a safe distance from the vehicle in front gives you time to react and stop if necessary. Dangerous and careless driving offences, such as tailgating, are enforced by the police

### **Do you agree or disagree with the proposed changes to rule 126?**

#### **RoSPA response**

RoSPA agrees with the proposed changes to rule 126, which increase awareness of the safety risks to road users of tailgating.



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## Rule 256 – Motorway signs and signals



A single sign can display advice, restrictions and warnings that apply to all lanes.



Lane specific signs and signals can display advice, restrictions and warnings that apply to individual lanes

**Do you agree or disagree with the proposed changes to rule 256?**

### RoSPA response

RoSPA agrees with the proposed changes to rule 256 and welcomes the addition of motorway imagery of the rule specific signals in operation, making the rule clearer for readers.



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## Rule 257 – Amber flashing lights

**Amber flashing lights.** These warn of a hazard ahead. You should

- reduce your speed
- be prepared for the hazard
- only increase your speed when you pass a sign which displays the word 'END' or a national speed limit sign and you are sure it is safe to do so



*Rule 257: Sign warning of a hazard.*

### Do you agree or disagree with the proposed changes to rule 257?

#### RoSPA response

RoSPA welcomes the proposed changes to rule 257, and believes that the new format of the rule makes it more digestible for readers. This includes replacing the ambiguous phrase 'temporary maximum speed limit' with 'lower speed limit'.



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The advice contained in the rule clearly emphasises that amber flashing lights highlight a potential change to the current driving conditions and that motorists should adjust their driving accordingly.

## Rule 258 – Red flashing lights

Red flashing light signals and a red 'X' on a sign identify a closed lane in which people, stopped vehicles or other hazards may be present. You

- should follow the instructions on signs in advance of a closed lane to move safely to an open lane
- **MUST NOT** drive in a closed lane until you pass another sign informing you that the lane is no longer closed by displaying a speed limit or 'END' sign



*Rule 258: Signs displaying lane closures.*

Be aware

- there can be several hazards in a closed lane. Do not enter a closed lane that appears clear because hazards may still be present
- emergency services and traffic authorities use closed lanes to reach incidents. Do not block closed lanes because you may prevent people from getting the help they need and delay reopening of the lanes
- where a closed left lane crosses an exit slip road this means that the exit cannot be used. Continue to the next exit even if the route to the slip road appears to be clear

Where red flashing light signals and closures of all lanes are shown on a sign, the road is closed. You



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- **MUST NOT** go beyond the sign in any lane or use the hard shoulder to avoid the road closure unless directed to do so by a police or traffic officer



*Rule 258: Signals and signs indicating a road closure*

Lane and road closures indicated by red flashing lights are enforced by the police.

Laws RTA 1988 sects 35 & 36 as amended by TMA sect 6, TSRGD reg 3 and sch 15, MT(E&W)R reg 9 & MT(S)R reg 8.

**Do you agree or disagree with the proposed changes to rule 258?**

**RoSPA response**

RoSPA welcomes the proposed changes to rule 258 on red flashing lights, including the addition of illustrations and photographs to clarify the meaning of the Rule.

The proposed wording of the rule makes clear that a signal can apply to all lanes regardless of location of signal, that if a red X is displayed the lane is closed beyond that signal and that police enforce lane closures.



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## Rule 261 – Speed limits

You **MUST NOT** exceed:

- a speed limit displayed within a red ring on a sign
- the maximum speed limit permitted for your vehicle (see [Rule 124](#))

Speed limits are enforced by the police (see [Rule 124](#)).

Law RTRA sects 17, 86, 89 & sched 6

**Do you agree or disagree with the proposed changes to rule 261?**

### RoSPA response

RoSPA agrees with the proposed changes. The proposed bullet-point format in the layout means that rule has been simplified to make it clearer for readers.



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## Rule 264 – Lane positioning

Keep in the left lane unless overtaking

- If you are overtaking, you should return to the left lane when you are safely past
- Slow-moving or speed-restricted vehicles should always remain in the left lane unless overtaking
- Be aware of emergency services, traffic officers, recovery workers and other people or vehicles stopped on the hard shoulder or in an emergency area. If you are driving in the left lane, and it is safe to do so, you should move into the adjacent lane to create more space between your vehicle and the people and stopped vehicles

You **MUST NOT** drive on the hard shoulder except in an emergency or unless you are directed to do so by the police, traffic officers or by signs.

Laws MT(E&W)R regs 5, 9 & 16(1)(a), MT(S)R regs 4, 8 & 14(1)(a), & RTA 1988 sects 35 & 186 as amended by TMA sect 6

### Do you agree or disagree with the proposed changes to rule 264?

#### RoSPA response

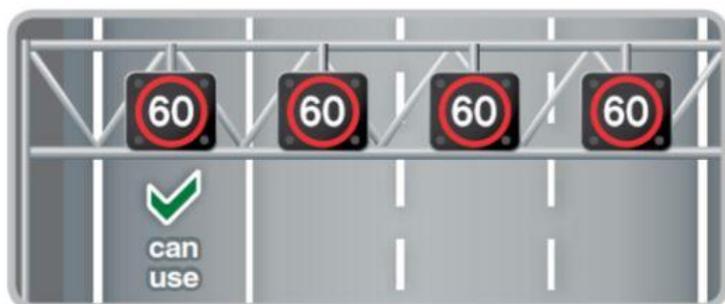
RoSPA agrees with the proposed changes to rule 264, which strengthen the rule by simplifying advice on keeping left unless overtaking. We also welcome the addition of advice on being aware of people and vehicles stopped in the hard shoulder or emergency area, and the information on creating more space between the driver or rider's vehicle and the people and stopped vehicles.



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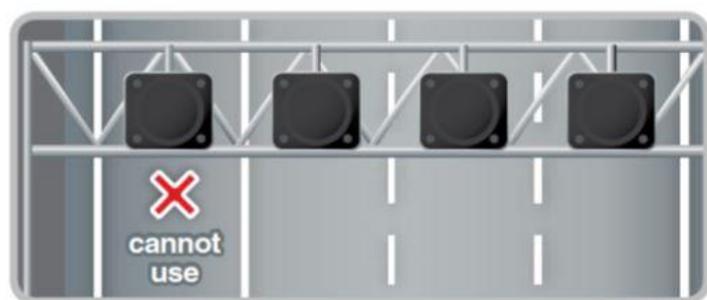
## Rule 269 – Hard shoulder

**Hard shoulder** (where present). You **MUST NOT** drive on a hard shoulder except in an emergency or unless you are directed to do so by the police, traffic officers or by signs.



The hard shoulder is used as an extra lane on some motorways during periods of congestion. You will know when the hard shoulder can be used as an extra lane because a speed limit will be shown above all open lanes, including the hard shoulder.

Emergency areas are provided on these motorways for use in cases of emergency or breakdown.



A red 'X' or blank sign above the hard shoulder means that you **MUST NOT** drive on the hard shoulder.

Laws MT(E&W)R regs 5, 5A & 9, MT(S)R regs 4 & 8, & RTA 1988 sects 35 & 36 as amended by TMA sect 6



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## **Do you agree or disagree with the proposed changes to rule 269?**

### **RoSPA response**

RoSPA agrees with the proposed changes to rule 269. The proposed wording provides clear advice on when the hard shoulder can and cannot be driven in.

We also welcome the addition of illustrations to reinforce the message. However, we do note that the text reading 'cannot use' on the image does not reflect the 'must not use' text contained within the rule.



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## New rule- emergency areas

**Emergency areas** are located along motorways with no hard shoulder or where the hard shoulder is used as an extra lane (see [Rule 269](#)).

Emergency areas are marked with blue signs featuring an orange SOS telephone symbol. These areas are for emergency use only (see [Rule 275](#) and [Rule 276](#)).



*New rule: Emergency area*



*New rule: Signs indicating distance to next emergency area*

**Do you agree or disagree with the introduction of the new rule about emergency areas?**



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## RoSPA response

RoSPA welcomes the proposed addition of a new rule on emergency areas. We hope that this rule will make readers aware that the layby at the side of a motorway (with the orange surface) is an emergency area, which is an area to be used only in the event of an emergency, such as a breakdown.

## New Rule – Place of relative safety

If you need to stop your vehicle in the event of a breakdown or incident, try to stop in a place of relative safety. A place of relative safety is where you, your passengers and your vehicle are less likely to be at risk from moving traffic.

The safest place to stop is a location which is designed for parking. On motorways and other high-speed roads, the safest place to stop is a service area. Other places of relative safety include

- lay-bys
- emergency areas (see [New rule – Emergency areas](#))
- hard shoulders (see [Rule 269](#))

Be aware that hard shoulders provide less protection than other places of relative safety.

You and your passengers should, where possible, keep well away from your vehicle and moving traffic.

## Do you agree or disagree with the introduction of the new rule about places of relative safety?

## RoSPA response

RoSPA agrees with the proposed introduction of a new rule about places of relative safety. We hope that this will offer clear advice to readers about where to stop in the event of an incident or breakdown. It also provides a reminder that drivers and their passengers should keep well away from their vehicle and moving traffic where possible.



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## Rule 275 and 277 – Breakdowns

If your vehicle develops a problem, leave the carriageway at the next exit or pull into a service area if possible. If you cannot, you should:

### Get left.

- pull into an emergency area or onto a hard shoulder if you can
- stop as far to the left as possible, with your wheels turned to the left
- stop near to an emergency telephone if available
- switch your hazard warning lights on
- if it's dark, use side lights and in poor visibility use fog lights



**If you can't get into the left lane, stay in your vehicle, keep your seatbelts and hazard warning lights on and call 999 immediately or press the SOS button if your vehicle has one and ask for the police**

### Get safe.

- if in the left lane, exit your vehicle by the side furthest from traffic, if it is safe to do so, and ensure passengers do the same
- put on high visibility clothing if it is within easy reach
- get behind a safety barrier where there is one, but be aware of any unseen hazards such as uneven ground or debris
- keep well away from your vehicle and moving traffic, even if it's raining, cold or dark
- remain alert and aware of vehicles or debris coming towards you
- keep passengers away from the carriageway and children under control



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- **DO NOT** attempt repairs on your vehicle
- **DO NOT** place a warning triangle on the carriageway
- animals **MUST** be kept in the vehicle or, in an emergency, under control on the verge



*Rule 275: Keep well away from your vehicle and moving traffic*

**Get help.**

- use the free emergency telephone to obtain advice and assistance
- always face the traffic when you speak to remain aware of vehicles or debris coming towards you
- inform them if you are a vulnerable motorist such as disabled, older or travelling alone
- return and wait well away from your vehicle and moving traffic, behind the safety barrier where there is one
- if you are unable to leave your vehicle or if you have not stopped near a free emergency telephone, call 999 or press the SOS button if your vehicle has one and ask for the police

**Communicating your location.** How to identify your location to the emergency services.

eCall

App



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Press the SOS button if your vehicle has one.



Mobile telephone mapping applications (App).

Marker Post



Driver Location Sign



Quote the numbers and letters on marker posts or driver location signs which are located along the edge of the road.

*Rule 275: SOS button, mobile application and marker posts for communicating your location.*

Laws MT(E&W)R reg 14 & MT(S)R reg 12

**Do you agree or disagree with the proposed changes to rules 275 and 277?**

### RoSPA response

RoSPA welcomes the proposed changes to rule 275 and 277. These changes will inform drivers what to do if they become stranded in a live lane.



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## Rule 276 – Rejoining after a breakdown

To rejoin the carriageway after a breakdown from

- a hard shoulder, build up speed and watch for a safe gap in the traffic. Be aware that other vehicles may be stationary on the hard shoulder
- a motorway emergency area, you **MUST** call the operator using the emergency telephone provided and follow the operator's advice for exiting the emergency area. A lane may need to be closed so that you can rejoin the motorway safely



*Rule 276: Emergency area sign*

Law RTA 1988 sect 36

**Do you agree or disagree with the proposed changes to rule 276?**

### RoSPA response

RoSPA agrees with the proposed changes to rule 276, which provides advice on how to re-join the motorway carriageway safely from an emergency area in addition to a hard shoulder. It makes motorists aware that if they have had to use the emergency area and are now able to safely resume their journey that they must use the emergency telephone to obtain exiting instructions before attempting to leave the emergency area.



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## Rule 278 – Breakdowns (disabled drivers)

**Disabled drivers.** If you have a disability which prevents you from following the above advice in [Rule 275](#) and [Rule 276](#) you should

- switch on your hazard warning lights
- stay in your vehicle and keep your seatbelt on
- contact the emergency services on 999 or press the SOS button if your vehicle has one and ask for the Police

**Do you agree or disagree with the proposed changes to rule 278?**

### RoSPA response

RoSPA agrees with the proposed changes to rule 278, which advises motorists on what to do if they are disabled and breakdown on a motorway and cannot reach an emergency area or the hard shoulder.



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## Rule 283 – Incidents

If you are involved in an incident, collision or stop to give assistance

- if possible, stop in a place of relative safety (see [New rule – Place of relative safety](#))
- use your hazard warning lights to warn other traffic
- ask drivers to switch off their engines and stop smoking
- contact the emergency services on 999 and provide full details of the incident location and any casualties. Use an emergency telephone, a mobile telephone, or press the SOS button if your vehicle has one
- move uninjured people away from the vehicles to a place of relative safety (see [New rule – Place of relative safety](#))
- do not move injured people from their vehicles unless they are in immediate danger
- do not remove a motorcyclist's helmet unless it is essential
- be prepared to give first aid (see Annex 7 First aid on the road, and Other information: Useful websites)
- stay at the scene until the emergency services arrive.
- be prepared to exchange details (see [Rule 286](#))

If you are involved in any other medical emergency on the motorway you should contact the emergency services in the same way.

### Do you agree with the proposed changes to rule 283?

#### RoSPA response

RoSPA welcomes the proposed changes to rule 283, including the simplification of the rule text to provide clear, concise instruction to readers for different road types.



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## Rule 288 – Road works

When the 'Road Works Ahead' sign is displayed, you will need to be more watchful and look for additional signs providing more specific instructions. Observe all signs - they are there for your safety and the safety of road workers.

- You **MUST NOT** exceed any temporary maximum speed limit.
- Use your mirrors and get into the correct lane for your vehicle in good time and as signs direct.
- Do not switch lanes to overtake queuing traffic.
- Take extra care near cyclists and motorcyclists as they are vulnerable to skidding on grit, mud or other debris at road works.
- Where lanes are restricted due to road works, merge in turn (see [Rule 134](#)).
- Do not drive through an area marked off by traffic cones.
- Watch out for works vehicles entering or leaving the works area, but do not be distracted by what is going on there. Concentrate on the road ahead, not the road works.
- Where works vehicles are travelling in the road and are displaying amber warning lights, leave extra space and expect them to slow or turn into a works area.
- Bear in mind that the road ahead may be obstructed by the works or by slow moving or stationary traffic.
- Keep a safe distance - there could be queues in front.

Law RTRA sect 16

### Do you agree or disagree with the proposed changes to rule 288?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 288, which will help raise awareness amongst road users that vehicles with amber flashing lights near road works pose a potential hazard.



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## Rule 289- Additional rules for high-speed roads

Take special care on motorways and other high-speed dual carriageways.

- One or more lanes may be closed to traffic and a lower speed limit may apply.
- Works vehicles may be used to close lanes or carriageways for repairs. Where large "Keep Left" or "Keep Right" signs are displayed you MUST move over to the next lane and pass the works vehicle on the side indicated and not return to the closed lane until you can see it is safe to do so. Where a vehicle displays the sign "CONVOY VEHICLE NO OVERTAKING" you MUST NOT pass the vehicle. A flashing light arrow or red 'X' may also be used to make the works vehicle more visible from a distance and give earlier warning to drivers.
- Check mirrors, slow down and change lanes if necessary.
- Keep a safe distance from the vehicle in front (see [Rule 126](#)).

Laws RTA 1988 sect 36, TSRGD reg 3 and sch 13

### Do you agree or disagree with the proposed changes to rule 289?

#### RoSPA response

RoSPA welcomes the proposed changes to rule 289.



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## Rule 290 - Additional rules for high-speed roads

Road works may contain features that require extra care.

- **Narrow lanes.** Lanes may be narrower than normal and will be marked by studs or temporary road markings. Keep a good distance from the vehicle in front to be able to clearly see the edges of the lane ahead.
- **Contraflow systems.** These mean that you may be travelling in a narrower lane than normal and with no permanent barrier between you and oncoming traffic. You **SHOULD** slow down and leave extra space at the start and finish of contraflows where adverse camber is present.
- **Breakdown advice.** If your vehicle breaks-down in road works follow Rules [275](#), [276](#) and [278](#) but be aware that the area marked off by cones contains significant hazards. DO NOT enter or move vehicles into coned off areas unless directed to do so by those undertaking the works or providing a dedicated recovery service. Signs indicate where dedicated recovery services are provided.

### Do you agree or disagree with the proposed changes to rule 290?

#### RoSPA response

RoSPA agrees with proposed changes to rule 290. These changes provide more detail and greater clarity on road works features that road users may encounter, and which require extra care.



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## Minor proposed updates to rules

### Rule 91 – Fitness to drive

Driving when you are tired greatly increases your risk of collision. To minimise this risk

- make sure you are fit to drive. Do not begin a journey if you are tired. Get sufficient sleep before embarking on a long journey
- avoid undertaking long journeys between midnight and 6 am, when natural alertness is at a minimum
- plan your journey to take sufficient breaks. A minimum break of at least 15 minutes after every two hours of driving is recommended
- if you feel at all sleepy, stop in a safe place. Do not stop in an emergency area or on a hard shoulder of a motorway (see [Rule 262](#) for guidance on places to take a break when travelling on motorways)
- counter sleepiness by, for example, drinking a caffeinated drink or taking a short nap (at least 15 minutes)

### Do you agree or disagree with the proposed changes to rule 91?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 91. These changes highlight that the emergency area and hard shoulder are not safe places to stop on a motorway in the event of tiredness.

The final bullet point of rule 91 could also state that measures to counter sleepiness, such as drinking a caffeinated drink or taking a short nap are designed only to counter tiredness, but should not be relied upon more than once in a journey. If the driver continues to feel tired, it may be more appropriate to make an overnight stop.



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## Rule 138- Overtaking

On a dual carriageway with three or more lanes, you may use the middle lanes or the right-hand lane to overtake but you should return to the middle lanes and then the left-hand lane when it is safe.

### Do you agree or disagree with the proposed changes to rule 138?

#### RoSPA response

RoSPA agrees with the changes to rule 138, as the new wording clarifies advice on overtaking on dual carriageways with more than three lanes.

## Rule 234 – Fog

**Before entering fog** check your mirrors then slow down.

If 'Fog' is shown on a sign but the road is clear, be prepared for a bank of fog or drifting patchy fog ahead. Even if it seems to be clearing, you can suddenly find yourself in thick fog.

### Do you agree or disagree with the proposed changes to rule 234?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 234.



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## Rule 240 – Stopping

You **MUST NOT** stop or park on

- the carriageway, an emergency area or a hard shoulder of a motorway except in an emergency (see [Rule 270](#) and [New rule – Emergency areas](#))
- a pedestrian crossing, including the area marked by the zig-zag lines (see [Rule 191](#))
- a clearway (see '[Traffic signs](#)')
- taxi bays as indicated by upright signs and markings
- an Urban Clearway within its hours of operation, except to pick up or set down passengers (see '[Traffic signs](#)')
- a road marked with double white lines, even when a broken white line is on your side of the road, except to pick up or set down passengers, or to load or unload goods
- a tram or cycle lane during its period of operation
- a cycle track
- red lines, in the case of specially designated 'red routes', unless otherwise indicated by signs. Any vehicle may enter a bus lane to stop, load or unload where this is not prohibited (see [Rule 140](#)).

Laws MT(E&W)R regs 7 & 9, MT(S)R regs 6 & 8, ZPPPCRGD regs 18 & 20, RTRA sects 5, 6 & 8, TSRGD regs 10, 26 & 27, RTA 1988 sects 21(1) & 36

### Do you agree or disagree with the proposed changes to rule 240?

#### RoSPA response

RoSPA welcomes the proposed changes to rule 240, which now references emergency areas as well as the hard shoulder. The new wording ensures readers understand that they should only stop on a motorway in an emergency and that they should not stop on a high-speed dual carriageway.



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## Rule 253 – Prohibited vehicles

**Prohibited vehicles.** Motorways **MUST NOT** be used by pedestrians, holders of provisional motorcycle licences, riders of motorcycles under 50 cc, cyclists, horse riders, certain slow-moving vehicles and those carrying oversized loads (except by special permission), agricultural vehicles, and powered wheelchairs/powering mobility scooters (see [Rules 36 to 46](#) inclusive).

Provisional car licence holders **MUST NOT** drive on the motorway unless they are accompanied by an approved driving instructor and are driving a car displaying red L plates (D plates in Wales), that's fitted with dual controls.

Laws HA 1980 sects 16, 17 & sch 4, MT(E&W)R regs 3(d), 4 & 11 as amended by MT(E&W)(A)(R) 2004 & MT(E&W)(A)(R) 2018, R(S)A sects 7, 8 & sch 3, RTRA sects 17(2) & (3), & MT(S)R reg 10

**Do you agree or disagree with the proposed changes to rule 253?**

### RoSPA response

RoSPA agrees with the proposed changes to rule 253.



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## Rule 255 – Motorway signs and signals

Motorway signs and signals (see '[light signals controlling traffic](#)') are used to warn you of a hazard ahead. For example, there may be an incident, fog, a spillage or road workers on the carriageway which you may not immediately be able to see.

### Do you agree or disagree with the proposed changes to rule 255?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 255.

## Rule 262 – Fatigue

The monotony of driving on a motorway can make you feel sleepy. To minimise the risk, follow the advice in [Rule 91](#) about ensuring you are fit to drive and taking breaks.

Service areas are located along motorways to allow you to take breaks and to obtain refreshments. Refreshment and rest facilities on the local road network may also be accessible from motorway exits.

### Do you agree or disagree with the proposed changes to rule 262?

#### RoSPA response

RoSPA welcomes the proposed changes to rule 262. The new wording makes clear that Motorway Service Areas are safe places to take a break and refers readers to rule 91, which contains advice about preparing for your journey.



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## Rule 263 – on the motorway

You **MUST NOT**

- reverse along any part of a motorway, including slip roads
- cross the central reservation
- drive against the traffic flow

If you have missed your exit, or have taken the wrong route, carry on to the next exit.

Laws MT(E&W)R regs 6, 8 & 10, & MT(S)R regs 4, 5, 7 & 9

**Do you agree or disagree with the proposed changes to rule 263?**

### RoSPA response

RoSPA agrees with the proposed changes to rule 263, which clarifies that reversing on any part of the motorway, including slip roads, is illegal.



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## Rule 266 – Approaching a junction

**Approaching a junction.** Look well ahead for signals, signs or road markings. Direction signs may be placed over the road. If you need to change lanes, do so in good time. At some junctions a lane may lead directly off the motorway. Only get in that lane if you wish to go in the direction indicated on the overhead signs.

### Do you agree or disagree with the proposed changes to rule 266?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 266.

## Rule 270 – Stopping

You **MUST NOT** stop on the carriageway, emergency area, hard shoulder, slip road, central reservation or verge except in an emergency, or when told to do so by the police, traffic officers, an emergency sign or by flashing red light signals.

Laws MT(E&W)R regs 5A, 7, 9, 10 & 16, MT(S)R regs 6(1), 8, 9 & 14, PRA sect 41 & sched 5(8), & RTA 1988 sects 35 & 163 as amended by TMA sect 6

### Do you agree or disagree with the proposed changes to rule 270?

#### RoSPA response

RoSPA agrees with the proposed changes to rule 270, which ensures that readers understand that emergency areas are included in the places you must not stop in unless it is an emergency.

We do however, query the choice to remove the phrase 'do not stop on the hard shoulder to either make or receive mobile phone calls', as although this advice is covered in rule 149, we believe that rule 270 is a timely opportunity to reiterate this advice.



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## Rule 279 and 280 – Obstructions

If anything falls from your vehicle (or any other vehicle) on to the road, stop and retrieve it only if it is safe to do so (except on motorways and other high-speed roads).

On motorways and other high-speed roads, **DO NOT** remove the obstruction yourself. Stop in a place of relative safety (see [New rule – Place of relative safety](#)) and call the emergency services on 999.

### Do you agree or disagree with the proposed changes to rule 279 and 280?

#### RoSPA response

RoSPA agrees with proposed changes to rule 279 and 280, which ensures that motorists understand that it is not safe to retrieve property that has fallen on to the carriageway of a motorway.

## Rule 281 – Incidents

**Warning signs or flashing lights.** If you see or hear emergency or incident support vehicles in the distance, be aware there may be an incident ahead (see [Rule 219](#)). You should slow down and be prepared to stop or move safely into another lane.

The emergency services, traffic officers, and recovery workers may be required to work in the carriageway, for example dealing with debris, collisions or conducting rolling road blocks. You **MUST** follow any directions given by police or traffic officers as to whether you can safely pass the incident or blockage.

Law RTA 1988 sects 35 & 163 as amended by TMA sect 6

### Do you agree or disagree with the proposed changes to rule 281?

#### RoSPA response

RoSPA agrees with proposed changes to rule 281.



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## Rule 282 – Passing an incident

When passing the scene of an incident remain alert for hazards (such as debris or slow-moving vehicles) and do not slow down unnecessarily (for example if an incident is on the other side of a dual carriageway). Do not allow yourself to be distracted. This may cause a further incident, collision or congestion, see also [Rule 283](#), below.

### Do you agree or disagree with the proposed changes to rule 282?

#### RoSPA response

RoSPA agrees with proposed changes to rule 282.

## Rule 286 – Documentation

If you are involved in a collision which causes damage or injury to any other person, vehicle, animal or property, you **MUST**

- stop in a place of relative safety (see [New rule – Place of relative safety](#))
- give your own and the vehicle owner's name and address, and the registration number of the vehicle, to anyone having reasonable grounds for requiring them
- if you do not give your name and address at the time of the collision, report it to the police as soon as reasonably practicable, and in any case within 24 hours.

Law RTA 1988 sect 170

### Do you agree or disagree with the proposed changes to rule 286?

#### RoSPA response

RoSPA agrees with proposed wording changes to rule 286, to ensure drivers stop in a relative place of safety in the event of a collision.



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## Additional information

### Light signals controlling traffic – Motorway signals

Do you agree or disagree with the proposed changes to the Light signals controlling traffic – Motorway signals - part of the Code?



Multiple instructions shown on a sign

### RoSPA response

RoSPA agrees with proposed changes to help readers understand that a signal can contain multiple instructions.



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## Signals to other road users – hazard lights



I am temporarily obstructing traffic

**These signals should not be used except for the purpose described.**

**Do you agree or disagree with the addition of hazard light signals to the Signals to other road users – Hazard lights – part of the Code?**

### RoSPA response

RoSPA agrees with the changes to ensure that readers are aware that hazard warning lights should be activated in the event of an emergency or breakdown.



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## Traffic signs – Information signs



Variable speed limit with camera enforcement sign

**Do you agree or disagree with the proposed changes to the Traffic Signs – Information signs – part of the Code?**

### RoSPA response

RoSPA agrees with the proposed changes.



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## Other information – useful websites

[GOV.UK](#)

[St John's Ambulance](#)

[St Andrew's First Aid](#)

[British Red Cross](#)

[Highways England](#)

[Transport Scotland](#)

[Transport Wales](#)

[Traffic England](#)

[Traffic Scotland](#)

[Traffic Wales](#)

[Road Safety GB](#)

[Ask the police: frequently asked questions database](#)

[Traffic Penalty Tribunal](#) (outside London)

[London Tribunals](#) (inside London)

[CycleStreets](#)

[Google maps](#)

[The RAC](#)

[The AA](#)

[Traveline](#)

[Walkit](#)

[European Commission - road safety abroad](#)



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### [European New Car Assessment Programme](#)

## **Do you agree or disagree with the proposed additions to the Other Information – Useful Websites – part of the Code?**

### **RoSPA response**

RoSPA agrees with the proposed changes, which provide advice on where to find information about the road network and the organisations that run the network in England, Scotland and Wales, from Highways England, Transport Scotland and the Welsh Government. It also provides advice on where to find information about the current status of traffic conditions on Highways England's network. RoSPA would be interested in being included within this list.

## **Other information – further reading**

### **Best practice**

Further information about good driving and riding practice can be found in the Driver and Vehicle Standards Agency books 'The Official DVSA Guide to Driving - the essential skills' and 'The Official DVSA Guide to Riding - the essential skills'. Information specifically for drivers of large vehicles can be found in 'The Official DVSA Guide to Driving Goods Vehicles' and 'The Official DVSA Guide to Driving Buses and Coaches'.

### **The Blue Badge Scheme**

Get information about the Blue Badge Scheme from your council.

### **Towing**

Readers can find information about the safety guidance applicable to towing at the following websites:

- [Tow a trailer with a car: safety checks](#)
- [Towing a trailer with a car or van](#)
- [Requirements for towing trailers in Great Britain](#)

### **Code of Practice for Horse-Drawn Vehicles**

A Code of Practice is available from

Department for Transport  
International Vehicle Standards  
Great Minster House  
33 Horseferry Road



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London  
SW1P 4DR

Tel 0300 330 3000

**Do you agree or disagree with the proposed additions to the Other Information – Further Reading – part of the Code?**

**RoSPA response**

RoSPA agrees with the proposed changes.



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## Annex 4. The road user and the law

The following list can be found abbreviated throughout the Code. It is not intended to be a comprehensive guide, but a guide to some of the important points of law. For the precise wording of the law, please refer to the various Acts and Regulations (as amended) indicated in the Code. Abbreviations are listed below.

Most of the provisions apply on all roads throughout Great Britain, although there are some exceptions. The definition of a road in England and Wales is 'any highway and any other road to which the public has access and includes bridges over which a road passes' (RTA 1988 sect 192(1)). In Scotland, there is a similar definition which is extended to include any way over which the public have a right of passage (R(S)A 1984 sect 151(1)).

It is important to note that references to 'road' therefore generally include footpaths, bridleways and cycle tracks, and many roadways and driveways on private land (including many car parks). In most cases, the law will apply to them and there may be additional rules for particular paths or ways. Some serious driving offences, including drink-driving offences, also apply to all public places, for example public car parks.

The reference to 'emergency area' in the Highway Code is an 'emergency refuge area' as defined in the Motorways Traffic (England and Wales) Regulations 1982.

Acts and regulations are available as enacted or as amended at [www.legislation.gov.uk](http://www.legislation.gov.uk) and are available in their original print format from The Stationery Office.

### Do you agree or disagree with the proposed changes to Annex 4?

#### RoSPA response

RoSPA agrees with the proposed changes.

### Do you have any further comments about the changes proposed to the Highway Code?

#### RoSPA response

RoSPA has no further comments to make on the consultation process, other than to thank Highways England for the opportunity to comment. We have no objection to our response being reproduced or attributed.

