



Response of the Road Haulage Association to Department for Transport

“Review of the Highway Code to improve road safety for cyclists, pedestrians and horse riders.”

14 October 2020

Summary of the Consultation

1. The Department for Transport is consulting on a review of The Highway Code. The consultation is called “Cycling and Walking Investment Strategy: Safety Review Consultation on a review of The Highway Code”. It goes far beyond cycling and walking, the proposals impact all road users including those driving HGV’s.
2. The Consultation closes on the 27 October 2020. The full consultation and all questions can be accessed [here](#).¹
3. There are three main changes proposed that will result in fundamentally new rules plus many other detailed changes to existing Highway Code rules. Most of changes to the existing rules are designed to support the three main rule changes.
4. The three headline changes are:

I. Introducing a hierarchy of road users. (Rule H1)

This proposal seeks to put more responsibility for other road users onto the user of the largest vehicles.

The consultation says “... those in charge of vehicles that can cause the greatest harm in the event of a collision bear the responsibility to care and reduce the danger posed to others. This principal applies most strongly to drivers of large goods and passenger vehicles...”

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904038/consultation-on-a-review-of-the-highway-code.pdf#page=64

II. Changing rules on pedestrian priority and right of way at junctions. (Rule H2)

This proposal extends pedestrian right of way when crossing roads at junctions. Pedestrians already have a right of way over any turning vehicle when crossing, this proposal extends that right so the right of way applies before the pedestrian leaves the pavement.

III. Changing rules on cyclist priority and right of way at junctions. (Rule H3)

This proposal gives cyclists right of way when overtaking or undertaking turning vehicles at junctions.

The new rule for drivers & motorcyclists says “Do not turn at a junction if to do so would cause a cyclist going straight ahead to stop or swerve, ...”. It continues, “You [the vehicle driver] should stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are: approaching, passing or moving off from a junction moving past or waiting alongside stationary or slow-moving traffic ...”

The RHA wish to emphasise this rule gives a right of way to any cyclist passing up the inside of a left turning vehicle or overtaking a right turning vehicle on the outside. For example, a car, van or lorry driver intending to turn left, indicating to do so, will be required to give way to a cyclist coming from behind going straight ahead - undertaking on the nearside.

Background about the RHA

5. The RHA is the leading trade association representing road haulage and distribution companies, which operate HGVs as profit centres. Our 7,200 members, operating near to 250,000 HGVs out of 10,000 Operating Centres, these range from single-truck firms to those with thousands of vehicles. These companies provide essential services on which the people and businesses of the UK depend.
6. We proactively encourage a spirit of entrepreneurship, compliance, profitability, safety and social responsibility. We do so through a range of advice, representation and services, including training.
7. We would like to thank the Department for Transport for the consultation and the opportunity to comment on the issues raised.

General Comments

8. The RHA has serious concerns about the impact the proposed changes to the Highway Code will have on road safety and legal liability. It is especially concerning that no safety assessment is provided in respect of the proposed changes to ensure that the measures will have a real-world road safety benefit.
9. It is concerning that there is a shift away from the concept that road safety is responsibility all road users share.
10. Our main concerns relate to the changes around the introduction of new rules H1 and H3.
11. The proposed introduction of a hierarchy of road users in the new **Rule H1** changes the responsibility of road users according to vehicle size, this will translate into new legal liability. The extent of the change to liability and how this impacts a presumption of responsibility or guilt in the event of a collision is not explained in the consultation. It simply places more “responsibility” on the driver of the largest vehicle.
12. The new Code says, “The hierarchy does not remove the need for everyone to behave responsibly”, however, the other changes demonstrate that some road users under the new hierarchy will have less obligation than others.
13. The Highway Code makes legal liability obligation clear where it says “... The Highway Code may be used in evidence in any court proceedings under Traffic Acts (see the road user and the law) to establish liability. This includes rules which use advisory wording such as ‘should/should not’ or ‘do/do not’.”
14. The hierarchy proposal superficially sounds like the right thing to have in place. However, in the case of these changes to the Highway Code, it is not reasonable.
15. The RHA believes all road users need to exercise a “duty of care”. This means all road users having a responsibility for their own and others safety when using the roads. Everyone needs to use the roads with care and consideration for themselves and everyone else.
16. The hierarchy undermines this simple straightforward and practical principal. It lessens the responsibility of some road users and increases liability and responsibility of others. The proposal seems to make some road users partially responsible for the behaviour of other road users based solely on the size of vehicle or device used on the roads. This is inappropriate.
17. We are concerned that this sends a message that the responsibility for road safety rests only on the operator of larger vehicles, and that operators of smaller vehicles, cyclists and pedestrians no longer have to take responsibility of their own actions.

18. The risks posed by the operation of larger vehicles and the responsibilities of the drivers of those vehicles are already reflected in the laws governing vehicle design, vehicle operation, driver qualification, driving licencing, ongoing training mandated for lorry and bus drivers and additional accountability over driver behaviour and conduct.
19. While well intentioned, this proposal for a Highway Code hierarchy is wrong.
20. The RHA believes that best way to manage the risk and responsibilities on roads is to ensure those using the roads are trained and authorised in a way that reflects the responsibility and risk arising from the vehicle used. Those in control of larger vehicles need to be (and are) properly qualified and trained to operate the vehicles being used. Bus and lorry drivers are subject to many more obligations on training and fitness when compared car drivers for instance. Medical and regular re-training are needed to maintain qualification to drive large vehicles. Appropriate systems are in place, such as the HGV Driver CPC requirement, which ensure additional training is already undertaken. Improving those standards is the right way to support road safety.
21. The RHA believes the proposed introduction of **new rule H3** is dangerous and will put cyclists lives in peril. As explained above, this rule gives a right of way to any cyclist passing up the inside of a left turning vehicle or overtaking a right turning vehicle on the outside.
22. This is a known dangerous manoeuvre for any cyclist to make. The RHA believes that it is irresponsible for this to be encouraged by the Highway Code in any way.
23. There are further problems concerning rule H3, as detailed rules further on within the new Code are inconsistent with H3. Mixed messages, especially around known dangerous road use, are not acceptable. We expand on this further in our response to Questions 30-33.
24. For the sake of road safety, and clarity for all road users, it is essential that proposal H3 and the related changes to the code are dropped. We expand on this further in our response to Q26.
25. Finally, we note that no formal impact assessment has been made on the road safety impacts of the measures. There is no study that considered in detail what the overall safety impacts are of the changes to the Code are. The consultation says on page 9 “*.., the proposed changes should lead to improvements in road safety without disproportionately impacting on drivers...*” but offers no evidence to demonstrate any road safety benefit at all. At no point in the consultation does it consider if any proposals have a negative impact or increase road safety risk for any road users.

Responses to the Questions

Notes:

The question numbers vary according to the answers given when filling out the Department for Transport web response form. The question numbers below relate to how the RHA has responded to the questions. While the numbering changes if questions are answered differently, the wording of questions does not.

The detailed text changes to the code, rule by rule, can be found from page 10 in the DfT consultation document at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904038/consultation-on-a-review-of-the-highway-code.pdf#page=1

The DfT survey / consultation response page can be found at:

<https://www.smartsurvey.co.uk/s/K736D5/>

We would ask DfT to ensure that all future consultations used consistent numbering for all question, the approach taken in this case should not be repeated.

The first few questions relate to details about the respondent to the consultation and are not summarised here.

Section - Hierarchy of road users

This section deals with new rule **H1** that seeks to establish a hierarchy of road users, this places the greatest responsibility to reduce the danger or threat to other road users on those using the largest vehicles.

The wording of the new rule is:

“It is important that ALL road users are aware of The Highway Code, are considerate to other road users and understand their responsibility for the safety of others.

Everyone suffers when road collisions occur, whether they are physically injured or not. But those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others. This principle applies most strongly to drivers of large goods and passenger vehicles, followed by vans/minibuses, cars/taxis and motorcycles.

Cyclists, horse riders and horse drawn vehicles likewise have a responsibility to reduce danger to pedestrians.

Always remember that the people you encounter may have impaired sight, hearing or mobility, and may not be able to see or hear you.



The Road Haulage Association

None of this detracts from the responsibility of all road users, including pedestrians, cyclists and horse riders, to have regard for their own and other road users' safety."

Question 4 Do you agree with the introduction of new Rule H1 (hierarchy of road users)?

RHA Response: No.

Question 5 If no, why not?

RHA Response: Our response to this question is set out in paragraphs 11 to 20 above.

Question 6 Is the proposed wording easy to understand?

RHA Response: Yes (although please note that the RHA disagrees with the proposal).

Section - Clarification of right of way and stronger priorities for pedestrians

This section deals with the proposal to extend pedestrian priority. Pedestrians already have a right of way over any turning vehicle when crossing, this proposal extends that right so the right of way applies before they leave the pavement.

Question 7 Do you agree with the introduction of new Rule H2 (stronger priorities for pedestrians)?

RHA Response: No

Question 8 If no, why not?

The RHA objection is about the introduction of fundamental changes to rules which are well established in the general population without a clear commitment to a communication strategy that will support the change. People have grown up with, know and understand the existing rules. The change without proper education for road users will result in confusion and will result in increased danger for pedestrians.

The key is ensuring that any change in this area is clearly communicated.

Question 9 Is the proposed wording easy to understand?

RHA Response: Yes

Section - Cyclists priorities and right of way

This section deal with the proposal to give cyclists right of way at junctions when overtaking or undertaking turning vehicles at junctions.

The new rule for drivers & motorcyclists says *“Do not turn at a junction if to do so would cause a cyclist going straight ahead to stop or swerve, ...”*. It continues, *“You should stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are:*

- *approaching, passing or moving off from a junction*
- *moving past or waiting alongside stationary or slow-moving traffic ...”*

This rule gives a right of way to any cyclist passing up the inside of a left turning vehicle or overtaking a right turning vehicle on the outside. For example, a car, van or lorry driver intending to turn left, indicating to do so, will be required to give way to a cyclist coming from behind going straight ahead while undertaking on the nearside.

Question 10 Do you agree with the introduction of new Rule H3 (cyclist’s priorities and right of way)?

RHA Response: No.

Question 11 If no, why not?

RHA Response: The RHA believes the proposed introduction of **new rule H3** is dangerous and will put cyclists lives in peril. As explained above, this rule gives a right of way to any cyclist passing up the inside of a left turning vehicle or overtaking a right turning vehicle on the outside.

This is a known dangerous manoeuvre for any cyclist to make. The RHA believes that it is irresponsible for this to be encouraged by the Highway Code in any way.

There are furthers problems around H3 changes, detailed additional rules within the new Code are inconsistent. Mixed messages, especially around known dangerous road use, are not acceptable.

For the sake of road safety, and clarity for all road users, it is essential that proposal H3 and the related changes to the code are dropped.

This rule if applied will increase the risk of injury collisions with cyclists.

Question 12 Is the proposed wording easy to understand?

RHA Response: Yes. (although please note that the RHA disagrees with the proposal).

That is the end of the sections dealing with the three main changes. Changes from here on relate to changes to existing parts of the Highway Code

Section - Rules for pedestrians

For Rule 8 on junctions the proposed new text is:

“When you are crossing or waiting to cross the road other traffic should give way.”

For Rule 19 on zebra crossings the proposed new text is:

“Drivers and riders should give way to pedestrians waiting to cross and **MUST** give way to pedestrians on a zebra crossing.

Question 13 **Do you agree with the proposed change to give way to pedestrians waiting at a:**

- **junction?**

RHA Response: No

- **zebra crossing?**

RHA Response: Yes

If no, why not?

RHA Response: Pedestrians crossing junctions need to take care even when they have a right of way. The problem is with the wording for the proposed changes to the code around junctions, it needs to be changed to reflect the need to maintain vigilance and care at all time, even when there is priority. Earlier points about communicating changes to road rules apply.

Question 14 **Is the proposed wording easy to understand?**

RHA Response: No.

Question 15 **If no, why not?**

RHA Response: It is not clear to a pedestrian what a pedestrian should do at a junction. The new rule gives a right of way, but there is no advice to maintain vigilance and care in case a driver has not seen the pedestrian., Advice about vigilance and care should be included.

Question 16 **Do you have any further comments about other changes to the rules for pedestrians?**

RHA Response: No.

Section - Rules about animals

Question 17 **Do you agree to the proposed change to Rule 52?**

RHA Response: No comment

Question 18 **Is the proposed wording easy to understand?**

RHA Response: No Comment

Section - Rules for cyclists

Question 19 **Do you agree with proposed change to Rule 63 (guidance for cyclists using shared spaces)?**

RHA Response: No Comment

Question 20 **Is the proposed wording easy to understand?**

RHA Response: No Comment

Question 21 **Do you agree with the proposed change to Rule 72 to ride:**

- in the centre of your lane on quiet roads?
- in the centre of your lane in slower moving traffic?
- in the centre of your lane when approaching junctions?
- at least 0.5 metres away from the kerb on busy roads?

RHA Response: No comment.

Question 22 **Is the proposed wording easy to understand?**

RHA Response: Yes

Question 23 **Do you agree with the proposed change to Rule 73 at junctions with:**

- special cyclist facilities?
- no separate cyclist facilities?

RHA Response: Yes

Question 24 **Is the proposed wording easy to understand?**

RHA Response: Yes

The following question relates to the rules around the priorities being proposed under the new rule H3.

The RHA notes that rule 76 will be amended to clarify priorities when going straight ahead. The new rule for cyclists is:

*“Going straight ahead. If you [a cyclist] are going straight ahead at a junction, **you have priority over traffic waiting to turn into or out of the side road**, unless road signs or markings indicate otherwise (see Rule H3). Check that you can proceed safely, particularly when approaching junctions on the left alongside stationary or slow-moving traffic.*

Watch out for drivers intending to turn across your path. Remember the driver ahead may not be able to see you, so bear in mind your speed and position in the road.

Be particularly careful alongside lorries and other long vehicles, as their drivers may find it difficult to see you. Remember that they may have to move over to the right before turning left, and that their rear wheels may then come very close to the kerb while turning.”

Question 25 Do you agree with the proposed change to Rule 76 (clarifies priorities when cyclists are travelling straight ahead)?

RHA Response: No

Question 26 If not, why not?

RHA Response: This rule change is dangerous, conflicts with other parts of the Highway Code and must be removed from the list of changes. It will be irresponsible to continue with this change.

Firstly, the claim that this rule change simply “clarifies priorities” in the Highway Code is false. **It is not a clarification at all, it is a fundamental change in prioritisation and right of way.**

This rule change has to be read in the context of the proposed new rule H3 which instructs vehicle drivers to “*stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are:*

- *approaching, passing or moving off from a junction*
- *moving past or waiting alongside stationary or slow-moving traffic ...”*

The effect of H3 and this rule is to give a right of way exclusively to cyclists to undertake left turning vehicles or overtake right turning vehicles.

We cannot stress enough how extremely dangerous this rule change is. It will create a road environment that puts cyclists straight into the path of turning traffic.

The proposal is contrary to all previous advice and much publicity given to preventing cyclists travelling past left-turning traffic at junctions. It creates a mixed message for road users, conflicts with the current rule 72 of the Highway Code and with the amended rule 74 which advises cyclists “*Do not ride on the inside of vehicles signalling or slowing down to turn left.*”

The lack of a safety assessment in the proposed Highway Code changes is clearly demonstrated by this proposal, as a genuine safety assessment would have highlighted the risks of this proposal. If there was such an assessment, we believe the inconsistencies and the dangerous nature of this rule change would have become clear. Undertaking is dangerous manoeuvre. **Giving just cyclists a special right of way to knowingly undertake a left-turning vehicle or overtake a right-turning vehicle – against all previous advice - is unacceptable.**

The Highway Code must make it clear that cyclists undertaking or overtaking turning vehicles on the same side the turn is not ever allowed. The vehicle (or rider) in front must have the right of way.

Question 27 - Is the proposed wording easy to understand?

RHA Response: No

Question 28 – If not, why not?

RHA Response: It is ambiguous and inconsistent with other parts of the Highway Code as being amended. It is unacceptable to have wording in one rule that conflicts with other rules.

Question 29 – Do you have any further comments about other changes to the rules for cyclists?

RHA Response: Roads are for everyone. All road users need to be catered for in the Highway Code with the view towards creating the safest environment for all. Clear and practical guidance that works for every road user group is key. The special rules for cyclists based on the term “going straight ahead” will result in cyclists being placed in the most vulnerable and dangerous position on the road.

Context is important. Cyclists are not always visible when coming up behind a large vehicle (bus, van or lorry). Under these rules, a hazardous situation arises where a cyclist can be straight behind the large vehicle signalling to turn left, invisible to the driver and then attempt to undertake. In such circumstances, with many other hazards for the driver to consider, it is far too easy for the cyclist travelling at speed to be missed. A public document such as the Highway Code must not encourage this dangerous manoeuvre. Lives will be ruined if this proceeds.

Rules for drivers and motorcyclists

Question 30 – Do you have any comments about the proposed change to Rule 97?

RHA Response: No. The change proposed is reasonable.

Question 31 – Is the proposed wording in Rule:

- 123 easy to understand?
- 124 easy to understand?

RHA Response: Yes

Question 32 - Do you agree with the proposed changes to Rule 140 on giving way to cyclists using a cycle:

- lane?
- track?

RHA Response: No

If no, why not?

RHA Response: There is a fundamental problem with this proposal. The situation for a vehicle turning out of a road into the path of a cyclist (or vehicle) is totally different from the case when both cyclist and vehicle on the same carriageway traveling in the same direction. The wording proposed “You should give way to cyclists approaching or using the cycle track when turning into or out of a junction” mixes up these two different situations. This is not acceptable.

For vehicles and cyclists travelling in the same direction, the right of way needs to be with the vehicle in front. Attempting to pass a turning vehicle on the inside is dangerous and will put cyclists in peril. It is not unreasonable for cyclists to show consideration for other road users and slow to allow a vehicle in front travelling in the same direction to safely make a turn.

This proposed rule change is dangerous.

Question 33 – Is the proposed wording easy to understand?

RHA Response: No

Question 33 – why not?

RHA Response: The mixing of situations is confusing and dangerous. Promoting undertaking by cyclists is dangerous. Mixing that up with oncoming cyclists on cycle tracks and vehicles turning out of roads crossing in front of a vehicle or cyclist going straight ahead is confusing and unclear too.

Question 35 – Do you have any further comments about the changes to the general rules, techniques and advice for all drivers and riders?

RHA Response: No.

Using the road

Question 36 – Do you agree that cyclists may pass slower moving traffic on their right or left as detailed in Rule 163?

RHA Response: No

Question 37 – Why not?

RHA Response: This again creates an environment, particularly in urban areas, which puts cyclists in danger. The change to the code about *“Cyclists may pass slower moving or stationary traffic on their right or left, including at the approach to junctions, but are advised to exercise caution when doing so”* is what happens in the real world but, when read against other rules (H3 and new rule 76) overturns the existing convention that traffic overtaking right-turning vehicles will be at fault. This is confusing and dangerous. This is another change which alters an existing convention in place for more than 70 years.

For vehicles and cyclists travelling in the same direction, the right of way needs to be with the vehicle in front. Attempting to pass a turning vehicle on the side of the direction of turn is dangerous and will put cyclists in peril. It is reasonable for cyclists to show consideration for other road users and slow to allow a vehicle in front travelling in the same direction to safely make a turn.

Question 38 – Do you agree with the proposed speed limits detailed at Rule 163 for overtaking:

RHA Response: No comment

Question 39 – Do you agree with the proposed passing distances detailed at Rule 163 for overtaking:

motorcyclists?	No
cyclists?	No
horse riders?	Yes
horse drawn vehicles?	Yes

If no, why not?

RHA Response: Giving cyclists a minimum clearance of 2m in all environments can be extremely challenging for Heavy Goods Vehicles and reduces road capacity. At slow speed, the lower limit should be used for all vehicles. As a recommendation guided limits are reasonable; however, as a “minimum”, it can be problematic. We realise it is guidance, but perhaps it should be redrafted as a recommended minimum.

For passing horse riders and horse drawn vehicles the distances are appropriate.

Question 40 – Is the proposed wording easy to understand?

RHA Response: Yes

Question 41 – Do you agree with the proposed changes to Rule 186 that:

- **you do not overtake cyclists within their lane?**

RHA Response: No

- **you allow cyclists to move across your path?**

RHA Response: No

- **cyclists may stay in the left lane when continuing across or around the roundabout?**

RHA Response: No

- **horse riders may stay in the left lane when continuing across or around the roundabout?**

RHA Response: No

- **horse drawn vehicles may stay in the left lane when continuing across or around the roundabout?**

RHA Response: No

If no, why not?

RHA Response: The new rules are inadequate and fail to address some circumstances. More thought needs to go into this rule. The idea is right, but the execution is not.

Generally cyclists, horse riders and horse drawn vehicles should be in the centre of their lane when going around a roundabout to ensure they are not cut up by

someone exiting the roundabout. Being on the extreme left when going through a roundabout can be dangerous.

However, the issue is wider than that, because the code as drafted may not apply to all roundabouts. There are “single lane” roundabouts, multi-lane roundabouts with single road exits and multi-lane roundabouts with multi-lane exits. These roundabouts all require detailed guidance for all road users which appears absent at the moment.

More thought needs to be given to this guidance.

Question 42 – Is the proposed wording easy to understand?

RHA Response: No

Question 43 – If no, why not?

RHA Response: There are many different types of roundabout and gyratory systems. Each have their own characteristics and lane markings. Lane use has established principles; changing these will cause confusion.

Different horses react differently to the same situation - a scared, confused horse is a very dangerous animal. Those in charge of horses will know their charge and the best course to steer.

As stated above, much more thought is needed to determine an improved wording at rule 186.

Question 44 – Do you agree with the proposed change to Rule 195 to give way to pedestrians and cyclists waiting to cross at a parallel crossing?

RHA Response: No.

Question 45 – Why not?

RHA Response: The Parallel crossing and Zebra crossing are separate distinct traffic situations. Parallel crossings relate to junctions, Zebra crossings do not. They need to be treated separately in the Highway Code.

The changes regarding Zebra crossings are understood and are reasonable.

However, the “Parallel crossing” adjacent to Zebra crossing multiplies the number of hazards.

Again, the issue of undertaking cyclists arises. There should be no presumption by a cyclist undertaking a turning vehicle that they have right of way. Instead, cyclists

should be required to slow or stop to allow the turning vehicle in front to complete its manoeuvre. The Code should reflect this.

Using the road Rule 195 wording: zebra and parallel crossings

Question 46 – Is the proposed wording easy to understand?

RHA Response: No

Question 47 – Why not?

RHA Response: The term “parallel crossing” is unfamiliar to the vast majority of road users. Little publicity has been given to this type of crossing. The recently created parallel crossing on the Cambridge Ring Road is evidence to drivers being unaware of how the crossing works and the priority aspect for cyclists and pedestrians over motorised traffic.

It is essential to separate wording regarding zebra crossings from parallel crossings. It is also important that the safety of parallel crossings and education for all road users is considered.

Question 48 – Do you have any further comments about the changes to the rules on using the road?

RHA Response: As we have set out in this response, we disagree with prioritising cyclists for special treatment especially where that prioritisation creates hazards for those cyclists.

In addition, this consultation has not fully considered the different characteristics of rural roads, which differ regionally and according to the terrain. These rules appear to have been drafted for urban scenarios, they need to work in all environments, not just in towns.

Roads are for all road users and must be shared with consideration and responsibility. That shared responsibility requires all users to show courtesy and patience whilst when other users are performing legitimate manoeuvres, such as turning left or right when signalling to do so. All users have to wait sometimes to allow others to do what they have to on the road

Rule 167 –The application of rule H3 to the amended rule 167 is wrong. That change should be deleted as, again, it creates a right of way for an undertaking cycle.

Rule 170 amendment references rule H1 - this should be rule H2.

Rule 183 has been amended to promote a right of way for overtaking or undertaking vehicles. This is dangerous, the change should be rejected.

Section - Road users requiring extra care

Question 49 – Do you agree with the proposed changes to Rule 213?

RHA Response: Yes

Question 50 – Is the proposed wording easy to understand?

RHA Response: Yes

Question 51 – Do you have any further comments about other changes proposed in the chapter on road users requiring extra care?

RHA Response: Yes.

Rule 204 assimilates new rule H1 which is inappropriate. It implies that all road users have responsibility, but some have more responsibility than others. Rule 204 did not need changing at all. The new draft undermines the simple message of the original.

Rule 211 has a new section that we believe is wrong and ambiguous. The new section says “Do not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve, just as you would do with a motor vehicle”. As we have set out in our response, undertaking a left turning vehicle needs to be explicitly ruled out by the Code.

Section – Waiting and Parking

Question 52 – Do you agree with the proposed change to Rule 239? (the proposal about the “Dutch Reach”.)

RHA Response: No comment.

Question 53 – Is the proposed wording easy to understand?

RHA Response: Yes

Question 54 - Do you have any further comments about the other change proposed to Rule 239 on waiting and parking?

RHA Response: No.

Section - Annexes

**Question 55 - Do you have any comments about the changes proposed to:
- annex 1?**

RHA Response: No.

– annex 6?

RHA Response: Yes. The reference to the Freight Operator Recognition Scheme is inappropriate. That scheme is one of many non-statutory schemes that has a commercial basis, and it is wrong to promote any single supplementary scheme when many such schemes exist. It is essential that the commercial reference is removed.

It is important to reference the Government's own information about daily walk around checks and DVSA, that element should be kept.

Section - Other comments on The Highway Code

Question 56 – Do you have any further comments regarding the proposed amendments to The Highway Code which focus on safety improvements for cyclists, pedestrians and horse riders?

RHA Response: Yes. Many of the changes are not apparently driven by a focus on road safety. They appear to be driven by a desire to re-engineer the relationship between cyclists and other road users.

We ask that the Department re-evaluates its cycle centric approach and re-focus on creating the safest possible environment for all road users.

Final comments

Question 57 – Any other comments?

RHA Response. Not every change proposed to the Code in the consultation has a question against it. With the online version creating inconsistent numbering, it is easy to miss critical information. This must be avoided in future – a complete opportunity to answer with consistent numbering of questions is essential in all future consultations.

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