

Proposed revised Highway Code

Response to the further changes to rules 61 and 63.

While we acknowledge that much effort has been made to take into the account the concerns expressed by the cycling community about the original draft, we feel that the wording is still open to a wide degree of interpretation, and remains based on the unproven premise that cycle facilities can be expected to improve safety.

Cycle Campaign Network knows of no evidence that cycle facilities and in particular cycle lanes, generally lead to safer conditions for cycling, while we know of evidence that suggests the contrary often to be the case. In other areas of public life in particular health and education recommendations are required to be based on sound evidence. Sometimes facilities may have advantages in terms of quicker or more convenient journeys, but rarely is safety enhanced and sometimes the advantages are obtained only by increasing risk (as when using a cycle lane to bypass stationary traffic puts cyclists at greater risk from lorries turning, car doors being opened and pedestrians crossing).

We also challenge the implication in the revised rules that less experienced cyclists are particularly likely to benefit from using facilities. These people usually do not have the skills and experience to deal adequately with the hazards present on cycle facilities, which are often less predictable than ordinary traffic hazards.

It is important that the recommendations of the Highway Code are based on sound evidence and not just perception. It may well have been better to omit these paragraphs entirely. It is not in the interests of road safety to mislead people into thinking that they will be safer by riding in a particular place when that may not be the case. If advice is to be offered on the use of cycle facilities, it should reflect the actual conditions likely to be met. At present, the Highway Code offers very little advice that is relevant to the most common conflict situations that arise, and generally adds to confusion for example by mixing up facilities with routes..

We are further concerned that the proposed rules establish a default presumption that facilities should be used as prudent behaviour, if not by legal mandation. Rules 61 and 63 put the onus be on the cyclist, if challenged, to show that it was not practicable or safe at the particular place and time to use the cycle lane or other facility. At all times a cyclist must be free to use his or her own judgement to decide how best to maximise their safety in the prevailing circumstances. The role of the Highway Code is to inform, not to restrict, those judgements.

There are wider aspects of the Highway Code which will need to be examined again in the future to improve the interaction between all road users, and to help people cycle and walk in a less intimidating environment. Meanwhile, it is important that the Highway Code is fully compatible with other initiatives, such as the government funded cycle training project, which seek to ensure that cyclists are best informed about how to cycle confidently and safely.