

SUMMARY OF RESPONSES TO THE CONSULTATION AMENDING MOTORWAY SPEED LIMITS FOR CERTAIN HEAVY VEHICLES

Introduction

1. This document summarises the main issues raised in the 63 responses received to the consultation document between the launch, on 2nd February, and the deadline for responses of 27 April 2010.
2. Department for Transport [DfT] Ministers have decided not to proceed with either the proposals for amending motorway speed limits or the extra 3rd lane use prohibitions for certain heavier vehicles. This is partly because it has not been possible to properly identify sufficient benefits that would outweigh the costs incurred in making such regulatory changes.
3. As the proposals consulted upon are now all being formally withdrawn we are not intending to do any further work in trying to produce a more detailed Impact Assessment document itemising costs and benefits.
4. This summary document is only intended to give an overview of the main themes covered by the consultation respondents.
5. The primary motivation behind the proposals was to remove the current motorway speed advantage that is thought to exist for older, none speed limiter fitted, vehicles when compared to the newer vehicles that are required to be fitted with a speed limiter.
6. Speed limiters are set to a maximum speed of 56 mph (in the case of a goods carrying vehicle exceeding 3.5 tonnes gross vehicle weight) or 62 mph (in the case of a passenger carrying vehicle with more than 8 passenger seats or exceeding 3.05 tonnes unladen weight).
7. The national speed limit legislation allows non speed limiter fitted goods vehicles that exceed 3.5 tonnes (but not 7.5 tonnes) to travel at 70 mph on motorways. The same legislation also allows non speed limiter fitted passenger carrying vehicles that are 12 metres or less in length to travel at 70 mph on motorways.
8. Having motorway speed limits set at levels much closer to the limiter settings might help to reduce any advantage in retaining older, more polluting vehicles, and also make enforcement easier. So the proposals were :
 - a motorway speed limit for medium sized goods vehicle of 60 mph instead of 70 mph and
 - a motorway speed limit for large passenger carrying vehicle of 65 mph, instead of 70mph.
9. There was also an element of simplification and levelling of the field in the proposals. Currently coaches that exceed 12 metres in length are prohibited from

exceeding 60 mph on a motorway; the proposal was to allow them to travel at 65 mph on a motorway – so that they would be treated just like any other passenger vehicle with more than 8 passenger seats.

10. When first launched the consultation documents, including the Impact Assessment, only mentioned larger passenger carrying vehicles in general terms as vehicles adapted to carry more than 8 passengers. So we clarified that the proposed changes were actually going to include those passenger vehicles that exceeded 3.05 tonnes unladen – even if they did not have more than 8 passenger seats. This latter group of vehicles would mainly consist of heavy motorcaravans with a few dual purpose, crew cab, pick up truck type vehicles. These groups of vehicles are not required to have a speed limiter but arguably represent a similar risk to other road users in a collision at speed due to their weight.
11. The rationale for having this broader grouping of affected vehicles in the proposed amendments included the point that they are all already included within the same grouping of vehicles set out in item 1 of Schedule 6 of the Road Traffic Regulation Act 1984 (hereafter referred to as the RTRA 84).
12. The Department had also proposed that vehicles that are prohibited from travelling at 70 mph on the motorway should not be allowed in the outside lane of the motorway either. This is because they could impede the progress of other vehicles needing to use this outside overtaking lane.
13. During the consultation the Department published Question and Answer style information onto the DfT website (placed alongside the consultation documents) to clarify the full scope of the changes that were being considered.
14. The table below summarises our proposals, *as they stood in February 2010*, in a more visual format.

Vehicle Class	Current motorway limit (mph)	Proposed new M-way limit (mph)	Speed limiter setting (mph) (No chngs proposed)
Goods vehicles >3.5 <7.5 tonnes	70	60	56
HGVs exceeding 7.5 tonnes	60	60 (no change)	56
PCVs with more than 8 passenger seats or exceeding 3.05 tonnes unladen but less than 12 metres long	70	65	62.5
PCVs with more than 8 passenger seats or exceeding	60	65	62.5

3.05 tonnes unladen but more than 12 metres long			
PCVs with less than 8 seats and not weighing over 3.05 tonnes unladen	70	70 (no change)	No speedlimiter required

15. The organisational breakdown of the respondees was as follows :

Businesses	3
Associations or professional organisations	17
Govt, Police & other public sector agencies	8
individuals	35

Overview of comments received

16. The majority of the responses accepted the point that there is a discrepancy in the current motorway speed limits between vehicles fitted with a speed limiter system and older ones that did not require a limiter. The main differences in opinion were over what the revised motorway speed limits should be set at and whether our proposals should include groups of vehicles that do not in any case require speed limiters.

17. 30 of the 63 responses were broadly supportive of the overall changes we proposed. Most of those that were not broadly supportive said that heavier motorcaravans should not be subject to the proposed lower speed limits because :

- none of them are required to have a speed limiter fitted anyway,
- they are not used on motorways as frequently as coaches and lorries,
- they do not carry many passengers and they are unlikely to be overloaded in the way that commercial vehicles, operated for profit, might be.

18. In fact the largest single group of respondees were those with an interest in motorcaravans - there were 16 of these, received from a mixture of associations and individuals.

19. There were 5 specific questions set out in the consultation documents. A summary of the responses is given below.

Do you agree that we should reduce the speed limit from 70 mph to 60 mph for HGVs not exceeding 7.5 tonnes? Specifically this meant goods vehicles that exceed 3.5 tonnes gross vehicle weight but do not exceed 7.5 tonnes gross vehicle weight. This was explained in the FAQs that were posted onto the DfT Website.

20. 25 of the respondents did not offer comments. 22 agreed and 16 disagreed with the proposal. Three respondents said the limit should be further reduced to the speedlimiter setting for HGVs, which is 56 mph. The DfT view was that the limiter will not stop the vehicle going a few miles per hour faster on downhill stretches of road and 60 mph is a much easier level to communicate and enforce against.

21. The Freight Transport Association [FTA] said the question was poorly phrased because it made it seem that all the vehicles listed in item 5(1) of schedule 6 of RTA 1984 would be affected. This would have included non car derived vans even though they did not exceed 3.5 tonnes. However the FAQs (posted just 4 days after the consultation launch) made it clear that vans would not be affected unless they exceeded 3.5 tonnes gvw.

22. Three of the respondents specifically asked for HGVs up to 7.5 tonnes to be able to travel at 70 mph. However there is no scope to remove the speed limiter setting requirement of 56 mph for this class of vehicles.

23. Do you agree that we should reduce the speed limit from 70 mph to 65 mph for PCVs not exceeding 12 metres, and if not why not? [In the FAQs the Department clarified that we were only referring to passenger carrying vehicles that exceeded 3.05 tonnes unladen weight, or had more than 8 passenger seats].

24. Of the responses received 18 offered no comment on this point, 22 agreed and 23 disagreed. Many of those who disagreed specifically did so because they did not want the proposals to include the heavier motorhomes exceeding 3.05 tonnes unladen weight.

25. The FTA and 3 other respondents disagreed because the heavier PCVs would still have a speed advantage over HGVs. Two respondents made the point that if large PCVs and HGVs had the same speed limit it would be even easier for the Police to enforce.

26. Three others who opposed the proposal only did so because they wanted the limit set lower than the 65 mph in the proposals to the 62.5 mph limiter setting – which equates to 100 kph. (These 3 included the UK Metric Association). However paragraph 4.3 of the consultation document had already explained the DfT position on why it was not realistic to align speed limits exactly to the speed limiter settings.

Do you agree that we should increase the speed limit from 60 mph to 65 mph for PCVs exceeding 12 metres and if not why not?

27. No comments were offered in 25 of the responses, 19 agreed 18 disagreed. Most of those who disagreed did so on the basis that as these coaches were bigger , heavier and carried more passengers they should be subject to a stricter limit than smaller coaches. Others, for example the FTA, disagreed only because they thought large coaches should not be allowed to travel faster than goods vehicles.

28. The Department has previously made the point that the lower limits for goods vehicles reflect the fact that they are more likely to be overloaded than passenger vehicles and in those cases the braking / stopping distances would be longer than for similar sized passenger vehicles.

Do you agree with the draft Impact Assessment and / or can you help us quantify more precisely the estimated costs and benefits.

29. Only 17 respondees offered comments on the Impact Assessment 5 of these were supportive. The most common comment was that there was a lack of information in the IA about motorcaravans.

30. One respondent felt that the data on passenger vehicle costings falling to passengers and operators was unlikely and asked if this was based on actual data. The DfT response confirmed that the values used were not definitive and relied on DfT Transport Analysis Guidance that was accessible on the internet.

31. Another respondent felt the benefits presented were highly overstated but did not provide alternative data to support this viewpoint.

32. The Confederation of Passenger Transport [CPT] said that our assumed average load factor of 8 for a large passenger vehicle (stated in paragraph 4.14 of the document) was too low with the implication that the costs of reducing the limit would be higher than we estimated but no supporting data was provided by CPT.

33. One stated that the consultation documents acknowledged that certain people were interfering with the speed limiters to gain an advantage and wondered how merely changing the national speed limits could reduce the incidence of interference with speedlimiters and therefore deliver the benefits identified in the Impact Assessment.

34. The National Caravan Council were among those concerned that the Impact Assessment did not include any consideration or research data on the effects on motor caravan users. They were among three respondees that pointed out that the reference in para 4.2 of the consultation document to 104,000 PCVs that were less than 12 meters in length could not have included the 164,000 motorcaravans registered in the UK.

35. The Caravan club pointed out that certain motorcaravans were within the scope of the proposals, as mentioned in para 4.6 of the consultation document, but that there were no references anywhere else and that the impact assessment failed to consider the impact on caravanners.

36. An error in the assumed numbers of coaches exceeding 12 meters in length that use the motorway was noticed in the IA document. This was due to incorrect assumptions about the total number of coaches exceeding this length. It has not, to date, been possible for us to come up with sufficiently robust alternative figures for the number of 12 metre coaches, or indeed the average number of vehicle kilometres that they travel on the motorway network. Similarly it has not been possible to provide reliable data on the number of motorcaravans using the motorway and the vehicle kilometres travelled.

Do you consider the proposed changes would have any other unintended implications which we have not considered in this consultation document? If

so, please identify what these implications may be and try to put a quantified value on them.

37. Only 22 responses were received to this question with 2 being completely supportive and the other 20 referring to potential problems and concerns or making alternative proposals (although none with any quantification).

38. The most commonly made other point (from 8 of the respondees) was that the weight limit threshold for passenger vehicles should be 3.5 tonnes maximum authorised mass, as this was specified on a plate on the vehicles and would be easier for the Police to check and enforce against. The current 3.05 unladen weight - which no other country uses - was said to be already unenforceable.

39. None of our 5 set questions mentioned the proposals to prohibit any vehicles newly limited to under 70 mph from using the outside lane of a motorway where there were three or more lanes. However a number of the respondees mentioned this subject. Again most of those were from motorcaravan users and most opposed the idea of banning them from the outside lane as they felt it would hinder overtaking of heavy goods vehicles. A couple made the point that no other European country bans motorcaravans from using the outside lane.

40. The Institute of Advanced Motorists mentioned that while there would be an increase in the number of vehicles prohibited from using the outside lane of the motorway there would still be a 5 mph speed advantage for larger passenger vehicles over larger goods vehicles so it was not the case that the changes would prevent the former from overtaking the latter.

41. The CPT felt that the proposed changes would adversely affect their competitive position compared to car, train and air travel but did not provide any data and did not explain how - other than that certain coaches are able to coast at 70 mph on certain downhill sections of motorway on a speedlimiter properly set to 62.5 mph.

Conclusions

42. Ministers have decided not to pursue these proposals any further and they are now formally withdrawn. The comments received will be retained in case this issue is considered again in the future, should any new data or information become available.

43. The contact details for the consultees will be used to communicate any future proposals for changes to the speed limits for specific categories of vehicle on certain classes of road.