

## Driver training, testing and licensing

### THIS BRIEFING COVERS

Drivers' attitudes; collisions between cyclists and drivers – who's at fault? The current system and improving it: cycle awareness; young drivers; established and older drivers; offenders.

### HEADLINE MESSAGES

- All road users share a social responsibility to respect the rules of the road and one another's safety.
- Many drivers also cycle, but those who don't may not know what kind of driving behaviour puts cyclists at risk or makes them feel unsafe. Making cycle awareness integral to the driver training and testing process would help address this.
- On-road, practical cycle training not only helps drivers understand cyclists' needs, but is also a good head-start for driving test candidates.

### Note:

- This briefing relates to the UK. Although a separate Driver and Vehicle Agency (DVA) still covers some functions in Northern Ireland, very similar arrangements apply.
- This briefing is specific to driving a car, lorry, bus or coach.

### KEY FACTS

- Drivers who cycle: are more likely to feel positive towards cyclists and understand them better; are less likely to be involved in collisions with them; and pay more attention to changes in the road scene.
- Over two thirds of drivers think they are safer than most, although very nearly half admit to breaking traffic laws;
- In collisions, cycles are the vehicle-type least likely to have 'contributory factors' attributed to them by the police (apart from buses/coaches);
- Although not as risky or at as much risk as younger drivers, drivers who are 70 or over are a higher risk group and more likely to be at fault than middle-aged motorists;
- About three million drivers in Great Britain have points on their licence;
- In March 2017, almost 10,000 drivers with 12 or more points on record were entitled to drive at the time.





## Cycling UK VIEW

- Cycle awareness should be integrated into the general driver training and testing process, with a specified amount of instruction time devoted to it.
- The theory test should include more questions about driving around cyclists, and examine candidates on both their understanding of the rules of the road and why they need to respect them, e.g. on speed limits and mobile phone use.
- The hazard perception test needs to examine candidates thoroughly on their awareness of how their driving can affect the safety and comfort of cyclists.
- The practical test should examine the ability to drive at lower speeds, especially 20 mph.
- Driving test candidates should be strongly encouraged to undertake cycle training, unless they have already completed Bikeability Level 3 cycle training. It should be mandatory for driving instructors and all other professional drivers, particularly of lorries and other large vehicles. Suitable alternatives should be developed for people with disabilities that prevent them from cycling.
- To reduce the disproportionate risks faced and posed by young/novice drivers, Cycling UK supports increasing the minimum age before which candidates can sit their test to 18.
- Cycling UK supports the principles of 'graduated driver licensing', including:
  - Requiring learner drivers to complete both a minimum learning period of at least 12 months, and a minimum number of hours of driving lessons under professional instruction;
  - A ban on carrying passengers at night for a set period;
  - Increasing the period after passing their test during which drivers lose their licence after accumulating six points (rather than the normal 12 points) from two years to three years, and requiring them to take an extended re-test.
- Consideration should be given to imposing less stringent conditions on young drivers who have successfully completed Bikeability Level 3 cycle training.
- Parents and others involved in the unpaid supervision of learner drivers should be encouraged to take up refresher driving courses.
- The Government should encourage and promote refresher training.
- As part of their ongoing Certificate of Professional Competence (CPC), drivers of large vehicles should be required to undergo Continuous Professional Development (CPD) modules in cycle awareness and practical cycle training.
- The DVSA (Driver & Vehicle Standards Agency) should provide clear, comprehensive information for drivers on: renewing; self-declaration and its importance; vision and fitness to drive, and alternatives to driving.
- The Government should seriously consider introducing formal re-tests for older drivers. The age at which the first re-test should be taken, and the frequency of subsequent re-tests, should be decided on the basis of evidence (i.e. on when reaction and hazard perception skills typically start declining for older age groups).
- Medical professionals should always exercise their responsibility to report people whose driving is likely to be hazardous.
- Eyesight should be assessed by a medical/optical professional before the test, not by the driving examiner. Drivers' vision should be tested every ten years up to the age of 50; every five years after 50; and every three years after 70. A sight test should be compulsory after any traffic collision.
- Cycle awareness and cycle training needs to be included in remedial training courses for people who have committed driving offences, and in the re-testing of disqualified drivers, particularly where a cyclist is the victim.
- Disqualified drivers, those who have accumulated 12 points and/or committed a serious offence should take a compulsory extended re-test linked to remedial training.



## BACKGROUND INFORMATION

- Over the last ten years, cycle mileage has grown in Britain: 3.45 billion vehicle miles were cycled in 2016, compared to 2.80 in 2006 (+23%).<sup>1</sup> As a result, the modern driving experience involves encountering more cyclists more often on the roads.
- The health benefits of cycling far outweigh the risks (see our Health briefing for more<sup>2</sup>), but cyclists and pedestrians are disproportionately represented in GB casualty statistics:
  - From 2012-2016, cycling accounted for only 1% of distance travelled,<sup>3</sup> but cyclists represented 6% of fatalities and 14% of serious injuries.<sup>4</sup>
  - In 2016, out of the 102 cyclists killed in collisions involving one other vehicle (i.e. two vehicle incidents): 50 were killed in collision with a car; three with a bus; five with a light van; and 16 with an HGV. A further nine were killed in incidents involving three or more vehicles.<sup>5</sup>
  - The risk of being killed whilst cycling has dropped over the last ten years: in 2006, 52 cyclists were killed per billion miles cycled, compared to 30 in 2016 (-43%). Over the same period, however, the rate of serious injury per billion miles went up by around a fifth. In contrast, the number of car drivers being killed per billion miles driven fell by about 49%, and of being seriously injured by c30%.<sup>6</sup>
  - The thought of cycling in traffic on the road clearly worries a significant number of people: around 59% agree that it is too dangerous.<sup>7</sup>

Cycling UK believes that the training, testing and licensing system could do far more to improve road conditions for cycling by promoting responsible driving and positive attitudes towards cyclists. This would help encourage more people of all ages and abilities to take up cycling, one of the healthiest and most environmentally-friendly modes of transport.

## 1. Drivers' attitudes

### a. How drivers view cyclists

A TRL study found that:<sup>8</sup>

- Most drivers are not so much aggressive or actively hostile towards cyclists as 'moderately impatient', and do not have particularly strong feelings about them. If prompted, however, they tend to be negative about their 'unpredictability', behaviour, slowness etc., and feel stressed by cyclists' vulnerability.
- Drivers tend to be critical of cyclists' actions, without understanding the context or why they behave as they do. They are also inclined to think that cyclists are more in need of training than drivers.
- Drivers tend to see all cyclists as an 'out-group' who are unpredictable and behave so differently from themselves (the 'in-group') that they are not sure how to respond. They also tend to assume that all cyclists typically exhibit the same 'faults' (i.e. riding on the pavement, jumping red lights etc.).
- Drivers who cycle enjoy a better insight, but can be just as negative as drivers who are non-cyclists. Of all motorists, non-cycling professional drivers hold the most extreme views.
- Drivers tend to place cyclists at the bottom of the 'road user hierarchy',<sup>9</sup> because they gauge a vehicle's status by its size and how much danger it poses to them.
- Given their propensity to overlook cyclists, it is not surprising that drivers tend not to expect to see cyclists using the road. This phenomenon is especially noticeable at roundabouts.

These results are reflected in a more recent study from the US, which found:<sup>10</sup>

- People who primarily commute by car were significantly more negative toward cyclists than toward other drivers;
- Those who make most of their non-commute trips by car were especially positive toward other drivers and negative toward cyclists;

- While people who commute primarily by cycle were “more balanced in their evaluations than car commuters”, they still rated drivers as more rule-following and predictable than cyclists;
- Some amount of cycling was one of the strongest predictors of more positive attitudes toward cyclists.

### b. How drivers view themselves and other drivers

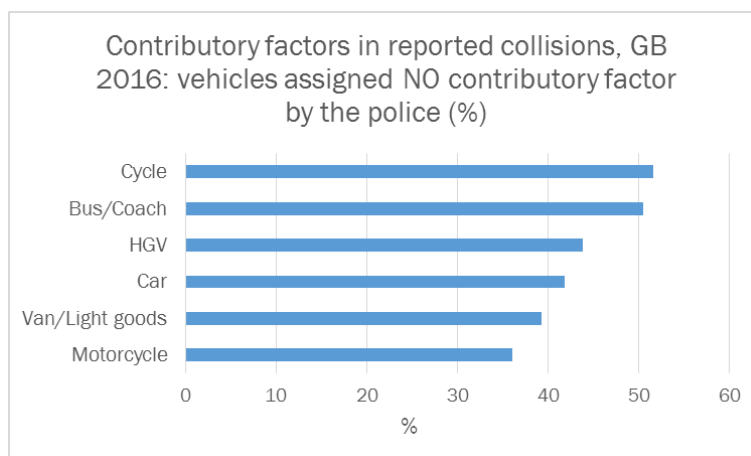
Drivers tend to overrate their skills ('illusory superiority'), and complain about other people's driving standards despite breaking the law themselves:

- A 2015 Brake survey suggests that over two thirds think they are safer drivers than most, although very nearly half admit to breaking traffic laws. Of these law-breakers, around half offend whilst not paying attention and the other half do so consciously.<sup>11</sup>
- The 2015 RAC motoring report suggests that over 40% of drivers believe that standards are lower than they used to be. Nevertheless, a high proportion break the law themselves. For example, over 41% of the drivers the RAC surveyed in 2017 admitted that they exceeded the speed limit in 20 mph urban zones, while 39% went too fast along 30 mph roads.<sup>12</sup>
- The TRL study mentioned above (section 1a) says that: “Many drivers appeared to see the average driver as more maverick and less law-abiding than himself or herself”. This impression, the authors conclude, is probably false and its purpose is simply to boost self-esteem.
- Likewise, an earlier study (1986) found that 80% of participants thought they were above average drivers.<sup>13</sup>

## 2. Collisions between cyclists and drivers: who's at fault?

- Cycles, along with buses/coaches, tend to be the vehicle-type least likely to have 'contributory factors' (CFs)<sup>14</sup> attributed them by the police who attend collision scenes – see table to the right (the proportions are very similar to previous years).

Data source: DfT, *Reported Road Casualties GB 2016*, Table RAS50005.



- A study for the DfT, which looked at two-vehicle collisions between a cycle and another vehicle that led to serious injury in the years 2005-07, found that adult cyclists aged 25+ were less likely to be at fault than the other party. The police allocated blame to the driver in 60% of incidents, while both participants (cyclist and driver) were held to be at fault in about 10%. The cyclist was considered to be solely at fault for the rest (about a third).<sup>15</sup>

For more on fault and the negligible risk that cyclists pose to other road users, see Cycling UK's briefing: [www.cyclinguk.org/campaigning/views-and-briefings/cyclists-behaviour-and-law](http://www.cyclinguk.org/campaigning/views-and-briefings/cyclists-behaviour-and-law)



### 3. The current system

Since the *Road Traffic Act 1934*, all new drivers have had to pass a test before they are fully licensed to drive on the roads.<sup>16</sup>

- **Standards and licensing**

The Government's Driver and Vehicles Standards Agency (DVSA) publishes a set of national standards covering the skills, knowledge and understanding required of both drivers and driving instructors.<sup>17</sup> Different categories of motor vehicles are covered by separate standards. The DVSA also publishes a suggested syllabus for car driving instructors to use.

- **Pass rates & licence holding<sup>18</sup>**

- Over the last five years, around 47% of the driving tests taken in Britain resulted in a pass and, in 2016/17, this saw 815,168 newly qualified drivers on the roads.
- The pass rate for the theory test was a little higher over the last five years, at around 52%.
- Although a candidate is, statistically speaking, slightly more likely to fail their car driving test than pass it, the majority of people in Britain do, at some point, qualify: 80% of adult males and 67% of adult females hold a licence in England.

- **The problems**

Cycling UK believes that current training and testing system does not do nearly enough to:

- Instil the attitudes and awareness needed for safe driving in general;
- Ensure that drivers understand cyclists' needs and respect their safety;
- Ensure that drivers understand *why* the rules of the road matter (e.g. on speed limits or mobile phones);
- Filter out unsafe, overconfident, underprepared, medically unfit and/or irresponsible motorists.

We know that some people are concerned that a number of the changes we advocate in this briefing could make the system more costly to administer and use. There are also fears that the added expense combined with making the test more rigorous could tempt more people to drive unlicensed and/or uninsured. However:

- While it is true that some measures could expand the work of the motoring agencies, the extra costs may well be offset by savings in terms of casualties. Preventing just one fatal road incident in 2016 could have saved over £2 million, and preventing just one serious injury incident over £237k.<sup>19</sup>
- To pass a more rigorous test, learners would have to put in more supervised practice. This could reduce their crash risk and help lower their insurance premiums, making it less of a temptation to drive uninsured.
- In any case, unlicensed/uninsured driving is just one of several driving offences that should be tackled by more effective traffic law enforcement (e.g. by strengthening police numbers).

Laws on driving behaviour are covered in Cycling UK's briefing *Common Driving Offences*:  
[www.cyclinguk.org/campaigning/views-and-briefings/common-driving-offences](http://www.cyclinguk.org/campaigning/views-and-briefings/common-driving-offences)



Qualifying for a driving licence: current requirements		
	Car and light van drivers	Lorry/bus drivers
<b>Pre-test</b>	<p>Must:</p> <ul style="list-style-type: none"> <li>• be at least 17 (or 16, in the case of young people who receive, or have applied for, the mobility part of a Personal Independence payment);</li> <li>• possess a provisional licence;</li> <li>• only drive with someone who is 21+ and has had (&amp; still has) a full licence for three years.</li> </ul>	<p>Must:</p> <ul style="list-style-type: none"> <li>• be over 18 and hold a full car licence;</li> <li>• apply for the relevant provisional entitlements;</li> <li>• submit a medical report from GP (or specialist firm), and if necessary an optician (vision standards are more stringent than for car drivers).</li> </ul>
<b>Theory test</b>	<p>Computer-based; in two parts, to be taken and passed on same day. Involves:</p> <ul style="list-style-type: none"> <li>• multiple choice (under an hour; pass mark 43/50);</li> <li>• hazard perception (tests reaction in 14 video clips, which include 'developing hazards' to spot; pass mark 44/75).</li> </ul>	<p>Forms Part 1 of the <i>Driver Certificate of Professional Competence (CPC)</i>; computer-based in two parts, to be passed within two years of each other. Involves:</p> <ul style="list-style-type: none"> <li>• multiple choice (1 hour &amp; 55 minutes; pass mark 85/100);</li> <li>• hazard perception (tests reaction in 19 videos, which include 20 'developing hazards' to spot; pass mark 67/100).</li> </ul>
<b>Case studies test</b>	N/A	<p>Forms <i>CPC Part 2</i>; computer-based. Involves:</p> <ul style="list-style-type: none"> <li>• seven case studies ('short stories') based on situations that drivers are likely to come across in their working life;</li> <li>• 6 - 8 multiple-choice questions on each.</li> </ul> <p>Lasts 1 hour &amp; 15 minutes; pass mark 40/50.</p>
<b>Practical test</b>	<p>Involves:</p> <ul style="list-style-type: none"> <li>• eyesight check (reading new-style number plate at 20m; or 20.5m for old-style plate);</li> <li>• two 'show me, tell me' vehicle safety questions;</li> <li>• test of general driving ability in various traffic conditions, except motorways;</li> <li>• reversing;</li> <li>• independent driving (about 10 minutes).</li> </ul> <p>Lasts around 40 minutes. Examiner records candidate's performance on checklist form. Pass possible with 15 or fewer driving faults and no serious or dangerous faults.</p>	<p>Forms <i>CPC Part 3</i>, driving ability. Includes:</p> <ul style="list-style-type: none"> <li>• vehicle safety questions;</li> <li>• practical road driving (e.g. controls, manoeuvring, awareness and anticipation of other road users' intentions, speed, hazards etc.); with ten minutes of independent driving;</li> <li>• off-road exercises (e.g. reversing into bay, uncoupling trailer etc.).</li> </ul> <p>About 1 hour 30 mins. Pass possible with 15 or fewer faults, and no serious or dangerous faults.</p> <p>Drivers must also pass a 'practical demonstration' test (<i>CPC Part 4</i>). Covers, for example: loading; assessing emergency situations; walk-around vehicle safety check.</p>
<b>Post-test</b>	<ul style="list-style-type: none"> <li>• Two years' probation;</li> <li>• Whilst on probation, disqualified at six penalty points; full re-test to regain licence;</li> <li>• Has to renew photocard licence every 10 years (i.e. mainly to update photo);</li> <li>• From age 70, and every three years after that, renew licence by 'self-declaring' that vision and medical fitness up to required standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Must not drive without 'driver qualification card';</li> <li>• Must take 35 hours approved training to renew CPC, which expires after five years. Drivers can choose their course (e.g. on legislation, loading, 1st aid etc.);</li> <li>• Until age 45, sign a medical declaration every five years;</li> <li>• After age 45, submit medical report every five years;</li> <li>• At 65+, submit medical report every year.</li> </ul>



#### 4. Improving the system: cycle awareness

**Cycling UK view:**

- Cycle awareness should be integrated into the general driver training and testing process, with a specified amount of instruction time devoted to it.
- The theory test should include more questions about driving around cyclists, and examine candidates on both their understanding of the rules of the road and why they need to respect them, e.g. on speed limits and mobile phone use.
- The hazard perception test needs to examine candidates thoroughly on their awareness of how their driving can affect the safety and comfort of cyclists.
- The practical test should examine the ability to drive at lower speeds, especially 20 mph.
- Driving test candidates should be strongly encouraged to undertake cycle training, unless they have already completed Bikeability Level 3 cycle training. It should be mandatory for driving instructors and all other professional drivers, particularly of lorries and other large vehicles. Suitable alternatives should be developed for people with disabilities that prevent them from cycling.

Unfortunately, most cyclists experience inconsiderate or irresponsible driving, and 'near misses' are all too frequent. Indeed, statistics show that the risk of serious injury for cyclists is growing, and they are less likely to be at fault in a collision than a driver. It follows that driving test candidates need to be far more thoroughly trained and tested on how to drive safely and competently around cyclists.

References to vulnerable road users are scattered throughout the DVSA's *Car and Light Van Driving Syllabus*, but Cycling UK believes that both it and the *National Standards for Driving* need to go further. For example, they should stipulate that a set amount of time be spent on specific cycle awareness modules explaining *how* to drive safely around cyclists, and *why* it's necessary.

Although not yet mandatory for them, cycle awareness modules have already been developed for professional drivers of lorries, buses etc., e.g. <https://www.cycletraining.co.uk/our-services/for-drivers/>

For more on Cycling UK views on cycle awareness campaigns for drivers, see:  
[www.cyclinguk.org/campaigning/views-and-briefings/cycle-awareness-campaigns-for-drivers](http://www.cyclinguk.org/campaigning/views-and-briefings/cycle-awareness-campaigns-for-drivers)





### **Cycle awareness: what drivers should be taught**

*Much of the type of behaviour from motorists that puts other drivers under stress is exactly the same as the type of driving behaviour that puts cyclists at risk and/or makes them feel unsafe.<sup>20</sup>*

Always look carefully for cyclists before pulling out at a junction or roundabout. Around three quarters of collisions involving cyclists happen at or near junctions.<sup>21</sup>

Always look carefully for cyclists before making any turning manoeuvre or changing lanes in slower-moving/stationary traffic. This is particularly important for lorry drivers.

Leave plenty of space when overtaking a cyclist, i.e. at least a car's width when overtaking at lower speeds (20-30mph); and allow even more space: (a) when travelling at higher speeds; (b) when driving a lorry or any other large vehicle; (c) in poor weather (rain makes it harder for cyclists to see potholes and reduces grip; and wind gusts can cause them to wobble).

Never cut in/turn left sharply after overtaking a cyclist. Drivers do not appreciate this either when other drivers do it to them.

Wait for a cyclist to ride through a pinch point (i.e. a road narrowing caused by something like a pedestrian refuge) before driving past, unless you are absolutely certain that there is enough room to overtake them at a safe distance.

Drive at a considerate speed; don't accelerate or (without very good reason) brake rapidly around cyclists; or follow them impatiently/too closely. 'Tailgating' intimidates drivers *and* cyclists.

Before turning out of one road into another, wait for any cyclist riding along the other road to pass you. Don't turn out in front of them.

Don't try to squeeze past oncoming cyclists if there is not enough room to do so safely.

Make it obvious to a cyclist that you have seen them (apparent inattention is confusing).

Signal intentions clearly to cyclists. Again, drivers expect this of other drivers and it causes them stress if it doesn't happen.

Make sure you understand how advanced stop lines (ASLs) and mandatory/advisory cycle lanes work and the regulations that apply. Also, be aware of cycle symbols painted on the road and understand why they are there.

Do not park in cycle lanes, as this forces cyclists using them to pull out into the main stream of traffic, a manoeuvre that could put them at risk.

Do not get impatient with cyclists who ride away from the kerb/parked cars. Cyclists are trained *not* to hug the kerb. This is because cycling away from the gutter increases their visibility and helps them avoid the risks of a) parked car doors opening on them; b) being overtaken where this would be dangerous; and c) having to swerve towards the main traffic stream to avoid potholes.

Look out for cyclists before opening a car door, and make sure your passengers do likewise. It is an offence to injure or simply endanger someone by opening a vehicle door, or permitting someone else to do so.<sup>22</sup> If dropping off a passenger, make sure they too check for cyclists riding up on the inside or outside.

It is not compulsory for cyclists to use cycle tracks beside the road. All too many of these tracks are not properly designed/maintained, and/or may be obstructed. It is often better for cyclists (especially faster cyclists) to ride on the carriageway, both for their own and pedestrians' safety and comfort.

Cyclists riding in groups are not required to keep in single file and often ride two abreast on narrow and winding lanes in the interests of safety. If they form a long, single-file line, drivers may try to overtake only to find that they are forced to pull in dangerously by oncoming vehicles. Riding two abreast is a way of deterring drivers from dangerous overtaking manoeuvres.

Aggressive behaviour is inappropriate towards all road users, including cyclists.





### a. The theory test

- **Multiple-choice:** this presents computer-based questions and a range of answers to choose from (e.g. on signals/signs, and on 'real life' situations such as coming across a bus at a bus stop etc.),

Passing this test, however, doesn't guarantee that all candidates are considerate drivers who genuinely appreciate the needs of other road users. This is because they can learn the right answers in advance without understanding the reasoning behind them.

In Cycling UK's view, therefore, the questions should test candidates on the reasons behind the rules of the roads and safe driving, and not simply what the rules are. Knowing *why* rules exist makes it easier to remember and follow them, not just for the immediate purposes of the test, but whilst driving afterwards.

There are already some questions in the current test about what to do when encountering a cyclist or pedestrian in a particular situation, or the rules of a cycling facility etc., but Cycling UK believes there should be many more checking that a candidate fully understands the needs and behaviour of cyclists, as set out on p8.

- **Hazard perception:** for this test, candidates watch video clips of everyday road scenes, each with at least one 'developing hazard'. As soon as they think they need to take action (e.g. changing speed or direction), they respond with a click.

Cycling UK believes that far more weight should be given to hazard perception. This is because it demonstrates that a candidate actively thinks about and appreciates the likely impact of their driving manoeuvres and the safest way of carrying them out.

Moreover, it may be particularly valuable for young drivers, who tend to exhibit good vehicle control skills and fast reaction times, but are not so good at spotting and assessing potential risks (see section 5). They are also more susceptible to sensation-seeking and peer pressure, while over-confidence can make them think that they are better able to avoid hazards than they actually are.

In 2016, a DfT minister said that the DVSA was taking steps to put a 'greater emphasis on increasing safety for cyclists', and that at least two of the 14 clips in the hazard test involved cyclists.<sup>23</sup>

### b. Practical test

DfT figures show that the number of practical tests passed with no faults rose significantly between 2006/7 and 2016/17 (up from 3,329 to 17,750, or +533%).<sup>24</sup> This increase is not reflected by a surge in the number of driving tests conducted (which dropped over the same period), nor is it explained by better standards (the pass rate rose over this period, but by not nearly so much). It seems possible, therefore, that driving examiners are now overlooking 'minor' faults. If this is the case, Cycling UK is concerned about the messages this may be sending to novice drivers.

**Driving at lower speeds:** now that 20 mph limits are proliferating in the UK, often for the benefit of cyclists and pedestrians in urban areas, Cycling UK believes that candidates should be tested not only on their ability to interact with cyclists safely, but on driving at lower speeds.

- *"Education of drivers should focus not on helping them to predict cyclist behaviour but on understanding that circumstances will influence that behaviour."*
- *"Drivers' education [...] should include advice on how to respond when encountering cyclists at certain types of road feature, both those explicitly providing for cyclists and other highway features. More clearly defining the appropriate responses may assist drivers in knowing how to behave more considerately and in resisting social pressure from other drivers to force their way past cyclists."*

Drivers' Perceptions of Cyclists, TRL, 2002.



### c. Practical cycle training / 'Bikeability'

Research shows that 'cyclist-motorists' are likely to have fewer collisions with cyclists, and detect them at greater distance in all situations, irrespective of cyclist visibility.<sup>25</sup> It also suggests that cycling experience is associated with 'more efficient attentional processing for road scenes.'<sup>26</sup>

The more drivers there are with cycling experience, therefore, the safer road conditions are likely to become for cyclists and other road users. Also, cyclists' behaviour will be less of a mystery, and drivers in a better position to understand how to protect them from intimidation, risk and danger. Also, cyclists should no longer be so readily viewed as an 'out group'.

Widespread, high quality 'national standard' practical cycle training, often branded as 'Bikeability', is one of the most effective and insightful introductions to cycling available to both children and adults.

For young people, it is a good way of helping them appreciate vulnerability and the consequences of their actions, and encouraging responsible rather than reckless driving and sensation-seeking as a 'social norm'. This could help transform peer-pressure into a beneficial influence.

Practical training for teenagers could also help them discover cycling as a useful form of transport especially for short trips, and see it as an option for life rather than something to neglect once (and if) they learn to drive.

- **Car drivers**

Cycling UK advocates Bikeability Level 3 cycle training for all students approaching the legal driving age. Ideally, this should build on Level 1 & 2 Bikeability training given earlier in their school career, at an age when their attitudes to road safety are easier to influence.

Level 3, which takes place on the roads, covers complex road junctions and road positioning, and provides direct experience of how all road users behave. As such, it's a useful head-start for young people and helps prepare them better for their test should they ever take one. Unfortunately, however, Level 3 cycle training is not yet routinely available in many schools/colleges.

Cycling UK is keen to see the DfT commission a formal study into the long-term effect of Bikeability on learning to drive and driving standards later in life.

- **Professional drivers and driving instructors**

Large vehicles, especially lorries, pose a disproportionate threat to cyclists.<sup>27</sup> For this reason, Cycling UK believes that practical cycle training, preferably to Bikeability Level 3, should be part of their compulsory qualifications. While the DfT says that it is working with the industry to encourage trainers to include "relevant content" on vulnerable road users, it has not imposed a mandatory requirement on the basis that it "would require a legislative change and [...] would be overly burdensome to the industry."<sup>28</sup>

To ensure that driving instructors are in a position to teach trainees competently about the needs of cyclists, Cycling UK believes Level 3 should also be a compulsory part of their qualifying process too.

People with disabilities that prevent them from cycling should be offered a suitable alternative.

For more on cycle training, see Cycling UK briefing:  
[www.cyclinguk.org/campaigning/views-and-briefings/cycle-training](http://www.cyclinguk.org/campaigning/views-and-briefings/cycle-training)





#### d. Road safety education in school / college

Cycle training is a useful complement to school-based road safety courses/qualifications for 14-17 year olds (e.g. the 'Road Safe User Award' which allows successful candidates to sit an abridged version of the theory test).<sup>29</sup>

In Cycling UK's view, all schools should teach children about responsible road use in PSHE (personal, social, health and economic) lessons, supported by resource packs that include positive material about taking particular care of cyclists and pedestrians. This would benefit children from their earliest stages of development right up to their teenage years, when group-based peer discussions about road safety help offset the otherwise 'solo' nature of learning to drive.

**'Pre-driver training'** (i.e. a chance for under-17s to start learning to drive in an off-road setting): faith in 'pre-driver training' may be misguided for two reasons. Firstly, it tends to emphasise handling skills rather than responsible attitudes and, as a result, might help a teenager qualify more quickly, but lead to over-confidence. Secondly, simply offering it suggests that learning to drive is virtually inevitable, which isn't necessarily the case.

### 5. Improving the system: young and inexperienced drivers

#### Cycling UK view:

- To reduce the disproportionate risks faced and posed by young/novice drivers, Cycling UK supports increasing the minimum age before which candidates can sit their test to 18.
- Cycling UK supports the principles of 'graduated driver licensing', including:
  - Requiring learner drivers to complete both a minimum learning period of at least 12 months, and a minimum number of hours of driving lessons under professional instruction;
  - A ban on carrying passengers at night for a set period;
  - Increasing the period after passing their test during which drivers lose their licence after accumulating six points (rather than the normal 12 points) from two years to three years, and requiring them to take an extended re-test.
- Consideration should be given to imposing less stringent conditions on young drivers who have successfully completed Bikeability Level 3 cycle training.
- Parents and others involved in the unpaid supervision of learner drivers should be encouraged to take up refresher driving courses.

Cars are large, heavy, complex and potentially very fast machines, yet the current training and testing system allows people as young as 17, who are biologically more likely to take risks, to operate them with no minimum period of training. The licensing requirements for anyone wanting to take charge of any other comparably lethal machine are far more stringent.

Moreover, the driving test focusses largely on vehicle handling, something that many young people do not find much of a challenge. What it lacks is enough emphasis on social responsibility and emotional control.

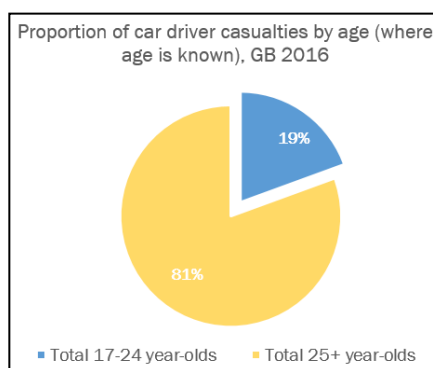
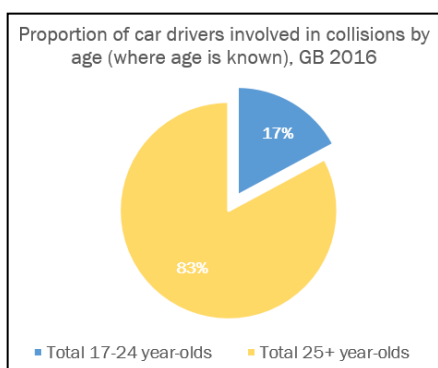
The proportion of 17-20 year-olds with full licences in England has been dropping over the last ten years: it stood at 38% in 2007 and 31% in 2016, possibly due to the economic situation or other social trends.<sup>30</sup> Nevertheless, Britain is still heavily car-dependent, and the pressure to learn to drive is still strong. From April 2016 to March 2017, around 71% of newly qualified drivers were 17-25 year olds.<sup>31</sup>



### a. The risks

Young drivers are over-represented in reported collision and casualty statistics, and pose a risk both to other road users (especially vulnerable road users) and themselves:

- On average, 17-20 year-olds drive only about one mile for every three to four driven by older age groups;<sup>32</sup> and 17-24 year-olds hold around 11% of all provisional or full licences.<sup>33</sup> Yet, amongst car drivers in 2016, 17-24 year-olds were involved in 17% of collisions and represented 19% of casualties:



Data source: DfT. *Reported Road Casualties Great Britain 2016* (Table RAS20002)

- The first year after passing their test is particularly risky for new drivers. One study found that 18% of newly qualified drivers were involved in at least one collision within a year of passing (13% in the second year, 10% in the third).<sup>34</sup>
- A high proportion of all accidental deaths amongst 15-19 year-olds are road deaths – well over two thirds, higher than for any other age group.<sup>35</sup>
- According to a report on collision types, young drivers are much quicker to learn how to avoid ‘single vehicle loss of control collisions’ than how to deal with vulnerable road users. The authors suggest that this could reflect known shortfalls in hazard perception skills.<sup>36</sup>

*“Collisions with vulnerable road users (e.g. pedestrians, pedal cyclists and motorcyclists) decline less quickly than the trend for all collisions, suggesting that more could be done to improve novice drivers’ skills for identifying vulnerable road users.”*

IAM RoadSmart / TRL. *Young Novice Driver Collision Types*. January 2018.

### b. Younger drivers’ attitudes to training and testing

Young drivers tend to agree that the training and testing system does not equip them to drive safely:

- According to an RAC survey: “over a third (35%) of young drivers believe that the standard driving test does not test all of the skills required to cope with the demands of driving today and three in 10 (30%) did not feel confident after they passed.”<sup>37</sup>
- More positively, focus group research amongst young people and parents published in 2012 found that young people they asked did understand what makes a good driver, i.e. consideration, calmness, control and awareness. They recognised bad driving, but accepted that young drivers are more risky (whilst resenting the fact that ‘boy racers’ taint young drivers generally). They also felt that a driver’s attitude is as important as their technical ability.<sup>38</sup>



### c. Raising the minimum driving age to 18

Given that teenagers' brains are still developing, raising the age at which they can sit their test from 17 to 18 would give them more opportunity to mature as non-driving road users, and encourage them to look on driving as an activity that involves a responsible 'adult' attitude. The minimum driving age for much of the EU is already 18.<sup>39</sup>

In Cycling UK's view, it does not make sense to lower the minimum age for a provisional licence in a bid to give novices a longer time to practice before they can take their test.<sup>40</sup> Pre-test driving experience is of course crucial, but it is equally important to ensure that future drivers learn to use the roads responsibly, safely (and less riskily for others) as cyclists and pedestrians first. In any case, no candidate should sit their test - or be fully licenced - before they have had enough road user experience to ensure, as far as possible, that they are capable of driving safely.

### d. Graduated Driver Licensing (GDL)

Passing their test is the goal for most learner drivers but, as discussed above, the training involved is evidently not rigorous enough to equip them for solo driving so soon afterwards. Indeed, there is a strong sense amongst young people that *"you pass your test, and then you learn to drive"*.<sup>41</sup>

On average, novices take their car driving test after about 52 hours of professional training,<sup>42</sup> but there is no set minimum for the number of lessons or hours of practice. This means that many candidates are underprepared, and over half usually fail. It also means that, even if they manage to pass, too many new drivers are given unrestricted access to the roads with very little experience.

Although being male and young are associated with a higher crash risk, research suggests that inexperience makes even more difference than being young. One researcher, for example, concluded that *"the effect of driving experience on accident liability is considerably larger than that of age, and is particularly significant in the early years of driving"*.<sup>43</sup>

This could be addressed by introducing Graduated Driver Licensing (GDL), a system that puts tighter controls on all new drivers. Typically, it is a three stage process:

- **Stage One: One year minimum learning period** of supervised driving (provisional licence & 'L' plates);
- **Stage Two: Intermediate stage with restrictions** on certain higher risk driving activities after qualifying (probationary licence, with 'P' plates);
- **Stage Three: A probationary period** during which a driver's licence can be revoked if they accumulate a certain number of penalty points.

Various versions of GDL, which are not necessarily age-based, have been introduced in several other countries, including some Australian provinces, USA states, South Africa, British Columbia, Ontario, New Zealand, Sweden, Norway, Finland, France and Hong Kong. Legislation to introduce a form of GDL in Northern Ireland received Royal Assent in 2016.<sup>44</sup>

A survey from the road safety charity Brake suggests that many people in Britain would be in favour of GDL (around nine out of ten respondents said they backed the type of restrictions that GDL imposes).<sup>45</sup>

Schemes in other countries show fatal collisions for 17-24 year olds falling by between 9%-60% and overall casualties being cut by 5%-32%, depending on the kind of measures introduced.<sup>46</sup> Realistic but conservative estimates produced by TRL in 2013 suggested that a GDL system for Great Britain could save 4,471 casualties and £224 million annually, based on 17-19 year-old drivers. Taking the strictest approach, the researchers said, could save twice as much.<sup>47</sup> They therefore recommended a full GDL system, and suggested that the stricter the process, the more effective it is likely to be.<sup>48</sup>

Greater investment in reliable, affordable public transport and in provision for cycling and walking would make sure that neither a raised minimum driving age (see 5c) nor the restrictions imposed by GDL would put young people at a social, educational or financial disadvantage.

Cycling UK advocates: a 12-month pre-test learning period; an intermediate stage; and raising the period during which a new driver's licence is revoked if they accumulate six or more points from two to three years post-test:

- **A minimum learning period of at least 12 months**

As mentioned, a driver's age appears to be a less significant factor in crashes involving new drivers than the amount of experience they have.<sup>49</sup> Research has, for example, found that it takes around 1,000 miles of post-licence experience for novice drivers to show similar physiological responses to developing road hazards in video-clips to those shown by experienced drivers who have three or more years of post-licence driving.<sup>50</sup>

Introducing a minimum learning period, ideally for 12 months, is the best way of ensuring that most teenagers achieve this level of practice. For most, this would mean spending more supervised and less solo driving time, experiencing a wider range of driving conditions and a better opportunity to develop their hazard perception skills.

Cycling UK believes that at least ten hours of this required practice should involve professional tuition. We also think it should include compulsory modules on interacting with cyclists, reinforced with practical cycle training, if at all possible. As an incentive, we think it would be helpful to impose less stringent conditions/discounts for learners who have passed Bikeability Level 3.

We also think that all learners should record their driving hours in a logbook, whether under unpaid supervision or professional instruction.

- **Intermediate/probationary stage**

This stage would impose restrictions on new drivers after they have taken their test. For example, it could prohibit:

- driving at night between 10pm – 5am (i.e. a 'curfew')
- driving on motorways and/or certain other roads
- carrying teenage passengers
- using hands-free mobile phones

Such restrictions would be lifted after a set time (e.g. 6 - 12 months), at a certain age, and/or following another test.

Given that one in five young people suffers a collision in the first six months *after passing their test*,<sup>51</sup> and the depth of parental concerns, Cycling UK believes that these restrictions are justified and would be publicly acceptable.

- **Revoking licences**

Under the *Road Traffic (New Drivers) Act 1995*, a new driver's licence is revoked if they accumulate six or more penalty points within the first two years of qualifying. They have to apply for a provisional licence again and re-sit their full test.

Increasing this period from two to three years would reduce the number of offenders driving unsupervised on the roads, and give them a better chance to correct their behaviour. To regain their full licence, they should be required to sit an extended re-test (i.e. not just do the test again, as happens at present).

**GDL and lower drink-drive limits:** GDL could also impose a lower or zero blood alcohol limit on new drivers, but there are arguments for extending this to cover drivers at least to their mid-20s. Annual statistics show that 20-24 year-old drivers who are involved in incidents and breathalysed are more likely than any other age group to be above the limit (5.5% of them in 2016, compared with a 3.8% average for drivers of all ages).<sup>52</sup>



### e. Additional training/development for young drivers

- **Pass Plus**

Pass Plus is a post-test training scheme aimed at young drivers. It takes six hours and involves six modules of practical sessions, covering driving in town, at night etc. There is no test, but trainees are assessed continuously, and if successful, can apply for a discount on their car insurance.<sup>53</sup>

Post-test training is probably best targeted at specific behaviours, contexts and individuals, so to maximise such a scheme for cyclist safety, Cycling UK advocates a module focussing on vulnerable road users.

- **Role of the insurance industry**

**Incentivising extra training:** young drivers have to pay relatively high insurance premiums because of their risk potential. Discounts are therefore particularly attractive, and linking them to responsible driving makes sense from both a financial and road safety perspective, for drivers and insurers alike. Some companies already offer lower rates for drivers who have passed extra tests etc., and Cycling UK thinks that a Bikeability Level 3 qualification should also attract a discount. As discussed (see p10) drivers with this training behind them may well be more safety-conscious and competent.

**Black boxes:** Cycling UK also advocates 'telematics', i.e. installing 'black boxes' in cars to monitor the behaviour of young drivers, rewarding those who drive well with discounts.

- **Role of parents/supervising drivers**

**'Safe driving agreements':** parents are often seriously concerned when their children take up driving. Setting a good example is vital, but they can also establish ground rules in the form of a 'safe driving agreement' drawn up between them and their children. These are popular in the USA and, for example, permit novices to drive the family car if they keep away from high-risk situations. ROSPA, who have found that most young drivers do not object to negotiating conditions, supply a sample agreement.<sup>54</sup>

**Refresher training for supervising drivers** would help ensure that people who are informally guiding novices are competent drivers, and not passing on bad habits and attitudes. Mandatory training for supervising drivers would be difficult to enforce, so a voluntary approach backed up with promotion is probably the most workable arrangement. Most supervising drivers do not have access to dual-control cars, so extra training might help reassure them too.

*A report for the Government concluded that the safety of young and novice drivers would be increased by: engaging parents post-test in setting limits; 120 hours of pre-test driving experience; telematics; and post-test hazard perception training.*  
TRL. Interventions for young and novice drivers. 2017





## 6. Improving the system: established drivers

### Cycling UK view:

- The Government should encourage and promote refresher training.
- As part of their ongoing Certificate of Professional Competence (CPC), drivers of large vehicles should be required to undergo Continuous Professional Development (CPD) modules in cycle awareness and practical cycle training.
- The DVSA should provide clear, comprehensive information for drivers on: renewing; self-declaration and its importance; vision and fitness to drive, and alternatives to driving.
- The Government should seriously consider introducing formal re-tests for older drivers. The age at which the first re-test should be taken, and the frequency of subsequent re-tests, should be decided on the basis of evidence (i.e. on when reaction and hazard perception skills typically start declining for older age groups).
- Medical professionals should always exercise their responsibility to report people whose driving is likely to be hazardous.
- Eyesight should be assessed by a medical/optical professional before the test, not by the driving examiner. Drivers' vision should be tested every ten years up to the age of 50; every five years after 50; and every three years after 70. A sight test should be compulsory after any traffic collision.

In general, society seems reluctant to curb or revoke someone's privilege to drive even if they fail to maintain the standards they met for their test or if their fitness deteriorates.

Typically, drivers may only ever be asked to take a re-test or remedial training if they commit an offence (by which time, of course, it is too late). Likewise, they will probably only be subjected to medical screening if: they 'self-declare' themselves as unfit as required by law; if the DVLA receives a 'tip-off' about their fitness; or, again, if they offend.

Cycling UK therefore believes that the Government should introduce stronger interventions and processes to remove bad and/or unfit drivers from the road.

### a. 'Refresher training' for established drivers

As there is no formal system for routine checks or tests on qualified drivers, it is largely up to them to maintain the *National Driving Standards*. This is despite the fact that many experienced drivers fall into bad and hazardous habits, make errors, forget the Highway Code, and/or fail to update themselves on changes. All these failures contribute to the hostile road conditions that are so intimidating for pedestrians, cyclists and would-be cyclists.

The solution is to introduce a system of continuous learning and re-testing as a more formalised part of the licensing system. This could also help reduce levels of offending, and reduce the necessity for remedial training or re-testing following a conviction. Cycling UK believes that the Government should actively encourage drivers to take up regular re-training, especially as so few invest in refresher and advanced training voluntarily.

**Professional drivers:** as mentioned (Section 3), professional drivers of large vehicles are legally obliged to undergo 35 hours of additional training every five years in order to keep their CPC valid. This, however, is not so much 'refresher' training, but an opportunity to add to their knowledge. Given the disproportionate risk lorries present to cyclists, Cycling UK believes that CPC training should offer a cycle-awareness course, or practical cycle training. There should also be no exemptions for any drivers of HGVs from CPC training (e.g. for those driving empty vehicles from site-to-site etc.).



## b. Older drivers

Great Britain's population is ageing and the number of older drivers is rising. In England, for example, between 1995/97 and 2016, the proportion of people aged 70+ holding a licence went up from 39% to 62%, and now represents around 6.8 million people.<sup>55</sup>

There is no age at which a driver has to give up driving by law, but after the age of 70, and every three years after that, car drivers have to renew their licence by completing a form self-declaring that they can see to the required standard and have no medical problems that could affect their driving.

- **The risks**

Although not as risky or at as much risk as younger drivers, drivers aged 70+ are a higher risk group and more likely to be at fault than middle-aged motorists. Equally, their age may make any injuries they sustain more threatening, and they are particularly vulnerable as pedestrians and car passengers.<sup>56</sup>

Whereas the hazards presented by younger drivers relate to risk-taking, speeding etc., collision analysis suggests that it is interacting with other road users, driving in complex environments and/or time pressure that lead to driving errors by older people.<sup>57</sup> Sensory, motor and cognitive decline (which is often age-related) are the factors that are most likely to contribute to this.

The EU 'ElderSafe' study, which looked at older road user groups, identifies illnesses and functional limitations, urban roads, walking and medication as key risk factors. The study concludes that a package of interventions in a number of areas are needed, including education and training, licensing and enforcement (along with infrastructure and technology).<sup>58</sup>

- **Re-testing v self-regulation**

So far, the Government has resisted compulsory re-testing. Instead, it favours 'self-regulation' and supporting advice,<sup>59</sup> i.e. helping older drivers work out for themselves if they have any problems they ought to 'self-declare' and, by and large, leaving them come to their own decisions about their competence. This means that most renew their licence every three years without intervention from the authorities.

**Self-regulation:** to maximise the positive impact of 'self-regulation' on road safety, the DVSA clearly needs to be proactive about supplying comprehensive information to older drivers on: renewing; self-declaration; and the health problems that compromise the ability to drive safely. Voluntary on-line self-assessment tools are useful too,<sup>60</sup> along with advice on in-class and practical refresher training, and alternatives to driving.

Of course, some drivers do reflect on their personal circumstances, change their habits and avoid certain scenarios as they grow older. There are those who are also happy to make use of self-assessment tools, read guides and book re-training courses etc., and, if necessary, 'self-declare' any problems to the authorities. However, the effect of such voluntary schemes is seriously compromised by the 'self-selection' factor because they are more likely to attract drivers who are concerned about their ongoing competence than those who are not – i.e. the very people who keep driving regardless of their competence to do so.

As a result, the current system fails to filter out many thousands of substandard drivers in the UK – possibly as many as 50,000 according to estimates.<sup>61</sup>

*"Self-regulation should not be relied upon as a method to ensure older drivers are safer until there is sufficient research that will allow the provision of evidence-led guidance and information."  
It's my Choice: Safer mobility for an ageing population. PACTS, March 2012.*



**Re-testing:** given the limits of self-regulation, Cycling UK believes that the authorities need to take a much more proactive role in identifying and filtering out older drivers whose ability to drive safely has been compromised in some way. We therefore support the principle of formal and regular re-testing.

The first re-test should be required as soon as a driver reaches the age at which driving skills/alertness/hazard perception etc. typically start to decline. When this is, and the optimum frequency of subsequent re-tests, should be based on evidence. Research (2002) has already suggested that for manoeuvres, driving performance starts dropping off after 75 on average, and deteriorates more steeply from 80 onwards.<sup>62</sup>

A survey of drivers aged 55-101 (average age 69.5, half under 70, half over) found a high level of support for more tests after the age of 70:

- Almost 60% said drivers should take a driving test again at around the age of 70;
- 85% said that drivers should pass an eyesight test every five years after the age of 70;
- Over half said that drivers aged around 70 should be required to have a medical examination. A quarter were neutral, and 17% disagreed.

IAM. *Keeping Older Drivers Safe and Mobile: A survey of older drivers*. 2015.

[www.iam.org.uk/images/stories/policy-research/olderdriversurvey.pdf](http://www.iam.org.uk/images/stories/policy-research/olderdriversurvey.pdf)

### c. Medical fitness to drive/eyesight

The Secretary of State for Transport, acting through the DVLA, is responsible for ensuring that all licence holders of any age are fit to drive. There is a long list of conditions (and combinations of conditions), continuously reviewed by medical experts, that drivers of any age have to declare.<sup>63</sup> Failure to declare a relevant medical condition can lead to a fine, and involvement in a road crash may lead to prosecution.

**Role of medical doctors/eye care professionals:** inevitably, doctors and eye care professionals come across people with certain conditions/medication that could make their driving unsafe. When this happens, The General Medical Council (GMC) advises them to explain that they (the patient) has a legal duty to inform the DVLA/DVA about it. If the patient refuses to stop driving despite every effort to persuade them against it, the GMC expects doctors to consider whether this exposes other people to risk of death or serious harm and, if so, to report them promptly and with their knowledge to the DVLA/DVA.<sup>64</sup> In 2010, the DVLA carried out investigations into 10,740 drivers' records as a result of receiving third party notifications.<sup>65</sup>

#### • Eyesight

The eyesight test for car drivers (i.e. reading a number plate at 20 metres to their driving examiner) is the only mandatory vision test that most drivers ever have to undergo. Thereafter, it is their own legal responsibility to ensure that their eyesight meets the required standard, to report any problems to the DVLA and attend regular sight tests voluntarily. The requirements for lorry and bus drivers are more stringent.

The UK's licence plate test, carried out by someone who is not trained in optical health, is far too rudimentary and variable to assess a car driver's vision adequately. The test in several other EU countries covers both visual acuity and visual fields, and is conducted by a medical or optical professional. Cycling UK believes that this requirement should be introduced to the UK.

In many collisions 'failing to look properly' – the most commonly cited contributory factor<sup>66</sup> – may not be caused by poor vision, but estimates still suggest that it accounts for around 2,900 road casualties a year.<sup>67</sup> Clearly, the current system is not robust enough to guarantee that people with poor eyesight are prohibited from driving (or from doing so without glasses / contact lenses etc.).



**Standards of vision:** Cycling UK believes that the standards that drivers must meet should be as high as possible. Motorists found to have serious, uncorrectable visual defects, particularly poor peripheral vision, should not be permitted to drive.

Additionally, existing standards should not be weakened with exemptions. This is especially crucial for lorry and bus drivers who need good all-round vision so that they can see cyclists and pedestrians outside the cab.

**Assessments:** along with a number of bodies representing eye health professionals in Europe,<sup>68</sup> Cycling UK believes that an assessment of vision at set intervals conducted by qualified practitioners should be introduced in the UK. Up to the age of 50, this should be carried out every 10 years (i.e. timed to coincide with licence renewal); every five years after 50, and every three years after 70.

**Testing after collisions:** in Cycling UK's view, a sight test should also be compulsory after any road traffic collision, conducted initially by the police at the scene and followed up by a professional.

*Don't Swerve a Sight Test*, a campaign from the Association of Optometrists, is urging drivers to have regular sight tests to make sure their vision meets the legal standard and is road safe. The Association is also lobbying MPs to make the rules stricter and change the law because the UK's legislation on vision and driving falls below that of many European countries.  
[www.aop.org.uk/advice-and-support/for-patients/drive-safely-dont-swerve-a-sight-test/about](http://www.aop.org.uk/advice-and-support/for-patients/drive-safely-dont-swerve-a-sight-test/about)

- **Cognitive health**

As mentioned above, many conditions that impair cognitive health are age-related. PACTS suggests that more research needs to be done into which functions are relevant, and how to measure them reliably in relation to safe driving.<sup>69</sup>

- **Evaluation of safe driving skills**

Researchers in America have developed a way of testing to see whether an individual meets the standard of vision, physical functioning and cognitive skills required for safe driving.<sup>70</sup>

- **Mobility support for people deemed unfit to drive**

Cycling UK believes that the Government needs to support anyone deemed unfit to drive by investment in and promoting alternatives to car travel (e.g. public transport, walking and cycling). Unfortunately, this is not a priority for the proposed national older drivers' strategy from the Older Drivers Task Force (a body managed by the Road Safety Foundation and supported by motor insurers Ageas). Instead, it focuses on keeping older people driving as a "... key part of maintaining independence", rather than on the safety of other road users or other healthier ways of keeping mobile.<sup>71</sup>

PACTS' report *Fit to Drive?* (March 2016), looks in detail at research evidence, risks and current practice in Great Britain on fitness to drive. It covers: hearing, diabetes, epilepsy and multiple sclerosis, drugs, alcohol, fatigue, cognitive health, reduced physical strength and mobility, and personality. With recommendations.  
[www.pacts.org.uk](http://www.pacts.org.uk) (reports).





## 7. Offending drivers: re-testing and re-training

### Cycling UK view:

- Cycle awareness and cycle training needs to be included in remedial training courses for people who have committed driving offences, and in the re-testing of disqualified drivers, particularly where a cyclist is the victim.
- Disqualified drivers, those who have accumulated 12 points and/or committed a serious offence should take a compulsory re-test linked to remedial training.

### a. Disqualification

Established drivers who build up 12 or more penalty points within three years are liable to disqualification, while new drivers have their licence revoked if they build up six or more points within two years of passing their test.

The decision to disqualify a driver on the basis of their points is made by a court of law, so it is not automatic. Courts, however, cannot use their discretion over banning offenders convicted of certain dangerous and careless driving offences, and minimum periods apply.

Traffic Commissioners can also revoke a vocational licence (e.g. HGV) even if the holder has not reached the points limit (although that is unlikely).<sup>72</sup>

- In June 2017, of the c.48 million people who hold provisional or full licences in Great Britain, over 2.75 million had points on their licences.<sup>73</sup>
- In March 2017 (GB):<sup>74</sup>
  - 9,959 drivers with 12 or more points on record were entitled to drive at the time (although some might already have served a period of disqualification – points stay on a driver's record for four to 11 years depending on the offence).
  - Twenty-four had accumulated 30 or more points (three with 39 and two each with 42 and 51).
  - In contrast, 1,367 drivers with this level of points on were disqualified at the time.
- In 2006 (England & Wales), 148,258 offenders were directly disqualified at all courts; in 2016, this number had fallen to 62,822 (a drop of c58%). While this was accompanied by a drop in the number of people being found guilty of road crime, it is not nearly so steep (c20%).<sup>75</sup> (Note: this does not necessarily indicate that fewer offences are being committed; it is more likely to reflect the erosion of roads policing numbers, as discussed in our briefing on traffic police).<sup>76</sup>
- Where they do have discretion, the courts are often persuaded not to ban a driver on the basis of their points if they plead 'exceptional hardship' (e.g. because a ban would affect their livelihood).

Cycling UK believes that there should be much greater use of long driving bans: not only are they an effective deterrent, but they also take dangerous drivers off the roads and give the authorities the chance to correct the behaviour in question and subject the individual to retraining and re-testing.

### b. Re-tests

Courts may require drivers who have been disqualified for over 56 days, and/or convicted of an offence to pass their test again or, in certain serious cases, to take an extended re-test of 70 minutes before they can get their licences back. By law, drivers found guilty of causing death by dangerous driving, and of dangerous driving, must take a re-test.

Cycling UK believes that it should be mandatory for disqualified drivers (and for drivers who have accumulated 12 points) to undergo a special extended re-test linked to remedial training; and it should certainly be compulsory after any serious road traffic offence.

Analysis published in 2017, found that a substantial number of offenders who were ordered to take an extended test did not regain their licence. The report also suggested that awareness of such a test was low amongst members of the judiciary.<sup>77</sup>



### c. National Driver Offender Retraining Scheme (NDORS)

NDORS (or 'driver diversion') was introduced in 1991 to improve driving standards and reduce risk by re-educating rather than prosecuting people who have committed a minor driving offence and/or involved in a minor collision.<sup>78</sup> It is up to the police (not the courts) to offer it to offenders.

Courses cover such offences as speeding, careless/inconsiderate driving, etc. In theory, they are not intended for people who have committed serious offences (e.g. dangerous driving, or where the degree of carelessness was high) – these should still be prosecuted.

Some evidence indicates that these courses do influence drivers' attitudes for several weeks at least,<sup>79</sup> but at the moment it is unclear whether their actual driving behaviour changes.

Cycling UK believes that a specific cycle awareness course should be on offer for drivers whose behaviour towards cyclists has been brought into question, and that this should include practical, national standard cycle training.

We also believe that NDORS should be a sanction available to the courts as well as the police, but not as a substitute for prosecution. We share concerns, too, that the police may be overly keen on the scheme, no doubt because following up a prosecution instead is labour-intensive, and because sending people on course earns them money (drivers have to pay for them). Equally, the CPS, who face serious workload pressures as well, may also decide not to prosecute in a case referred to them by the police, and send it back for NDORS treatment instead.

### d. Drink/driving rehabilitation scheme (DDRS)

Since 2000, courts in Great Britain have had the power to refer people who have been convicted of a drink-drive offence and disqualified for at least 12 months, to an approved DDRS.<sup>80</sup> Research suggests that this is an intervention that does have a marked impact on behaviour: offenders who had not attended a DDRS course were two to three times more likely to reoffend than those who had undertaken a course. This figure applied up to two years after the initial conviction.<sup>81</sup>

### e. The New Drivers Act 1995

As mentioned above (5d), newly qualified drivers of any age who tot up six or more penalty points in the first two years have their licence revoked. Around 10% of novice drivers are caught for committing an offence within their probationary period, and 2% have their licence revoked.<sup>82</sup>

There are indications that the Act has had a beneficial effect on offending patterns. Analysis shows a *"reduction in the proportion of drivers with two or more offences, a reduction in the number of offences overall and a substantial reduction in the proportion of drivers with six or more points"*.<sup>83</sup>

However, while the number of collisions in the age group in question decreased, the number per licensed driver went up. This suggests that measures that deter people from committing statutory offences need to be combined with initiatives that tackle risky behaviour more generally.

### f. Role of Traffic Commissioners

The seven Traffic Commissioners in England, Wales and Scotland, have the power to grant and revoke the licences of lorry, bus and coach operators and of their drivers.<sup>84</sup> Each year, they consider numerous cases relating to tachographs, mobile phones, drink driving and other crimes. They therefore have an important role to play in regulating the conduct of professional drivers.

For more on driving offences, the legal framework, sentencing, the police, courts & prosecutors, see [www.cyclinguk.org/campaignsbriefings](http://www.cyclinguk.org/campaignsbriefings)

- <sup>1</sup> DfT. *Road Traffic Estimates in Great Britain 2016*. Table TRA0401. April 2017. <https://www.gov.uk/government/collections/road-traffic-statistics>
- <sup>2</sup> [www.cyclinguk.org/campaigning/views-and-briefings/health-and-cycling](http://www.cyclinguk.org/campaigning/views-and-briefings/health-and-cycling)
- <sup>3</sup> DfT. *Road Traffic Estimates in Great Britain: 2016*. April 2017. Tables TRA101 & TRA0402. (Link above).
- <sup>4</sup> DfT. *Reported Road Casualties Great Britain (RRCGB): 2016*. September 2017. Table RAS30010. <https://www.gov.uk/government/collections/road-accidents-and-safety-statistics>. DfT defines “serious injury” as: “An injury for which a person is detained in hospital as an “in-patient”, or any of the following injuries whether or not they are detained in hospital: fractures, concussion, internal injuries, crushings, burns (excluding friction burns), severe cuts, severe general shock requiring medical treatment and injuries causing death 30 or more days after the accident.”
- <sup>5</sup> DfT. *Reported Road Casualties Great Britain: 2016*. September 2017. (Table RAS40004). (Link above).
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- <sup>9</sup> Pedestrians do not figure because they are not seen as ‘true’ road users.
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- <sup>12</sup> RAC. *Reports on Motoring 2015 & 2017*. <http://www.rac.co.uk/advice/reports-on-motoring>
- <sup>13</sup> McCormick, I. et al. *Comparative perceptions of driver ability - A confirmation and expansion*. *Accident Analysis & Prevention* 18 (3): 205–208. <http://www.sciencedirect.com/science/article/pii/0001457586900047> June 1986. See also a survey from 1981, which asked 161 drivers in Sweden and the US to compare their driving safety and skill to the other people in the experiment. The researchers found: for driving skill, 93% of the US sample and 69% of the Swedish sample put themselves in the top 50%; and for safety, 88% of the US group and 77% of the Swedish sample put themselves in the top 50%. Svenson, O. *Are we all less risky and more skilful than our fellow drivers?* Feb 1981. *Acta Psychologica* 47 (2): 143–148. <http://www.sciencedirect.com/science/article/pii/0001691881900056>
- <sup>14</sup> Note: i. These CFs are recorded by police officers at the scene of a reported road traffic incident, rather than the result of subsequent forensic investigation. It is not always easy for an officer to identify exactly what happened, however, and what contributed to it. CFs, therefore, should be treated with some caution. ii. Officers can attribute more than one contributory factor to one or more parties involved in a collision.
- <sup>15</sup> TRL. *Collisions involving cyclists on Britain’s roads: establishing the causes* (PPR445). P34. October 2009. (free report). Tables 7-4. For fatalities, blame was allocated more often to the cyclist – but in these cases, the cyclist was not there to tell the side of their story, of course. <https://trl.co.uk/publications>
- <sup>16</sup> Although driving licences were introduced by the *Motor Car Act 1903*, no test was required for all new drivers until the *Road Traffic Act 1934*. Since 1983, the broad framework for the driving test has been set out in the relevant EU Driving Licence Directive (Third Directive, 2006/126/EC, in force from Jan 2013. Domestically, the requirement to take and pass a test to obtain a full driving licence is covered in s89 of the *Road Traffic Act 1988*, and Part III of the *Motor Vehicles (Driving Licences) Regulations 1999*, both as amended.
- <sup>17</sup> DVSA. *National Standards for Driving and Riding*. [www.gov.uk/government/organisations/driving-standards-agency/series/national-driving-and-riding-standards](http://www.gov.uk/government/organisations/driving-standards-agency/series/national-driving-and-riding-standards)
- <sup>18</sup> DfT. *Driving tests and instructor statistics*. Tables DRT0101 & 0102. <https://www.gov.uk/government/statistical-data-sets/drt01-practical-driving-riding-test-pass-rates> / *National Travel Survey*. Table NTS 0201. <https://www.gov.uk/government/collections/national-travel-survey-statistics>
- <sup>19</sup> DfT. *Reported Road Casualties Great Britain: 2016*. Sept. 2017. Table RAS 60001. (Link above).
- <sup>20</sup> RAC. *Report on Motoring 2013: A motoring nation*. <http://www.rac.co.uk/advice/reports-on-motoring>. The ‘Top five ‘causes of stress’ that the drivers who responded to the RAC’s survey listed were ‘drivers who use their hand-held mobile phone while driving’ (76%); ‘drivers who fail to signal their intentions clearly’ (75%); ‘drivers who drive too close behind you (tailgating) (74%)’; ‘drivers who cut in sharply after overtaking’ (65%); ‘other drivers’ road rage or aggressive driving’ (64%).
- <sup>21</sup> DfT. *Reported Road Casualties Great Britain 2016*. Sept 2017. Table RAS20006. (Link above).
- <sup>22</sup> *The Road Vehicles (Construction and Use) Regulations 1986* (section 105) says: “No person shall open, or cause or permit to be opened, any door of a vehicle on a road so as to injure or endanger any person.” You don’t even have to injure someone to be guilty of an offence, just endangering them is enough; and it applies to passengers as well as drivers. *The Road Traffic Act 1988* says it is offence not to comply with the *Construction and Use Regulations*. The driver could argue mitigating factors, of course – cyclist riding too close etc.
- <sup>23</sup> Parliamentary question. 3 March 2017. <https://www.theyworkforyou.com/wrans/?id=2017-02-27.65630.h>
- <sup>24</sup> DVSA. *Miscellaneous car driving test information*. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/636873/dvsa1207.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/636873/dvsa1207.pdf)
- <sup>25</sup> Rogé, Joceline (et al.). *Mechanisms underlying cognitive conspicuity in the detection of cyclists by car drivers*. Published in *Accident Analysis & Prevention*. July 2017. <https://www.sciencedirect.com/science/article/abs/pii/S0001457517301343#!>



- <sup>26</sup> Beanland, V (et al.). *Do cyclists make better drivers? Associations between cycling experience and change detection in road scenes*. Published in *Accident Analysis & Prevention*. Sep 2017. [www.sciencedirect.com/science/article/abs/pii/S000145751730249X](http://www.sciencedirect.com/science/article/abs/pii/S000145751730249X)
- <sup>27</sup> <https://www.cyclinguk.org/campaigning/views-and-briefings/goods-vehicles-lorries-hgvs-vans-etc>
- <sup>28</sup> DfT. *Safe, Secure, Sustainable: the motoring services agencies*. May 2016. <https://www.gov.uk/government/consultations/motoring-services-strategy-a-strategic-direction-2016-to-2020>
- <sup>29</sup> The Safe Road User Award, developed by the Scottish Qualifications Authority/DSA, is primarily aimed at 14-17 year-olds as they become independent travellers. Usually taught in school, the course is available UK-wide and instructs students on responsible and considerate road use and respect for other road users. The intention is to change driving attitudes generally and build life-long habits. Candidates who successfully complete the Award are eligible to sit an abridged version of the DSA Driver Theory Test. [www.sqa.org.uk/sqa/35046.html](http://www.sqa.org.uk/sqa/35046.html)
- <sup>30</sup> DfT. *National Travel Survey 2016*. Table NTS0201. July 2017. (Link above).
- <sup>31</sup> DSA. *Driving Test and Instructor Statistics. Jan – March 2015*. Table DRT0203. June 2015. <https://www.gov.uk/government/collections/driving-tests-and-instructors-statistics>
- <sup>32</sup> DfT. *National Travel Survey*. July 2017. Table NTS0605. (Link above).
- <sup>33</sup> DVLA. [www.gov.uk/government/publications/a-breakdown-of-provisional-and-full-driving-licence-holders-by-age-and-gender](http://www.gov.uk/government/publications/a-breakdown-of-provisional-and-full-driving-licence-holders-by-age-and-gender)
- <sup>34</sup> TRL (Forsyth, E et al.) *Cohort study of learner and novice drivers: Part 3, accidents, offences and driving experience in the first three years of driving*. 1995. <https://trl.co.uk/publications>
- <sup>35</sup> DfT. *Reported Road Casualties Great Britain: 2016*. September 2017. Table RAS30035. (Link above).
- <sup>36</sup> IAM RoadSmart. *Young Novice Driver Collision Types. January 2018*. [https://www.iamroadsmart.com/docs/default-source/default-document-library/0335\\_young-driver-collision-document-v02.pdf?sfvrsn=f04431f1\\_0](https://www.iamroadsmart.com/docs/default-source/default-document-library/0335_young-driver-collision-document-v02.pdf?sfvrsn=f04431f1_0)
- <sup>37</sup> RAC. *Report on Motoring 2013: A motoring nation*. <http://www.rac.co.uk/advice/reports-on-motoring>. Also, a DfT evidence review in 2008 found that newly-qualified drivers: admitted to significant and persistent gaps in their knowledge and skills (e.g. “judging what other drivers are going to do”); exhibited a range of unsafe driving attitudes and behaviour; were not aware of what is expected of a safe and competent driver. DfT. *Learning to Drive: A Consultation Paper*. 2008. (Annex A). <http://webarchive.nationalarchives.gov.uk/20100104171434/http://dft.gov.uk/dsa/Consultation.asp?id=SEX824-A782E405&cat=418>
- <sup>38</sup> Aegis Media Research. *Top Line Summary of Young Drivers Focus Group Research on Attitudes to Driving and Insurance*. Sept/Oct 2012. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/157749/summary-young-drivers-research.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/157749/summary-young-drivers-research.pdf)
- <sup>39</sup> A minimum learning period of one year, from the current licensing age, would bring the UK in line with much of the rest of Europe, where the minimum age for solo driving was set at 18 years by the Second European Driving Licence Directive 91/439/EEC in 1991 (now updated to Third Directive, 2006/126/EC), with derogation for a lower UK age limit.
- <sup>40</sup> The minimum age for driver licensing is set down in EU law under the collected European Driving Licence Directives.1 Article 4(6) of the Third Directive, which is currently in force, states that driving licences for category B vehicles (i.e. cars) may be issued from the age of 18, though it provides Member States with the discretion to lower this to 17.
- <sup>41</sup> Aegis Media Research. *Top Line Summary of Young Drivers Focus Group Research on Attitudes to Driving and Insurance*. Sept/Oct 2012. (Link above).
- <sup>42</sup> Box, E & Wengraf, I. *Young Driver Safety: Solutions to an age-old problem*. July 2013. RAC. [http://www.racfoundation.org/assets/rac\\_foundation/content/downloadables/young\\_driver\\_safety-box\\_wengraf-july2013.pdf](http://www.racfoundation.org/assets/rac_foundation/content/downloadables/young_driver_safety-box_wengraf-july2013.pdf)
- <sup>43</sup> Maycock, G. *Estimating the effects of age and experience on accident liability using STATS19 data*. Published in *Behavioural Research in Road Safety: Twelfth Seminar*. (DfT 2002). <http://webarchive.nationalarchives.gov.uk/+http://www.dft.gov.uk/pgr/roadsafety/research/behavioural/archive/viouralresearchinroadsaf4684.pdf>
- <sup>44</sup> <http://www.legislation.gov.uk/nia/2016/11/contents>
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- <sup>72</sup> There are seven Traffic Commissioners covering England, Wales and Scotland. They are appointed by the Secretary of State for Transport and are responsible in their region or country for the licensing of the operators of heavy goods vehicles (HGVs) and of buses and coaches (public service vehicles or PSVs); the registration of local bus services; and regulatory action against drivers of HGVs and PSVs.
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- <sup>83</sup> DfT. *Novice drivers: Evidence review and Evaluation Pre-driver training, Graduated Driver Licensing* (TRL research findings). Oct 2013. (Link above).
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