

## Road safety powers and devolution

This note sets out the powers which are devolved as at March 2014. It was compiled for PACTS by the Department for Transport, with assistance from Transport for London, Department of the Environment Northern Ireland, Transport Scotland, the Welsh Government and Road Safety GB. PACTS understands that there has been no significant change in these powers since this date.

### International rules

The Westminster Government negotiates changes to international regulation (e.g. UN rules on vehicles) and European law on behalf of the United Kingdom.

EU directives require secondary legislation to be implemented. Where the responsibility for the issue has been devolved, the devolved administration is required to implement. So in practice the Westminster Government works in tandem with the relevant devolved administrations.

### Northern Ireland

Northern Ireland is responsible for its own road traffic legislation, including driver and vehicle testing and driver licensing, road safety policy and legislation, and vehicle standards.

Vehicle licensing is an excepted matter with services delivered by Northern Ireland's Driver and Vehicle Agency under an agreement with the DVLA.

The Department for Regional Development's Transport NI is the sole unitary road authority for Northern Ireland, responsible for over 25,500 km of roads. All necessary infrastructure and speed limit powers are devolved to that Department, although to maintain consistency with the rest of the United Kingdom, most legislation and policy guidelines mirror those in effect in Great Britain and elsewhere.

The Police Service of Northern Ireland is responsible for operational policing, although policing policy is a reserved matter.

### Great Britain

The Government in Westminster is responsible for the following areas, on behalf of all of Great Britain:

- The Highway Code.
- Some driving offences, including wearing of seatbelts and motorcycle helmets.
- Vehicle standards, including statutory requirements with regard to vehicle lighting and fitting of seatbelts.
- Driver training and testing.
- Driver and vehicle licensing, including medical conditions.
- Penalties for road traffic offences, including driver retraining schemes.
- Type approval of devices for detecting speeding and traffic signal offences (speed and red light cameras).

- Setting the national speed limit
- Regulation of street infrastructure, including making rules on design of pedestrian crossings and traffic signs.

## Scotland

Road safety education and training; and payments for the treatment of traffic casualties which are covered in the Road Traffic Act 1988 are devolved to Scotland.

Scottish Ministers also have the power to set limits for drink and drug driving. The Government in Westminster has responsibility for the Drink Drive Rehabilitation Scheme in England and Scotland.

Scottish Minister also have the power to determine the level of the national speed limits on dual carriageways and motorways (currently 70 mph) and single carriageway roads (currently 60 mph), as well as associated vehicle speed limits in Scotland. The UK Government still has reserved responsibility for the national speed limit of 30 mph.

The Scottish Government is also responsible for managing Scottish trunk roads and has strategic responsibility for safety on all Scotland's roads. It issues its own guidance on setting local speed limits and has its own safety camera programme.

Police Scotland is responsible for roads policing in Scotland.

## England and Wales

For England and Wales, the Westminster Government is additionally responsible for setting drink and drug driving limits.

Policing in England and Wales is divided into territorial forces, with the Westminster Government setting policing policy.

## Wales

The Welsh Government is responsible for the Welsh trunk road network. It sets policy on safety cameras and issues guidance on setting local speed limits. The Welsh Government has responsibility for the drink drive rehabilitation scheme in Wales.

## London

The Mayor also sets the strategic direction for transport in London through the Mayor's Transport Strategy.

Transport for London is responsible for the management of the "red routes" within London, whereas the London Boroughs are responsible for their roads.

TfL is responsible for licensing private hire vehicles and minicabs.

Policing in London is the responsibility of the Metropolitan Police Service (and the City of London Police). The Mayor's Office of Policing and Crime is responsible for setting policing priorities, whilst the Metropolitan Police Commissioner is responsible for operational matters and is required to account to MOPAC for them.

## Local authorities

Local authorities are responsible for the management of local roads, within the rules set by Government.

Local authorities outside of London are responsible for licensing private hire vehicles and minicabs.

Local Authorities are required by statute to promote road safety; to undertake collision/casualty data analysis and to devise programmes, including engineering and road user education, training and publicity that will improve road safety.

## Anybody

There are no rules on who may or may not set targets.

Providing funding for particular road safety initiatives and running public education campaigns may take place at any level of Government and from any part of Government (e.g. Transport, Health, etc).

Parliamentary Advisory Council for Transport Safety (an All-Party Parliamentary Group)