

Title: Speed Limit Exemptions for Emergency Services: Regulations to Implement Section 19 of Road Safety Act 2006 IA No: DfT00165 Lead department or agency: Department for Transport Other departments or agencies: None	Impact Assessment (IA)		
	Date: 21/06/2012		
	Stage: Consultation		
	Source of intervention: Domestic		
	Type of measure: Secondary Legislation		
Contact for enquiries: SLEConsultation@dft.gsi.gov.uk			
Summary: Intervention and Options			RPC: RPC Opinion Status

Cost of Preferred (or more likely) - Option 3:			
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Measure qualifies as One-Out?
-£26.10m	NQ	NQ	Yes In

What is the problem under consideration? Why is government intervention necessary?

Current legislation restricts speed limit exemptions to motor vehicles used for police, fire and rescue, ambulance and Serious Organised Crime Agency purposes. However, there are other vehicle purposes that also provide essential life saving services, where a quick response may be required in certain circumstances, but which cannot legally break the speed limit. These include vehicles used primarily for transporting human tissue for transplant and MOD bomb disposal vehicles. Secondary legislation will allow these purposes to be added to regulations and address any road safety concerns by making speed limit exemptions legally dependent upon drivers satisfactorily completing a prescribed training course.

What are the policy objectives and the intended effects?

The policy objective is to extend the legal exemption from speed limits (beyond the three emergency services, SOCA and other currently exempted military organisations) to other essential vehicle purposes where exceeding the speed limit is vital to protect public safety and national security.

The extension of speed limit exemptions cannot be achieved without bringing section 19 of the Road Safety Act 2006 into effect (unless fresh primary legislation were developed). In commencing section 19, the policy objective is to do so in a way that at least maintains current safety standards whilst keeping administrative requirements to a minimum.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Doing nothing (ie keeping things as they are now) would prevent other vehicle purposes from being added to the speed limit exemption regulations and prevent the introduction of a mandatory training course. The following options were therefore considered:

- Do not extend regulations for other vehicle purposes but regulate training standards for drivers of existing vehicle purposes based on the code of practice developed by the Joint Emergency Services' High Speed Driver Training Advisory Group. (Option 1 has 2 variations, which are explained in the IA);
- Extend regulations to other vehicle purposes and introduce a prescribed training course which is governed by the Department (DSA); or
- As option 2 but with currently exempt organisations self-regulating their own training standards.

Option 3 is the preferred option, consistent with the policy objectives.

Will the policy be reviewed? It will be reviewed. If applicable, set review date: 2015					
Does implementation go beyond minimum EU requirements?			N/A		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	Micro No	< 20 Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: 0		Non-traded: 0

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible SELECT SIGNATORY: _____ Date: _____

Summary: Analysis & Evidence

Policy Option 1a

Description: Introduce a mandatory high speed driver training course for the existing emergency services

FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2012	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low:	High: Optional	Best Estimate: £0m

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£0m		£0m	£0m

Description and scale of key monetised costs by 'main affected groups'
 There are expected to be no costs resulting from this option. This policy will enact legislation requiring the emergency services to require all drivers to be trained for high-speed driving. We have assumed this will not affect the current practices of the emergency services, see evidence base.

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£0m		£0m	£0m

Description and scale of key monetised benefits by 'main affected groups'
 There are no monetised benefits resulting from this option.

Other key non-monetised benefits by 'main affected groups'
 The option provides a legal assurance to the public that the Emergency Services are ensuring that their drivers are trained appropriately before they are allowed to break speed limits and that the drivers themselves are properly accountable and protected in law as they undertake a safety-critical activity.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5%
It has been assumed that the emergency services already ensure drivers attend high-speed training courses, such that there will be no net training costs as a result of this policy. We have also assumed that the emergency services can incorporate the code of practice into their existing practice without any net cost.		

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: £0m	Benefits: £0m	Net: £0m	Yes	IN

Summary: Analysis & Evidence

Policy Option 1b

Description: Option 1a with driver re-assessment after 5 years

FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2012	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -£8m

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate			£1m	£8m

Description and scale of key monetised costs by 'main affected groups'

The main groups affected are the three emergency services. The costs relate to the quinquennial retesting and, where it is deemed necessary, refresher training, which will be obligatory for all drivers wishing to maintain their high speed exemptions. The costs also include the costs directly associated with the retesting and associated refresher training plus the indirect wage costs.

Other key non-monetised costs by 'main affected groups'

Option 1 makes it a statutory requirement for emergency services to abide by the code of practice. However there is uncertainty associated with the 'Do Nothing' case. It is possible that the non-statutory code (as it is in the 'Do Nothing') is not being applied to all drivers now or may not be in the future. We propose to consult on the assumption about the assumption that drivers undertake re-testing and refresher training. We have not included the costs of equipment which may be required for high speed driving.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate			£0m	£0m

Description and scale of key monetised benefits by 'main affected groups'

There are safety benefits, but these have not been monetised at this stage. An objective of the consultation is to secure evidence about how much they are. If they are not substantial this option would not be preferred to option 1A.

Other key non-monetised benefits by 'main affected groups'

If the emergency service drivers are required to undertake quinquennial re-assessments and, where necessary, refresher training it should be based on evidence indicating a clear road safety benefit. The consultation will seek evidence regarding the appropriateness of obligatory quinquennial re-assessments and refresher training for drivers in the emergency services.

Key assumptions/sensitivities/risks	Discount rate (%)
It has been assumed that the emergency services already ensure drivers attend high-speed initial training courses, such that there will be no net initial training costs as a result of this policy. We have assumed that the only costs borne by the emergency services will be in association with the quinquennial re-test and refresher training, which we assume is not part of current practice. A key uncertainty relates to the casualty benefits arising from enacting re-tests and refresher training.	3.5%

BUSINESS ASSESSMENT (Option 1b)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: £0m	Benefits: £0m	Net: £0m	Yes	IN

Summary: Analysis & Evidence

Policy Option 2

Description: Extend speed limit exemptions to other vehicle purposes and introduce a mandatory high speed driver training course for existing and additional vehicle purposes. The training course will be subject to Government regulation.

FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2012	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low:	High: Optional	Best Estimate: -£27m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	£21,933	£3.23m	£25.25m

Description and scale of key monetised costs by 'main affected groups'

The main affected groups are the emergency services and additional vehicle purposes. Additional vehicle purposes are estimated to incur net present costs of £25.97m, relating to the direct training costs and wage costs. The emergency services and additional vehicle purposes will share net present costs of approximately £0.64m relating to the regulatory structure.

Other key non-monetised costs by 'main affected groups'

The extension of speed limit exemptions for further purposes will result in more high speed driving and more road safety risks, related to a fivefold increase in the risk. It is likely to be allowed only when this extra risk to public safety is less than the benefits to public safety and security from more exemptions. This extra risk is contained through the inclusion of these purposes in the regulated driver training scheme.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	£0	£0m	£0m

Description and scale of key monetised benefits by 'main affected groups'

The main benefits of this option will be fewer preventable deaths and injuries (for example in relation to emergency rescues or medical procedures) and improvements to public security (including due to combating serious crime). They will be assessed after consultation, which will seek more information about the benefits and inform which purposes are proposed to be made exempt. These benefits will be net of any extra costs related to public safety on the roads related to emergency high speed driving.

Other key non-monetised benefits by 'main affected groups'

The speed limit exemption will only be extended to those additional vehicle purposes which provide clear evidence indicating net casualty savings as a result of the exemption. Until we have the data of which additional vehicle purposes will be exempt from the speed limit, we will have no firm forecast of the casualty savings.

The drivers of vehicles providing services essential to saving lives or public security would no longer face the risk of prosecution for speeding.

Key assumptions/sensitivities/risks

Discount rate (%)

3.5%

It has been assumed that the high speed training course cost per trainee will be identical to those of the Police. The unit costs of the regulatory structure are assumed to be the same as those of the drink driver rehabilitation scheme. We have assumed 131 training centres will require accreditation. This option is based on no requirement for quinquennial retesting. If there were such a requirement its costs and benefits would differ in a similar way to how those for options 1a and 1b differ from each other (and as discussed in the evidence base).

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: NQ	Benefits: NQ	Net: NQ	Yes	IN

Summary: Analysis & Evidence

Policy Option 3

Description: Extend speed limit exemptions to other vehicle purposes and introduce a mandatory high speed driver training course. Training standards for the existing emergency services will be self regulated but for the additional vehicle purposes training standards will be subject to Government regulation.

FULL ECONOMIC ASSESSMENT

Price Base Year 2012	PV Base Year 2012	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -£26m

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	2012	Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£21,933		£3.17m	£24.78m

Description and scale of key monetised costs by 'main affected groups'

It is estimated that the number of additional drivers requiring high-speed training will be approximately 800 in the first year before dropping to about 200. The training and regulatory costs which will be borne by their employers will be approximately £26.10m.

Other key non-monetised costs by 'main affected groups'

The drivers of vehicles providing services essential to saving lives or public security would no longer face the risk of prosecution for speeding. The extension of speed limit exemptions for further purposes will result in more high speed driving and more road safety risks, related to a fivefold increase in the risk. It is likely to be allowed only when this extra risk to public safety is less than the benefits to public safety and security from more exemptions. This extra risk is contained through the inclusion of these purposes in the regulated driver training scheme.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£0m		£0m	£0m

Description and scale of key monetised benefits by 'main affected groups'

The main benefits of this option will be fewer preventable deaths and injuries (for example in relation to emergency rescues or medical procedures) and improvements to public security (including due to combating serious crime). They will be assessed after consultation, which will seek more information about the benefits and inform which purposes are proposed to be made exempt. These benefits will be net of any extra costs related to public safety on the roads related to emergency high speed driving.

Other key non-monetised benefits by 'main affected groups'

The speed limit exemption will only be extended to those additional vehicle purposes which provide clear evidence indicating net casualty savings as a result of the exemption. Until we have the data of which additional vehicle purposes will be exempt from the speed limit, we will have no firm forecast of the casualty savings.

In addition, the drivers of vehicles providing services essential to saving lives of public security would no longer face the risk of prosecution for speeding.

Key assumptions/sensitivities/risks	Discount rate (%)
It has been assumed that the high speed training course cost per trainee will be identical to those of the Police. The unit costs of the regulatory structure are assumed to be the same as those of the drink driver rehabilitation scheme. We have assumed 20 training centres will require accreditation. This option is based on no requirement for quinquennial retesting. If there were such a requirement its costs and benefits would differ in a similar way to how those for options 1a and 1b differ from each other (and as discussed in the evidence base).	3.5%

BUSINESS ASSESSMENT (Option 3)

Direct impact on business (Equivalent Annual) £m:			In scope of OIOO?	Measure qualifies as
Costs: NQ	Benefits: NQ	Net: NQ	Yes	IN

Evidence Base (for summary sheets)

Background

1. Legislation relating to speed limits is contained in section 87 of the Road Traffic Regulation Act 1984 (RTRA). These regulations prescribe that vehicles used for fire and rescue, ambulance, Serious Organised Crime Agency (SOCA) or police purposes are exempt from speed limits if driving within the speed limit is likely to hinder the purpose for which it is being driven on that occasion. These purposes will be incorporated into the new Statutory Instrument that will introduce section 19 of the Road Safety Act 2006.
2. Historically emergency responses were limited to the above mentioned services. However since the implementation of s87 RTRA, other vehicle purposes have performed functions that also require a quick response in exceptional circumstances. These include vehicles used primarily for transporting human tissue for transplant purposes and MOD bomb disposal vehicles. As these activities do not fall under the purposes of the 'traditional' emergency services they are not covered by current speed limit exemptions.
3. In 2006 primary legislation, section 19 of the Road Safety Act 2006 (RSA 2006), was passed to modernise s87 RTRA. The two major effects will be:
 - to enable other vehicle purposes to be included in the exemption from speed limits;
 - to make the exemption from speed limits legally dependent upon the driver having satisfactorily completed a prescribed course of training when using a vehicle for purposes that are (or will be) provided in the regulations. This includes driving the vehicle as part of the high speed course.
4. Section 87 RTRA cannot be amended by making regulations and can only be replaced by other primary legislation. The replacement legislation in the form of section 19 of the Road Safety Act 2006 has been passed by Parliament and allows for more activities to be exempted legally from speed limits. Section 19 also requires high speed driver training to be in place for there to be legally exemptions from speed limits.
5. So when section 19 comes into effect the legal exemption from speed limits will only apply to vehicles that are being driven by a person who has satisfactorily completed the prescribed training course.
6. In commencing section 19 the Secretary of State will be given the power to include other vehicle purposes in the legal exemption from speed limits and to make regulations specifying an associated high speed training course.
7. This impact assessment is therefore about the regulations needed to implement section 19 of the RSA 2006, the reasons for extending exemptions to other vehicle purposes and the training course requirements that will be necessary to ensure road safety is not compromised.

Speed

8. Generally, speeds associated with higher risks can be split into two distinct categories; excessive speed and inappropriate speed. Excessive speed constitutes speeds in excess of the speed limit whilst inappropriate speed constitutes speeds within the speed limit but considered too fast for the conditions. The nature of the regulations is such that this document focuses on the risks associated with excessive speed.

9. Accident risk increases with higher vehicle speeds. For pedestrians the risk of a fatality increases slowly until impact speeds of around 30mph. Above this speed, risk increases rapidly, between 3 ½ and 5 ½ times from 30mph to 40mph.
10. There are usually a number of factors that contribute to an accident. Research into accident contributory factors shows that around 11-20% of vehicles involved in an accident were exceeding the speed limit and that of these accidents the vehicle was travelling at peaks of between 31-40% in excess of the speed limit. The majority of speed-related accidents involve some loss of control of the vehicle; usually loss of control at a bend.

Rationale for the Primary Legislation

11. Since the 1990s the Department has received representations from several organisations about amending s87 RTRA. One of the earliest requests was received from the Police Service who were becoming increasingly concerned about the wording of s87 RTRA and the potential misuse of speed limit exemptions by 'other' organisations. They argued that although the police service is a clearly defined organisation the term 'police purpose', as used in s87 RTRA, has no legal definition leaving it open to interpretation. This has led to incidents where 'other' organisations have exceeded the speed limit and then claimed that their response was covered by 'police purposes' under the regulations. In cases where this has been disputed the only way to resolve the issue is to take the matter to Court. A clearer definition of the regulations will enable the police to effectively enforce any misuse of the speed limit exemptions and free-up court time.
12. The Department has also been approached by a small number of organisations requesting that certain of their vehicle purposes be included in the amendment to s87 RTRA. Some of these purposes were originally considered to be covered by the speed limit exemptions and they include:
 - a. **HM Revenue & Customs (HMRC) purposes** – HMRC are seeking speed limit exemption for their covert surveillance vehicles. Until 2003, this function was widely considered to be "police purposes" under section 87 of the Road Traffic Regulation Act 1984. HMRC's surveillance operations mirror that of the police service. They also have extensive arrest and investigatory powers. They argue that the operational effectiveness of their covert surveillance activities has been severely compromised by their inability to legally exceed the speed limit;
 - b. **Civil Aviation fire and rescue purposes** - Fire and rescue vehicles used by the Civil Aviation Authority fall outside the definition of 'fire and rescue authority' purposes. These vehicles had been covered by the exemption for fire but they were omitted when the term 'fire brigade' was updated to 'Fire and Rescue authorities' in the Fire and Rescue Services Act 2004;
 - c. **Vehicles primarily used for conveying human tissue for transplant purposes** - Operational procedures for the ambulance service have changed significantly since the term 'ambulance purposes' was used in the 1984 Act. Improvements in medical science have meant an increase in organ transplants and there are often not enough NHS ambulances when vital organs become available for transplant. As a result a variety of different vehicles have been used to transport donor organs, not all of which could be described as resembling an ambulance as the layperson may understand the term. These vehicles can already use blue lights and sirens.
13. Problems arise where drivers of these vehicles have exceeded the speed limit. In these cases it is left up to the discretion of the local police force and the crown prosecution service

to decide whether or not to prosecute. Amendment of s87 will ensure that there is a standard approach to enforcement.

14. The Department acknowledges that exceeding the speed limit may be necessary for certain organisations but this clearly needs to be balanced against the interests of road safety.
15. Police forces in England and Wales are involved in three to four million emergency journeys per year and (according to research undertaken by the Independent Police Complaints Commission in 2005/6) are involved in 3 killed or seriously injured (KSI) road traffic incidents per million emergency calls. The risk of a member of the public becoming a KSI when driving a car averaged 0.3 per million journeys in 2006. However this figure is not directly comparable as an average of about 2 cars involved per car-related KSI incident¹. The risk of a public car driver being involved on a KSI road traffic incident is about 0.6 per million journeys. Emergency response journeys with trained drivers are thus about five times more risky than normal public journeys
16. All three major emergency services require their drivers to satisfactorily complete a high speed course before they drive in emergency response situations. But even with advanced driver training in place, emergency response journeys are associated with a higher incidence of KSIs than normal journeys.
17. From a road safety point of view if we are going to allow more vehicles to legally exceed speed limits, thereby increasing the risk of collisions, requiring the training of drivers to high standards will reduce the risk to the public.
18. Section 19 RSA allows the Secretary of State to prescribe a high speed training course. The Department therefore proposes that the standards for these courses should be set by regulation. Putting the course standards on a statutory footing recognises that:
 - a. There are significant risks associated with exceeding the speed limit in the course of an emergency response, even if the driver has been appropriately trained. Rule 219 of the Highway Code provides advice to road users about how to safely respond to approaching emergency vehicles using blue lights. This includes taking appropriate action to let it pass whilst complying with all traffic signs and no sudden braking on the approach to a roundabout or junction. But the use of blue lights and sirens can still provoke unsafe reactions from other road users which will have a detrimental effect on road safety;
 - b. the Government has a responsibility to the public to ensure that the emergency services train their drivers to the highest possible standard.
19. Besides the road safety benefit, training for emergency response drivers is required because of:
 - the emergency services' duty of care to the public and to their employees;
 - the ethos of the emergency services to avoid unnecessary death and injury in the course of their duties; and
 - the justifiable expectation of members of the public that all reasonable steps will have been taken by the emergency services to avoid deaths and injuries in the course of their duties.
20. It is logically possible to not introduce section 19 of the Road Safety Act 2006, but instead develop different primary legislation. This is unlikely to be possible given the constraints on

¹ In 2006 there were 31,892 cars involved in KSI incidents, compared to 14,214 car KSI casualties. In the same year there were about 1.14 KSI casualties on average per KSI incident. Therefore the rate for the general public of being involved as a car driver in a KSI incident is 0.3 KSIs/million journeys times (31,892/14,214) and divided by 1.14, ie approximately 0.6 KSI incidents/ million journeys.

Parliamentary time during the next few years. Because there is an un-commenced piece of legislation about this subject in the form of section 19, it is highly unlikely that a case could be made for a further primary legislative change to be made as a high priority soon on the same subject. In practice this would prevent the achievement of the policy objective to extend speed limit exemptions to other essential vehicle purposes to protect public safety and national security for many years. Options involving further primary legislation have therefore not been developed for analysis.

Problems under Consideration

21. The remainder of this impact assessment considers the options for whether additional vehicle purposes should be added to speed limit exemption regulations and how to regulate high speed driver training (within the constraints of the primary legislation). The purpose of the consultation is to seek views and evidence about which vehicle purposes should be added to those having speed limit exemptions. Some possible examples are discussed below, along with an outline of the decision-making process proposed for after the consultation. No proposals are being presented in the consultation recommending particular purposes to be added to those covered by speed limit exemptions.

Extending speed limit exemptions to other vehicle purposes

22. There are a small number of vehicle purposes that perform functions that are similar to the existing emergency services where, in certain situations, a quick response is necessary to protect the public or to save lives. Some of these purposes already operate under blue lights (and in most cases sirens) but they do not have speed limit exemption. They include HM Revenue and Customs (HMRC), fire (other than for fire and rescue authorities which are covered), conveyance of human tissue for transplant, blood transfusion, mountain rescue, mine rescue, radiation emergencies, coastguard and lifeboat launching.

23. Some of the organisations that use these purposes believe that they have an operational need for a speed limit exemption. Although these vehicle purposes have been listed in this impact assessment, this is not an indication that they that will be recommended for inclusion in the speed limit exemption regulations.

24. However, the following are examples of some of the operational concerns that have been brought to the attention of the Department:

- **MOD Bomb disposal vehicles** – Drivers are required to respond to emergency situations, at the request of the police, where public safety is endangered following the discovery of a potential device or weapon. In most instances the Police will provide an escort for the journey but difficulties arise when an escort is not available. Bomb disposal units are now required to meet tighter response times under new Home Office guidelines;
- **Vehicles used primarily for transporting human tissue for transplant purposes** - Human tissue, such as hearts and kidneys, only have a finite time to reach the operating table after being removed from an organ donor. The role of the driver is to reach the hospital where the organ donor has passed away (if they are not already present) as quickly as possible. They are then required to transport the human tissue as quickly as possible to the operating table where the transplant patient will be located. The longer it is in transit the more the tissue will deteriorate, lessening the transplant patient's chances of long term survival.

Vehicles used primarily for transporting human tissue for transplant have their own blue light status, separate from the one for ambulance purposes. But there appears to be a belief within the industry that such vehicles are ambulances and are therefore covered by

speed limit exemptions. They are not, even though the nature of the emergency is likely to be as time critical - this has caused significant enforcement problems;

- **Civil Aviation Authority Airport Fire Service (AFS)** are required to respond to incidents up to 1000m from the runway. Operational issues arise where the quickest route to a terminal fire involves travelling along a public highway. In these cases it may be necessary to exceed the speed limit. AFS differs from the other examples in that they were covered by the regulations prior to 2004. However, after the term fire brigade was updated in all UK legislation to 'fire and rescue authority' there was uncertainty as to whether AFS vehicles remained within the remit of fire and rescue authority purposes and therefore still covered by s87 regulations;
 - **The UK Border Agency (UKBA)** is seeking exemption for their mobile surveillance operations which investigate organised criminal networks including people trafficking and drug smuggling. UKBA capabilities are currently limited to foot surveillance and static observations. Investigations have been frustrated when the suspects have entered a vehicle and observations could not continue as officers were not authorised to follow;
 - **Mountain rescue vehicles** have the power to use blue lights and sirens under the lighting regulations but they are not exempt from speed limits. Some mountain rescue teams have adapted their vehicles to carry collapsible stretchers and first aid equipment. They are therefore seeking exemption for their service in providing assistance to people who are ill, lost or injured in moorland and mountain areas. Mountain rescue teams are also occasionally asked to assist the police in rural, semi-urban and inner city areas as a part of local or major public safety incidents.
25. Section 19 of the Road Safety Act 2006 (RSA) will allow the Secretary of State to make provision for other vehicle purposes to be included in the speed limit regulations. A primary purpose of the public consultation document is, therefore, to seek views and further information about which, if any, additional vehicle purposes should be added to the speed limit regulations.
26. Additionally, the Department proposes to set up an expert Emergency Services' High Speed advisory panel to provide recommendations about which additional purposes to include in the regulations. Applicants will be invited to submit a business case which will be considered in the light of the following criteria:
- Examples of the circumstances when the ability to exceed the speed limit may be necessary;
 - the additional risks to road users from further speed limit exemptions (even though High Speed Driver training would be a requirement), plus the presence and robustness of written procedures for handling emergency responses. We propose to seek information about how many emergency journeys would be likely in order to estimate the road safety implications;
 - the safety, security and health benefits to the public. This includes estimates of how often the exemption would be used, consideration of the evidence about how time critical the activities are and the potential dangers in terms of risks to life and limb of not shortening response times;
 - the role of the purpose in relation to emergencies related to national security, crime, safety or public health. This includes the need to provide evidence that the purpose of the function requires organisations acting in a lead role in preventing harm or danger to the public, as opposed to a supporting role (ie providing essential assistance to the

Police, Fire and Rescue or Emergency Ambulance services) in the aftermath of an incident;

- how records about the successful completion, assessment and review of training will be kept and made available for periodic inspection by the police and the Driving Standards Agency.

27. The Department would need to establish the impact on road safety as a result of increased numbers of drivers exceeding the speed limit. This will be achieved by:

- Analysing the estimated trips against the existing emergency service accident rate to determine the potential additional number of road accidents as a result of each exemption; and
- Comparing this data against further evidence from applicants to establish the likelihood of lives saved and injuries or crime averted as a result of reduced journey times.

28. Those vehicle purposes that comparisons show to have a negative overall impact are unlikely to be granted a speed limit exemption.

29. After consideration of the business cases, the Group will make recommendations to the Department and Secretary of State, who would make the final decision about which purposes would be included in the regulations to be put before Parliament.

Training Course

30. The Department recognises that there are certain situations where drivers of certain vehicle purposes may need to arrive at their destination as quickly as possible but this must be balanced against risks to road safety. Our task must be to strike the right balance between allowing drivers of certain vehicle purposes to exceed speed limits in emergency situations, without compromising the safety of other road users.

31. Emergency response driving associated with exceeding the speed limit involves significant risks. But the law does not currently link training to the legal exemption from speed limits. The introduction of a prescribed high speed training course will mitigate potential road safety concerns and ensure that only appropriately trained drivers are permitted to exceed speed limits.

32. Drivers will be required to demonstrate skills that are significantly above those expected of ordinary drivers. The mandatory course is designed not just to train drivers how to drive safely at speeds in excess of the speed limit, but to drive at appropriate speeds where the more vulnerable road user may be present. This includes learning how to travel over pedestrian crossings at suitable speeds and the use of blue lights and warning signals.

33. **Training course requirements** - The primary legislation requires the provision of training courses to be in accordance with regulations and specifies examples of the types of provision that may be made by regulation. The non-exhaustive list of possible regulatory provisions listed in the primary legislation is:

- provision about the nature of courses,
- provision for the approval by the Secretary of State of persons providing courses or giving instruction on courses and the withdrawal of approvals (including provision for appeals against refusal and withdrawal of approvals),

- provision specifying the maximum fees that a person may be required to pay for a course,
- provision for the training or assessment, or the supervision of the training or assessment, of persons providing courses or giving instruction on courses,
- provision for the evidencing of the successful completion of courses,
- provision authorising the Secretary of State to make available information about persons providing courses or giving instruction on courses,
- provision treating courses of training in the driving of vehicles at high speed which have been completed before the coming into force of the regulations as if they had been provided in accordance with the regulations and
- the regulations may include provision for the charging of reasonable fees in respect of any function conferred or imposed on the Secretary of State by the regulations.

34. The proposed training standards have been developed by representatives of the existing emergency services and are based on the in-house high speed training currently undertaken by them on a voluntary basis. It is anticipated that the prescribed training courses, which may include a requirement for drivers to be reassessed every five years, will improve upon the high standards that have been developed by the emergency services. This should reduce the number of collisions these drivers currently have.

35. The training course provisions will also increase transparency and accountability (specifically in the event of a road traffic accident) and protect the interests of the public and the emergency services.

Policy Objectives

36. The policy objective related to the scope of speed limit exemptions is:

- to extend the legal exemption from speed limits (beyond the three emergency services, SOCA and other currently exempted military organisations) to other essential vehicle purposes where exceeding the speed limit is vital to protect public safety and national security.

37. The extension of speed limit exemptions cannot be achieved without bringing section 19 of the Road Safety Act (2006) into effect (unless fresh primary legislation were developed). In commencing section 19, the policy objective is:

- to commence section 19 in a way that at least maintains the safety standards associated with high speed driving in the three major emergency services, whilst keeping administrative requirements to the minimum necessary.

38. The introduction of a prescribed high speed training course will ensure that drivers will have to be trained before being permitted to legally exceed the speed limit. The regulations will include 'grandfather rights' to avoid disruption to existing emergency services during the transition. This means that any driver who can demonstrate that they have already undertaken a course similar to that which will be prescribed will be considered as having been already trained.

39. The prescribed course will ensure that the standards for exemptions from speed limits for additional purposes are consistent with the standards that are already in place for the three major emergency services.

Description of Options

40. This impact assessment provides details about the five options that have been considered. They are:

- **Do nothing** (and hence not commencing section 19 of the RSA 2006) will not solve the problem. There are clearly other vehicle purposes where, in exceptional circumstances, drivers are required to reach their destination as quickly as possible. In these instances, where there are time constraints, drivers cannot exceed the speed limit without breaking the law. The extra purposes cannot be granted exemptions from speed limits under section 87 of RTRA, without commencing section 19.

There is a case for allowing other essential vehicle purposes to be added to the regulations and thereby ensure that necessary driving actions become lawful in exceptional circumstances. It will also place a requirement on drivers to be appropriately trained, significantly reducing road safety risk. Legislation is therefore the only option.

- **Options 1a and 1b:** Regulation of training standards only. In this option no other vehicle purposes are included in speed limit exemptions but the legislation is activated to regulate high speed training standards. This would mean that organisations that are currently covered by speed limit exemptions will be required to provide training that is based on the code of practice developed by the Joint Emergency Services' High Speed Driver Training Advisory Group. The existing emergency services will also self-regulate their own training to ensure that it is consistent with the code of practice;
- **Option 2:** Extend speed limit exemption to other vehicle purposes and introduce a prescribed training course for existing and additional vehicle purposes, which is governed by the Department with the regulatory function carried out by the Driving Standards Agency (DSA); or
- **Option 3:** Extend speed limit exemption to other vehicle purposes but with the existing emergency services self-regulating their own training standards, as in option 1, and the Government regulating other training course providers as in options 2.
- Options 1a and 1b differ from each other because 1a excludes a requirement for re-assessments every five years from the code, whereas 1b includes it. Options 2 and 3 both exclude the requirement, but versions of them could be implemented to include the requirement for re-assessments every five years. The consultation seeks evidence about the costs and benefits of the re-assessments.
- The consultation will invite organisations wishing to benefit from speed limit exemptions to provide information about the effects related to the relevant purpose, so that decisions can then be taken about which purposes to include. Options 2 and 3 include assumptions about the approximate volumes of drivers involved but this is without prejudice to which and how many purposes will in the end be included in the exemptions.

Option 1a

41. Option 1a does not meet the main current policy objective as it will not allow additional vehicle purposes to be included in the speed limit exemption regulations. This option will

only introduce a prescribed high speed driver training course for the existing emergency services which is similar in nature to the ones that are already being used by them.

42. Option 1a represents the smallest practical change from the do nothing that could be achieved from introducing section 19. It is the 'Do Minimum' position for implementing section 19. It has been assessed as a comparison case with options 2 and 3, but it is not the preferred option.
43. The prescribed course has been developed by drawing upon best practices from each of the non-mandatory courses used by the current emergency services. As such it will (or should) not impose extra costs upon them as it will be regulating something that they are already doing voluntarily.
44. The introduction of the mandatory course will mean that drivers will be required to be trained before they are legally permitted to exceed the speed limit. Although there is no evidence to suggest that this is not already the case, section 19 will ensure that the ability to exceed the speed limit is legally dependent upon drivers being trained and the prescribed course will ensure that there are consistent training standards within the emergency services.
45. The existing courses usually last at least two weeks and seek to test and develop a driver's abilities against a set of competencies. These competencies cover the whole range of driving skills, not just an ability to exceed speed limits. For example the courses contain modules that teach drivers how to slow down safely at hazards such as bends or busy pedestrian junctions, and to use blue lights and sirens in such circumstances in order to alert other road users to their presence.
46. The use of blue lights and sirens is particularly important as they will alert other road users to the presence of a vehicle that needs to pass in a hurry. That said, the exemption from speed limits does not allow a driver to completely disregard other road users and they can still be prosecuted for dangerous driving if their behaviour warrants such action.
47. The primary legislation requires a course of training to be provided in accordance with regulations. Identifying a set of standards for training courses is the minimum level of regulation needed to be consistent with this requirement.
48. The standards proposed have been developed by representatives of the organisations which would be covered by them and include material relating to:
 - **Provision of High Speed Driver Training** – setting out training bodies, accreditation and summarising other codes (minimum levels necessary to meet a high speed driver competency)
 - **High Speed Instructor Competency** – making sure those assessing competency, setting training needs and providing that training are competent and to a consistent level
 - **High Speed Driver Competency and Training** – setting out the competencies necessary to meet high speed driver approval and those areas necessary when training need is identified
 - **High Speed Assessor Competency** – not compulsory but available should any training body prefer to train and use experienced emergency response drivers to assess others competencies and identify training needs

- **High Speed Driver Training Quality Assurance** – The outcome of a skilled and competent driver must be achieved and to ensure this the system set out in the codes must be quality assured to this minimum standard.

49. Over and above the core competencies, each vehicle purpose has its own specific handling requirements. For example, there are different skills needed for driving a fire engine than for driving a police car in pursuit. The emergency services therefore tailor their courses according to the type of vehicle being used, whilst still ensuring the core competencies are being met.
50. Training standards will be statutory but the provision of training itself will continue to be self regulated under this option. This means that each emergency service or emergency service organisation would be legally responsible for ensuring that the training they provide to their drivers is consistent with the prescribed Code of Practice.

Option 1b

51. Option 1a excludes a requirement, drafted in the Code of Practice, that there must be re-assessments every five years to enable drivers to continue to be classified as High Speed Drivers. The requirement has been excluded because it appears it is widely, but not universally, applied under the non-statutory scheme. Option 1b includes the requirement.

Option 2

52. The introduction of section 19 requires high speed driving courses to be prescribed in regulations. An alternative to the self-regulation of option 1 is to set up a regulated scheme for the training. This ensures that individual organisations seeking high speed driver training can obtain training from an accredited training organisation. This helps ensure the training they receive is consistent with the Code of Practice and hence meets the legal requirements for high speed driver training.
53. An alternative option to requiring courses to be consistent with the code of practice (option 1) is therefore to also require the training to be consistent with standards regulated by the Driving Standards Agency.
54. Option 2 will also extend speed limit exemptions to other vehicle purposes.
55. **Extending speed limit exemptions to other vehicle purposes** will need to be carefully considered and balanced against the effects of road safety. In doing so it is important to recognise that there is a complex relationship between speed and accident risk. We propose to use the evidence that suggests the risks of exceeding the speed limit are about five times that of ordinary driving, but will be seeking views and evidence about this during the consultation.
56. Emergency service response drivers are often required to reach their destination as quickly as possible. This can mean exceeding the speed limit, where necessary. The emergency services already provide non-regulated high speed training courses to their drivers which provide the necessary skills to travel safely at higher speeds.
57. **Training standards are subject to government regulation under this option.** Training course providers will therefore have to be approved by the Secretary of State. The Driving Standards Agency (DSA) will administer the Secretary of State's responsibilities.

Option 3 (Preferred option)

58. This option will a) extend speed limit exemption to other vehicle purposes and b) introduce a prescribed training course, which is consistent with the code of practice detailed in option 1.
59. Option 3 will, however, differ from option 2 in the way that driver training standards are regulated. Under this option, the existing emergency services will continue to self-regulate their own training as in option 1 but all other training course providers that provide training to the additional vehicle purposes will be subject to Government regulation as in option 2.
60. So Option 3 includes an accreditation scheme run by DSA, which would cover some training. The training not covered by the accreditation scheme would be that provided by employees of the civilian emergency services, which currently have high speed driving exemptions, plus military employees.
61. This option recognises that the main emergency services have successfully provided 'in-house' high speed driver training for several decades and already have operational procedures in place to ensure high quality standards of training. For example there are long-established police driving schools. The existing operational procedures include an in-house system where trainers are regularly re-assessed to ensure that standards are maintained. It is not the intention of Section 19 of the RSA 2006 to alter suitable training or to force the emergency services to fund any unnecessary bureaucratic changes.
62. Driving schools operated by the police, SOCA, the military, fire and rescue and NHS primarily for their own services providing high speed driver training are not included in the DSA accreditation scheme under this option because:
- a. the risks of non-compliance with the Code of Practice are internalised within the services involved (both the trained drivers and the trainers are employed by the services);
 - b. the high speed driver training is well-established and already provides training consistent with the Code of Practice's standards; and
 - c. the organisations have experience of the standard of training required and therefore would not benefit from the assurance an accreditation scheme would offer.
63. There are existing legal provisions (section 124 of the Road Traffic Act 1988), which exempt police instructors from certain other prohibitions from driving instruction for people that are not on the register of approved instructors. So this approach is broadly consistent with some other requirements related to driver training.
64. A theoretical fourth option would be to allow the emergency services already exempted from speed limits and other newly exempted purposes to self-regulate (ie option 1 plus the ability to extend that to other purposes). This option is not proposed because:
- a. the risks of non-compliance due to sub-standard training would not be internalised;
 - b. high speed driver training is not provided generally by the private sector. This is a developing market where regulation will be important in supporting standards;
 - c. organisations gaining exemptions from speed limits will have little or no experience of what is required from high speed driver training.

65. The consultation may raise whether this theoretical fourth option is actually feasible now. The implementation review of this regulation will also consider whether the accreditation requirements should be relaxed in a few years' time.
66. Option 3 therefore allows for the self-regulation of trainers employed by the police services, fire and rescue authorities, the National Health Service (NHS), SOCA or the military with current exemptions from speed limits. Training provided by other organisations, including to the police, fire and rescue services and the NHS, would be regulated by the DSA accreditation scheme.
67. However, section 19 will ensure that the training and quality assurance procedures, currently undertaken on a voluntary basis by the emergency services, become a legal requirement for all emergency services insofar as they are reflected in the Code of Practice.

Costs and benefits of each option (including administrative burden)

Policy Option 1a

68. This option will introduce a mandatory high speed training course with a set of core competencies which will be included in regulations, creating a national standard. A code of practice detailing how training course providers should deliver the course has already been agreed in conjunction with the stakeholder group, which includes representatives from the emergency services, and will be enforced by the emergency services.
69. The emergency services currently have quality assurance systems in place and have adapted their systems to include the core competencies as set out in the code of practice. For this reason we do not anticipate the introduction of the high speed training course to impose any transition costs.
70. The regulations will make it a legal requirement for drivers to undertake and pass the high speed training course, if they are to be exempt from the speed limit. Because the emergency services currently require their drivers to undertake high speed training, the introduction of the mandatory course is assumed to have no impact on the number of drivers applying for high speed training courses. Therefore, there will be no net training costs arising from this option.

Policy Option 1b

71. The code of practice has a provision for drivers to undertake re-testing and if necessary refresher training 5 years after the initial training and every 5 years thereafter. Currently, the emergency services do not require all their drivers to adhere to this provision.
72. The introduction of this provision has cost implications for the emergency services and the benefits are unclear. To confirm whether this provision is necessary, we require further information about the benefits which will accrue from re-testing and refresher training.
73. We will be seeking information through the consultation about the benefits of re-testing and refresher training every five years. We will be asking whether it is worth making this a requirement. Option 1b therefore includes the requirement of re-testing every five years. It considers the costs of refresher training and re-testing. Retesting and refresher training is taking place for a substantial proportion (our best estimate is about three quarters, based on informal information from the emergency services), but not all, emergency service drivers now.

74. In the consultation we propose to explore whether a non-regulatory approach to resting and refresher training would enable it to be targeted towards emergency service drivers most in need of it. This would enable most of the benefits to be accrued for a smaller proportion of the costs of covering all emergency service drivers.

Approximate Forecast of Refresher Training/Retesting Benefits

75. Home Office statistics indicate that in 2009/10 (the last year they were collected) there were 780 injury road traffic collisions involving English police vehicles (excluding 5 forces) on emergency calls or pursuits. Information from Scotland and an extrapolation to cover the missing English plus Welsh forces indicates there were about 923 such incidents across Great Britain.

76. Independent Police Complaints Commission (IPCC) statistics suggest that 16.2% of the most serious incidents occur during emergency police driving, excluding police pursuits (for which the police have separate more demanding driver training regimes and procedures). This indicates there were 150 injury incidents associated with police emergency calls (excluding pursuits).

77. The records of personal injury collisions collected by the police for all traffic incidents reported to them involving an injury on public roads, using the STATS19 form, include 25 injury incidents involving fire engines and 83 involving ambulances, where an emergency vehicle was on call in 2010. They also recorded a total of 679 incidents involving emergency vehicles on call (5 involving at least one fatality, 73 others at least one serious injury and 601 one or more slight injuries) These figures are likely to be an underestimate because the contributory factors (the data source for whether emergency vehicles were on call) are not recorded in all cases.

78. Assuming all of the 571 incidents not associated with fire or ambulance were police vehicles, the underreporting in the STATS19 data of the contributory factor related to emergency call out is about 62% (923/571). This suggests there were actually about 175 injury incidents associated with fire and ambulance vehicles on call in 2010.

79. There were therefore about 325 injury incidents associated with emergency vehicles on call excluding police pursuits.

80. The IPCC data indicates there were about 4 civilian deaths per year on average from 2004 to 2011 in England and Wales associated with police emergency driving (excluding pursuits). We have therefore estimated that a total of about 7 deaths per year associated with emergency driving (the IPCC four, about one per year related to police drivers themselves and police incidents in Scotland and two per year recorded in relation to fire and ambulance).

81. The 325 injury incidents would be associated with 48 serious casualties and 388 other injuries if national average severity rates were followed.

82. Stakeholders have indicated about 25% of emergency service drivers retested after 5 years failed it and required significant refresher training. The high speed driver training standards are very rigorous but nonetheless emergency service drivers are still involved in five times the rate of serious incidents compared to normal drivers. This suggests high speed driving without specialist training or when the effects of the training have worn off has significantly higher risks.

83. We have therefore estimated that if without refresher training or retesting, the risks associated with high speed driving increase on average by 10% (which is slightly less than 25% of the drivers after five years – and then in perpetuity - driving with a risk elevated by

40%). The actual extra risk will be less as long as the Emergency Services continue to have five yearly re-assessments, for most or some high speed drivers (currently our best estimate is 75% of them), if nothing were done and none of the options were introduced. We propose to seek further evidence about the risks during the consultation.

Forecast of Re-testing and Refresher Training Numbers and Costs

84. Table 1 provides a forecast of the current number of drivers trained every year and the anticipated number that will require a re-test and refresher training. It also contains a forecast of the number of hours trainees will spend attending training courses and re-tests.

Table 1: Forecast number of drivers requiring initial training, re-testing and refresher training

Year	Initial Training	Re-testing	Refresher Training	Hours required for re-testing and refresher training
2012	n/a	n/a	n/a	n/a
2013	13,401	0	0	0
2014	13,401	0	0	0
2015	13,401	0	0	0
2016	13,401	0	0	0
2017	13,401	0	0	0
2018	13,401	2,680	670	37,520
2019	13,401	2,680	670	37,520
2020	13,401	2,680	670	37,520
2021	13,401	2,680	670	37,520
Total over appraisal period	120,609	10,720	2,680	150,084

* 2012 has been included in the appraisal to capture transition costs, which in the current option are zero. Because the policy will not be operational until 2013, data for initial training, re-testing and refresher training are not applicable.

85. Currently the emergency services provide initial training every year for about 13,400 drivers. Approximately 75% of those still requiring to drive at high-speed sit a re-test and, where necessary, refresher training after 5 years. This policy option will require all drivers to sit a refresher test and where necessary refresher training. The emergency services have been unable to provide an accurate forecast detailing the number of drivers this will affect. For this reason we have made some assumptions to construct the forecast.

Refresher Test – Forecast Assumptions

86. We have assumed 80 percent of all those undertaking initial training will sit a re-test after 5 years.² This attempts to take account of employee turnover and movement between posts within an organisation. Of the 80% who will be required to do a re-test, 75% are currently doing so.

Refresher Training – Forecast Assumptions

² Based on information from members of the Emergency High Speed Driving Working Group

87. We have assumed that of those undertaking the re-test 25% will fail and require refresher training.³

88. Given the assumptions regarding re-testing and refresher training, we estimated the number of hours which will be diverted by employees away from performing their duties towards re-testing and retraining. In order to derive this estimate we have assumed that employees of the emergencies services work 8 hours per day, 5 days per week.

Unit Costs

Table 2: Unit Costs (2012 Values and Prices)

	Unit Cost
Initial Training	£2,569
Preliminary Test	£87
Refresher Training	£856
Hourly Wage Rate	£37

89. Table 2 contains the unit costs for initial training course, the re- test, the refresher training course and the average hourly wage rate. The unit costs are based upon information provided to us by the Police.

90. Although the police were able to provide us with the cost and duration of the initial training course, £2,569 and 15 days respectively, they were unable to provide re-test and refresher training unit costs. This is because the re-test and refresher training are conducted internally and no accounting information is available from which to derive unit costs.

91. To determine the unit costs, we have made the following assumptions for the re-test and refresher unit cost.⁴

Re-testing Unit Cost Assumptions

92. The re-testing unit cost assumptions are:

- i. The preliminary refresher test will be a half day test; and
- ii. The cost structure will be the same as the initial training course.

The above assumptions imply that the re- test will cost 1/30th of the initial training course.

Refresher Training Unit Costs Assumptions

93. The refresher training unit cost assumptions are:

- i. The course lasts for 5 days; and
- ii. The cost structure is the same as the initial training course.

The above assumptions imply that the refresher training course will be 1/3rd of the initial training course.

Wage Costs

³ Based on information from members of the Emergency High Speed Driving Working Group

⁴ These assumptions reflect current police practice and have been cleared by the Department's ACPO police liaison officer.

94. In addition to the unit costs associated with the training, the emergency services will also incur wage costs. This is because the trainees' wages will continue to be paid, but they will not be present to perform their duties.

95. The hourly wage rate of the emergency services has been estimated using data for the Police.⁵ We have assumed that employees in the Fire & Rescue and Ambulance service have a similar pay structure.

Up-rating Unit Costs

96. In order to conduct the appraisal, we up-rated the unit costs using the forecast GDP per capita growth rate.⁶ We used the forecast GDP per capita growth rate for two reasons:

- i. We have assumed that the primary determinant of the unit costs is staff costs; and
- ii. The index is a measure of income growth.

Appraisal – Option 1b

97. The cost of policy option 1b is approximately £8m over the appraisal period 2012-2021. The provision for quinquennial re-tests and refresher training would have significant cost implications for the emergency services. Given a lack of evidence to demonstrate the level of the benefits arising from re-testing and re-training, the consultation will ask whether it is appropriate to make re-testing and retraining mandatory provisions in the code of practice. Without significant evidence it is unlikely that this option (1b) would be implemented in preference to option 1a.

98. We are seeking more information about this in the consultation by asking specifically about both the costs to the emergency services and the road casualty benefits from including mandatory five year re-testing. As a result of the uncertainty regarding the road safety benefit from re-testing and refresher training we have therefore not included an estimate of the benefits in the summary table 3 below.

Table 3: Option 1b – Re-test and Refresher Training (2012 Prices)

	Total 2013-2022
	£0m
Total Present Value Benefits	£0m
Cost of Code of Practice	n/a
Driver Initial Training	n/a
Re-testing	£830,875
Refresher Training	£2,043,762
Emergency Service Wage Costs	£4,947,049
Total Present Value Costs	£7,821,686
Net benefits, discounted	-£7,82m

Risks and assumptions of options 1a and 1b

99. The key risks and assumptions with Option 1 are as follows:

⁵ This is based on Home Office data on the average wage for police officers of the rank of Sergeant or below.

⁶ Webtag unit 3.5.6 <http://www.dft.gov.uk/webtag/documents/index.php>

- We have assumed that the existing emergency services are currently providing high speed training to drivers, which is satisfactorily completed, before they are permitted to take part in an emergency response journey. We have therefore presumed that the introduction of a mandatory course would not have an impact on the emergency services in regards to costs or the number of drivers trained. There is a risk, however, that as training is not currently a legal requirement, there could be some drivers that have not received the necessary training; this could result in the emergency services facing some transitional training costs under this option.
- For option 1b the introduction of the prescribed high speed training course includes a provision for drivers to be re-tested every 5 years and for them to be given refresher training where necessary. The main uncertainties around this are the costs and associated training hours needed for these re-assessments. The emergency services do not routinely re-test their drivers, instead driving records are monitored and refresher training is given only where issues have been highlighted. Assumptions have therefore been made about:
 - a. the numbers requiring refresher training including for drivers that have failed the initial training;
 - b. the proportion of affected drivers who would be re-tested and have refresher training anyway in the do nothing option;
 - c. the number of training hours for re-testing and refresher training; and
 - d. training costs.
- There is evidence to suggest that the emergency services have already implemented some changes to their training systems, in line with the core competences set out in the code of practise. However, we have assumed that the non-statutory training scheme will only continue to be developed and standards improved if the training is made mandatory. Without this there is the real risk that training could eventually trial off, causing a negative effect on road safety.

Policy Option 2

100. This option has two parts; it extends the speed limit exemption to additional vehicle purposes and requires high speed training course to be regulated by the Driving Standards Agency. Thus this option will have net costs related to training and the introduction and operation of the regulatory structure. The vehicles used for the additional purposes (for options 2 and 3) are likely to be capable of running at high speeds and would not therefore require any additional costs to equip them to do so safely.
101. A major purpose of the planned consultation is to seek information from services wishing to legally break the speed limit about their business cases for doing so and hence estimate the benefits of this option. Because a major reason for the consultation is to seek information about and inform decisions about which additional purposes should have legal exemptions we have not estimated the benefits at this stage. Likewise we have not estimated the road safety costs of the additional exemptions.
102. One of the benefits of options 2 and 3 is that it will avoid drivers making emergency journeys for the additional purposes exempted from speed limits from facing the risk of court proceedings related to speeding. Such proceedings are rare in relation to types of purpose likely to be consistent with the criteria for extra exemptions from speed limit law. However there have been proceedings, for example connected with the emergency transport of organs. Besides the personal difficulties for drivers involved in proceedings, the risk of

prosecution is a wider concern for organisations delivering these services and would be removed if their purposes were included in options 2 or 3.

Forecast

Training

103. The extension of the speed limit exemption to additional vehicle purposes will increase the number of drivers requiring initial training. Table 4 contains a forecast of the number of drivers requiring initial training and the number of employee hours required to fulfil these training requirements. The number of drivers requiring initial training has been estimated from data provided by stakeholders.⁷

Table 4: Option 2 Forecast

Year	Initial Training	Employee Time (hours)
2012	-	-
2013	726	87,120
2014	626	75,120
2015	596	71,520
2016	296	35,520
2017	296	35,520
2018	296	35,520
2019	296	35,520
2020	296	35,520
2021	296	35,520
Total over the appraisal period	3,724	446,880

Regulatory Structure

104. The regulation of the high speed training course will involve several stages.

1) Set-up Costs

The set-up costs involve the production of a set of guidance documents with a consultation prior to the introduction of the regulatory system. This is anticipated to require half a years work by a Senior Executive Officer (SEO) and occur in 2012.

2) Accreditation

Course providers will need to be accredited every 5 years. It is assumed that there will be 131 course providers.⁸ Furthermore, we have assumed that all 131 course providers will be accredited in the first year of the regulatory structure becoming operational.

3) Auditing

⁷ Based on information from members of the Emergency High Speed Driving Working Group

⁸ This is based on the throughput of trained drivers.

In the first year of the accreditation all course providers will be audited. Course providers will then receive a follow-up audit at some point during the next 4 years. We have assumed that the audits will be evenly distributed over the following 4 years.

If a course provider fails an audit, it will require a remedial audit. We have assumed that 10% of course providers will require a remedial audit after the follow-up audit.⁹

In addition to the course provider audits, the courses will be audited. We have no estimate of the number of courses currently available, from which to construct a forecast.

4) Monitoring of Key Performance Indicators

Key performance indicators will be monitored to ensure the efficient targeting of audits. This is assumed to require quarter of a years work by an Executive Officer (EO).

Table 5: Forecast of Regulatory Structure

Year	Set-up Requirements (Years)	Accreditation (no. of course providers per year)	Audits (no. per year including remedial audit)	KPI Monitoring (Years)
2012	1/2	-		
2013		131	144	¼
2014		0	36	¼
2015		0	36	¼
2016		0	36	¼
2017		0	36	¼
2018		131	144	¼
2019		0	36	¼
2020		0	36	¼
2021		0	36	¼

Table 5 contains a forecast of the number of course providers which will be regulated and the time requirement of the regulator, given the aforementioned regulatory structure and assumptions

Unit Costs

Training Costs

105. The training costs for the additional vehicle purposes of this option are assumed to be identical to those in Table 2. We have also assumed that the average wage of an employee of an additional vehicle purpose is the same as for the emergency services.

Regulatory Costs

106. The regulatory cost structure in Table 6 has been provided by the Driving Standards Agency as an initial estimate of the costs of administering the system. These costs are based on those for the Drink Driver Rehabilitation scheme – we have assumed the speed limit training regulatory structure will be modelled on the Drink Driver Rehabilitation Scheme.

⁹ Based on information from the DSA about other regulated training.

Table 6: Regulatory Cost Structure (2012 Values and Prices)

	Cost
Set-up Cost - Senior Executive Officer (annual salary)	£43,866
Course Provider Accreditation	£881
KPI Monitoring - Executive Officer (annual salary)	£29,056
Audit – Course Provider	£672
Audit – Course	£665

Set-up Costs

107. The set-up costs require the work of a Senior Executive Officer, who has an average salary of £43,866.

Accreditation

108. It is estimated that the accreditation will cost each organisation £881. This includes the accreditation of the course being delivered as well as the staff employed to deliver the course.

109. Course providers delivering an accredited vocational qualification, such as Edexcel, will also have to gain and pay for accreditation by that awarding body. The accreditation of the awarding body will cover many of the same issues, so there may be scope to streamline the process for course providers delivering an accredited vocational qualification. We currently have no estimate of the number of course providers this would affect.

Audit

110. The unit costs of an audit for a course provider and course are £672 and £665 respectively.

111. As with the accreditation process some courses may be vocational qualifications, which are audited by the awarding body. Under this circumstance a course audit by the DSA may be considered gold plating.

Monitoring of Key Performance Indicators

112. The monitoring of key performance indicators requires the work of an Executive Officer, who has an average salary of £29,056.

113. A further cost of this option will be its road safety effects due to there being more high speed emergency driving. This is more difficult to estimate than the numbers of additional drivers likely to be trained, because it also requires information about how often the drivers are likely to use the exemption. The consultation will seek more information about the likely usage of any exemptions.

114. However the road safety costs may well be likely to be relatively modest. If the additional purposes are associated with a similar rate of casualties per trained driver as the existing emergency services and the estimate of additional trained drivers described above applies, the additional casualties are likely to amount to about ten deaths and serious injuries (with there being about 1.5 deaths and 8.5 serious injuries plus about 71 other injuries, if the split followed the ratio of the existing high speed casualties at paragraphs 80 and 81 above) in total over the assessment period. These would be valued as preventable casualties as a

discounted cost of in the order of £4m in total, using the values in table 7 below plus the standard discount rate.

Table 7: Average Value of Prevention per Casualty by Severity (2012 Values and Prices)

Casualty Severity	Value of Preventing a Casualty
Fatal	£1,767,673
Serious	£198,634
Slight	£15,319

Appraisal Option 2

115. The net cost of policy option 2 is approximately £27m over the appraisal period 2012-2021, see Table 8. This is entirely due to the costs of training and the regulatory structure.
116. The costs in Table 8 are an underestimate as they do not contain an estimate of the net cost of course audits. This is because we have no estimate of the number of high-speed courses available, from which to estimate the net costs.
117. It should be noted that if the emergency services are required to do re-testing and refresher training, the net cost of option 2 will increase by approximately £8m, see Option 1b, Table 3.
118. If the saving of five lives per year were brought within the law, then valuing them in the way preventable road deaths are valued (£1.768m per death at 2012 prices) , (Table 7 above), would contribute a present value of benefits over the assessment period of in excess of £70m. However a prime purpose of the consultation is to seek further information about these effects. Because of this and the substantial uncertainties of making a preliminary assessment, we have not included an estimate of the benefits in summary table 8 below or the overall summary of the option.

Table 8: Net Benefit of Option 2 (2012 Prices)

	Total 2012-2021
	-
Total Present Value Benefits	£0
<i>Driver Initial Training</i>	£9,020,134
<i>Emergency Service Wage Costs</i>	£15,589,488
<i>Set-up Costs</i>	£21,933
<i>Provider Accreditation</i>	£219,524
<i>Monitoring of Provision</i>	£60,774
<i>Audit</i>	£340,451
Total Present Value Costs	£25,252,304
Net benefits, discounted	-£25,252,304

Variation on Option 2 Including Re-testing and Refresher Training

119. Option 2 itself excludes a requirement for quinquennial re-tests and, where appropriate, refresher training. This variation would include such a requirement. Table 9 below contains a forecast of the number of drivers of additional vehicle purposes who could be affected by this provision and the number of employee hours.

Table 9: Additional Vehicle Purposes – Number Requiring Re-Tests and Refresher Training

Year	Re-tests	Refresher Training	Employee Hours
2012	-	-	-
2013	0	0	0
2014	0	0	0
2015	0	0	0
2016	0	0	0
2017	0	0	0
2018	581	145	8124
2019	501	125	7004
2020	477	119	6668
2021	237	59	3308

120. The forecast requirement for re-tests, refresher training and employee hours utilises the following assumptions:

Re-Test – Forecast Assumptions

121. We have assumed 80 percent of all those undertaking initial training will sit a re-test after 5 years.¹⁰ This attempts to take account of employee turnover and movement between posts within an organisation.

Refresher Training – Forecast Assumptions

122. We have assumed that of those undertaking the re-test 25% will fail and require refresher training.¹¹

123. Given the assumptions regarding re-testing and refresher training, we estimated the number of hours that employees will be diverted away from performing their duties towards re-testing and retraining. In order to derive this estimate we have assumed that employees of the emergencies services work 8 hours per day, 5 days per week.

Net Benefit of Quinquennial Re-Tests

124. We have applied the forecasts in Table 9 to the unit costs in Table 2 to estimate the net benefits of quinquennial re-testing high-speed drivers. The net cost of the re-testing provision is estimated at £1.3m, Table 10. If the emergency services were also required to undertake quinquennial re-tests this would increase costs by approximately £8m, option 1b.

125. As with option 1b, no evidence has been provided to demonstrate benefits arising from re-testing and re-training. Therefore serious consideration should be made as to whether it is appropriate for re-testing and retraining to be mandatory.

126. A major purpose of the planned consultation is to seek information from services and organisations wishing to legally break the speed limit. This information includes their business cases for doing so, such as lives saved, injuries avoided and public security improved. However previous discussions and submissions from some of the services

¹⁰ Based on information from members of the Emergency High Speed Driving Working Group

¹¹ Based on information from members of the Emergency High Speed Driving Working Group

suggest that several lives per year might have been lost had they rigorously observed speed limits in emergencies. If this is the case the benefits of this option would outweigh its costs.

Table 10: Net Benefit of Quinquennial Re-tests

	Total 2012-2021
	-
Total Present Value Benefits	£0
<i>Driver Re-Test</i>	£139,931
<i>Driver Refresher Training</i>	£343,434
<i>Wage Costs</i>	£831,831
Total Present Value Costs	£1,315,197
Net benefits, discounted	-£1,315,197

Option 3

127. Option 3 is an amalgamation of options 1 and 2; the emergency services will be self-regulating and the additional vehicle purposes will be regulated by the DSA.

Forecast

Training

128. This option does not alter the number of additional vehicle purposes and as a result the number of drivers requiring high speed driving.

Regulation

129. In contrast to option 2 the regulatory costs of this option are lower. This is because we have assumed there will only 20 course providers instead of the 131 assumed in option 2.

130. Option 2 required trainee drivers of the emergency services and additional vehicle purposes to train with an accredited course provider. However, under this system only trainee drivers of the additional purposes must train with an accredited course provider. Given the reduction in trainee drivers attending accredited courses, we assume it will only be profitable for about 20 course providers to provide accredited training.¹²

Unit Costs

Training

131. The unit costs associated with the training are assumed to be identical to those of option 2.

Regulation

132. The regulatory structure will be identical to that of Option 2. Therefore the unit costs will be the same as those in Option 2.

¹² This figure is based on discussions with ACPO representatives.

Appraisal Option 3

133. The net cost of policy option 3 is approximately £25m over the appraisal period 2012-2021, see Table 11. This is entirely due to the costs of training and the regulatory structure.

Table 11: Net Benefit of Option 3 (2012 Prices)

	Total 2012-2021
	-
Total Present Value Benefits	£0
<i>Driver Initial Training</i>	£9,020,134
<i>Emergency Service Wage Costs</i>	£15,589,488
<i>Cost of Creating Regulatory Structure</i>	21933
<i>Provider Accreditation</i>	£33,515
<i>Monitoring of Provision</i>	£60,774
<i>Audit</i>	£54,185
Total Present Value Costs	£24,780,030
Net benefits, discounted	-£24,780,030

Variation on Option 3 Including Re-testing and Refresher Training

134. This option does not alter the forecast number of drivers who would be subject to re-tests and refresher training from in the variation on option 2, if the quinquennial re-test provision were included. In addition, the unit costs are assumed to be the same as those quoted in Table 2. As a result of these assumptions, the costs of including a provision for quinquennial re-tests are the same as those in Table 10.

135. It should be noted that if the emergency services are required to do re-testing and refresher training, the net cost of the quinquennial re-tests will increase by approximately £8m, see option 1b, Table 3.

136. As with option 1, no evidence has been provided to demonstrate benefits arising from re-testing and re-training. Therefore serious consideration should be made as to whether it is appropriate for re-testing and retraining to be mandatory.

137. There are benefits in terms of better public safety and security, plus the extra costs due to more casualties on roads, both attributable to the additional legal exemptions from speed limits. They are discussed under the variation to option 2 and would be the same for option 3.

Summary of the Risks and Assumptions of Option 2 & 3

138. Under these options, there is an opportunity to strengthen and clarify the definition of purposes that are currently covered by the speed limit exemptions. It is assumed that a tighter definition of the purposes that are legally permitted to exceed the speed limit will remove any ambiguity and reduce the number of cases that are referred to the courts for legal interpretation. There is a presumption that there will be fewer disputes about which activities fall within a particular purpose and result in savings, in terms of cost and time, for the police and the court services.

139. There is uncertainty about the effects of extending speed limit exemptions to other vehicles purposes and which, if any additional purposes will be included in the regulations.

We have received some information to suggest that rapid responses are no longer limited to the existing emergency services but there is insufficient data to estimate:

- a. the number of potential casualties that would be saved by allowing other vehicles to legally exceed the speed limit; and
- b. the number of lives lost because these purposes are currently unable to exceed the speed limit.

This impact assessment is at the consultation stage and therefore the benefit assumptions that have been made in regards to potential lives saved are our initial estimates; this will be tested further during the consultation.

140. For training costs, we have assumed that unit costs for the additional purposes will be identical to that of the existing emergency services, but this might not be the case. Extending speed limit exemptions to other vehicle purposes includes allowing them to deliver their own training, once they have been accredited by the Driving Standards Agency (DSA). Increasing the number of training course providers could potential lead to lower unit costs as there will be greater competition.

141. Under option 2 training standards for all vehicle purposes will be regulated by the Government with the Driving Standards Agency having responsibility for administering the system. The costs of setting up and running the regulatory structure have been estimated based on the Drink Driver Rehabilitation scheme. However there is a risk that costs could be higher or lower costs for the DSA.

One-In, One-Out

142. This regulation does represent an 'in'. A regulation is required on the commencement of section 19. An existing regulation (SI 2011/935) 'The Road Traffic Exemptions (Special Forces) (Variation and Amendment) regulations 2011' will be withdrawn when the new regulation is introduced.

Direct costs and benefits to business calculations

143. Options 2 and 3 considered in this Impact Assessment will impose direct costs on any additional vehicle purpose that are granted speed limit exemptions and choose to train their drivers for high-speed driving. These costs are those of the fees for high speed driver training related to drivers employed by the private sector.

144. There are also costs related to the regulation of training providers, which will fall directly on the providers but will be passed on via course fees to organisations having drivers trained to be legally exempt from speed limits. We have therefore calculated the equivalent annual net costs to business on the basis of the costs to private sector emergency drivers. This includes a proportion of the regulatory costs on the basis they will be passed onto private sector drivers in direct proportion to the numbers trained compared to the public and voluntary sectors.

145. In the 'Do Nothing' high speed driver training following the Code of Practice is provided to public sector services (the three major emergency services, SOCA and some military units). Some of the organisations gaining an exemption from speed limits through the extension of eligible purposes may be private sector organisations. The remainder will be voluntary organisations or parts of the public sector. For the calculation of equivalent annual net cost to business we have considered costs for half of the organisations gaining exemptions as being in-scope, because a mixture of public sector, voluntary and private sector

organisations provide services whose purposes may be covered by new speed limit exemptions.

146. In the 'Do Nothing' and option 1 no additional organisations can seek legal exemptions from speed limits. There are no costs to business. In options 2 and 3, businesses seeking to use legal exemptions from speed limits only incur costs if they make a choice for their drivers to be allowed to legally break speed limits in certain circumstances, a choice they do not have in the do nothing or option 1.
147. In all cases, organisations (including businesses) have the alternative of not using any legal exemptions from speed limits, as is the case in the 'do nothing' (and option 1). For businesses to opt-in it is therefore likely that the business benefits (related to saving lives, reducing injuries or preventing crime) would exceed costs.
148. We have not estimated the benefits as it is a major purpose of the consultation to seek information and evidence about the cases for more legal exemptions from speed limits. However previous discussions and submissions from some of the services suggest that several lives per year might have been lost had they rigorously observed speed limits in emergencies. In so the benefits arising to the work carried out by the businesses covered in options 2 and 3 would far outweigh their costs.

Equivalent Annual Net Cost to Business (EANCB) – Options 2 and 3

149. For those businesses which are granted a speed-limit exemption, through the inclusion of their particular vehicle purpose, there will be costs. At this stage in the process we do not have enough information to provide a firm indication of which, or how many, additional vehicle purposes will be exempt from the speed-limit or as a result the number of businesses that will be available to train their drivers for high-speed driving. For this reason it is not possible to estimate the costs to businesses.
150. In addition, the fact that businesses will have a choice as to whether or not they seek speed limit exemption for their vehicle purposes, it is debatable that options 2 and 3 will impose a direct cost on businesses. However, it is possible that businesses may feel obliged to seek speed limit exemptions, if they fear losing custom to organisations that are exempt from speed limits.
151. The Department intends to hold a full and open consultation to seek further information from organisations that would like their vehicle purposes to be included in the speed limit regulations. Some of these organisations have already indicated their interest and have provided the Department with initial information. These are listed as follows:
- **HM Revenue and Customs** (public sector) – they are involved in the covert surveillance of suspects involved in major organised crime and are seeking the exemption for their covert surveillance vehicles.
 - **Civil Aviation Fire & Rescue Services (CAA)** (public sector) – who were covered under existing speed limit exemption regulations until the enactment of the Fire and Rescue Services Act 2004, which substituted the term “fire brigade” with “fire and rescue services authority”. The CAA airport fire services were omitted from this new definition.
 - **Vehicles used primarily for transporting human tissue for transplant purposes (mostly private sector)** - advances in medical science in recent years have meant a significant increase in the number of people receiving human tissue transplant, such as hearts and lungs. There are insufficient ambulances to cope with the additional journeys and an industry has grown around the transportation of human tissue for transplant purposes to support the ambulance service.

- **Ministry of Defence Bomb Disposal Units** (public sector) – These teams respond to emergency situations where public safety has been compromised by the discovery of a device or weapons.
- **The UK Border Agency** (public sector) – are seeking exemption for their mobile surveillance operations that investigate organised criminal networks.
- **The Security Services** (public sector) – are involved in covert surveillance procedures in relation to protecting the Crown from terrorist activities.
- **Mountain Rescue England & Wales** (voluntary and public sector) - are sometimes asked to assist the police in the search for missing persons or as part of local or major public safety incidents, such as the floods that have occurred in recent years.

152. A purpose of the consultation is to collect information regarding the suitability of certain vehicle purposes being exempt from the speed limit. Once it has been decided which additional vehicle purposes will be exempt from the speed limit, it should be possible to have an accurate estimate of the number of private sector businesses and drivers this will affect and as a result the costs to be borne by business.

Small Firms

153. The substantial majority of emergency high speed driver training is done by the public sector for the public sector, an example being police driving school colleges. However some training is delivered by small firms.

154. Option 1 would have no impact on small firms. The small firms (largely based on people who have had past emergency service high speed driver training) currently operating would be able to continue as now.

155. Options 2 and 3 would both increase the market available for small firms as training providers and require them to be regulated. Some of the increased market may be filled by public sector providers, but both large and smaller firms are likely to fill the larger market.

156. We are considering an exemption from the DSA accreditation scheme for micro-businesses. This may be to enable them to provide services either to the three major emergency services or to all exempted organisations through an approval process handled by the Emergency Services High Speed Driver Training Group.

157. We are also examining whether exemptions to break the speed limit in the course of training instructors should be provided for in the regulations, in order to help develop the market in capable training providers. (An effective high speed driver training instructor must after all need to have experience of emergency high speed driving). We are examining whether there should be an approval process for this purpose administered by the Emergency High Speed Driver Training Group.

158. The costs of regulation for the DSA accreditation scheme for options 2 and 3 is partly related to the numbers of people trained, with the levy being less than 1% of the average cost of a course. The time by businesses needed to comply with the regulatory requirements is also planned to be generally proportional to the size of the high speed driving activity.

159. In options 2 and 3 some of the organisations which may gain speed limit exemptions are small firms. For example some firms transporting organs for transplant are relatively small. These organisations will have the choice whether or not to train some or all of their drivers through the regulated scheme and the costs of the training are likely to be reflected in the fees for their services to their customers, such as the NHS.

160. The costs to firms gaining speed limit exemptions are directly proportionate to the number of drivers whose high speed driver training they choose to fund. Hence the costs are proportionate to the scale of a firm's activity in this sector.
161. Exempting micro-businesses providing training from any approval process would be inconsistent with other driver training provisions. There is also a risk to public safety in exempting certain trainers completely from approval arrangements, in relation to an activity that has significant elevated risks to the public with even trained high speed drivers being more than five times likely than an ordinary motorist to be involved in a serious road traffic incident.
162. The primary legislation requires speed limit exemptions to apply only to drivers who have been trained. So it is not possible to exempt any micro-businesses from the requirement that their drivers should be trained if they are to have legal exemptions from speed limits in some circumstances. Applying different legal provisions in respect of this safety critical driving offence on the grounds of the size of a business would be inappropriate.

Equality Impacts

163. These proposals are unlikely to have systematically negative impacts on any of nine protected characteristics – race, sex, disability, sexual orientation, religion and belief, age, marriage and civil partnership, gender identity, pregnancy and maternity. The proposals are designed to enable further emergency services to protect public safety and national security. Some of the extra purposes may relate particularly strongly to the most vulnerable group, for example health in relation to the elderly.
164. The proposals are design to at least maintain safety standards on roads. Casualties for the type of incident affected by this regulation are concentrated on emergency service personnel. They also involve the general public as road users. We do not consider the proposals as they affect public safety on roads have significant negative equality implications.

Summary of preferred option with description of implementation plan

165. The preferred option will allow other essential vehicle purposes to be added to the speed limit exemption regulations where exceeding the speed limit is vital to protect public safety and or national security. This option will also address safety concerns with regards to emergency responses by introducing a mandatory training course that drivers will be required to satisfactorily complete before they are permitted to exceed the speed limit. Under this option, the emergency services will be responsible for ensuring that their training standards are consistent with the prescribed code of practise whilst the additional vehicle purposes will have their training regulated by the government.
166. A consultation will be carried out as soon as possible and is planned to last 12 weeks. The consultation document will set out the eligibility criteria for potential additional vehicle purposes and proposals for determining which, if any, additional purposes are included in the regulations. We aim to publish the responses later in 2012, along with the Government's decision. We would expect this proposal to come into force in spring or early summer of 2013. An existing regulation related to the Special Forces would be superseded by the legislation.
167. The policy will be reviewed using a two to three years' data following implementation to evaluate the impact it has had on road casualties and evidence about its effect on safety and security as a result of improving emergency response times. The success of this policy will

be assessed partly by considering this data and comparing it to the effects forecast prior to implementation.

168. In order to assess the policy we will use data captured by: the DSA; the recording of road traffic incidents by the police and others; the emergency services; and seeking views from other external stakeholders. The impacts of the preferred option will be monitored over the period from 2013 to 2015 and this will assist informing future policy development.

Regulatory Policy Committee (RPC) comments

169. The RPC in its opinion about the draft impact assessment has recommended that a number of points are covered in the consultation document. This is being done. It also recommended some issues should be covered in the later impact assessment at the decision stage after consultation. The opinion recommended one addition be made to the draft assessment seen by the committee and this was to:

“The IA should use the Consultation to clarify the assumptions surrounding drivers undertaking re-testing and refresher training and the cost to business. As re-testing and refresher training seems highly likely to be a requirement in options 2 and 3, this should be made clearer in the presentation of costs in the IA to assist consultation.”

170. Reassessments and retesting after five years may be required in conjunction with options 2 and 3.
171. The total costs for a variation of option 2 with mandatory reassessments are the sum of tables 3, 8 and 10, as follows:

Table 12: Option 2 with Re-testing and Refresher Training (2012 Prices)

	Total 2013-2022
	£0m
Total Present Value Benefits	£0m
<i>Driver Initial Training</i>	£9,020,134
<i>Emergency Service Wage Costs</i>	£15,589,488
<i>Set-up Costs</i>	£21,933
<i>Provider Accreditation</i>	£219,524
<i>Monitoring of Provision</i>	£60,774
<i>Audit</i>	£340,451
<i>Re-testing</i>	£970,806
<i>Refresher Training</i>	£2,387,196
<i>Emergency Service Wage Costs</i>	£5,778,880
Total Present Value Costs	£34,389,186
Net benefits, discounted	-£34.39m

172. The total costs for a variation of option 3 with mandatory reassessments are either the sum of tables 10 and 11 (if reassessments are not mandatory for the existing emergency services) or the sum of tables 3, 10 and 11 if they are.

Table 13: Option 3 with Re-testing and Refresher Training (2012 Prices)

	Total 2013-2022 (exc. existing ES)	Total 2013-2022 (inc. existing ES)
	£0m	£0m
Total Present Value Benefits	£0m	£0m
<i>Driver Initial Training</i>	£9,020,134	£9,020,134
<i>Emergency Service Wage Costs</i>	£15,589,488	£15,589,488
<i>Set-up Costs</i>	£21,933	£21,933
<i>Provider Accreditation</i>	£33,515	£33,515
<i>Monitoring of Provision</i>	£60,774	£60,774
<i>Audit</i>	£54,185	£54,185
<i>Re-testing</i>	£139,931	£970,806
<i>Refresher Training</i>	£343,434	£2,387,196
<i>Emergency Service Wage Costs</i>	£831,831	£5,778,880
Total Present Value Costs	£26,095,225	£33,916,911
Net benefits, discounted	-£26.10m	-£33.92m

173. Similar assumptions have been made as for option 1b. These include:

- the introduction of the prescribed high speed training course includes a provision for drivers to be re-tested every 5 years and for them to be given refresher training where necessary. The main uncertainties around this are the costs and associated training hours needed for these re-assessments. The emergency services do not routinely re-test their drivers, instead driving records are monitored and refresher training is given only where issues have been highlighted. Assumptions have therefore been made about:
 - a. the numbers requiring refresher training including for drivers that have failed the initial training;
 - b. the proportion of affected drivers who would be re-tested and have refresher training anyway in the do nothing option;
 - c. the number of training hours for re-testing and refresher training; and
 - d. training costs.

174. There is evidence to suggest that the emergency services have already implemented some changes to their training systems, in line with the core competences set out in the code of practise. However, we have assumed that the non-statutory training scheme will only continue to be developed and standards improved if the training is made mandatory. Without this there is the real risk that training could eventually trial off, causing a negative effect on road safety.