

# Speed Limit Exemptions

## A Consultation Document



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# 1. Executive summary

- 1.1 This consultation proposes that Section 19 of the Road Safety Act (2006) be brought into effect. This would replace section 87 of the Road Traffic Regulation Act (1984) in relation to exemptions from speed limits for certain vehicle purposes. Regulations are needed to bring it into effect and set out the detail of how it would work. This document contains the Department's proposed approach to implementing the regulations in Section 19.
- 1.2 The changes would have two major effects. Firstly it will allow certain other vehicle purposes to be included in speed limit exemption regulations. Secondly it will prescribe a high speed training course that drivers must undertake (or be in the process of taking) before they are permitted to exceed speed limits.
- 1.3 It will also supersede Statutory Instrument No. 953: The Road Traffic (Armed Forces) (Variation and Amendment) Regulations 2011 which exempts certain military purposes from road traffic law. These purposes will be incorporated into the new Statutory Instrument that will introduce Section 19 of the Road Safety Act 2006.

## Adding other vehicle purposes

- 1.4 The Department recognises that there are certain vehicle purposes that the wider public may already consider as having a speed limit exemption, but which do not at the moment and might be included in these regulations. These vehicle purposes include:
  - a. Her Majesties Revenue and Customs purposes
  - b. Civil Aviation Fire and Rescue purposes
  - c. Vehicles used primarily for transporting human tissue for transplant purposes
  - d. Ministry of Defence Bomb Disposal purposes

- e. Forestry Commission purposes
- f. Security Service purposes
- g. Blood Transfusion service purposes
- h. Mountain Rescue
- i. Royal Air Force Mountain Rescue
- j. Ministry of Defence radiation accident and emergency purposes
- k. Coastguard and Coastguard Auxiliary service
- l. Royal National Lifeboat Institution purposes

1.5 A more detailed explanation of some of these purposes is contained in Section 5 of this document.

#### Speed Limit Exemption Driver Training

1.6 With regard to the Speed Limit Exemption driver training courses the Department proposes:

- a. to include in regulations the competences set out in a Code of Practice, largely produced by the Joint Emergency Services' 'Speed Limit Exemption Driver Training Group'. The Code of Practice sets out the competences a driver must display at speeds above the speed limit and establishes the basis for the definition of standards and a Quality Assurance system for training course providers and assessors.
- b. to consult about the option of regulating drivers to have their competence reassessed at a broadly five year frequency.
- c. to permit "grandfather rights" which will allow existing drivers to be considered as already trained if they can demonstrate they have already undertaken a course similar to the one that will be prescribed in regulations.
- d. that a compulsory DSA accreditation and quality assurance scheme would apply to course providers and instructors, other than instructors providing high speed training courses

to the police, fire and rescue authority, Serious Organised Crime Agency and NHS Ambulance Trust services. Compulsory accreditation will therefore not apply to the police, fire and rescue authorities, Serious Organised Crime Agency or Ambulance Trusts, unless training is bought in from other organisations.

- 1.7 The consultation document also seeks views about whether fees should be regulated. It proposes that the fees charged by DSA for its compulsory accreditation scheme are regulated but that the fees charged by course providers are not.
- 1.8 This consultation document also considers regulations related to five other exemptions from road traffic laws (related to signals, signalled crossings, certain signs and motorway hard shoulders) It includes proposals to amend some of these other provisions at the same time Section 19 is commenced.
- 1.9 The document will also seek views about:
  - a. the training provided for 'blue light' driving, short of the High Speed Driver Training courses.
  - b. the planned introduction of a further exemption from seat belt requirements related to the treatment of patients in the back of ambulances.
- 1.10 The Department proposes to introduce regulations and commence Section 19 as soon as is practical, with the intention of doing so in 2013.

## 2. How to respond

2.1 The consultation period began on 27<sup>th</sup> November 2012 and will run until 27<sup>th</sup> February 2013. Please ensure that your response reaches us by the closing date.

2.2 You are invited to respond to the consultation by post to:

Speed Limit Exemption Consultation  
Department for Transport  
Road User Licensing, Insurance and Safety Division  
Great Minster House  
3<sup>rd</sup> Floor, Zone 19  
33 Horseferry Road  
London  
SW1P 4DR

Alternatively you may send your response **by email** to:

[SLEConsultation@dft.gsi.gov.uk](mailto:SLEConsultation@dft.gsi.gov.uk)

Please send Speed Limit Exemption Applications to:

[SLEApplications@dft.gsi.gov.uk](mailto:SLEApplications@dft.gsi.gov.uk)

2.3 If you have any questions, or would like copies of the consultation document, please use the above contact details.

2.4 When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

2.5 Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

- 2.6 If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
- 2.7 In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.
- 2.8 The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.



## 3. Overview of the Proposals

- 3.1 The Road Safety Act (2006) includes a legislative provision (Section 19) to change the law concerning exemptions from speed limits; this has not yet been implemented. We are consulting about whether and how to bring it into effect.
- 3.2 The law currently states that speed limits do not apply to any motor vehicle being used for police, fire and rescue authority, ambulance or Serious Organised Crime Agency (SOCA) purposes, if observing the speed limit would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.
- 3.3 The current law also include exemptions for some military purposes as set out in the Statutory Instrument No. 953 The Road Traffic (Armed Forces) (Variation and Amendment) Regulations 2011.
- 3.4 The legislative provision in the Road Safety Act (2006) would replace the current law, allowing it to:
  - a. enable the exemptions to be extended to other prescribed purposes;
  - b. ensure drivers have successfully completed the prescribed speed limit exemption training course before being able to exceed speed limits; and
  - c. allow drivers undertaking the Speed Limit Exemption training course to exceed speed limits as part of that course.
- 3.5 This consultation seeks information and views to inform four major issues:
  - a. the possible extension of speed limit exemptions;
  - b. the regulation of Speed Limit Exemption driver training courses;
  - c. possible changes to other exemptions from road traffic law; and

- d. whether the provisions of the Road Safety Act 2006 should be implemented or not.

## 4. Commencement of Section 19 of the Road Safety Act (RSA) 2006

- 4.1 Section 19 of the Road Safety Act (2006) has not yet been brought into force. Regulations related to the issues covered in this consultation document would be introduced alongside a commencement order bringing the section into effect.
- 4.2 Section 19 is shown in full at Annex B. It is important to emphasise that whilst Section 19 includes provisions to allow regulations to be made, amending the wording of Section 19 is not an option for this consultation. This would require primary legislation.
- 4.3 If Section 19 were not commenced, there would be several consequences including:
  - a. no other vehicle purposes could be included in speed limit exemption regulations (except for some Crown military purposes) unless primary legislation is amended; and
  - b. There would be no legal requirement for a driver to be trained at driving safely at high speeds when using a vehicle for a purpose that is exempt from speed limits. Existing organisations have operational procedures in place that largely replicate the proposals, but these are not legally binding.
- 4.4 The Department considers this to be an important provision to introduce for the following reasons:
  - a. it would allow other essential vehicle purposes to be added to speed limit and other road traffic exemptions. Specifically those used to protect national security and the transportation of human tissue for transplant, that the general public may believe already have exemptions.
  - b. it would help maintain and improve upon the high standards the main Emergency Services have developed;

- c. it would increase transparency and accountability (specifically in the event of a road traffic collision and protect the interests of the public and the Emergency Services themselves.

4.5 The services with current speed limit exemptions have participated in the working group which devised the Speed Limit Exemption driver training standards in 2008. These standards closely reflect existing practices. For other purposes the commencement of the legislation and the regulations would enable them to take up speed limit exemptions that are not currently accessible to them. The Department therefore proposes to commence this section of Road Safety Act (2006) as soon as is practicable after this consultation and its full consideration.

4.6 The Department proposes to commence Section 19 in 2013, subject to legislative and resource constraints.

4.7 Questions on the Commencement of Section 19 of the RSA 2006:

- a. Do you agree that in principle Section 19 of the Road Safety Act (2006) should be implemented?
- b. If so, when should Section 19 be implemented?

## 5. The Possible Extension of Speed Limit Exemptions

- 5.1 Existing legislation (section 87 of the Road Traffic Regulation Act 1984) identifies the following purposes as being exempt from speed limit:
- a. police purposes;
  - b. fire and rescue service authority purposes;
  - c. ambulance purposes; and
  - d. Serious Organised Crime Agency purposes.
- 5.2 In all cases under the replacement legislation (Section 19 of the Road Safety Act 2006) the legal exemption to speed limits would only apply:
- a. when observing them would hinder the use of the vehicle for the purpose it was being used on that occasion; and
  - b. when the driver has satisfactorily completed a high speed driving course of training (or is driving the vehicle as part of such a course).
- 5.3 Speed limit exemption regulations do not exempt vehicle purposes from other road traffic laws. There are exemptions found elsewhere in legislation and are detailed later in this document.
- 5.4 It is also important to note that an exemption from speed limits does not mean a driver can use a vehicle in an irresponsible manner. A driver can still be prosecuted for careless or dangerous driving if their behaviour warrants such action.
- 5.5 We are therefore seeking views and information in this consultation about whether a number of additional vehicle purposes should be included in the regulations.

- 5.6 The nature of responding to emergencies has changed significantly since the 1984 regulations were made. For example improvements in medical science have meant an increase in human tissue transplants and there are often insufficient numbers of ambulances when human tissue becomes available for transplant purposes.

#### Regulating to maintain the original intention of the 1984 regulations

- 5.7 We could regulate to include those vehicle purposes which may have previously been considered as covered by regulations. These include:

- a. Vehicles used primarily for transporting human tissue for transplant purposes.
- b. Certain Customs and Revenue purposes; and
- c. Civil Aviation Authority fire and rescue purposes;

- 5.8 Operational procedures for the ambulance service have changed significantly since the term ‘ambulance purposes’ was used in the 1984 Act. Paramedics in cars or on motorcycles are often used as a first response for emergency calls. The Department considers this practice falls within the current definition of a “motor vehicle being used for ambulance purposes”.

- 5.9 However regulation 3 of the Road Vehicle (Lighting) Regulations 1989 contains a list of vehicles that may be considered emergency vehicles and therefore are allowed to use blue lights. These regulations include both “ambulance” and “a vehicle that is used primarily for transporting human tissue for transplant purposes”. This strongly implies the two vehicle purposes are different.

- 5.10 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. This has, in turn, led to several court cases. Including these vehicle purposes in legislation will close that loophole and will ensure the drivers are appropriately trained.

- 5.11 HM Revenue and Customs are seeking exemptions from speed limits for its covert surveillance vehicles. Customs surveillance

operations mirror the activities of the police service and they have extensive arrest and investigatory powers. This function was previously considered to be “police purposes” under section 87 of the Road Traffic Regulation Act 1984 but the Department is keen to clarify this in legislation.

- 5.12 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 brigades but were omitted when Fire and Rescue authorities were defined in the Fire and Rescue Services Act 2004. We propose to include them by adding a purpose to include ‘Civil Aviation Authority fire and rescue purposes’ or a similar term including them.

### Military Purposes

- 5.13 Section 130 (3) of the Road Traffic Regulation Act (1984) allows regulations to be made to exempt from speed limits Crown vehicles being used for certain naval, military or air force purposes.

- 5.14 We could prescribe special military unit, bomb disposal and Security Service purposes specifically in the regulations to be made with the commencement of Section 19 of the Road Safety Act. This is so that they follow the new provisions, including the training requirements.

- 5.15 HM Armed Forces bomb disposal units provide immediate assistance to the police in response to incidents where there is a threat to life, but we could identify the purpose which would allow trained drivers to legally exceed the speed limit in emergency conditions with or without a police escort.

### Extending the Speed Limit Exemption Provisions Further Civilian Purposes

- 5.16 The purposes and organisations allowed to have and use blue lights (and in most cases sirens) on vehicles is broader than the purposes and organisations allowed to exceed the speed limit in certain circumstances.

- 5.17 The circumstances when blue lights are fitted can be different to when speed limits can legally be exceeded. Indeed for much of the time, police cars, fire engines and ambulances will be being driven

on journeys when keeping to the speed limit would not hinder the purpose of their journeys.

**5.18** Both exceeding the speed limit and the use of blue lights mean that other road users adjust their behaviour. It is inevitable that there will be some additional risks even if the drivers of emergency vehicles are highly trained. However exceeding the speed limit, as opposed to the mere use of blue lights, is liable to be associated with the higher risks.

**5.19** The following purposes are grounds for the fitting and use of blue lights:

- a. fire salvage (for a vehicle owned by a body formed primarily for fire salvage purposes);
- b. fire fighting (for a vehicle owned by the Forestry Commission or a local authority);
- c. the conveyance of human tissue for organ transport or similar;
- d. Blood Transfusion Service;
- e. mountain rescue;
- f. Royal Air Force Mountain Rescue Service;
- g. Coal Authority mine rescue
- h. Ministry of Defence radiation accident and emergency;
- i. Coastguard and Coastguard Auxiliary Service;
- j. Royal National Lifeboat Institution lifeboat launching.

**5.20** The Department has received requests from some organisations to add some of these purposes to the planned speed limit exemption regulations. The Department will consider each application and proposes to consider them against a number of criteria.

**5.21** The Department's primary concern is one of road safety, but it acknowledges that there are certain vehicle purposes that are used to respond to "life or limb" situations, where staying within the speed



limit may have a detrimental effect on national security, preventing crime or saving lives.

5.22 The Department therefore proposes to invite the Emergency Services' High Speed Driver Training group to advise about which additional purposes to include in the light of the following criteria following a business case from an interested organisation:

- a. Examples of the circumstances when the ability to exceed the speed limit (as opposed to being able to quickly reach destinations) are an essential part of business cases. Evidence about how the operational effectiveness of organisations would be improved may also be relevant;
- b. the additional risks to road users from further speed limit exemptions (even though Speed Limit Exemption driver training would be a requirement). This should include a history of accidents involving their vehicles. The presence and robustness of written procedures for handling emergency responses, including how and from whom authority is given to exceed speed limits, are relevant to the management of risk. Maintenance procedures for the vehicles used may also be relevant;
- c. the safety, security and health benefits to the public. This includes 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;
- d. 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 Ambulance services) in the aftermath of an incident;
- e. how records about the successful completion, assessment and review of training will be kept and made available for periodic inspection.

5.23 Business cases from interested parties, **including those who have already expressed an interest**, should be included with the

Application Form attached at Annex A. Guidance Notes on completing the form are included.

- 5.24 Each application will be assessed by the Group on a case by case basis. It will provide advice and recommendations to the Department and Secretary of State, who would make final decisions about which purposes would be included in the regulations to be put before Parliament.

#### Examples of existing requests

- 5.25 The Department has received requests from some organisations to add specific vehicle purposes to the planned speed limit exemption regulations. It has liaised with them prior to this consultation and has received some information about the public benefits of some of the speed limit exemptions. These are listed as follows:

#### **HM Revenue and Customs purposes**

HMRC are involved in covert surveillance of suspects involved in major organised crime. Until 2003, these operations were considered to fall under the existing “police purposes”. Subsequent legal advice implied this was not the case so the police made the decision to no longer provide driver training to HMRC investigators. HMRC are seeking the exemption for their covert surveillance vehicles.

Current operation: Nationally there are approximately 10 concurrent operational deployments per day involving 500 officers from the criminal Investigation Directorate. Blue light (but not speed) training is provided through a consortium of police driving schools with ongoing re-assessment in accordance with ACPO national standards.

#### **Civil Aviation Fire and Rescue purposes**

The CAA airport fire services 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.

The CAA tend to fires within airport facilities, however there are instances where the fire is at a terminal a good distance from the

fire engines and the quickest route will involve travelling along the public highway. In these cases it may be necessary to exceed the speed limit.

Current operation: There are approximately 14 licensed aerodromes in the country. In a medium sized aerodrome the airport fire service respond to approximately 378 emergency incidents each year involving 350 drivers. Training is currently provided in line with Civil Aviation guidance standards and there is a system of monitoring and reviewing all incidents – including assessing the implications of using the public highway and pre-planning of routes for suitability.

### **Vehicles used primarily for transporting human tissue for transplant purposes**

Advances in medical science in recent years has 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.

The issue surrounds the fact that these vehicles are defined separately from ambulances in the blue light regulations. This implies that the two vehicle purposes are different. This causes enforcement problems for the police who have been known to prosecute drivers transporting human tissue for speeding offences.

Current operation: The Department of Health (DH) do not exercise direct control over the NHS use of private companies in transporting human tissue. These are local decisions made by NHS Trusts, the NHS Blood and Transplant Authority or private health trusts. It is therefore difficult to quantify the number of instances where the exemption may be required, but latest available figures suggest there were 6,000 human tissue movements in 2009/10. Many ambulance trusts use in-house training whilst the private companies use a combination of public and private course providers.

### **Ministry of Defence Bomb Disposal purposes**

At the request of the police, these teams respond to emergency situations where public safety has been compromised by the discovery of a device or weapons. The police often provide an

escort for these vehicles for at least part of the journey, however not all police forces are willing or able to provide escorts. This has caused difficulties for the bomb disposal units, particularly those that cover large geographical areas. New Home Office guidelines have shortened the maximum response time for bomb disposal units to reach their destination.

Current operations: The bomb disposal units respond to approximately 3,500 call outs per year, of which 30% are explosive devices. Between 50 and 60 training courses and 12 Advanced Driving courses are carried out each year. Training is provided by Defence School of Transport and the police.

### **Security Service purposes**

The Security Services are involved in covert surveillance procedures in relation to protecting the Crown from terrorist activities.

Current operations: Due to the sensitive nature of the covert operations, public information is limited. However the Department is content that the internal procedures set out by the services are of the highest standard.

### **Blood Transfusion service purposes**

The former National Blood Service (NBS) did not originally consider it necessary to apply for speed limit exemptions due to both the set up of the NBS and the length of time that blood remains suitable for transfusion. However the NBS merged with human tissue providers and in February 2009 NHS Organ retrieval Support requested an exemption arguing that urgent blood tests are required for tissue matching, mainly prior to liver transplants. Similarly terrible tragedies such as 7/7 may require significant levels of blood to assist with on-site care for victims.

### **Mountain Rescue**

Mountain Rescue England & Wales (MREW) 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. Some mountain rescue teams have adapted their vehicles to carry collapsible stretchers and first aid

equipment and have “ambulance” written on the side of their vehicles.

Current operations: In 2010 MREW responded to 1110 calls involving 1377 persons whilst included 53 fatalities. It is estimated that 75% of these calls would have included blue light responses. There are approximately 1000 MREW response drivers who have been trained either by the police, fire or ambulance services.

5.26 In addition we are considering the position in relation to local authority category 1 responders (under the Civil Contingencies Act 2004 and related to emergency evacuations), and the UK Borders Agency in relation to surveillance related to organised crime.

5.27 The police already undertake similar covert surveillance procedures and the Department would seek assurances that the operational need to undertake covert surveillance warrants such action.

5.28 The criteria against which the Department is going to assess extension to legal exemptions from speed limits are more restrictive than its approach to deciding which organisations should be able to fit and use blue lights. This reflects the greater risks associated with high speed driving.

#### 5.29 Questions on the Possible Extension of Speed Limit Exemptions

- a. Do you agree with the criteria the Department proposes to use to consider whether to add additional purposes for speed limit exemptions?
- b. Should the additional purposes for speed limit exemptions be largely confined to some of the organisations and purposes currently allowed to fit and use blue lights?
- c. Do you wish to nominate a specific purpose as one that should be granted an exemption from speed limits? If so is there any evidence related to any specific purposes you would like us to be aware?
- d. Are there any vehicle purposes (including those listed in this section) which you consider are unsuitable for a speed limit exemption?

## 6. The Regulation of High Speed Driver Training Courses

### Code of Practice

- 6.1 Section 19 requires drivers of vehicles for purposes that are exempt from speed limits to have successfully completed a training course provided in accordance with regulations. The Department therefore proposes that there should be standards for such courses set by the regulations.
- 6.2 Putting the standards of courses 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.
  - b. even with training in place the risks associated with driving at high speeds are high; five times the average.
  - c. the Government has a responsibility to the public to ensure that the Emergency Services train their drivers to the highest possible standard.
- 6.3 The Department has worked with representatives of the police, fire and rescue, NHS ambulance services, SOCA and road safety stakeholders on the development of standards for driver training. The result was an agreed Code of Practice, based primarily around current best practice for each of the organisations and produced by the Joint Emergency Services' 'Speed Limit Exemption Driver Training Advisory Group' in 2008.
- 6.4 The Code of Practice reflects closely what was being taught by those currently exempt. It acknowledges there are organisation specific competences that drivers, from each individual service, must demonstrate. For example, although the competences for driving at higher speeds safely through crowded residential streets are universal, (irrespective of the type of vehicle being driven),

different skills are required for driving a water laden fire engine than for driving a police car in pursuit or driving an emergency ambulance with a patient being treated in the rear compartment, whilst on the move.

- 6.5 The Department therefore proposes to identify the core competencies specified in the Code of Practice and include them in regulations. It also proposes that the Driving Standards Agency (DSA) will take responsibility for the accrediting and quality assuring training providers seeking to provide high speed driver training courses, against the competences identified in the Code of Practice.
- 6.6 Using the existing Code of Practice as the basis for the regulated standards for courses would have the advantages of:
- a. building on the current non-statutory use of much of the Code of Practice in the Emergency Services; and
  - b. avoiding extra costs for the police, fire and rescue authorities, ambulance services, SOCA and the current military users of speed limit exemptions. Existing practice works well and regulating would be an unnecessary additional cost at a time of financial constraint.
  - c. allowing standards to be altered when necessary, for example when changes to training or operational practices take place, without the need to amend regulations.
- 6.7 The existing Code of Practice is a recognised and accepted competence standard for driving safely at high speeds. Most initial courses consistent with the Code of Practice involve two or three weeks of specific training.
- 6.8 The Code of Practice sets the training standards for driving above the speed limit. It is not designed to cover any additional training that may be required.
- 6.9 Aside from driver training, the Code of Practice covers training course providers and the instructors. It provides a framework within which to permit the accreditation of prior learning for existing instructors, Quality Assurance for the existing course providers and accreditation for non-emergency service course providers. There is

an overview of the Code of Practice in figure 1, with full drafts being published separately.

- 6.10 The main change to the advisory group's Code of Practice proposed by the Department, is to provide a different route to training body accreditation instead of one as recommended by the advisory group in 2008. The proposal is that the DSA should advise the Secretary of State about training body accreditation.



## **FIGURE 1**

### **Speed Limit Exemption Driver Training: Code of Practice - Overview**

Speed Limit Exemption driver training is primarily focused on the competence of a driver to use his or her discretion as to when and where to exceed the speed limit and to do so as safely as possible.

It is therefore necessary to provide a complete system which will ensure any training course provider can produce drivers who can consistently demonstrate the required levels of competence. To this end the units making up the Code of Practice set the skills, knowledge and understanding required to demonstrate the required competence.

Existing organisations providing emergency response may also need to provide more training to meet their duty of care for staff and the public and Health & Safety responsibilities. The standards set out in the Code of Practice are therefore a minimum requirement.

Speed Limit Exemption training course providers will need to satisfy the Department and themselves that they can meet the requirements of the Code of Practice, in relation to:

- Provision of Speed Limit Exemption Driver Training – ensuring that training covers all elements of the required competence to the required level
- Speed Limit Exemption Instructor Competency – making sure those training and assessing competence are themselves competent and operating at a consistent level
- Speed Limit Exemption Driver Competency and Training – setting out the competences necessary and identifying specific areas where training is required.
- Speed Limit Exemption Assessor Competence – ensuring that, where a training body prefers use experienced emergency response drivers to assess other's competence their training needs are identified and met (Not compulsory) Speed Limit Exemption Driver Training Quality Assurance – The system set out in the codes must be quality

assured. This will ensure drivers who successfully complete the course meet the required standard or level of skill needed to meet the required standard.

## Provisions about Training Frequency

- 6.11 A large number of drivers using vehicles for the police, fire, ambulance and SOCA purposes have already been trained to Speed Limit Exemption Driver Training standards on a voluntary basis. The Department is seeking views on whether to include a provision for drivers to be reassessed every five years. This may improve upon the high standards already developed by the Emergency Services and could also reduce the relatively few collisions these drivers currently have.
- 6.12 We therefore seek views on whether to include in the regulations a provision that the exemption for drivers from speed limits is provided through the satisfactory completion of a prescribed Speed Limit Exemption Driver Training Course and would last for a maximum of five years, after which, a driver will be required to undertake a reassessment.
- 6.13 We also propose to accredit the prior learning of drivers of vehicles currently used for police, fire and rescue authority, ambulance, SOCA or certain military units to avoid disruption to these services during the transition. This means that any driver who can demonstrate that they have already undertaken a course which delivers the competences identified in the Code will be considered as having been already trained. If mandatory reassessment is introduced, successful completion of a course must have been undertaken in the previous five years.
- 6.14 These provisions recognise the importance of ensuring training is up to date, even for trained officers. We consider the frequency of training is sufficiently important for it to be regulated.
- 6.15 The training course provisions will also increase transparency and accountability (specifically in the event of a road accident) and protect the interest of the public and the Emergency Services.

## Approval by the Secretary of State of Course Providers and Instructors

- 6.16 There are also powers in Section 19 for regulatory provisions to be made about the approval by the Secretary of State of course providers and instructors.
- 6.17 The Department proposes to exempt course instructors from these regulatory provisions where they are an employee of a police, fire

and rescue authority, ambulance or SOCA providing Speed Limit Exemption driver training is part of their official duties. This exemption would cover such people providing training to drivers belonging to organisations other than their own, provided they are able to demonstrate they have the necessary QA processes in place.

6.18 The requirement for the Secretary of State to approve providers and trainers (with these exceptions) ensures that organisations not currently exempt from speed limits have clear information to secure training that is fit for purpose. The exceptions to the approval arrangements are training course providers employed by/working for organisations that are already in receipt of Speed Limit Exemption driver training.

6.19 The regulations do not prevent drivers using vehicles for police, fire, ambulance, SOCA or certain military and security purposes from using accredited training course providers outside their organisations. Nor does it prevent those organisations seeking accreditation if they so wish.

6.20 However the reason for not requiring Secretary of State accreditation in these cases is:

- a. to avoid unnecessary administrative burdens and costs; and
- b. in recognition that these services already have in-house accreditation arrangements in place to ensure that their training meets the competency requirements of any new legislation.

6.21 Our expectation is that the main route for the accreditation will be via the Driving Standards Agency.

6.22 The regulations relating to accreditation by the Secretary of State with regard to training course providers and instructors are proposed to include provisions relating to:

- a. the Secretary of State making information available about who are approved course providers and instructors; and
- b. the withdrawal of approvals and arrangements for appeals against refusals to approve and the withdrawal of approvals.

6.23 These regulations are essential for the transparency and fairness of this proposed statutory accreditation.

6.24 A further possible area of regulation would be to specify maximum course fees. We are not proposing this, because on balance we consider there should be sufficient competition (including potentially from police, fire and rescue, ambulance and SOCA trainers in the course of their official duties) to render a cap on fees unnecessary.

6.25 We do propose to regulate to enable the DSA to charge reasonable fees related to provider and trainer accreditation. We propose to require DSA to charge reasonable and equitable fees, not exceeding the higher of the estimated and actual costs of discharging their functions. DSA estimates fees in the order of £881 are likely to be required for initial accreditation. A fee will also be charged for quality assurance visits.

6.26 Part of the DSA accreditation process will ensure that adequate records are kept by training course providers of those drivers that have successfully completed the course and when. This is essential for effective enforcement of the law. However we do not propose to regulate in order to require a statutory database of trained drivers.

6.27 Questions on the Regulation of Speed Limit Exemption Driver Training Courses

- a. Should the Code of Practice produced by the Speed Limit Exemption Driver Training Steering Group in 2008 be the basis of a statutory Code of Practice?
- b. Do you have any comments on the details of the Code of Practice
- c. Should the frequency of training and transitional arrangements be included specifically in the regulations or not?
- d. Do you agree with the proposal to require accreditation by the Secretary of State for some of the Speed Limit Exemption Driver Training, with the exceptions set out in the consultation document?
- e. Do you agree with not setting maximum fees for courses?

- f. Do you agree with the proposal about DSA fees?
- g. Should there be a regulated statutory database listing trained drivers, other than those in police, fire and rescue authorities, NHS ambulance service, SOCA and the military/security services?

## 7. Other Exemptions from Road Traffic Laws

7.1 Exemptions from road traffic laws are contained in several distinct pieces of legislation. The Emergency Services are currently in possession of exemptions from speed limits and are also exempt from other road traffic legislation in emergency situations, namely:

- a. passing red traffic signals at danger;
- b. passing red traffic lights at Pelican and Puffin crossings;
- c. passing keep left and keep right arrows;
- d. passing through red crosses (denoting lanes closed to traffic) on motorways; and
- e. using motorway hard shoulders.

7.2 All or most of these exemptions also apply to SOCA, special military units, bomb disposal teams and the Blood Transfusion service.

### Proposed Changes to Other Exemptions from Other Traffic Offences

7.3 Similar to the exemptions from speed limits, exemptions from other road traffic laws are not currently dependent on a driver having undertaken a relevant training course.

7.4 We are however, considering amending regulations so that application of other exemptions is dependent on completion of a Speed Limit Exemption course. This is because the safe passage of vehicles using these exemptions is contained within the Speed Limit Exemption course.

### Drivers with Speed Limit Exemption Driver Training

7.5 For operational purposes it is logical that any new vehicle purpose granted a speed limit exemption would also receive other exemptions from road traffic laws as are offered to the other branches of the Emergency Services.

7.6 For example, it would be illogical for a driver having completed the Speed Limit Exemption driving course and responding to an emergency to be able to exceed the speed limit but be unable to pass through a red light. Also, the High Speed driving course includes competencies relating to passing safely through pedestrian crossings, red lights etc.

7.7 The Department therefore proposes to include exemptions from other road traffic laws for vehicle purposes which are granted speed limit exemptions. These include passing red traffic lights at danger or at Pelican and Puffin crossings, ignoring Keep Left and Keep Right arrows, going through red crosses on motorways and using the hard shoulder.

7.8 These other exemptions would, like the speed limit exemption, be available only when observing the regulations is likely to hinder the use of the vehicle for the purpose it was being used.

7.9 There are a number of designated vehicle purposes for which there is currently a legal exemption from some or all of these other regulations.

7.10 The operational protocols of the three main Emergency Services and SOCA recognise a distinction between some emergency responses where:

- a. exceeding the speed limit and using blue lights & sirens may be necessary; and
- b. other responses where the use of blue lights & sirens is permissible but speeding is not.

7.11 The Department therefore recognises that the use of blue lights & sirens should not be restricted to only when vehicles are driven by those who have completed Speed Limit Exemption Driver Training.



~~7.11~~7.12 The Department also proposes to retain broadly the purposes for which blue lights & sirens are allowed to be fitted and used.

~~7.12~~7.13 However, some of the other exemptions from road traffic law (such as red traffic lights) represent significant risks. In theory, they might be restricted to drivers in possession of High Speed Training.

~~7.13~~7.14 Such a change would however narrow the availability of these exemptions to the Emergency Services. It may also compromise the use of blue lights & sirens. The use of blue lights & sirens and exceeding the speed limit are two separate decisions. Because of the potential reactions by other road users, Emergency Service Vehicles on blue lights are likely in some circumstances, to be obligated to cross traffic lights at danger or ignore Keep Left signs. Indeed, not doing so may be associated with a greater risk to road users.

~~7.14~~7.15 Some organisations have the ability to fit blue lights & sirens but do not have exemptions from some or all other road traffic laws. In some cases this is because they are not likely to be needed – for example being able to launch a lifeboat quickly typically does not require the use of a motorway hard shoulder.

~~7.15~~7.16 The Department would like to consider some harmonisation of which emergency responses are exempt from the Moving Traffic offences. For example, by exempting some of the emergency responses for which blue lights & sirens can already be fitted and used. However, the Department considers it unlikely that all drivers subject to other exemptions would need to take High Speed Driver training.

### Blue Light Training

~~7.16~~7.17 The training of drivers in the use of blue lights (and sirens), as distinct from Speed Limit Exemption Driver Training, is not included in the regulatory provisions associated with legal exemptions from speed limits.

7.177.18 The use of blue lights, whilst travelling within the speed limit and complying with traffic regulations, would not be restricted by the legislation or regulations associated with speed limit exemptions.

7.187.19 There are a number of good reasons why the legislative provisions for exemptions from speed limits and to allow for blue lights are separate. Certain vehicle purposes have a speed limit exemption but will not use blue lights; for example, during covert surveillance or the apprehension of criminals where blue lights would alert suspects of the presence of law enforcement officers.

7.197.20 Similarly, there are circumstances where some vehicles may use blue lights but not exceed the speed limit. One example is where an Ambulance is returning to hospital with a patient who needs non-urgent treatment.

7.207.21 Any use of blue lights may affect the behaviours of other road users, encouraging them to take quick, avoiding action. This provides a different challenge when using blue lights than it would be otherwise.

7.217.22 The Department recognises that there are established private sector providers of blue light training and is reluctant to regulate unless there is a strong public interest to do so.

7.227.23 In principle, said training could be regulated in a way similar to the Speed Limit Exemption Driver Training, although there are no powers to regulate this area using Section 19 of the Road Safety Act 2006. Any option for regulation would not be implemented as part of these changes associated with the introduction of Section 19.

7.237.24 The current restrictions in the use of blue lights for specified purposes already reduces risks, particularly when one considers the way blue lights are used the Emergency Services. The Department is not proposing any changes, but would appreciate views.

## Exemptions to Seat Belt Wearing Law

7.247.25 The wearing of seat belts (when fitted) is compulsory with some exceptions. One of these exceptions (contained in 1993 Regulations) relates to the Emergency Services and is for:

“A person driving or riding in a vehicle for fire brigade or police purposes or for carrying a person in lawful custody (a person who is being so carried being included in this exemption).”

7.257.26 The wording of the exemption does not include any provision related to ambulance purposes. This may be in part because the fitting of seat belts in the rear of Ambulances where patients can be treated was considerably less common in 1993 than it is now.

7.267.27 The umbrella organisation for the Chief Executives of the Ambulance Trusts has raised this lack of a legal exemption as an operational concern. This is despite insurance coverage for Paramedics which is valid despite situations when they are not belted. There are no examples of any prosecutions under these circumstances known to the Department.

7.277.28 There are significant risks to patients and other passengers of unbelted people in Ambulances. Operational practice is for everyone in an Ambulance to wear a seat belt unless to do so would impair the treatment of a patient.

7.287.29 The Department proposes to add a further exemption to the requirements for adults to wear seat belts as follows:

“A person riding in an emergency ambulance when providing emergency treatment to a patient.”

7.297.30 The Regulation to provide this further exemption may be progressed independently from the Regulations associated with speed limit exemptions.

7.307.31 Questions on Other Exemptions from Road Traffic Law

- a. Do you agree with the overall approach proposed by the Department with regard to exemptions for other Road Traffic laws?
- b. Should all drivers who operate vehicles which are exempt from speed limits in certain circumstances also be exempt from the five regulations related to: Traffic Signals, Signalled Crossings, certain signs and the use of Hard Shoulders?
- c. Should the purposes exempted from the five regulations related to Traffic Signals, Signalled Crossings, certain signs and the use of Hard Shoulders be otherwise retained broadly as they are?
- d. Should the purposes for which blue lights & sirens are fitted be retained broadly as they are?
- e. Should further exemptions from any more signing regulations be added?
- f. Should a non-statutory competence standard for blue light training be developed and if so, by whom?
- g. Should the regulation of blue light training be considered further?
- h. Do you agree with the Department's proposal to create an additional exemption to seat belt wearing law relating to the emergency treatment of patients in Ambulances?

## 8. Impact Assessment

- 8.1 When responding to the consultation, please comment on the analysis of costs and benefits, giving supporting evidence wherever possible.
- 8.2 Please also suggest any alternative methods for reaching the objective highlighting any possible unintended consequences of the policy and practical enforcement or implementation issues.
- 8.3 The Impact Assessment provides details of the five options which have been considered and the costs and benefits associated with each option. The five options are:
- **Do nothing** (and hence not commencing Section 19 of the RSA 2006). This does not solve the problem. There are clearly other vehicle purposes where during exceptional circumstances, drivers must reach their destination as quickly as possible. In these instances, drivers cannot legally exceed the speed limit. The additional vehicle purposes cannot be granted exemptions from speed limits under Section 87 of RTRA, without commencing Section 19.
  - There is a case for allowing other categories of designated vehicle purposes to be added to the Regulations and thereby ensures that necessary driving actions become lawful during 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 these options, no other vehicle purposes are designated in speed limit exemptions but the legislation is commenced 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. Options 1a and 1b differ from each other because 1a excludes a

requirement for reassessments every five years from the Code, whereas 1b includes it;

- **Option 2:** Extend current speed limit exemptions to other designated vehicle purposes and introduce a prescribed training course for existing and additional vehicle purposes, which is governed by the Department with the regulatory function administered by the Driving Standards Agency (DSA);
- **Option 3:** Extend speed limit exemption to other vehicle purposes but with the existing Emergency Services self-regulating their own training standards, as in Options 1a & 1b, and the Government regulating other training course providers as in Option 2.
- Options 2 and 3 both exclude the requirement to reassess the Code of Practice, but alternative versions of these Options could be implemented to include the requirement for reassessments every five years. The Consultation seeks evidence about the costs and benefits of the reassessments.
- This Consultation invites organisations wishing to benefit from speed limit exemptions to provide information about the effects related to the relevant vehicle purpose, so that decisions can then be taken about which vehicle purposes to include. Options 2 and 3 include assumptions about the approximate numbers of drivers involved but this is without prejudice to which and how many designated vehicle purposes will ultimately be included in the exemptions.

8.4 Whilst the Department acknowledges that exceeding the speed limit may be necessary for certain organisations to operate effectively, this will need to be balanced against the interests of Road Safety. A speed limit exemption will only be considered for those vehicle purposes that are of a similar nature to those that are already exempt.

8.5 Additionally, drivers must successfully complete the prescribed training course, with each organisation having a fully transparent and auditable system in place to ensure that drivers only use the exemptions when circumstances allow.

8.6 Costs may include:

- a. The purchase and fitting of blue lights & sirens to vehicles - Any designated vehicle purposes which have a speed limit

exemption will have the option of having blue lights & sirens fitted to the vehicle. It is not a legal requirement to use blue lights & sirens whilst using the speed limit exemption.

- b. Training - It will be a legal requirement for drivers using designated vehicle purposes exempt from speed limits to undergo a prescribed training course in Driving at High Speeds. The Police, Fire Services, Ambulance Services and SOCA are already trained. Only those offering services driving vehicles which are included under any new designated vehicle purposes added to exemptions are likely to incur training costs.
- c. Road Safety - Increasing the number of designated vehicle purposes that may exceed speed limits has the potential to increase the risk of road traffic collisions.

8.7 Benefits may include improved driving standards/ public safety - A mandatory prescribed competency based training course will ensure drivers using vehicles for the above purposes will only be able to exceed speed limits after demonstrating skills significantly above those expected of ordinary drivers.

The course will be designed not just to train drivers how to drive safely at speeds in excess of the speed limit, but how to drive at appropriate speeds where the more vulnerable road users are present. This includes learning how to travel over pedestrian crossings at appropriate speeds.

It is also anticipated that the prescribed training course, which may also require drivers to be reassessed every five years, will also raise the standard of existing Emergency Service drivers. This should reduce the small number of collisions these drivers have currently.

## Questions

- a. Do you think that the proposed changes would have any other implications, which have not been considered in this consultation document or Impact Assessment; if so, please can you identify/quantify what these would be?

- b. We would be pleased to consider any other comments you may have about the proposed changes. Please provide details below.



## 9. What will happen next

- 9.1 A Summary of Responses, including the next steps, will be published within three months of the Consultation closing on 27<sup>th</sup> February 2013 on [www.dft.gov.uk](http://www.dft.gov.uk). Paper copies will be available on request.



# Annex A – Exemption From Speed Limit Regulations Application Form

This is your formal application for exemption from speed limit regulations. The Department for Transport will use the information provided to determine which additional vehicle purposes will be included in the speed limit exemption regulations.

Please ensure that you answer all questions carefully, using a separate sheet where necessary. When completing the form you should refer to the enclosed guidance notes for assistance.

<b>1. What is the name of your company or organisation?</b>
<b>2. Please provide a summary of the work undertaken by your organisation.</b>
<b>3. Please state your reasons for requesting speed limit exemption and provide examples of the circumstances where the exemption would be used.</b>

**4. How often do the emergency situations, described in Question 3, occur?**

**5. Please indicate what the possible impact would be if your drivers were not granted speed limit exemptions – what would be the consequences?**

**6. What procedures do you have in place for handling emergency response situations?**

**7. Drivers will be required to successfully complete a prescribed driving course before being permitted to exceed the speed limit. If you are granted speed limit exemption, how many of your employees would require this training?**

**8. Does your organisation currently provide any driver training for it's employees? (Delete as appropriate)**

**Yes (Go to 9)**

**No (Go to 11)**

<b>9. What are your training costs per driver?</b>
<b>10. Are your drivers re-tested or are their performances reviewed after they have completed their initial training? Please provide details including costs incurred.</b>
<b>11. How many accidents have your drivers been involved in while carrying out their duties in the last 5 years? (If possible please indicate how many of these accidents were speed-related).</b>
<b>12. What type of vehicles do you intend to use for high speed driving?</b>
<b>13. Would your vehicles always have blue lights activated when exceeding the speed limit or are some not fitted with blue lights?</b>

**14. If you are granted speed limit exemptions, how will other road users, including pedestrians, be able to identify your vehicles? (ie. Signs or colours on vehicle)**

**15. How often are your vehicles performance checked or serviced to ensure their safety? Please provide details of your vehicle maintenance procedures.**

**Thank you for responding. Please email your completed form to [SLEApplications@dft.gsi.gov.uk](mailto:SLEApplications@dft.gsi.gov.uk)**

## **APPLICATION FORM GUIDANCE NOTES**

**Please read these notes carefully before filling in the application form.**

### **Question 1**

Please state the name of the company applying for speed limit exemptions and provide a contact name and address for any correspondence.

### **Question 2**

Please provide a brief description of the work undertaken by your organisation. Applicants must be able to demonstrate that they provide a service that falls within one or more of the following categories:

- a) the prevention of threats to national security
- b) the protection of public health and safety
- c) the prevention of harm to life or limb
- d) the prevention of crime (this includes surveillance activity or other functions which assist enforcement).

Applicants must clearly explain their role in relation to the emergency situation. This includes the need to provide evidence that it is part of their function to act in a lead role in preventing harm or danger to the public, as opposed to a supporting role (i.e. providing essential assistance to the Police, Fire and Rescue or Emergency Ambulance services) in the aftermath of an incident.

The panel will consider the safety, security and health benefits to the public of the service provided by your organisation. This includes considering how often the exemption would be used, 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.

### **Question 3**

Please explain your reasons for requesting speed limit exemption. In doing so applicants will be expected to:

- a) provide examples of the circumstances in which they believe that their drivers may need to exceed the speed limit; and
- b) show that in the above situations, a high speed response is needed to prevent an immediate threat to life and limb, national security or a serious crime.

### **Question 4**

Please provide an estimation of how often the emergency situations described in question 3 arise during an average year. The panel will consider this information to determine the effect on road safety as a result of an increase in the numbers of drivers legally permitted to exceed the speed limit. This will be achieved by:

- a) 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
- b) 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.

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

### **Question 5**

Please provide further evidence to support your answers to questions 2 and 3. You should provide information that demonstrates that the activity or service you provide is time sensitive in certain specified circumstances. Applicants will be expected to provide examples which clearly show that the risk of harm to public safety, security or health increases if response times are not reduced.

### **Question 6**

Please use this space to explain what procedures you have in place for handling emergency responses, including how and from whom authority is given to exceed speed limits. The presence and robustness of written procedures for dealing with emergency situations will be relevant when assessing the management of risk to road users.

Please include what checks your organisation will apply to monitor this process and ensure that only essential journeys are covered by the exemption.

### **Question 7**

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.

The length and cost of the course varies but on average lasts two weeks and costs around £2,500 per person. Please indicate how many of your drivers will require this training.

### **Question 9 and 10**



Explain how driver training, assessments and review of training will be recorded and maintained. Training records will need to be made available for periodic inspection by the police and the Driving Standards Agency;

Please provide details of how records about the successful completion, assessment and review of training will be kept.

Completed application forms should be emailed to [SLEApplications@dft.gsi.gov.uk](mailto:SLEApplications@dft.gsi.gov.uk)

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# Annex B Section 19 Road Safety Act 2006

## **Section 19 Exemptions from speed limits**

For Section 87 of the Road Traffic Regulation Act 1984 (c. 27) (exemption of fire, ambulance and police vehicles from speed limits) substitute—

“87 Exemptions from speed limits

(1) No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when—

(a) it is being used for fire and rescue authority purposes or for or in connection with the exercise of any function of a relevant authority as defined in section 6 of the Fire (Scotland) Act 2005, for ambulance purposes or for police or Serious Organised Crime Agency purposes,

(b) it is being used for other prescribed purposes in such circumstances as may be prescribed, or

(c) it is being used for training persons to drive vehicles for use for any of the purposes mentioned in paragraph (a) or (b) above, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

(2) Subsection (1) above does not apply unless the vehicle is being driven by a person who—

(a) has satisfactorily completed a course of training in the driving of vehicles at high speed provided in accordance with regulations under this section, or

(b) is driving the vehicle as part of such a course.

(3) The Secretary of State may by regulations make provision about courses of training in the driving of vehicles at high speed.

(4) The regulations may include—

- (a) provision about the nature of courses,
- (b) 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),
- (c) provision specifying the maximum fees that a person may be required to pay for a course.
- (d) provision for the training or assessment, or the supervision of the training or assessment, of persons providing courses or giving instruction on courses,
- (e) provision for the evidencing of the successful completion of courses,
- (f) provision authorising the Secretary of State to make available information about persons providing courses or giving instruction on courses, and
- (g) 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.

(5) 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.

(6) The regulations may make different provision—

- (a) for different classes of vehicle,
- (b) for different descriptions of persons, or
- (c) otherwise for different circumstances.”

# Annex C Consultation criteria

The consultation is being conducted in line with the Government's key consultation principles which are listed below. Further information is available on the Better Regulation Executive website at <https://update.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

If you have any comments about the consultation process please contact:

Consultation Co-ordinator  
Department for Transport  
Zone 1/14 Great Minster House  
London SW1P 4DR  
Email [consultation@dft.gsi.gov.uk](mailto:consultation@dft.gsi.gov.uk)

## Consultation Principles

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before;
- departments will need to give more thought to how they engage with and consult with those who are affected;
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy;
- the principles of the Compact between government and the voluntary and community sector will continue to be respected;
- The DfT is running this consultation for a 12 week period in order to ensure that those potentially affected are able to respond. Given the diversity of potential stakeholders and the intrusion of the Christmas holidays we believe a 12 week consultation period is appropriate. The main sectors affected are those who do not have

exemption from speed limits at present but who wish to do so. A non-exclusive list of these is set out in 1.4 of the consultation summary. We will notify as many of these as possible about the launch of the consultation and encourage them to respond. We will also notify other road safety stakeholders including ACPO and Brake.

- As there are fewer major representative bodies for the healthcare sector, we are hoping to engage with them direct, especially those who provide ambulance services (NHS & Private). It is our intention to host a consultation event for these organisations in early 2013 to allow them to discuss any concerns with us.

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Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR  
Telephone 0300 330 3000  
Website [www.dft.gov.uk](http://www.dft.gov.uk)  
General Website Queries: [FAX9643@dft.gsi.gov.uk](mailto:FAX9643@dft.gsi.gov.uk)

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