**e-Portfolio Activity 3: Competing Interests Page**

A smart motorway is a motorway where technology is used to manage the traffic by decreasing congestions and increasing the capacity. It aims to improve the infrastructure without damaging the surrounding environment and it is an economically viable option since it doesn’t require for the roads to be widened (Jallow et al, 2019). The first smart motorway was introduced to the UK in 2006 on the M42 and there are currently 14 smart motorways in operation today (Allan, 2022).

Whilst it would appear that the new type of motorway provides many benefits without incurring large costs, it has recently become one of the most debated topics within the UK.

The latest example of the ‘technology management’ gone wrong in terms of smart motorways was from the 28th of October in 2022, when the smart system malfunctioned and resulted in incorrect lane closures, wrong speeds and extremely bright variable speed signs blinding the drivers on a night drive (BBC, 2022), potentially endangering the drivers’ lives.

The smart motorway signage must be followed by all drivers at all times as it is legally enforceable (rac, 2022), this includes the speed limits and lane closures. However, what happens in the instance of the smart system malfunction as the one which happened in the UK recently? The Universal Declaration of Human rights (GRSP, 2017) and the UK Human Rights Act 1998 (Citisens Advice, 2022) both protect the person’s right to life, however, a faulty smart motorway system, the lack of hard shoulders and the UK driving laws enforcing the smart motorways driving suggestions endanger it.

There are several civil cases involving National Highways currently taking place where the families of the smart motorway victims are trying to get the justice for their loved ones and get the hard shoulders reinstated (irwinmitchell, 2022). As a result of these lawsuits, the rollout of new smart motorways has been paused. Hence, within the UK, the civil court can be used to protect the rights of the UK residents.

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