



21 February 2009

Your  
Ref:

Franck David  
Assistant Clerk  
Public Petitions Committee  
Scottish Parliament  
EDINBURGH  
EH99 1SP

Our Ref:

Sent to [franck.david@scottish.parliament.uk](mailto:franck.david@scottish.parliament.uk)

Dear Mr David

**PETITION [PE1223](#)**

COSLA previously advised Parliament that, under the Road Vehicles Lighting (Amendment) Regulations, 1994, all vehicles with more than eight passenger seats, carrying children to or from school, must display prescribed school bus signs. Regarding the issues raised in this petition, COSLA and ATCO (Scotland) have also previously indicated that we would support the suggestion that bus operators should be required to remove such signs when the vehicle is not carrying school children to or from school. We would not, however, advocate a change in the signs themselves as these are now well recognised by the general public.

COSLA and ATCO (Scotland) has previously said that we would also support the introduction of legislation prohibiting the overtaking of school buses when children were boarding and, more importantly, disembarking along with the suggested mandatory use of flashing lights. Currently hazard warning lights may be used when picking up and setting down school children but there is no legislative requirement to do so. Consequently, many tendering authorities require hazard warning lights to be used through their Terms and Conditions of Contract for the provision of school transport services.

The problem highlighted previously was the need to consider amending the Education (Scotland) Act, 1980 and to make Regulations under the Road Traffic Regulation Act, 1984 to achieve what Mr Beaty's petition requests. However, as road traffic legislation is not a devolved matter, we assume that any such proposals could only be introduced through the UK Parliamentary process. We assume that the Scottish Parliament would want to make the appropriate representations to the Department for Transport on these matters.

WHEN CALLING PLEASE ASK FOR: Anil Gupta 0131 474 9265    [anil@cosla.gov.uk](mailto:anil@cosla.gov.uk)

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Anil Gupta

Following the previous petition, COSLA agreed that the matter be referred to ATCO Scotland to highlight the problem and consider whether there was any action possible at a local level to alleviate it and improve bus safety.

ATCO may be able to provide further information in this regard and how councils are currently encouraging school bus providers to use better signage and lights on school buses. Unfortunately for the Committee, COSLA does not collect this level of detailed information.

Notwithstanding the above, we have emphasised the importance of road safety education at both primary and secondary school level in promoting school transport safety. We would be happy through our Executive Group arrangements to publicise the DVD used by Aberdeenshire so that councils can use this sort of material in this area. I look forward to receiving a copy.

Although of less immediate relevance to the subject of the Petition, COSLA has provided a considerable input into the draft Scottish road safety strategy likely to be published in the next quarter. The safety of children and young people is likely to be an important theme, along with the need to provide high visibility signing of school buses. The consideration of such a strategy will be very important to the many councils who placed road safety as one of their local outcome indicators in their Single Outcome Agreements reached with the Scottish Government.

I hope that the above is helpful in clarifying the position.

Yours sincerely

Anil Gupta  
Environment and Regeneration Team Leader