



Department for
Transport

From the Secretary of State

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Frank McAveety MSP
Convenor of the Public Petitions
Committee
TG01
The Scottish Parliament
Edinburgh
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12 MAR 2009

Dear Frank,

Thank you for your letter of 14 January seeking my response to the points raised in discussion of Petition PE1223 about safety signage and lighting on school buses, and about making overtaking a stationary school bus a criminal offence. I would like to highlight at the outset that this is a reserved matter – it would be for the UK Parliament to consider legislation on this matter, or any other associated reserved matters. Department for Transport as the lead UK Government Department on this matter has responsibility for the policy; we take our responsibilities in Scotland very seriously and we hope that the responses provided below will be of interest to you and your committee. I have set out my responses in the order in which you set them out.

Will the Department for Transport create a new road traffic offence for vehicles overtaking a stationary school bus and, if not, why?

We have considered the suggestion of adopting the 'all-stop' rule, and we do not think that it would be the safest option. One of our concerns is that drivers seeing a school bus about to stop might take unnecessary risks in order to get past before it does so. Similarly, drivers waiting to pull out from a side road might feel more inclined to pull out ahead of an approaching bus where, in other circumstances, they might have been content to let it pass.

On higher-speed roads to bring a vehicle to a complete stop could involve quite firm braking, which could itself be hazardous. And we know from the North American example that not all drivers conform and that the law is not easy to enforce.

It is also worth recognising that most children who travel to school by bus do so on public service buses; they would not be affected by such a change.

It is also important to consider this proposal would be likely to have a knock on effect of increasing congestion.

Will the Department amend the Road Vehicles Lighting Regulations 1989 to require safety signage and lights on school buses to be used only when school children are on the bus? If not, why?

The Road Vehicle Lighting Regulations 1989 as amended (RVLR) already require buses carrying children to and from school to show a prescribed retro-reflective "children" pictogram sign to front and rear. The minimum dimensions of the sign are prescribed by the regulations, but larger versions may be used.

The regulations also permit buses using the sign to display their hazard warning lights when children are entering or leaving the vehicle. In addition, they permit an additional pair of rear hazard warning lights to be fitted to increase visibility.

Under the same regulations additional signs would be permissible, for example, illuminated signs reading, say, "School Bus" or "Caution: schoolchildren" etc. Such illuminated signs would need to show a steady (i.e. not flashing) light and be red if showing to the rear and white (or in some circumstances yellow) if showing to the front.

The regulations thus require, specifically for school buses, significant safety signage, and also permit additional safety signage and lighting.

The requirements are not overly prescriptive but do allow some flexibility and discretion. Presumably LAs letting contracts for school buses could, if considered appropriate, specify requirements above the minimum, such as signs above the minimum size, use of hazard lights, and fitment of additional hazard lights or illuminated signs. Removal of signs when buses are not being used as school buses could also be specified.

DfT has no evidence to suggest that the current regulations are ineffective.

The points raised in the petition

**We need it made illegal to use the sign unless children are aboard
We need better visibility for school transport, adverts are larger than the sign we use for safety, we need signage changed & improved, led flashing signs etc.**

We need larger extra flashing lights [The Dept of Transport legislation allows this] not the simple hazard lights buses use, many people simply use these hazards lights to pop into the newsagents
These three points are addressed in the paragraphs above.

We need to ensure that this also applies to service buses that also transport school children; they do not have any extra protection, as offered to those who travel often on private contract buses, which are sometimes yellow

As set out above, there are various safety and policy reasons against the introduction of this proposal, and these reasons apply equally to introducing the proposals in the wider bus fleet.

We need to ensure no children are carried in double decked buses, which often carry a whole community aboard, or from the same street
In their contracts with companies who supply school bus services Local Authorities are able to specify the type of buses which may be used; however, we do not recognise any safety reasons for not allowing children to board double decked buses.

We need to ensure that every local authority in Scotland follows the same procedure, in safe guarding our school children. as in the short term options now being considered by Aberdeenshire Council
This is an issue for Scottish local authorities.

We need to ensure school children are offered the same safety measures that they do in the family car, or in taxi used for transporting school children by providing seat belts, if a bus crashes & goes on its side, occupants are then dragged out of any broken windows.
In their contracts with companies who supply school bus services Local Authorities are able to specify that only buses with seatbelts may be provided.


The specific issues raised during the discussion on the petition:
What is the evidence from other countries that making the overtaking of school buses illegal has positive effects?

We have little evidence from other countries of the positive effects of making the overtaking of school buses illegal. The United States and Canada have all-stop rules whose provisions vary from state to state; we have no statistics on the effect on casualties but violations are reported to be widespread and the conviction rate low. Many other countries have provisions more like GB's, where drivers are reminded to drive slowly and carefully past stationary school buses.

What is the outcome of the trial by the Yellow School Bus Commission and, if successful, will it be extended?

FirstGroup set up the Yellow School Bus Commission in July 2007 to examine and quantify the costs and benefits of a nationwide system of dedicated home-to-school transport across England, Scotland and Wales. The Commission did not run any school bus trials but looked at a number of existing yellow and other dedicated school bus schemes in England, Scotland, Wales and the United States before publishing its report in September 2008.

Ministers are now considering the recommendations contained in the Commission's report, the value for money aspects of these and their wider implications. It is however appropriate that they take account the findings and recommendations of the House of Commons Transport Select Committee's recent Inquiry into school travel, the publication of which are expected shortly, before publishing an in-depth response to the Commission's recommendations.

Yours sincerely


GEOFF HOON