



Department
for Transport

Michael McMahon MSP
Public Petitions Clerk
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

From the Parliamentary
Under Secretary of State
Andrew Jones MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: andrew.jones@dft.gsi.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/150716

3 1 DEC 2015

Dear Mr McMahon,

Thank you for your letter of 4 December on the subject of petition PE1223 relating to school bus signage and lighting in Scotland. Whilst I have received correspondence from Derek Mackay MSP in the past regarding the devolution of powers that allow the Scottish Parliament to stipulate requirements for school transport, we do not appear to have received a recent letter that is in response to Glasgow City Council's school bus signage pilot programme report.

When Mike Penning, the then Under Secretary of State for Transport, attended the Public Petitions Committee in 2010 he stated that similar powers to those granted to the Welsh Assembly could be granted to Scotland if Scottish Ministers were to approach the UK Government with a request. Following this statement, Department for Transport officials engaged extensively with officials from the Scottish Government concerning the scope and content of the devolved powers and developed the necessary Statutory Instrument. Following affirmative resolution in the UK Parliament being laid before the Scottish Parliament and made by Her Majesty in Council, these powers were devolved in June 2015.

On the basis of the request from the Scottish Government, powers have been transferred which will enable the Scottish Parliament to introduce legislation regulating the fitment of seatbelts to vehicles used to transport persons to and from places where they receive education and training. This aligns with the powers that were devolved to the Welsh Assembly. Whilst the devolved powers do not allow technical standards to be created which only apply to

Scotland, it does allow the Scottish Parliament to legislate in relation to the specification of certain aspects of school bus lighting and signage. In this respect, legislation may be introduced that requires school buses to have amber warning beacons and rear markings provided they comply with the relevant technical standards set out in the Road Vehicles Lighting Regulations.

In addition to this, our view is that local authorities can quite reasonably include additional measures, within what is permitted by the regulations, in their contracts with bus operators to address local issues. I believe this approach strikes the right balance between the need for regulation and providing local authorities with the flexibility to apply additional measures to meet specific needs.

There are currently no plans to amend existing legislation but the Department will continue to monitor the situation and should robust evidence become available which indicates that further measures are necessary, taking into account the costs and benefits to operators and their passengers, my officials will consider how this might best be taken forward.

ANDREW JONES