

# Road safety powers and devolution

- 1 This note sets out the responsibilities for Road Safety policy and legislation in the United Kingdom. It is not a definitive list and its primary aim is as an explanatory note to the DfT Road Safety Statement. It is accurate at the time of publication, however settlements are subject to change.
- 2 The Road Safety Statement is intended to cover road safety policy within Great Britain as governed by the Department for Transport. This is described below in paras 3 and 4.

## Definitions: Great Britain and United Kingdom

- **Great Britain** is England, Wales, Scotland
- **United Kingdom** is England, Wales, Scotland and Northern Ireland

## Great Britain

- 3 The Government in Westminster is responsible for the following areas, on behalf of all of Great Britain:
  - The Highway Code (DfT)
  - Some driving offences, including wearing of seatbelts and motorcycle helmets (MoJ).
  - Vehicle standards, including statutory requirements with regard to vehicle lighting and fitting of seatbelts.(DfT)
  - Driver training and testing.(DVSA)
  - Driver and vehicle licensing, including medical conditions.(DVLA)
  - Penalties for road traffic offences, including driver retraining schemes (Road traffic offences including post-court driver retraining: MOJ. NDORS National Driver Offender Retraining Scheme – ie an alternative to court – run by police)
  - Type approval of devices for detecting speeding and traffic signal offences (speed and red light cameras).(HO)
  - Setting the national speed limits (DfT, but to be devolved)
  - Regulation of street infrastructure, including making rules on design of pedestrian crossings and traffic signs (DfT)
  - Primary legislation on motor sport on public ways

## England and Wales

- 4 For England and Wales, the Westminster Government is additionally responsible for setting drink and drug driving limits.

- 5 Policing in England and Wales is divided into territorial forces, with the Westminster Government setting policing policy.

## Wales

- 6 The Welsh Government is responsible for the Welsh trunk road network. It sets policy on safety cameras and issues guidance on setting local speed limits. The Welsh Government has responsibility for the drink drive rehabilitation scheme in Wales. Powers to set national speed limits in Wales are currently being devolved to the Welsh Government.
- 7 Welsh Ministers are responsible for regulation of motor sport on public ways in Wales.

## Scotland

- 8 Road safety education and training; and payments for the treatment of traffic casualties which are covered in the Road Traffic Act 1988 are devolved to Scotland.
- 9 Scottish Ministers also have the executive power to set limits for drink and drug driving. The Government in Westminster has responsibility for the Drink Drive Rehabilitation Scheme in England and Scotland.
- 10 Scottish Ministers also have the power to determine the level of the national speed limits on dual carriageways and motorways (currently 70 mph) and single carriageway roads (currently 60 mph), as well as associated vehicle speed limits in Scotland. The remaining powers to set national speed limits in Scotland are currently being devolved to the Scottish Government.
- 11 The Scottish Government is also responsible for managing Scottish trunk roads and has strategic responsibility for safety on all Scotland's roads. It issues its own guidance on setting local speed limits and has its own safety camera programme.
- 12 Police Scotland is responsible for roads policing in Scotland.
- 13 Scottish Ministers are responsible for regulation of motor sport on public roads in Scotland.

## Northern Ireland

- 14 Northern Ireland is responsible for its own road traffic legislation, including driver and vehicle testing and driver licensing, road safety policy and legislation, and vehicle standards.

## Local Authorities

- 15 Local authorities are responsible for the management of local roads, within the rules set by Government.
- 16 Local authorities outside of London are responsible for licensing private hire vehicles and minicabs.
- 17 Local Authorities are required by statute to promote road safety; to undertake collision/casualty data analysis and to devise programmes, including engineering and road user education, training and publicity that will improve road safety.