

Response to:

**Automated Vehicles: Law Commission Consultation 2: Passenger Services & Public Transport**

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**27 January 2020**

**Response from Buchanan Computing and Institute of Highway Engineers**

to

**Law Commission and Scottish Law Commission**

**Automated Vehicles:**

**Consultation Paper 2 on Passenger Services and Public Transport**

**LCCP 245**

## **INTRODUCTION**

Buchanan Computing and the Institute of Highway Engineers have no particular knowledge of or interest in public transport operation. However, questions in Chapter 7 relating to traffic regulation (TROs) are very much within our expertise, so we have responded only to them.

## **WHO WE ARE**

**Buchanan Computing** is the leading supplier of software for making and managing TROs and recording where they are. It is also a leading consultancy advising UK authorities on traffic orders and on digitising and converting existing orders for map-based dissemination. It is also the UK's leading provider of training in order making.

The **Institute of Highway Engineers** is a professional body, a member of the Engineering Council that supports and provides training and accreditation for highway engineers at all levels. It is particularly prominent in the field of road safety, traffic signing and traffic regulation through its publication, conferences and close liaison with the Department for Transport (DfT).

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## RESPONSES TO CHAPTER 7 QUESTIONS

### QUESTION 29

*Does the law on TROs need specific changes for HARPS?*

You rightly say that other initiatives aim to streamline and have a reliable national dataset (a “digital highway code”) of all TROs and we are strongly in favour of the proposals you mention. We would add that a set of definitions that can be used consistently across the country is essential. If, as you propose, TROs in future could make specific provision for HARPS, then it cannot be left to individual authorities to arrive at their own definition of a HARPS vehicle or service. Any inconsistency would hamper the understanding and interpretation of the TRO and make it difficult to introduce HARPS in a consistent and efficient manner. This of course applies also to other definitions used in TROs that relate to public transport, such as the words “authorised vehicles” that are currently used inconsistently by different authorities on bus lane and bus gate signs, causing confusion and enforcement difficulties.

### QUESTION 30

*Barriers to adapting parking provision for HARPS including statutory purposes for setting charges.*

We are not aware of any successful legal challenge that relates to charges levied on visiting vehicles parking on-street (as the cases you quote intimate). We believe it has become accepted that, in order to meet the legally acceptable objective of achieving a turnover in space usage and ensuring availability, charges need to be set at a sufficient level to achieve this. We therefore see no barriers in current legislation in this regard.

### QUESTION 31

*The appropriate balance between road pricing and parking charges for the deployment of HARPS.*

We see no need for this to be covered in legislation and consider it a matter that can be left to individual authorities to decide. It would however be useful for it to be addressed in government guidance to authorities.

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### QUESTION 32

*Should transport authorities have specific powers to create road pricing schemes specific to HARPS?*

Subject to their being a statutory definition of HARPS, the existing provision of the Transport Act 2000 (S171 (1)(b) & (c) seems to us to be sufficient to enable an authority to make specific provision for them. Regarding the issue about possible barriers to passing income received between authorities, but note that these could well apply to other charging schemes, unrelated to HARPS. We therefore conclude that if the law on charging schemes generally needs reviewing then it would be sensible to take into account the requirements for HARPS, but not otherwise.

### QUESTIONS 33 & 34

We have no view on these matters, as they relate to licencing HARPS operators, policy issues and the effectiveness of TROs, rather than to TROs and traffic regulation themselves.

**Simon Morgan** Chairman of Buchanan Computing, and  
Chair of the Institute of Highway Engineers Traffic Signs Panel

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