

THE ALL-PARTY PARLIAMENTARY GROUP FOR ROADSIDE RESCUE AND RECOVERY

First inquiry: safety concerns within the roadside rescue and recovery industry

The AA represents some 13 million drivers and employs around 3000 roadside breakdown and recovery patrols attending an average of around 10,000 breakdowns by cars, motorbikes, caravans and vans every day. When workload requires we also contract many others working for independent garages.

We were one of the founding members of the [SURVIVE Group](#) formed in 1998 following the deaths of 6 breakdown operators on motorway hard shoulders. SURVIVE was established by representatives from the breakdown and recovery industry to promote the safety of people stopping on or working on the motorway hard shoulder and high-speed dual carriageways.

- We are a member of the SURVIVE executive
- We chair Working Group 1 on Policies, Procedures and Protocols for working at the side of the road
- In 2018 we lead a review of SURVIVE best practice guidelines, used by the industry as a safe system of work

In terms of fatal and serious accidents per billion miles, our motorways are the safest roads to drive on, but they are the most dangerous to work on as a breakdown patrol or vehicle recovery operator.

In the last 18 months, the industry has experienced 3 fatalities, two on motorways and one on a high speed dual carriageway. In addition, two AA vehicles have been written off on hard shoulders of motorways thankfully with no injuries to the AA patrols or the AA members.

Against this background we welcome the APPG's inquiry into safety concerns for the roadside rescue and recovery issue and the opportunity to submit evidence.

Smart Motorways

Our aspiration should be for the safest roads in the world, but Smart motorways just look like a quick way of increasing much-needed capacity on the cheap.

Critically, removing the hard shoulder increases the risk of breaking down in a live lane – the hard shoulder's a dangerous place to be but it would be hard to argue that being stationary in a live lane of traffic with trucks thundering up behind you is safer!

Official advice is that, if you breakdown in a live lane and can't get to the nearside verge and exit safely or drive on to an emergency area, you should put your hazard lights and any other lights on, keep your seatbelt on and dial 999. This is clearly a serious emergency.

It's harrowing listening to calls from AA members broken down in live traffic lanes – you can hear the fear in their voices – while eighty per cent of drivers in one of our AA- Populus polls claimed that the removal of hard shoulders made the motorways less safe.

ERA spacing

Ever since early 2012 when the then Highways Agency first proposed All Lanes Running with the permanent removal of a continuous hard shoulder, the AA has raised concerns about the spacing permitted between Emergency Refuge Areas (ERAs).

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We argued that there should be twice as many, twice as long – If an HGV is parked up in the lay-by it makes it almost impossible for a car to enter safely.

Up until 2018, by which time several hundred miles of motorway had been converted to ALR or plans to do so had been agreed, the spacing between ERAs was set at 2.6km (1.5 miles).

Walt Disney reckoned that if you could see a litter bin most people would use it and that the proportion of visitors prepared to carry their rubbish dropped as the distance between bins increased.

We believe it's similar with breakdowns on Smart motorways – if a driver with a blow-out or smoke coming from the engine, can see a lay-by up ahead, they will be much more likely to try to make it to that relatively safe-haven. If they can't see one, they're more likely to stop in a live lane.

We welcomed Highways England's Decision in early 2018, following their own safety review, to reduce ERA spacing to a maximum of 1 mile but were disappointed that this came too late to be applied to the M4 ALR scheme now in construction.

It is important that there is a detailed review of existing ALR schemes with a view to adding ERAs on stretches where current spacing is at the old, 1.5-mile maximum, or where risk of a live lane breakdown is higher.

Public education and behavioural change

In November 2017, we wrote to Jesse Norman MP suggesting several possible changes to the Highway Code which we believe are essential to help raise awareness about the dangers faced by roadside recovery operators and to help drive behavioural change that can help to improve the safety of those working in this dangerous environment.

The Highway Code is deficient in three specific areas related to motorway safety:

- Breakdowns on All Lane Running (ALR) motorways
- Emergency services access to incidents where there is no continuous hard shoulder
- Protecting breakdown, recovery and emergency services operatives working on the hard shoulder

Motorway breakdowns

Eight out of ten (79%) drivers say that the removal of the hard shoulder has made them feel that motorway driving has become more dangerous (AA-Populus Driver Poll of more than 20,500 AA members).

Despite the latest changes to Emergency Refuge Areas (ERAs) which have included better signage and painting them to improve visibility, many drivers remain uncertain about what they must do if they need to use an ERA or what they must do if they breakdown in a live lane.

The current edition of the Highway Code gives advice when breaking down on a motorway (rules 275 to 278) but refers only to motorways with a continuous hard shoulder.

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As there are now more than 500 miles of All Lanes Running (ALR) motorway and the HE Business Plan talks of adding 4,000 miles of extra capacity through smart motorways, it's important that the Highway Code includes breakdown advice specific to this type of highway. (See draft amendment at Appendix 1)

Drivers' responsibility

Of course, many breakdowns on motorways are avoidable and drivers must share responsibility for their own safety by ensuring that they have enough fuel for their journey, that tyres are legal and correctly inflated, and that their vehicle is in a generally roadworthy condition.

It's essential that drivers obey the new signs and signals on smart motorways too, particularly variable speed limits and the red X 'lane closed' sign. There's clearly a lot of education to do as our research shows that 1 in 10 drivers might ignore a red X unless there was an obvious reason for it.

Slow down or move over

Thankfully, most motorways do still have a hard shoulder, and one obvious way to improve the safety of those broken down or working on the hard shoulder is to encourage passing drivers to 'slow down or move over'.

More than two thirds (69%) of drivers (AA-Populus Driver Poll of 19,018) said that they would support a requirement to either create a one lane gap, or slow down significantly, when passing a stationary breakdown or emergency vehicle showing amber flashing lights.

We don't believe that this requires legislation but a change to the Highway Code would help to highlight the behaviour expected from a competent and careful driver. We have proposed a simple amendment to Rule 264, 'keep left unless overtaking', to include advice to slow down and move over when passing vehicle(s) on the hard shoulder. (See draft amendment at Appendix 1)

Emergency corridors

Queuing traffic can build at a mile a minute following an incident on a busy motorway and if that motorway doesn't have a continuous hard shoulder this can cause severe delay for the emergency services, traffic officers and breakdown/recovery operators.

Any extension of the 'golden hour' – the time within which medical or surgical intervention by a specialist trauma team has the greatest chance of saving life – after a serious injury can have fatal consequences. If more than 60 minutes has elapsed by the time the patient reaches the operating table, the chances of survival fall sharply.

Several European countries – Germany, Slovenia, Switzerland and Austria – have introduced rules requiring drivers to form an emergency corridor when congested traffic comes to a halt on motorways and expressways.

In Austria, the rule applies to all vehicle types on multi-lane highways and is backed up by regulation. The penalty for obstructing emergency vehicles or unlawful driving in the emergency corridor is a fine of up to 2,180 euros. More information can be found at these websites;

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<https://www.asfinag.at/road-safety/being-safe-on-the-road/the-emergency-corridor/>

<https://youtu.be/MvTsr-s3J8k>

Seven out of ten (71%) drivers support the idea that, in the event on an accident, drivers should be required to move to the left and right to create an 'emergency corridor' to allow the emergency services to reach the scene (AA-Populus Driver Poll of 19,018).

A new Highway Code rule (possibly under 'stopping' (rules 270 and 271), and applying only to motorways without a continuous hard shoulder would help highlight the important issue of access to incidents on smart motorways. (See draft amendment at Appendix 1)

Operator behavioural change and education

While we support the education of passing motorists to 'slow down or move over' we also believe that the breakdown and recovery industry need to do their bit by promoting a 'work on the Near side' campaign.

SURVIVE best practice promotes:

- Only exiting the breakdown/recovery vehicle from the nearside
- Only winching from the nearside, and
- Securing the vehicle with nearside straps only, until the remaining straps can be fitted in a place of safety

Live lane breakdowns, Expressways and red lights

We won't attend a breakdown in a live lane of a motorway unless that lane has first been closed with a physical barrier – usually a Highways England Traffic Officer or police vehicle. A red-X lane closure doesn't offer adequate protection as a significant minority of drivers admit to ignoring a red-X, at least until they can see the reason for the closure.

Traffic Officers are permitted by special order to use flashing red lights to the rear of their vehicles when carrying out a static or dynamic live lane closure. This has been permitted to ensure that the risk to Traffic Officers is as low as is reasonably practicable, but like breakdown and recovery operators, they may only use flashing amber beacons when stationary on the hard shoulder.

We do attend live lane breakdowns on dual carriageway A-road, but this may change in future as Highways England rolls out its plans to transform some strategic A-roads into 'Expressways', which share many of the characteristics of ALR, Smart motorways.

Highways England has indicated that it plans a phased implementation approach for Expressways:

1. A 2-3 lane dual carriageway, with no roundabouts, traffic lights or right turns on the main carriageway, some alternative provision for vulnerable road users, such as cyclists, and slow moving vehicles.
2. Replacing central reservation barriers with safer, rigid concrete barriers for these high flow A-road sections.

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3. Introduction of technology and operational changes, including Traffic Officer patrol and emergency areas. A scheme may designate as a motorway and prohibit vulnerable road users and slow-moving vehicles if appropriate alternative provision is available, and there are appropriate terminal points.
4. Motorway designation of the complete corridor.

As traffic speeds and flow rates go up it is likely that we must review our own procedures and consider only attending live lane breakdowns on Expressways where there is a physical lane closure – police or Traffic Officer vehicle.

If it turns out that Traffic Officers are not to be widely deployed on Expressways, then we believe that consideration must be given to permitting breakdown and recovery operators to use flashing red lights under the same conditions as the Traffic Officer Service.

The Automobile Association

25 March 2019

www.theaa.com

Appendix 1

Draft amendments to the Highway Code

Rule 264

You should always drive in the left-hand lane when the road ahead is clear. If you are overtaking a number of slower-moving vehicles, you should return to the left-hand lane as soon as you are safely past. Slow-moving or speed-restricted vehicles should always remain in the left-hand lane of the carriageway unless overtaking. You **MUST NOT** drive on the hard shoulder except in an emergency or if directed to do so by the police, traffic officers in uniform or by signs.

Slow down or move over when passing vehicles on the hard shoulder. The hard shoulder is a very dangerous place, both for motorists and for breakdown and vehicle recovery operatives because of its proximity to fast moving traffic. If you are driving in the left-hand lane and approaching a vehicle or vehicles stopped on the hard shoulder ahead, you should slow down or move over into lane 2 (Rule 267) before you pass.

Rule 267

Do not overtake unless you are sure it is safe and legal to do so. Overtake only on the right. You should

- check your mirrors
- take time to judge the speeds correctly
- make sure that the lane you will be joining is sufficiently clear ahead and behind
- take a quick sideways glance into the blind spot area to verify the position of a vehicle that may have disappeared from your view in the mirror
- remember that traffic may be coming up behind you very quickly. Check all your mirrors carefully. Look out for motorcyclists. When it is safe to do so, signal in plenty of time, then move out
- ensure you do not cut in on the vehicle you have overtaken
- be especially careful at night and in poor visibility when it is harder to judge speed and distance.

New rule XXX

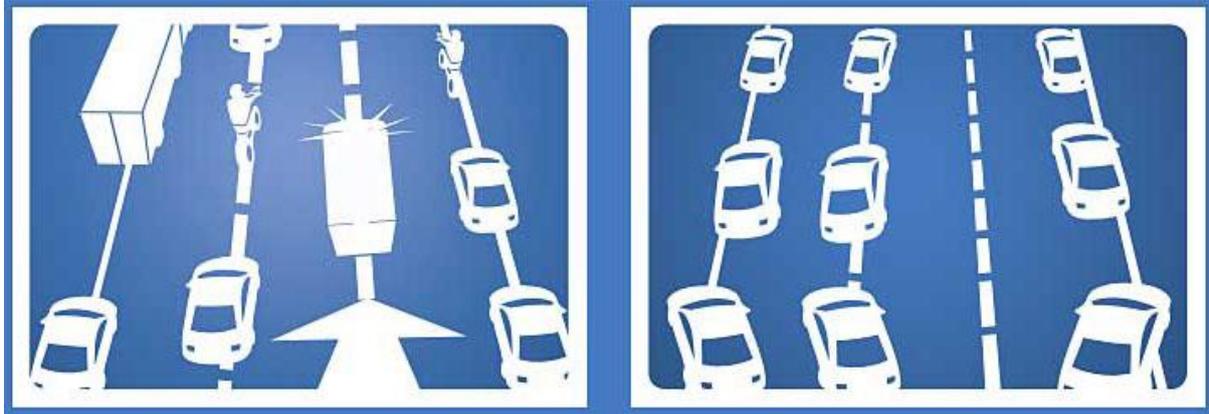
Emergency corridors. Following an incident on a motorway without a continuous hard shoulder it can be difficult for traffic officers and emergency service vehicles to make their way through the stationary traffic queuing behind the incident. This can delay the treatment of casualties and clearing of the incident.

If traffic on a motorway without a hard shoulder comes to a standstill then, regardless of whether emergency vehicles are already in the vicinity or not:

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- *Vehicles in the far right-hand lane should drive as far to the right as possible*
- *Vehicles in all other lanes should drive as far as possible to the left-hand side of the road.*
- *Vehicles should remain parallel with the direction of travel rather than veering across the lanes to create an unimpeded 'emergency corridor'.*



[this image taken from the Austrian leaflet for illustrative purposes]

Rule 275

If your vehicle develops a problem *on a motorway with a hard shoulder*, leave the motorway at the next exit or pull into a service area. If you cannot do so, you should:

- pull on to the hard shoulder and stop as far to the left as possible, with your wheels turned to the left
- try to stop near an emergency telephone (situated at approximately one-mile intervals along the hard shoulder)
- leave the vehicle by the left-hand door and ensure your passengers do the same. You **MUST** leave any animals in the vehicle or, in an emergency, keep them under proper control on the verge. Never attempt to place a warning triangle on a motorway
- do not put yourself in danger by attempting even simple repairs
- ensure that passengers keep away from the carriageway and hard shoulder, and that children are kept under control
- walk to an emergency telephone on your side of the carriageway (follow the arrows on the posts at the back of the hard shoulder) – the telephone is free of charge and connects directly to an operator. Use these in preference to a mobile phone (see [Rule 283](#)). Always face the traffic when you speak on the phone
- give full details to the operator; also inform them if you are a vulnerable motorist such as disabled, older or travelling alone

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- return and wait near your vehicle (well away from the carriageway and hard shoulder)
- if you feel at risk from another person, return to your vehicle by a left-hand door and lock all doors. Leave your vehicle again as soon as you feel this danger has passed.

Rule 277

If you cannot get your vehicle onto the hard shoulder

- do not attempt to place any warning device on the carriageway
- switch on your hazard warning lights
- *If you stop in the nearside lane next to a hard shoulder or verge and feel you are able to exit safely with any occupants, consider exiting your vehicle via the nearside (left hand) door, and wait behind the safety barrier, if there is one and safe to do so.*
- *If it is not possible to get out of your vehicle safely, or there is no other place of relative safety to wait then you should stay in your vehicle with your seat belt on and dial '999' if you have access to a working mobile phone.*

New rule 279

*If your vehicle develops a problem on a **motorway without a hard shoulder**, leave the motorway at the next exit, pull into a service area or pull into the next Emergency Refuge Area (ERA) – marked with blue signs featuring an orange SOS telephone symbol.*

- *If you stop in an ERA, use the emergency telephone provided to contact the traffic control centre, both when you stop and before you leave. Highways England may send a traffic officer to help you or set the motorway signs to temporarily close the left-hand lane to assist you to rejoin the motorway.*