



Changes to the Highway Code from 29th January 2022

The Highway Code is changing with 9 sections of the code being updated, and 50 rules being added or updated, this will impact significantly on what motorists need to do behind the wheel.

This move, which comes as part of the government's new £338 million fund to boost cycling and walking intends to help accommodate and maintain the increase in active travel during the pandemic. Transport Secretary Grant Shapps said: "Millions of us have found over the past year how cycling and walking are great ways to stay fit, ease congestion on the roads and do your bit for the environment. As we build back greener from the pandemic, we're determined to keep that trend going by making active travel easier and safer for everyone." He added that the funding package will enable more people to make "sustainable travel choices" that make our "air cleaner and cities greener".

The Highway Code is a set of information, advice, guidelines and mandatory rules for road users in the United Kingdom. It contains information about road signs, road markings, vehicle markings and road safety. There are annexes on vehicle maintenance, licence requirements, documentation, penalties, and vehicle security. It applies to all road users, including the most vulnerable: pedestrians, mobility scooter users, cyclists, horse riders, drivers and motorcyclists. It was first published in 1931 and is regularly updated to reflect current practices.

The updated Highway Code will affect England, Scotland, and Wales, while Northern Ireland has its own version.

The important main facts to note are that there will be a "hierarchy of road users" to ensure the more high-risk modes of transport have the greatest responsibility to reduce the danger they pose to others.

This will ensure that people who can cause the most harm in a collision, such as those in vehicles, bear the "greatest responsibility to reduce the danger they may pose to others". So, a lorry driver will have a greater responsibility to those driving a car or motorcycle, and likewise people cycling would have a greater responsibility than pedestrians. The hierarchy will be, in order of priority: pedestrians; cyclists; horse riders; motorcyclists; cars/taxis; vans/minibuses, then finally large passenger and heavy goods vehicles. None of this detracts from the responsibility of ALL road users, including people walking, cycling or riding a horse, to have regard for their own and other road users' safety.

It's really important we understand the difference between **MUST** and **SHOULD** in the new Code. For example:

Drivers and motorcyclists **should** give way to pedestrians waiting to cross at a junction. They **MUST** give way to pedestrians on a zebra crossing and should give way to those waiting to cross. Horse riders **should** also give way to pedestrians on a zebra crossing. Cyclists **should** give way to pedestrians on shared-use cycle tracks and only pedestrians may use the pavement. Safety has to come first so approach at safe speeds and then look at the circumstances at the time. For example: If you are in Lane 1 of a dual carriageway about to turn into a minor road but a large lorry is behind you following closely and you see a pedestrian waiting you should be at a speed to deal with the pedestrian but are unlikely to stop in a live lane.

Hierarchy of Road Users: Rule H1: The government's new Hierarchy of Road Users aims to challenge some of the safety issues pedestrians encounter when walking. Therefore the first new rule (H1) places more responsibility on drivers of larger vehicles to take greater care of vulnerable road users.

Then motorists whose vehicles have the potential to cause more harm in the event of a collision will bear the greatest responsibility to take care and reduce the danger they pose to others. Whether you drive a lorry, taxi, car, van or motorcycle, the new rule applies to whoever sits behind the wheel.

But this rule encompasses more than just motorists, as cyclists and horse riders have a responsibility to take care of pedestrians too. Essentially, if you are a road user, you are responsible for your own safety and others on the road.

Hierarchy of Road Users: Rule H2

Rule H2 is also for drivers, cyclists, motorbike riders and horse riders alike to pay more attention to pedestrians at junctions. If you see someone wishing to cross, 'you should give way to pedestrians crossing or waiting to cross a road into which or from you are turning.'

While you might be tempted to keep going, if you spot a pedestrian waiting to cross, you are now expected to give way to them. Likewise, cyclists should give way to pedestrians on shared-use cycle tracks to ensure the safety of both you and your fellow road users. Basically unless pedestrians are prohibited from the area you are driving in; they are entitled to use any part of the road to walk on.

Hierarchy of Road Users: Rule H3

Rule H3 concerns drivers and motorcyclists when you are manoeuvring at a "junction or changing direction or lane". Motorists should not cut across 'cyclists, horse riders or horse-drawn vehicles going ahead' so that you don't cause them to swerve or be forced to stop.

This will require patience and before you proceed, you should wait until there is a safe gap before making your turn. So if the cyclist is travelling around a roundabout, is approaching or moving off of a junction or moving or waiting alongside slow-moving or stationary traffic, they have the priority.

Cyclists are also now being advised to position themselves in the centre of the road to make themselves more visible to other road users. This is particularly if they are making a turn at a junction or travelling in slow-moving traffic.

Also to note:

- Electric vehicle drivers are advised to park close to charge points and avoid cables creating trip hazards.
- Drivers should also open car doors using the “Dutch reach” method – with the hand on the opposite side to the door they are opening. This makes drivers turn their heads to look over their shoulders and reduces the likelihood of hitting a passing cyclist with the door.
- Cyclists should give room when passing pedestrians on shared cycle paths.
- There is also guidance on safe passing distances and speed.
- The new Code makes it clear that 20mph speed limits must not be exceeded by drivers.
- Stricter rules on mobile phone usage when driving e.g. It will become an offence to take photos and videos, select a song on your playlist, play games on your phone, even if you are stopped at a red light. If you have your phone on a hands-free device then you will still be allowed to use it for directions. Unless there is an absolute emergency, you could find yourself with a fixed £200 fine penalty notice and six points on your license.
- Later this year, you can expect parking restrictions on pavements with a proposed £70 fine. While this has been an offence with a fine in the capital for years, the rest of England and Wales do not currently face a fine. The Scottish government are enacting a bill to outlaw all parking on pavements from 2023.
- After July all new cars manufactured in the EU will be fitted with an Intelligent Speed Assistance (ISA) black boxes to ensure drivers don't go over the speed limits in place.

Rule 63: Sharing space with other road users

When cycling through areas shared with pedestrians, horse riders and horse-drawn vehicles, you need to make it clear that you are present. It is recommended that you slow down where appropriate or necessary and either sound your bell or by calling out politely so they know you are in proximity.

When you are out on your bike always remember that some pedestrians may be hard of hearing, deaf, blind or partially sighted and that may not be obvious. Take extra care when passing the elderly, disabled and children.

If you see a horse up ahead, whether you're driving a vehicle, motorbike or bike, you need to be prepared to slow down or stop entirely. You should never pass a horse on its left, as they can quickly become startled if they aren't aware you are there. Remember to pass all pedestrians, horse riders or horse-drawn vehicles safely at the lowest speed possible, and always leave enough room as you pass by.

Cyclists are advised to make themselves more visible

With the new changes, cyclists are being advised to ride in the centre of their lane to make themselves more visible in slow-moving traffic and quieter roads. Also if a cyclist is approaching a junction (rule 72), they should position themselves in the middle of their carriageway so that other road users can take appropriate action safely. However, cyclists also hold similar responsibilities when it comes to overtaking traffic and should leave enough space for motorists to overtake when it is safe to do so.

Updates in the Highway Code include:

Rule 75: 2 Stage Turns:

At some signal-controlled junctions, there are markings on the road directing cyclists to turn in two stages.

Stage 1: As soon as the traffic lights turn green, cyclists planning to turn should head to the location marked by the cycle symbol and turn arrow painted on the carriageway. Stop, and wait before proceeding

Stage 2: Now, there are a set of traffic lights facing the cyclist on the far side of the junction. As they turn green, the cyclist should complete their manoeuvre.

Rule 76: Going straight ahead:

If a cyclist is going straight ahead at a junction, it is their priority over traffic waiting to turn into or out of the nearby side road. Like other road users, the cyclist needs to ensure they can proceed safely, particularly if they are approaching a junction on the left from slow-moving or stationary traffic.

Flashing your lights at other motorists:

As motorists, we need to communicate with each other and so we often see and hear a horn, revving an engine or flashing of lights. It can be a regular exchange with other road users. The Highway Code changes state that you can "only flash your headlights to let other road users know that you are there".

Councils have new powers to fine:

Councils across England and Wales will be granted new powers early this year to fine motorists up to £70 for some minor traffic offences. These include illegal turns, stopping in yellow box junctions and driving in prohibited cycle lanes.

Motorways:

The aim of these changes is also to improve guidance for drivers using motorways, including what to do during a breakdown or incident. This follows concern over dozens of fatalities on smart motorways, where is no hard shoulder or the hard shoulder can be converted to live traffic.

These proposals should make cycling and walking safer, which is good news but we now need to communicate these changes to all of the public not just drivers and learners because many do not read the Highway Code for long periods after passing their test.

Ultimately everyone using the roads needs to understand the new rules, because confusion could lead to high risk and collisions.

Changes to how the practical test is assessed

Most of the changes reinforce existing good driving behaviour and do not alter how we assess driving tests. But some of the changes will result in a change in assessment.

The new rule H2 results in a change of assessment during a driving test. This says: "At a junction you should give way to people crossing or waiting to cross a road into which or from which you are turning".

People driving or riding a motorcycle will need to take this new requirement to give way to people walking into account as they plan their approach to the junction. DVSA are reminding their driving examiners that it will take time for everyone, including people driving, riding, cycling, walking and horse riding to adapt to the changes. The examiners will take all of these factors into account as some people may not be aware of the changes and may react differently to the way novice drivers might be expecting. Look at the blog produced by Mark Winn, Chief Driving Examiner.

[Despatch for driver and rider trainers \(blog.gov.uk\)](#)

It's easy to keep up to date with The Highway Code, and any other future changes, online.

The **Highway Code** on GOV.UK allows you to:

- search for key words and phrases within The Highway Code
- quickly move between related rules
- follow links to the original laws that the rules are based on
- print sections more easily

There's also an official Highway Code app.

Help spread the word

Now's a great time to remind your pupils about the importance of staying up to date with The Highway Code throughout their lifetime of driving.

The Government's "THINK!" Campaign will be running a programme of awareness raising items on radio and social media channels, from June as far as we are currently aware.

The digital version of the Highway Code will be updated from the 29th January 2022 and the printed version will be available from April 2022. It has a new cover so it can be recognised.

It's vital to discuss the changes with your clients and that includes ADI trainers for Part 3 and Standards Check training. However printed copies of the new Code will only be available from April.

Further information: [The Highway Code: 8 changes you need to know from 29 January 2022 - GOV.UK \(www.gov.uk\)](#)