

3.1. Road Traffic (Amendment) Bill 2014 – Second Reading approved

Mr Gawne to move:

That the Road Traffic (Amendment) Bill 2014 be read a second time.

The Speaker: We turn to Item 3 on our Order Paper, Bills for Second Reading. The first of those is the Road Traffic (Amendment) Bill. I call on the mover, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

I am pleased to be able to promote this short piece of legislation on behalf of the Department of Infrastructure.

The main purpose of the Bill is to make minor amendments to schedule 3 of the Road Traffic Act 1985, and in particular, the provisions that govern the appearance of a driving licence. At the moment, the current driving licence must be in a form consisting of two parts. However, the new provisions will allow the Department to produce the licence in a form that it thinks appropriate and will cater for any possible changes to its appearance. The new provisions will also allow for the maintenance by the Department of an electronic database containing information about driver licensing.

The Bill also contains a minor amendment to the provisions in section 25 of the Building Control Act 1991, so that the powers currently exercisable by a local authority under sections 22 and 23 of the 1991 Act, which allow local authorities to take action with regard to buildings in a dangerous condition, may also be exercisable by the Department in its capacity as the highway authority. The reinsertion of section 25(1) will enable the Highways Division to take action in cases where dangerous buildings or structures may also pose a danger to people using a highway. These powers were inadvertently removed during Government restructuring in April 2010.

Having outlined the broad principles of the Bill, I hope that Hon. Members will now give it their full support.

I beg to move that the Road Traffic (Amendment) Bill be read for a second time.

The Speaker: Mr Houghton, Hon. Member.

Mr Houghton: Thank you, Mr Speaker.

I beg to second.

The Speaker: Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

Just slightly commenting on the issues there, I welcome the initiative that is coming forward from the Department regarding driving licences, because I wonder how many people actually keep the piece of paper in their wallet or in the glove compartment. I think personally it is an absolute nonsense to have a little bit of paper. You pull your driving licence out, and that is it – that is your driving licence.

But for Police purposes, they want to see the other half, and I wonder whether, even as a cost-cutting exercise of trimming that down, at least if we are only producing one particular document, and somebody has to look at it again in the future, they could do that.

That is about it – quite happy about that.

I was surprised, though, on the Bill that the Department did not have the powers regarding dangerous buildings. I just wanted to seek an assurance from the Minister regarding that: that if

action is taken, all endeavours are made to contact the owner of the property first, and then the Department seeks to be compensated, and the taxpayers' money is then used to secure a building of that may be unsafe, which may cost a lot of money.

The Speaker: Mr Cregeen.

Mr Cregeen: Thank you, Mr Speaker.

I wonder if the Minister could just clarify one point in the Bill there for me, before it goes to clauses. I have concern on section 10A(2). Regarding the database, it says the database will be for a person's official duties by a constable, an officer of the court, an officer of the Department of Health and it goes on:

'(d) such other person, and for such purposes, as may be prescribed.'

I do have a concern that the previous Director of Highways wished to make our database accessible to all European countries, because he wanted to be a good European – except we are not Europeans. I have a concern that I would not wish to see our database being accessed by these countries.

So if he could give a bit of explanation to that, I would be grateful.

The Speaker: Hon. Member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr Speaker.

A point on the form now of the driving licence, just being a card, it says here that it will be acceptable throughout the whole of Europe.

Recently I was in the States, and I was asked to produce *two* parts of the licence. Can the Minister say whether this is only okay... because this is okay for Europe, what about people who want to produce their driving licences in other countries, other than Europe?

The Speaker: Hon. Member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, on clause 2, with the Appointed Day Orders, I take it that they will come for approval from Tynwald as far as that issue is concerned.

I think the points that the Hon. Member for Santon and Malew has brought up are very valid and I think it would be interesting to know about the issues of accessibility of this information, as far as outside this jurisdiction. (*Interjection*)

Could I just say, with the Item as far as dangerous buildings are concerned, I do hope that we will see a consistency when we are talking about buildings that are supposed to be dangerous, better than what we have seen as far as the Council is concerned, who it seems to be more on a personal agenda, when it came to some people who are now unfortunately not around to give them a hard time.

The Speaker: I call on the mover to reply, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

I thank my hon. colleague Mr Houghton, Hon. Member for Douglas North for seconding.

I too support the comments from the Hon. Member for Douglas... for *Onchan*, I should say – (**Mr Cretney:** Greater Douglas.) yes, 'Greater Douglas'! – Mr Quirk, (*Laughter*) in relation to this change to the driver's licence. I think it is a really positive step. It will save us some money. I was just looking for the figure... There it is: £103,250 will be saved as a result of this. Now, my understanding is that is over a five-year period. It depends how many licences we get in over a year, but it is a substantial amount of money that will be saved by moving to this scheme.

The Hon. Member for Onchan was surprised that we did not have the power. We *did* have the power, of course, but then for whatever reason, it was not transferred when it should have been, when we had the transfers of functions, so that is the only thing.

So there is no policy change in relation to that. It is the same as has been in the past. The only difference is, at the moment, only local authorities have that authority. We are trying to reintroduce the ability for the Highways Agency to have that authority.

In relation to section 10A(2), I think it is a very important point, but it is nothing to do with being anti-European or pro-European. This is to do with practicality, as indeed, the Hon. Member for Ramsey has mentioned – the practicality for people using their driving licences. If we want to have a reciprocal arrangement across Europe in relation to driving – which I think anybody who wants to drive in Europe *would* want –

Mr Cregeen: No, they don't.

Mr Gawne: Well, I am amazed that people would not want to have the simplicity of being able to drive anywhere they wanted across Europe, without having to change their driving licence on every single occasion they reached a border! I think that is absolutely bizarre. It is a retrograde step, if we moved back to that sort of situation, and I do find it quite extraordinary as a suggestion! *(Interjection)*

So I think it is not at all unreasonable to share information, so that we can allow our citizens to have the free right to drive wherever they want in Europe, should they choose to, to change that back to a system where it was... not 'Little Britain' – 'Little Isle of Man', where we only have regard to our own direct area and we are not bothered about the international world and we are wholly inward looking. I think would be a terrible shame, and it would cost us significant amounts of money.

So, maybe I have misunderstood what the Hon. Member for Malew and Santon was talking about –

Mr Cregeen: You did. I will talk to you about it later.

Mr Gawne: If so, I would be happy to hear about that, but really, I think we should be sharing the information, so that we can ensure that our drivers have access to be able to drive around Europe.

In relation to Mr Singer, I am not absolutely sure, but I am sure we can arrange to have that answered, either directly to Members or at the clauses stage, but I would have thought that a European-recognised driving licence will have probably more sway, in terms of America, if he is driving in America again.

In terms of the Hon. Member for Onchan, Mr Karran's queries, I think I have addressed most of them, with the exception of commencement and that is dealt with in clause 2 of the Bill. I think it is reasonably clear there. It is just the normal position: the Department will issue its appointed day notice in the same way that would happen with any Bill.

Gura mie eu, Loayreyder. I beg to move.

The Speaker: Hon. Members, I put the motion that the Road Traffic (Amendment) Bill be read for the second time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.