

**8. Road Traffic Legislation (Amendment) Bill 2020 –  
First Reading approved**

Mrs Lord-Brennan to move:

*That the Road Traffic Legislation (Amendment) Bill 2020 be read a first time.*

**The President:** Item 8, Road Traffic Legislation (Amendment) Bill for First Reading; and I call on the mover, Hon. Member Mrs Lord-Brennan.

**Mrs Lord-Brennan:** Thank you, Mr President.

This Bill, the Road Traffic Legislation (Amendment) Bill 2020, is promoted by the Department of Infrastructure and is now back again before this Council, further to a substantial review and recommendations by a previous Legislative Council Committee on the Bill. The Bill would affect the law on road traffic and drivers in various ways.

Of the Bill's principal provisions, the most weighty are those set out in Part 2 and provide for amendment of the Road Traffic Act 1985. The rest of the Bill makes amendments to the Road Traffic Regulation Act 1985 and the Local Government (Miscellaneous Provisions) Act 1984. There is also an amendment to the Licensing and Registration of Vehicles Regulations 2015. The Bill repeals two old amending Acts and section 13(2) of the Road Traffic Act 1985.

Mr President, the Bill covers a wide range of areas, from unsafe or irresponsible driving, enforcement of motoring fines, to making extensive amendments to the law on driving licences and extending the information-gathering powers of both the police and the authorised vehicle examiners of the Department of Infrastructure.

It extends validity of temporary traffic regulation notices and introduces greater penalties for speeding, particularly in residential or schools zones or in road works areas, as well as covering use of automatic number plate recognition technology, as well as prescribing a small number of fixed penalty offences and aiming to deal with abandoned or illegally parked vehicles. The Department and the Minister promoting the Bill are convinced that this Bill will make a material contribution to the law on road traffic and drivers.

Mr President, I beg to move that the Road Traffic Legislation (Amendment) Bill 2020 be read a first time.

**The President:** Thank you.  
Hon. Member, Mr Henderson.

**Mr Henderson:** Gura mie eu.  
I beg to second, sir.

**The President:** Thank you.  
Hon. Member, Mr Mercer.

**Mr Mercer:** Thank you, Mr President.

I would like to make some observations about the progress of this Bill. As you may be aware, this Bill began its life as much as 10 years ago. In the intervening time, a Select Committee of Legislative Council was formed to review and gather evidence. The late Mr Malarkey announced a comprehensive road safety strategy review in 2017 and in January 2019 Tynwald approved that new Road Safety Strategy and its accompanying Action Plan.

Now, finally, we have the Road Traffic Legislation (Amendment) Bill 2020 before us. One might assume that amendments will have been incorporated into this Bill that help us to align our legislation to assist with the delivery of that Strategy. The aforementioned Select Committee report foresaw this, and observed that:

the Strategy itself may lead to further legislative proposals in future.

It has been almost 18 months since the Road Safety Strategy was adopted by Tynwald. This Bill contains many useful amendments, changes and updates. But as these amendment Bills come along very infrequently, I sincerely hope that *all* opportunities to strengthen and align this legislation with that Strategy have been seized upon. If not, then there is still time to propose amendments to refine and improve upon this Bill.

Thank you.

**The President:** Hon. Member, Mrs Poole-Wilson.

**Mrs Poole-Wilson:** Thank you, Mr President.

At First Reading I just want to flag some matters that I would intend to continue working with on; working with the mover, officers and drafters on this Bill to try and ensure that the matters are properly addressed.

The first matter I would just like to flag is that the Bill repeals paragraph 5 of Schedule 23 of the Equality Act 2017. Now, in discussion so far, I understand that this is intended to address some duplication as regards protections for disabled people and to ensure that their protection when it comes to public passenger vehicles is as broad as possible. I think this is very important, as the Government committed to disability discrimination protection being in place under the Equality Act as from January 2020.

Now, my understanding is that the necessary protections, once paragraph 5 of Schedule 23 of the Equality Act is repealed, will be brought forward under some regulations under section 12 of the Road Transport Licensing and Registration (Amendment) Act 2018. So I think it would very helpful to understand when those regulations will be ready and brought forward, and also to understand the connection between those regulations coming into force and the timing of repeal of paragraph 5 of Schedule 23 of the Equality Act under this Bill; will they be connected?

Another area that I think it would be helpful to hear about, perhaps at Second Reading, is in relation to clause 34 of the Bill, which amends Schedule 3 of the Road Traffic Act in terms of driving licences. The issue there really is to get some information on the public record regarding the age of 75 now being specified as a point at which a driver must pass an eyesight test. So it would be helpful to hear more about the data underpinning that approach.

The final area that I am still looking into is clause 33 of the Bill, which amends Schedule 2 of the Road Traffic Act, and that is in relation to adaptation of vehicles themselves to carry disabled people. So I flag that at this stage and it is my intention to discuss further with the mover and officers how those amendments will work in practice and in particular whether reference to conditions is enough to be able to create any penalties for non-compliance.

Thank you, Mr President.

**The President:** Thank you.

I call on the mover to reply to the First Reading debate. Mrs Lord-Brennan.

**Mrs Lord-Brennan:** Thank you, Mr President.

Firstly, turning to the contribution from Mr Mercer, I welcome very much his observations as to the progress of the Bill, but not only is he talking about the progress of the Bill, but he is talking about the progress and the implementation of the Road Safety Strategy. I feel it is important to clarify that this Bill is not the only expression of the Road Safety Strategy, but he is quite right to identify that we are now possibly at an opportunity, if there are any elements that need to be corrected or added in within that broader context. We have a Road Safety Strategy and we have the Bill before us, so it would be fitting to consider that at the present time.

So I would welcome suggestion of any proposals for amendment to the Bill if they can be specifically identified in order to, as he says, strengthen and align the Bill to the Road Safety

Strategy, and I would encourage the Hon. Member to continue those conversations in specific terms with officers. But it is not really the place for this Council to, effectively, assess the overall Road Safety Strategy, although he has made some very important points.

In terms of Mrs Poole-Wilson, I am very happy to continue to work with the Hon. Member to ensure that from the Department there is either the clarity and perhaps more importantly to seek a particular undertaking from the Department in connection with the equality provisions that she mentions; and, indeed, the adaptation of vehicles and how it will work in practice. That is definitely something that should be thought about. So I will seek an answer from the Department so I can relay it to this Hon. Council.

In terms of clause 34, to do with the ages in connection with driving licences, I welcome very much highlighting at this stage that more information would be helpful to do with the data and I will seek to get that. I am certain it is available and I will come back to this Council to inform on that point.

Thank you, Mr President. I beg to move.

**The President:** Thank you, Hon. Member.

I put the question that the Road Traffic Legislation (Amendment) Bill be read for the first time. I take Council to be in agreement; if there is dissent, please indicate this now. The ayes have it. The ayes have it.