



Northern Ireland  
Assembly

## Research and Library Service Briefing Paper

---

Paper 34/11

26 November 2010

NIAR 559-10

**Des McKibbin**

# Outline of Consultation for Draft Regulations for Signs and Warning Lights on School Buses with analysis of Regulatory Impact Assessment

## 1 Background and Context

In September 2000 the Environment Committee (hereafter to be referred to as the committee) of the Northern Ireland Assembly held a public inquiry into the safety of home to school transport. The Committee's report included recommendations that a specification for a new system of signs and lights should be developed and that this system **should be fitted and used on all school buses**. Currently under Regulation 17 (1), subject to paragraph (2), of the Road Vehicles Lighting Regulations (NI) 2000, buses carrying children must display a clearly visible sign to front and rear of the bus. This applies to contracted buses i.e. those secured by department to deliver a school service and Education and Library Board (ELB) vehicles. This regulation does not apply to routine stage carriage services provided by translink who do not differentiate between school children and the general public on these services.

The Committee had serious concerns, on grounds of safety, over the large number of school children being transported to and from school on regularly scheduled stage

carriage services, which were not regulated in the same way as official school buses; this is in terms of prescribed signs to the front and rear of the buses and the existence and proper use of warning lights when children are getting on and off these buses. The Committee concluded that from the point of view of increased safety all Translink stage carriage services used predominantly for school travel should be treated in the same terms as 'contract buses'.<sup>1</sup>

At the Committee's inquiry (2000) evidence was provided by Chief Inspector Hiller of the RUC who suggested that the existing regulations which allow for the use of hazard lights on specified buses when children are boarding and alighting the bus are inadequate in terms of safety, not least because of their low position and the fact that drivers are unaware of what it actually signifies in that circumstance. The Committee recommended that it should be compulsory for hazard warning lights to be fitted to the front and rear and as near to roof level as possible, on all buses/coaches transporting school children and operated for all boarding and alighting in conjunction with the signs specified in the preceding recommendation.<sup>2</sup>

## 2 New proposals

Based on the recommendations of the Environment Committee a proposal to consider amending the Road Vehicles Lighting Regulations (Northern Ireland) 2000 has been made. This involves introducing new requirements to display illuminated signs and to use warning lights. The objective of this regulatory change is to allow and eventually require all buses, coaches and minibuses used to provide school services to fit and use a new signs and lights system.

16 school children in NI were killed or seriously injured between 2002 and 2006<sup>3</sup> immediately before boarding or after alighting a bus. This regulation is designed to address the risk and reduce child pedestrian casualties around buses as they board and alight.

The regulatory amendments will:

- a) Allow/require all buses being used for school services to be fitted with new signs and warning lights. The new system will be allowable from 1 February 2011 (this is the date from which the regulations would come into effect) but will be mandatory from 1 September 2012 (that is the regulations effective date plus 18 months to allow time for retrofitting).
- b) Provide for various system options based on the age and size of the bus.
- c) Set out the requirements for fitting and operation of the signs and lights, and

---

<sup>1</sup> Committee for the Environment (2000) "Report on the inquiry into transport used for children travelling to and from school". NI Assembly: Belfast [online] available from: <http://www.niassembly.gov.uk/environment/reports/report1-01r.htm#1>

<sup>2</sup> Ibid

<sup>3</sup> DoE (2008) Home to school travel: Statistical Bulletin [online] available from: [http://www.doeni.gov.uk/home\\_to\\_school\\_travel\\_bulletin.doc](http://www.doeni.gov.uk/home_to_school_travel_bulletin.doc)

- d) Create offences in relation to a) the illumination of the sign when the bus is not being used on a school service and activation of the flashing lights when children are not getting on or off, and b) non-illumination of the sign when the bus is being used on a school service and deactivation of the flashing lights when children are getting on or off.<sup>4</sup>

### 3 Analysis of Regulatory Impact Assessment

The Regulatory Impact Assessment (RIA) considered three options for progressing, these were:

- Do nothing – make no changes to the existing signs and lights on school buses;
- Use existing regulation - design and implement a new signs and lights system within the provisions of existing regulation;
- Amend existing regulation – design and implement a new signs and lights system and amend existing regulations where necessary.

The third option, to amend, is recommended as it takes into account the recommendations of the committee who carried out a thorough inquiry and identified shortfalls in the existing regulation.

One of the fundamental shortfalls with the regulation that was identified by the Committee was over the large numbers of school children using stage coach services which are not regulated. The RIA states that Translink carries 65% of the 110,000 school children who use a bus to travel to school every day. Based on the Risk Assessment and the committee report, 71% of these pupils are travelling on the unregulated (in terms of safety lights/signage) stage coach services. These are currently exempt from the requirement to display a warning sign and are in fact not allowed to have their hazard lights on when passengers are boarding or alighting. While the RIA suggests the amendment and changed definition of 'school bus' will mean that 80% of children will now be using 'school service' buses it is unclear how this figure has been reached and how the Department foresee Translink will be able to make this differentiation between regular and school services.

#### Costs and benefits

The RIA identifies that all school bus service providers including the ELBs, private operators and Translink will be affected by this regulation as they will have to retrofit their current stock. It will also impact the general public through improving road safety. On that issue there is one area which stands out; while research has indicated a potential 10%-20% reduction in the likelihood of death or injury as a result of enhanced signs and lights, section 5.9 of the RIA states that this is unduly pessimistic, it goes on:

---

<sup>4</sup> Taken from Regulatory Impact Assessment (page 30) of DoE (2010) "Consultation on Draft Regulations for Signs and Warning Lights on School Buses" DoE: Belfast Taken from Regulatory Impact Assessment

*“It is unlikely that any well-designed and properly implemented system of high visibility signs and hazard warning lights would completely eradicate child pedestrian casualties in the vicinity of buses but it seems **fair to suggest that a 50% reduction in casualties is not unfeasible**”.*

This is a considerable jump in estimate and should therefore be treated with some caution as in the absence of any kind of direct comparator, truly verifiable figures would only be available following an extensive piloting scheme.

As a follow on to the estimate in reduced casualties the RIA calculates the value of this based on the Department for Transport's values for avoiding transport collisions and casualties. At the low end (10%) they estimate the annual casualty prevention benefit to be £41,624 while at the high end (50%) this rises to £2.1 million. These figures should again be treated with caution as they are based on estimates while they also do not account for the cost of a death occurring, which is valued at approximately £1.6 million).

While these monetary benefits are used to indicate potential savings perhaps the non monetary impacts which, while totally qualitative are easier to comprehend. These are that public concerns about the safety of children will be addressed and the opportunity to provide a better service may increase patronage. Although given the fact that the committee identified that there was a general lack of understanding about the purpose of the signs and use of hazard lights as they currently exist, it may be reasonable to suggest that there will be no actual impact.

It has to be noted that DOE does have plans to implement an educational advertising campaign about the new school bus signs and lights in order to increase public awareness and encourage drivers to slow down and take care around buses however this does force one to ask the question, would an education programme based around the current regulation not be sufficient? This is particularly relevant given the high compliance costs for school transport providers which will amount to:

- 0.8 million for Translink;
- 2.6 million for the ELBs; and
- 1.1 million for private operators.

The RIA considers the impact of the regulation on small firms as these are more likely to struggle with compliance costs. It suggests that these costs can be included in tenders however it does go on to state that this will not be taken into account when assessing and awarding contracts. This could potentially mean that small firms are less likely to win contracts based on their costs being higher.