



# Department for Transport

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Your Ref: EB/lmb

1<sup>st</sup> February 2016

Dear Ms Brown,

Thank you for forwarding your 'Regulation 28 Report to Prevent Future Deaths' following the inquest of Ricky Craig Hudson who passed away on the 13<sup>th</sup> August 2015, as a result of injuries sustained when he fell from his quad bike after losing control of it on the 11<sup>th</sup> August 2015.

I am very sorry to hear about the tragic death of Ricky Craig Hudson. Please pass on my condolences to his family.

## **Protective helmets**

You state correctly that there is currently no legal requirement for quad bike riders to wear a safety helmet while riding on a public road. The Motor Cycles (Protective Helmets) Regulations 1988, which require motorcyclists to wear a helmet, do not apply to quad bikes as they fall outside the definition given of a motor bicycle, which is defined as a "two-wheeled motorcycle". However, the Official Highway Code (rule 83) does include advice that riders and passengers of motor tricycles and quadricycles, also called quad bikes, should wear a protective helmet.

## **Driving and licensing requirements**

Certain models of motorcycles, motor tricycles and quadricycles are only suitable for off-road use, as they do not meet the legal standards for use on roads. Vehicles that do not meet these standards must not be used on roads, pavements, footpaths or bridleways and to do so would be committing an offence.

Section 87 of the Road Traffic Act 1988 provides that it is an offence for a person to drive a vehicle of any class on the road without a driving licence. To drive a quadricycle on public roads a motorist must hold a Category B licence; or a former category B1 licence for motor tricycles or quadricycles that are up to 550kg unladen. The categories of

licences are set out in the Motor Vehicles (Driving Licences) Regulations 1999 (SI 1999/2864 the "1999 Regulations"). Regulation 5 and Schedule 2, Part 1, sets out the various types of licences.

Vehicle licensing and registration is governed by the Vehicle Excise and Registration Act 1994 (VERA) (as amended). The Act requires that every mechanically propelled vehicle used or kept on a public road should be licensed and registered. The Driver and Vehicle Licensing Agency (DVLA) believe that there are a total of 12,379 quads within the UK registered for use on public roads. The figure provided is an estimate as quad bikes are not recorded separately and not all records include sufficient information to accurately determine whether or not the vehicle is a quadricycle.

## **Proposed action**

### *Improving casualty data for quad bikes*

Currently there are constraints on casualty data around quad bikes as they are not recorded separately but within the category "other vehicle". "Other vehicle" includes, for example, quad bikes, ambulances, fire engines, motor caravans, pedestrian controlled vehicles with a motor, refuse vehicles, road rollers, mobile cranes, army vehicles and street barrows. In 2014, 10 people were killed and 115 seriously injured whilst using a vehicle in the "other" category. This equates to around 0.5 per cent of all the Killed or Seriously Injured (KSI) casualties in Great Britain during 2014. It is likely, therefore, that the number of quad bike users killed or seriously injured is very low.

To gain a better understanding, we are proposing to ask that quad bike casualties on public roads are recorded separately in the police reported road casualty statistics (commonly called Stats 19). Any changes to the Stats 19 requirements has significant implications for police forces, both in terms of the burden of data collection and in terms of IT systems. For this reason changes to the requirements are only made as part of the quinquennial reviews.

The reviews are run by the Department for Transport through the Standing Committee for Road Accident Statistics (SCRAS). SCRAS is made up of police forces, local authorities, central Government and expert users. Any change is subject to agreement between all parties to ensure that the data collected is fit for purpose, as well as not putting too much burden on police forces. Changes to Stats 19 are not permitted outside of the reviews as the cost to the police forces for retraining officers and staff and altering recording systems would become prohibitive. It is only by making a large number of changes at once that software alterations give good value for money. The next Review will probably be in 2017. It will then take a year or so before the changes are made, as police forces will need to make a software change to add new codes / variables from the Review.

### *Protective helmets*

Although the Highway Code advises that riders and passengers of quadricycles should wear a protective helmet (rule 83 - as mentioned above), there are no immediate plans to make the wearing of helmets compulsory; such a change would require primary legislation. However, we are keeping the position under review; there are a number of

factors that will need to be taken into consideration such as, the level of use, the safety of riders in a collision and the availability or otherwise of seat belts.

The Department has recently published a Road Safety Statement which sets out the Government's priorities for improving road safety over the course of this Parliament. We must give priority to those actions to which we are already committed and which concern road users who are over-represented in road casualty collisions.

Driver licensing and training

We are not proposing to mandate additional driving qualifications for motorists who wish to drive a quad bike on the road, as anyone who does so must hold a licence and will therefore have already passed a theory, hazard perception and practical driving test, which we believe provides a robust regime for road users.

I would like to assure you that we are committed to improving road safety for all road users through a range of measures. New rules on quad bikes entered into force in January 2016 meaning that new vehicle types will be subject to new safety requirements, including that all wheels must be able to rotate at different speeds (to enable safer cornering). Previously virtually all sit astride quad bikes had fixed rear axles. Requiring all wheels to be able to rotate independently is intended to significantly improve safety by minimising risk of loss of control and the vehicle rolling over. The new legislation is set out in EU regulation No 168/2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles.

Yours sincerely,

A handwritten signature in black ink that reads "JMatthew". The signature is written in a cursive, flowing style.

**JESSICA MATTHEW**