

## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Operational Delivery Committee
<b>DATE</b>	16 <sup>th</sup> May 2019
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Motorcycles in Bus Lanes
<b>REPORT NUMBER</b>	PLA/19/081
<b>DIRECTOR</b>	Not Applicable
<b>CHIEF OFFICER</b>	Gale Beattie
<b>REPORT AUTHOR</b>	Tony Maric
<b>TERMS OF REFERENCE</b>	Purpose 1. Remit 5.

### 1. PURPOSE OF REPORT

- 1.1 To inform the committee of the outcomes of a review of the issues associated with allowing motorcycles to use bus lanes during their hours of operation in response to a formal petition raised on this subject.

### 2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Note the outcome of the review and take no further action in relation to the petition.

### 3. BACKGROUND

- 3.1 A formal petition was submitted to the Petitions Committee of 21<sup>st</sup> November 2017, by Mr Stewart McCann, as lead petitioner. The petition asked the following:

“We the undersigned, petition the Council to allow the use of motorcycles to use the city bus lanes at all times.”

- 3.2 The Committee formally resolved to request that the matter be referred to the then Communities, Housing and Infrastructure Committee for consideration and

that a report be produced showing an assessment of other cities schemes, including appropriate consultation with other road user groups.

- 3.3 In response to the Committee's request, a desktop review of the trials in London was undertaken, together with a review of schemes in other areas around the UK. An email consultation exercise was also carried out with both internal and external stakeholders including bus operators, cycle groups, and motorcycle groups.
- 3.4 The main regulatory guidance is the Department for Transport, Traffic Advisory leaflet, TAL 2/07. This states that the policy implications of allowing motorcycles into bus lanes is a matter for individual local authorities to decide, having due regard to their current policies regarding sustainable transport and safeguarding of vulnerable road users. A road safety audit should also be carried out especially with regard to intervisibility of motorcycles in bus lanes for pedestrians and other motor vehicles as research suggests that motorcycles can be difficult to see due to their relatively small frontal area in comparison to buses and other motor vehicles.
- 3.5 London decided to run an initial trial of solo motorcycles in bus lanes in January 2009. The results were inconclusive, but did indicate two potential issues; firstly, that motorcycle speeds had increased and secondly that collisions involving motorcyclists had increased. Therefore, a second, 18-month long trial was introduced that ended in December 2011.
- 3.6 A report on this second trial was produced by the Transport Research Laboratory (TRL). The report showed that whilst collisions between cyclists and motorcyclists on the Bus Lane Network did increase (from 10 to 25), the numbers involved were very small and therefore statistically insignificant. It was also acknowledged that it was not possible to provide conclusive proof that the collisions occurred in the bus lanes themselves, but only that they occurred within close proximity to a bus lane. It was therefore concluded that there was no major benefits or dis-benefits to allowing motorcycles into bus lanes.
- 3.7 There was also an increase in pedestrian collisions (365 to 380) near bus lanes, but again the numbers were small and statistically insignificant. It should also be noted that there was a significant enforcement regime in force during the trial period, but this had very little impact on either the collision rate or speeds. This report is the only definitive analysis of the operation of motorcycles in bus lanes and has been relied upon by several local authorities in the UK when deciding on the merits of allowing motorcycles into bus lanes.
- 3.8 Edinburgh is so far the only local authority in Scotland to allow motorcycles into bus lanes. The matter was first investigated in a report to the Council's Transport, Infrastructure and Environment Committee in May 2008, and it concluded that there was no conclusive evidence on which to base a decision and therefore each local authority should use their own judgement based on local issues on which to base a decision. The matter was then raised again in August 2014 at the Council's Transport and Environment Committee and it was agreed that an 18-month trial should be introduced. In the report it was acknowledged that allowing more classes of vehicles into a bus lane would by

its very nature limit the effectiveness of the bus lane for buses, taxis and cyclists. The report stated that having reviewed the TRL, London report the evidence indicated that there would be little or no impact on bus lane efficiency of allowing motorcycles into Edinburgh's bus lanes. Therefore, an 18-month trial was proposed in Edinburgh to allow the local authority to gather further evidence to support the permanent inclusion of motorcycles in bus lanes.

- 3.9 It should be noted that in addition to London and Edinburgh, the following cities also allow full or partial use of bus lanes by motorcycles: Bath, Bedford, Belfast, Birmingham, Colchester, Derby, Hull, Leicester, Newcastle, Plymouth, Reading, Sheffield, Sunderland and Swindon.
- 3.10 However, in a recent (2016), Freedom of information response, Glasgow City Council responded to a request for a review into allowing motorcycles into bus lanes with the response that they were not convinced of the safety case as motorcycles can in most cases keep pace with general traffic and in most cases outstrip it, and that whilst they would continue to monitor the results of various trials in the UK, they were of the opinion that there was currently insufficient evidence on the grounds of safety and congestion to warrant changing their current regulations.
- 3.11 Consultation has been undertaken with both internal and external stakeholders. The Council's Traffic Management Team raised the issue of road safety citing anecdotal evidence of lane weaving by motorcycles that has led to side swipes, although it is acknowledged that no data has been collected on this issue. Bus lanes within Aberdeen are provided within a confined urban environment and therefore may not always accommodate motorcycles overtaking stationary buses within the lane width itself. Data has been collected on motorcycle accidents and this shows that there was a total of 49 motorcycle collisions in 2013, with the figure falling year on year to a total of 13 in 2017.
- 3.12 Looking at accidents in proximity to bus lanes reveals that there was 2 slight and 1 serious accident since 2015. This would suggest that accident prevention measures have been successful in bringing down accident rates from an already low number and that safety cannot be considered as a major reason for allowing motorcycles to use bus lanes in Aberdeen City.
- 3.15 The Public Transport Unit (PTU) were also strongly opposed to the idea, arguing that there is currently a low rate of bus lane provision in the city and the main aim of the current bus lanes is to make bus travel more efficient and attractive. Their argument is that by allowing private vehicles such as motorcycles into bus lanes, this would negate the benefits of the bus lane and would run counter to several Council and regional policies such as the Local Transport Strategy, Regional Transport Strategy and the City Centre masterplan to name a few.
- 3.16 In terms of congestion and safety, the PTU argue that whilst a motorcycle may be less polluting than the private car, it is still a single occupancy vehicle and is not a sustainable transport mode. Buses are a form of mass transit and clearly a bus carrying 50 people contributes less to pollution and is more sustainable than 50 motorcycles. They also opine that whilst there may be a perceived

safety benefit to motorcyclists in using a bus lane, this is not borne out by the available evidence from current trials, which as stated earlier have proved inconclusive.

- 3.17 Nestrans in their reply referred to the fact that with the Aberdeen Western Peripheral Route (AWPR) having recently opened, this has completely changed traffic flows and volumes within the city and therefore it would be premature to change the current regime, until detailed analysis of the impact of the AWPR on traffic flows and volumes has been undertaken. They also cited pedestrian safety issues and the diluting of the benefits to buses as concerns. Their overall conclusion was that it would be best to carry out a wholesale review of bus lane operation within the city, taking into account the effects of the AWPR, before deciding on any changes to the current regime. Nestrans also felt that the Bus Alliance that has been set up to take into account the views of the bus operators in both Aberdeen City and Aberdeenshire should have a major role to play in any review of bus lane operation. Given that this wholesale review of bus lane operation is programmed to take place within this financial year, then it is recommended that the issue of allowing motorcycles to use bus lanes would be more usefully considered at this stage, rather than as a stand-alone issue.
- 3.18 There was a mixed response from the emergency services. The Scottish Fire and Rescue Service stated they had no issue with allowing motorcycles into bus lanes, whereas Police Scotland questioned the need to allow motorcycles into bus lanes as they felt that motorcyclists could legally filter their way through standing or queued traffic and allowing motorcycles into bus lanes may lead to more collisions as other road users would not be expecting to see motorcycles in bus lanes.
- 3.19 The cycling groups were very clear in their opposition to this proposal in their responses. They felt that the primary purpose of bus lanes is to help to speed up bus journey times and offer some protection to cyclists from general traffic. Therefore, allowing motorcycles into bus lanes would devalue this benefit. Air quality and sustainability was also mentioned with the argument being made that whilst a motorcycle emits less pollution than a car, it still contributes poorly towards air quality and is not a sustainable form of transport. They also felt that there would be road safety implications for cyclists as motorcyclists would attempt to pass both buses waiting at bus stops and cyclists whilst in the bus lanes and this could lead to more collisions and accidents.
- 3.20 The bus operators also provided a response stating that they would wish to see clear evidence, probably through modelling, that introducing motorcycles into bus lanes elsewhere in the UK has not had a detrimental impact on bus journey times or safety. They also questioned how this sits with the Council's stated objectives to increase the share of active and sustainable travel modes.
- 3.21 Comments have also been received from the original petitioner. The main arguments put forward are it would lead to reduced journey times for motorcyclists and lead to environmental benefits, whilst also improving safety for motorcyclists.

- 3.22 It is argued that motorcyclists are a vulnerable road user group, accounting for 1% of all road users, but that they account for 19% of all road user deaths on the UK's roads. Therefore, allowing motorcyclists to use bus lanes will provide a safer environment for them and will allow them to safely negotiate queued or slow-moving traffic without the need for filtering, which if carried out with due care and attention is recognised as a legal manoeuvre by police, although this is often negatively perceived as 'weaving' by other road users.
- 3.23 It is also argued that the TRL report into Transport for London's trials of motorbikes in bus lanes provides conclusive proof that allowing motorcyclists to use bus lanes will not lead to any major disbenefits to buses in terms of journey times or reliability or to cyclists in terms of road safety.
- 3.24 It should also be noted that the local motorcycle group was also invited to comment, but to date no reply has been received.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Whilst there are no direct financial implications arising from the recommendations of this report, should the committee decide to allow motorcycles to use bus lanes then costs would be incurred.
- 4.2 The main costs would be progressing a change to the Traffic Regulation Orders (TRO's) that govern the use of bus lanes and are the main means of enforcing the bus lanes. There would also have to be signing and lining changes on every bus lane within the city. Whilst these costs have not been quantified at this stage, they are likely to be considerable and it should be borne in mind that there is no identified budget to allow for this to take place.
- 4.3 A Traffic Regulation Order (TRO) is required to be promoted for any change to a Bus Lane scheme as this is the main legal instrument to allow for enforcement measures to be undertaken. The cost of promoting a TRO is generally in the region of £2,000. The Council would also incur signage costs as new signs would need to be provided that complied with the Traffic Signs Regulations and General Directions (TSRGD) legislation. When reviewing the costs associated with this for other local authorities who have allowed motorcycles into bus lanes, this has been in the region of £20,000 for a city-wide scheme.
- 4.4 Whilst the costs could be met from Bus Lane Enforcement (BLE) revenue, it should be noted that the BLE budget is already fully committed for this financial year and therefore any decisions to use this budget to fund this proposal would impact on already committed projects.

## 5. LEGAL IMPLICATIONS

- 5.1 There are currently no direct legal implications arising from the recommendations of this report. However, as stated above should the committee decide to allow motorcycles to use bus lanes, then there could be legal implications
- 5.2 The main implications would be the need to go through the TRO process, which is likely to be a lengthy process as it is highly probable that there would be objections from both the bus operators and cycling groups. This could mean that the process could take up to 18 months to progress.

## 6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
<b>Financial</b>	None Identified  Currently no budget to progress if committee decides to change regime.		
<b>Legal</b>	Likelihood of objections to TROs if TROs are progressed	Low (L)	Report recommends that motorcycles are not allowed into bus lanes, so risk should not arise.
<b>Employee</b>	None identified		
<b>Customer</b>	Council could attract negative comments from different user groups opposed to allowing motorcycles in bus lanes.  Safety risks to cyclists?  Risk of delay to bus passengers?	Low (L)	Report recommends that motorcycles are not allowed into bus lanes, so risk should not arise.
<b>Environment</b>	Could make it difficult to meet statutory air quality targets if motorcycles allowed in bus lanes	Low (L)	Report recommends that motorcycles are not allowed into bus lanes, so risk should not arise.
<b>Technology</b>	None identified		

<b>Reputational</b>	Council could be perceived as not committed to promoting sustainable transport modes if motorcycles allowed in bus lanes.	Low (L)	Report recommends that motorcycles are not allowed into bus lanes, so risk should not arise.
	There could be a risk to the Council that motorcycle groups may perceive that the Council is not taking their concerns seriously if they are not allowed to use bus lanes.	Low (L)	This report should help to address these concerns by evidencing how the Council has reached a decision.

## 7. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	Not required
<b>Data Protection Impact Assessment</b>	Not required
<b>Duty of Due Regard / Fairer Scotland Duty</b>	Not applicable

## 8. BACKGROUND PAPERS

Transport Research Laboratory Motorcycles in Bus Lanes – Monitoring of the second TfL Trial <http://content.tfl.gov.uk/motorcycles-in-bus-lanes-independent-report.pdf>

Department for Transport – Traffic Advisory Leaflet 2/07 The use of Bus Lanes by Motorcycles <https://www.motorcycleguidelines.org.uk/wp-content/uploads/2013/08/tal-2-07.pdf>

## 9. APPENDICES (if applicable)

None

## 10. REPORT AUTHOR CONTACT DETAILS

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