



Department for Transport

From the Parliamentary
Under Secretary of State
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1 A SEP 2018

Dear Coroner

Thank you for forwarding your 'Regulation 28 Report to Prevent Future Deaths' following the inquest of Tyrone Declan Evans, who tragically passed away on the 23 September 2017, as a result of fatal injuries sustained when his quad bike collided with the crash barrier on the nearside of the road (on the A444) - and then with the offside of a Vauxhall Astra travelling in the same direction and in the same lane.

I am sorry to hear of the tragic death of Tyrone Declan Evans, for which I offer my sincere condolences to his family and friends.

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.

There are no immediate plans to make the wearing of helmets compulsory, - such a change would require primary legislation. However, the Department is 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.

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 199/2864 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 12,715 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 quad bikes are not recorded separately in reported road casualties' data 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 2016, 15 people were killed and 107 seriously injured while using a vehicle in the "other" category. This equates to approximately 0.5 per cent of all the Killed or Seriously Injured (KSI) casualties in Great Britain during 2016. It is likely, therefore, that the number of quad bike users killed or seriously injured is very low.

To gain a better understanding, quad bike casualties on public roads could be 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 later this year. 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.

Yours ever,



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