



Department  
for Transport

Department for Transport  
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Mr Darren Michael Salter  
HM Senior Coroner for Oxfordshire  
Oxfordshire Coroner's Office  
Oxfordshire District Register Office  
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1 Tidmarsh Lane  
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28 October 2022

Dear Mr Salter,

Thank you for your Regulation 28 report dated 2 September and accompanying documentation, sent to the Department for Transport following the conclusion of the inquest into the death of Jennifer Wong. I am replying as Head of Vehicle Safety Systems & Consumer Incentives in the International Vehicle Standards division, which leads for the Department on vehicle construction standards.

I understand that Ms Wong sustained fatal injuries whilst riding her bicycle when a mobile crane collided with her whilst it was turning left at a traffic light junction. You found that the evidence considered during the inquest revealed matters of concern relating to the construction of the vehicle, including driver vision and the fitting of side mounted direction indicators.

The Road Traffic Act 1988 generally requires vehicles used on the roads of Great Britain to comply with a range of regulations with respect to construction and use, including the Road Vehicles (Construction and Use) Regulations 1986 (as amended) (C&U) covering, view to the front and mirrors, together with the Road Vehicles Lighting Regulations 1989 (as amended) (RVLR) covering direction indicators.

Mobile cranes based on a standard Heavy Goods Vehicle (HGV) chassis will need to meet the standard provisions set for HGVs, including any mandatory requirements for close proximity and front mounted mirrors. However, some mobile crane types, typically those with a greater lifting capacity which are

specially designed and constructed to fulfil their purpose are not classified as HGVs and are permitted to operate under the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (STGO). The Order provides exemptions from some elements of the standard requirements but also imposes additional provisions to mitigate potential risks, such as setting requirements for the use of amber warning beacons and speed restrictions. I understand that the vehicle involved in this collision was operating under STGO rules but, it is noteworthy that the Order with respect to mobile cranes offers no exemptions for view to the front, mirrors, or direction indicators.

Regulation 30 of C&U covers view to the front and requires every motor vehicle to be so designed and constructed that the driver has a full view of the road and traffic ahead. As you have noted, for the purposes of Regulation 33 of C&U, the subject vehicle is classified as a locomotive and requires as a minimum one exterior mirror fitted to the offside. From the evidence provided, the vehicle appears compliant with regards to the C&U requirements. However, these regulations set the minimum standards considered necessary and there is flexibility for manufacturers/operators to install additional devices for indirect vision, including additional mirrors, cameras, and sensors should they wish to do so, and I note from the evidence that this vehicle is fitted with an additional mirror to the nearside.

Regulation 18 of RVLR sets requirements for the obligatory lamps and requires most vehicles first used after 1986 to be fitted with approved front, rear, and side direction indicators. By reference to publicly available records, the vehicle appears to have been first registered and used in 1997 and should therefore be fitted with side mounted direction indicators. However, the records also indicate that the vehicle was not registered in the UK until 2007, suggesting that it may have been imported, and may explain why the side direction indicators were not present and the vehicle non-compliant with our domestic regulations.

Enforcement of road traffic law is generally a matter for the Police, but most vehicles are also subject to annual roadworthiness testing (popularly known as the MOT). However, vehicles operating under STGO are exempt from the statutory annual testing regime as many are too large or too heavy to fit into a standard Heavy Goods Vehicle Authorised Test Facility. These vehicles must still comply with the law and be maintained in a roadworthy condition so operators should have in place a robust programme of daily driver checks, regular inspections undertaken by a vehicle examiner and an annual safety inspection undertaken by an independent vehicle examiner. To help operators comply with the law and ensure safety, the Construction Plant-hire Association (CPA)<sup>1</sup> in collaboration with the Driver and Vehicle Standards Agency of the Department for Transport prepared a detailed guidance

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<sup>1</sup> The CPA is the leading membership and representative body for construction plant-hire in the UK. Established for 80 years, it now has more than 1800 members and supplies 85% of hired plant to the construction industry.

document entitled “Guide to maintaining Roadworthiness of Mobile Cranes,” which is available at the following link: -

<https://www.cpa.uk.net/safety-and-technical-publications/mobile-and-crawler-crane-guidance>

Irrespective of these measures, the vehicle appears to have been used in a condition which was not compliant with regulations. Whilst it is impossible to determine with any certainty whether full compliance with the regulations would have prevented this collision, I shall be writing to the CPA in the next month to raise the issue of compliance and encouraging its members to consider additional devices or technology to help improve mobile crane driver vision.

Finally, I note your comment regarding the launch of the Government’s Road Safety Investigation Branch (RSIB). This is at an early stage and action is underway to secure the necessary primary and secondary legal powers to enable the branch to operate and will also need to recruit a specialised team of inspectors. Colleagues leading this work intend to engage with the Chief Coroner’s office to determine how the RSIB might best respond to Regulation 28 reports in future, but the branch will not become operational until 2025.

I hope you find this information helpful and are assured that the Department and its agencies are taking appropriate action to respond to your concerns.

  
**Head of Vehicle Safety Systems & Consumer Incentives  
International Vehicle Standards**