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Cycle Accidents and A Proposed Change to The Highway Code

Like many people during the Covid-19 pandemic, I have been fortunate enough to experience some of the benefits of the lockdown period by spending more time with my family and having the opportunity to partake in family activities, including cycling.

The sale of bicycles has increased, and, coupled with the good weather we have had, the number of cyclists on the roads has grown with a mixture of pleasure cyclist and those cycling to work. I have noticed a range of ages and abilities out on the road during our cycle rides.

During the initial lockdown period, traffic on the roads was very low, reduced to levels not seen for over 60 years and whilst this has added to the enjoyment of cycling, it has also seen a negative effect that a few motorists have seized the opportunity to use the empty roads to travel at faster speeds.

One of the unfortunate results has been an increase in the number of cyclist fatalities. Records show that since 23 March 2020, the number of cyclist fatalities is double the average for that time of year. In the first month of the lockdown 15 cyclists were killed on roads in the UK, the majority of which involved collisions with vehicles.

On 28 July 2020 the Driver & Vehicle Standards Agency launched a consultation seeking views on proposed changes to the Highway Code to introduce a hierarchy of road users, clarify pedestrian and cyclist priority and establish safer overtaking in order to improve safety for vulnerable road users. The main changes being proposed are:

- ensuring that road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to others
- making rules on pedestrians clearer
- providing guidance on cyclist priority at junctions when travelling straight ahead
- creating guidance on safe passing distances and speeds when overtaking cyclists and horse riders

Whilst the proposed changes focus on drivers' behaviour on the road and seek to reduce the danger they pose to others, vulnerable road users, such as cyclists, have a role to play in keeping themselves and other road users safe. One of the proposed changes is that Rule 59 will be updated to state that evidence suggests wearing a cycle helmet will reduce the risk of sustaining a head injury in certain circumstances. There are arguments for and against making the wearing of cycle helmets compulsory but the National Highway Traffic Safety Administration are of the view that helmets are the single most effective way to reduce head injuries and fatalities in accidents involving cyclists. Whilst a helmet will not prevent an accident, it could reduce the risk of a serious or life-changing brain or head injury or even a fatality.

Another of the proposed changes will offer guidance to cyclist strengthening the advice around the value of cycle training. People completing a cycle course should be able to demonstrate the skills and understanding of the rules to be able to make a trip safely.

Sadly, serious accidents and fatalities do occur and as a personal injury lawyer, I welcome the proposed changes to the Highway Code to keep vulnerable road users safe so that we can all continue to enjoy the benefits of cycling.

If you have any queries arising from a cycling accident, our [Personal Injury team](#) can assist on 01202 786260 or online.enquiries@la-law.com