

**WRITTEN QUESTION TO THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES BY DEPUTY S.S.P.A. POWER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 10th JULY 2012**

Question

“Can the Minister outline what plans the Department has for overhauling and updating certain provisions under the Motor Traffic Regulations (referred to during questions without notice on 26th June 2012) and whether consideration has been or will be given -

- (a) to sub-contracting out the inspection and registration of all new vehicles coming into Jersey?
- (b) to allowing the registration and use of Quad bikes with differentials by changing the Regulations?
- (c) to allowing the ownership and use of Segway machines by modifying Regulations?
- (d) to Jersey recognising advanced heavy motorcycle training and licensing qualifications gained at UK government approved motorcycle centres?”

Answer

DVS is a small specialist organisation with a large volume of primary statutory duties to fulfil, which the public reply upon. As a result of the Comprehensive Spending Review and previous reviews, it has become a lean organisation with little capacity for contingency. Recently, it has unavoidably suffered from the long term sickness of key personnel whose roles, due to their specialist nature, are difficult to backfill. As a result of this, discretionary tasks have to be prioritised on the basis of their contribution to road safety and the proportion of the population which will benefit from the initiative.

At present the capacity does not exist to undertake the research and consultation overhauling Road Traffic legislation requires (Motor Traffic legislation applies to public service vehicles and public service vehicle drivers). I am aware that it might be desirable to amend the legislation to afford a small number of residents the opportunity to operate certain vehicles for personal use on roads in Jersey but I am afraid this cannot be a priority for the department or law drafting.

In respect of the Deputy’s specific queries:-

- (a) While I am aware of agencies that have been established in other European jurisdictions to inspect and register motor vehicles, I am not aware of the private sector assuming responsibility for registering motor vehicles. Registering motor vehicles is considered essential to maintaining safe vehicles on our roads, reducing the opportunities for motor vehicle crime, money laundering and terrorism and is governed to a great extent by the need for reciprocity and European Directives. Where possible, opportunities to improve efficiency in the processes of inspecting and registering vehicles are and will continue to be implemented.

- (b) Quad bikes used for the purposes of agriculture are registered in Jersey. Agricultural vehicles are exempted from a number of requirements of the Road Traffic Law's Construction and Use and Lighting Orders. Primary and secondary legislation will have to be amended to permit quad bikes designed for road use to be registered for and ridden on Jersey's roads. Amending the legislation is likely to require significant officer time and law drafting time. Regulations will have to be debated and approved by the States. Previous Ministers have considered promoting amendments to legislation to permit quad bikes for general use, however, there has been little in the way of political support. For example, when consulted in 2010, the Comité des Connétables decided "*it does not support amending legislation to permit quad bikes to generally circulate on roads in Jersey at the present time.*"
- (c) My predecessors also considered Segways. There is nothing preventing a person owning a Segway or using it on private land, however, it cannot be used legally on public roads. Due to the narrowness of our pavements and the extensive use of pedestrian areas, it is expected there would be resistance from the general public to the use of such vehicles in these areas, in much the same way that cycle use is resisted. It is also questionable whether the Segway should be looked at in isolation from other similar means of personal transport not covered by existing legislation, such as other electric personal vehicles. If it was to be argued that the Segway should be treated in a similar fashion to electric mobility scooters, electrically assisted pedal cycles and the like, ie it is not a motor vehicle, then it would still be necessary to stipulate certain criteria as to construction, rider ability and suitability and safety (for riders and other road users, particularly pedestrians). This will require Regulations to exempt the vehicle from being a motor vehicle and an Order to provide for certain matters in the construction, restrictions on riders and safe use of this vehicle. Whilst, the Sustainable Transport Policy requires that I take "*a proactive role in identifying low or zero emissions personal transport and ensure that legislation encourages their use, providing that safety is not compromised*" there is little evidence from elsewhere to suggest that the resources involved in addressing the above mentioned issues would be a worthwhile investment. With a price tag of circa £5,000, the number of Segways likely to be sold and used in Jersey would be small unless organisations such as the police or Jersey Post decided that there was an argument to purchase and use a fleet of the vehicles.
- (d) A heavy motorcycle licence obtained via "direct access" by a UK resident who then moves to Jersey is recognised for exchange for being granted a Jersey licence. However, it is not feasible to recognise "*advanced heavy motorcycle training and licensing qualifications gained at UK government approved motorcycle centres*" for Jersey residents. A Jersey resident cannot be granted a UK provisional licence to ride a heavy motorcycle nor can a Jersey resident ride a heavy motorcycle in the UK while only holding a category A provisional licence. As with other issues raised in the Deputy's question, I expect the Road Safety Strategy to consider and make recommendations on a number of these issues.