

STATES OF JERSEY



DRAFT ACT ANNULLING THE MOTOR VEHICLES (CONSTRUCTION AND USE) (AMENDMENT No. 9) (JERSEY) ORDER 2007 (P.23/2008): COMMENTS

**Presented to the States on 1st April 2008
by the Minister for Transport and Technical Services**

STATES GREFFE

COMMENTS

In his report, with regard to the presentation to the States of the Road Traffic (No. 58) (Jersey) Regulations 2007 the Deputy of St. Clement surmises that the Minister for Transport and Technical Services was “keen not to advertise his intentions at the time”. I wish to assure the House that this was not so. The report which accompanied the draft Regulations clearly stated that following the implementation of the Regulations, an amendment to the Motor Vehicles (Construction and Use) (Jersey) Order 1998 would be made in order to introduce a requirement to display a “30” sign on the rear of the relevant vehicles. A further reference to the intended requirement for the signs followed in the section headed “Financial Implications”. As the report was only about a half page in total, summarising the effect of 8 Regulations, I consider that the reference to a further piece of related legislation was given an appropriate level of significance.

The Road Traffic (No. 58) (Jersey) Regulations 2007 altered the categories of vehicle subject to an all-Island 30 m.p.h. speed limit. Previously it applied to any vehicle of unladen weight more than 2.5 tonnes or a vehicle drawing a trailer. It now applies to large and medium goods vehicles (over 3.5 tonnes laden weight), large passenger-carrying vehicles, and vehicles drawing trailers. These categories are consistent with driving licence categories, and whilst previously the types of vehicle subject to a 30 limit was not obvious, they are now. Goods vehicles are categorised by laden rather than unladen weight, and a different category of driving licence is required to drive a goods vehicle over 3.5 tonnes.

The intention to change the categories and introduce a requirement for those vehicles to display a 30 m.p.h. sign was part of the proposals for a revised speed limits policy put to the States by the then Environment and Public Services Committee. That policy was debated and approved on 15th March 2005. Although the requirement to display the sign was not mentioned in the Proposition, it was mentioned in the report. Prior to the finalisation of the policy, the Committee of the day had carried out public consultation on its proposals, including a Jersey Evening Post advert which mentioned the intended requirement for a 30 m.p.h. sign. No adverse comment was received at the time.

Speeding vehicles, particularly large ones, have been identified on many occasions as a main concern for the public of Jersey. Public surveys consistently find that when asked what issue they would want the police to tackle in their neighbourhood, the majority of people say speed. Large vehicles are generally less manoeuvrable and leave less space for other road users, especially pedestrians. It is sensible to limit them to a lower speed and the requirement to display a sign will improve the public’s awareness of the provision, both for drivers of the restricted vehicles and other road users.

My Department invited haulage firms and goods vehicle suppliers in the Island to a meeting in November at which the requirements were explained. It has distributed leaflets advising of the new requirements to haulage companies, local garages and Parish Halls. A press release was issued, and formal notices in accordance with the legal requirements of the relevant legislation published in the Gazette. The issue also received media coverage when debated in the States in October. Further information has been available on the States website.

I understand the Deputy’s concern that a fine of £5,000 would seem high in relation to the offence of failing to display the sign. This is, of course, a maximum value which a person shall be liable to for the use of a goods vehicle which does not comply with any of the numerous requirements of the Motor Vehicles (Construction and Use) (Jersey) Order 1998. Although I am not responsible for policing our traffic laws, I would expect the authorities to take a sensible approach, and the likelihood of the maximum value of fine being imposed in relation to failure to display the 30 sign, would be low.

I have inherited this proposal from my predecessors, but I consider it an entirely appropriate measure which can only assist our efforts to see the numbers of injuries on our roads reduce, and I urge the House to reject the Deputy’s proposition.