

## CONSULTATION

The Scottish Ministers welcome comment on the proposal to make the Regulations and in particular in relation to the bus lane provisions, and would welcome any specific reference to safety considerations by consultees in support of their comments.

With regards to the above consultation ACPOS would offer the following comments:

### Variable Speed Limits:

- Already a tried and tested method of traffic control in England and Wales.
- There is mention in the supporting paperwork that "Traffic flow and speed on the M90 and A823 (M) will be monitored by detectors in the road "is the M9 Spur being monitored differently, or will there be a reliance on the CCTV cameras being fitted to the gantries?"

Overall ACPOS is comfortable with the implementation of Variable Speed Limits on these roads as it can only be a positive measure in dealing with the congestion that invariably occurs at peak times.

### Actively Managed Hard Shoulder:

- Concerns have been raised that the use of the hard shoulder by buses capable of carrying more than 28 passengers will be alien to other road users who may feel threatened or intimidated being undertaken by such a vehicle if the speed on the main carriageway is slow or restricted.
- The sightlines of vehicles using the Actively Managed Hard Shoulder need to be considered, for example if a vehicle breaks down or is involved in a collision and is unable to reach the emergency refuge area and comes to rest within the Actively Managed Hard Shoulder, will a bus be able to see the disabled vehicle in good time and react to its presence? If not there could be a collision or the driver of the bus may have difficulty obtaining a view in their offside rear view mirror, if for instance the obstruction was on a left hand bend. This could be a potential danger for vehicles using lane 1 of the motorway, if the bus were to attempt to rejoin the main carriageway.
- We have concerns regarding the lack of forward visibility for PSVs using the proposed bus lane on its approach to Junction 2, and at junction 2 itself, as well as concerns around the lack of a mandatory speed limit within the bus lane (having said that the bus lane is 40mph advisory, but if the running lanes were at 30mph this would apply kerb to kerb (including the bus lane) and SHOULD slow bus lane traffic as well). Junction 2 on slip is located on a sharp left hand bend on the motorway, just past an over-bridge, and is quite a fast on slip. We understand that the bus lane will stop and then re-start for a short distance between Junctions 2 and 1, however due to the road layout and speed of the traffic, these concerns appear valid.
- The fact that the Actively Managed Hard Shoulder will be discontinuous could cause potential conflict with vehicles using the main carriageway as buses move from the hard shoulder to the main carriageway.

- If an appropriate bus enters the Actively Managed Hard Shoulder will that bus be required to remain there until the sign-posted end of that lane, excepting an emergency situation? If not there is the potential for conflict with vehicles using lane 1 of the motorway.
- There is a belief that un-authorised vehicles will use the Actively Managed Hard Shoulder as a third lane when congestion is present.

ACPOS can understand the desire to create the Actively Managed Hard Shoulder for the use of buses capable of carrying more than 28 passengers to ease congestion and reduce the journey times of these buses; however the potential real time safety concerns need to be taken into consideration. If implementation takes place there will need to be a long-term publicity strategy put in place to re-educate road users to use of the hard shoulder by buses.

#### Refuge Areas:

The final concern we have is around the refuge areas that are planned to be located off the bus lane. Sufficient refuge areas have been provided, however these are not particularly big, and may cause problems when dealing with a serious RTC / broken down bus/HGV for instance. Again, this should be no different than the current situation where there may be a crash at speed in the outside lane, causing removal vehicles, emergency service vehicles, etc., to move over on to the hard shoulder in order to get the traffic moving. We understand that should such an incident occur, this will be picked up on camera and the relevant lane closure(s) implemented in order that the bus lane be used to accommodate police attendance / removal of vehicles etc..