

Summary: Intervention & Options

Department /Agency: Department for Transport	Title: Impact Assessment of graduated fixed penalties and fixed penalty points for speeding offences	
Stage: Consultation	Version:	Date: 1 October 2008
Related Publications: Consultation on Graduated Fixed Penalties and Fixed Penalty Points for Speeding Offences		

Available to view or download at:

<http://www.dft.gov.uk>

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What is the problem under consideration? Why is government intervention necessary?

Enforcement of speed limits is an important method of achieving appropriate vehicle speeds and reducing casualties as part of the Government's integrated road safety strategy. The great majority of speeding offences are dealt with through the fixed penalty procedure. The fixed penalty for speeding at present is a flat rate of three penalty points and a £60 fine, regardless of the extent to which the speed limit has been exceeded. It is the Government's view that the punishment should be more equitable and take better account of the level of offending.

What are the policy objectives and the intended effects?

The proposals are designed to make the penalty for speeding offences more equitable and ensure greater respect for and compliance with speed limits, which will in turn continue to reduce the number of road traffic collisions, injuries and deaths in which excessive speed is a contributory factor. Greater compliance will also reduce the risk to more vulnerable road users and improve the quality of life for local communities.

What policy options have been considered? Please justify any preferred option.

Option A – maintain the status quo. Option B – introduce only higher graduation of fixed penalties for speeding offences. Option C – introduce both lower and higher graduation of fixed penalties. Action is required in order to ensure that the punishment for speeding is more equitable and reflects the extent of non-compliance.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? There will be a full post-implementation review after the provisions have been brought into force by way of Order and two full years of appropriate data are available.

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

.....Date:

Summary: Analysis & Evidence

Policy Option:	Description: Introduce only higher graduation of fixed penalties
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COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' Costs to police of upgrading their Fixed Penalty System and recalibrating speed cameras (initial estimates).	
	One-off (Transition)			Yrs
	£ 1m	1		
	Average Annual Cost (excluding one-off)			
	£ 0		Total Cost (PV)	£ 1m
Other key non-monetised costs by 'main affected groups' Costs of increased disqualifications to drivers who exceed speed limits excessively.				

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups' Allowing higher fixed penalty points for excessive speeding offences will allow some speeding cases to be dealt with by fixed penalty notice rather than court proceedings.	
	One-off			Yrs
	£ 0			
	Average Annual Benefit (excluding one-off)			
	£ 19-32m		Total Benefit (PV)	£ 165-275m
Other key non-monetised benefits by 'main affected groups' Reduction in road accidents.				

Key Assumptions/Sensitivities/Risks Impacts depend on the extent of change in driver behaviour, and the extent to which the police choose to divert cases away from court proceedings. There is also a risk that more drivers are disqualified through the 'totting' up process, leading to costs to these offenders.

Price Base Year 2007	Time Period Years 10	Net Benefit Range (NPV) £ 164-274	NET BENEFIT (NPV Best estimate) £ 219m
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What is the geographic coverage of the policy/option?	Great Britain			
On what date will the policy be implemented?	1 April 2009			
Which organisation(s) will enforce the policy?	Police			
What is the total annual cost of enforcement for these organisations?	£ 1m (additional)			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ 0			
What is the value of changes in greenhouse gas emissions?	£ 0			
Will the proposal have a significant impact on competition?	No			
Annual cost (£-£) per organisation (excluding one-off)	Micro n/a	Small n/a	Medium n/a	Large n/a
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)		(Increase - Decrease)	
Increase of	£ 0	Decrease of	£ 0
		Net Impact	£ 0

Key:	Annual costs and benefits: Constant Prices	(Net) Present Value
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Summary: Analysis & Evidence

Policy Option: C	Description: Introduce both lower and higher graduation of fixed penalties.
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COSTS	ANNUAL COSTS	Description and scale of key monetised costs by 'main affected groups' Costs to police of upgrading their Fixed Penalty System and recalibrating speed cameras (initial estimates).
	One-off (Transition) Yrs	
	£ 1m 1	
	Average Annual Cost (excluding one-off)	
£ 0	Total Cost (PV)	£ 1m
Other key non-monetised costs by 'main affected groups' Costs of increased disqualifications to drivers who exceed speed limits excessively.		

BENEFITS	ANNUAL BENEFITS	Description and scale of key monetised benefits by 'main affected groups' Allowing higher fixed penalty points for excessive speeding offences will allow some speeding cases to be dealt with by fixed penalty notice rather than court proceedings.
	One-off Yrs	
	£ 0	
	Average Annual Benefit (excluding one-off)	
£ 19-32m	Total Benefit (PV)	£ 165-275m
Other key non-monetised benefits by 'main affected groups' Reduction in road accidents, more equitable treatment of offenders further encouraging compliance with speed limits.		

Key Assumptions/Sensitivities/Risks Impacts depend on the extent of change in driver behaviour, and the extent to which the police choose to divert cases away from court proceedings. There is also a risk that more drivers are disqualified through the 'totting' up process, leading to costs to these offenders.

Price Base Year 2007	Time Period Years 10	Net Benefit Range (NPV) £ 164-274	NET BENEFIT (NPV Best estimate) £ 219m
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What is the geographic coverage of the policy/option?	Great Britain			
On what date will the policy be implemented?	1 April 2009			
Which organisation(s) will enforce the policy?	Police			
What is the total annual cost of enforcement for these organisations?	£ 1m (additional)			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ 0			
What is the value of changes in greenhouse gas emissions?	£ 0			
Will the proposal have a significant impact on competition?	No			
Annual cost (£-£) per organisation (excluding one-off)	Micro n/a	Small n/a	Medium n/a	Large n/a
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)		(Increase - Decrease)	
Increase of £ 0	Decrease of £ 0	Net Impact	£ 0

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

Background

This IA relates to the proposals to introduce graduated penalties for speeding offences as part of the strategy to improve driver compliance with road traffic law. Further information is provided in the accompanying consultation paper.

Preparation of IA

This IA has been prepared by updating an initial IA which was produced in December 2007.

It has been prepared to accompany a consultation to invite comments on a range of proposals relating to driver compliance with road traffic law.

The evidence base will be updated following the consultation period to take account of any further evidence which emerges.

The following analysis assesses the costs and benefits of the two policy options compared to the baseline scenario, where there is no graduation of fixed penalty points (i.e. the current status quo). However, it should be noted that the impacts anticipated in future years would be affected by trends in speed enforcement activity, driver behaviour and traffic levels. It has not been possible to fully account for these trends at this stage, and so the actual impacts occurring in future years may differ from those stated here.

Options

Option A: Do nothing – this would involve maintaining the current status quo. This would not meet the objective of creating a more equitable system which is based on the extent of non-compliance and so would not contribute to the overall strategy to improve driver compliance with road traffic law. However, for the purpose of the impact assessment all 'do something' options should be assessed against the status quo.

Option B: Introduction of higher graduation of fixed penalties.

Option C: Introduction of both lower and higher graduation of fixed penalties.

Groups affected

Drivers

The Department for Transport's *Road Statistics 2007: Traffic, Speed and Congestion* (July 2008) shows that the proportion of vehicles exceeding speed limits varies by vehicle type and road. For example, on roads subject to a 30 mph speed limit, approximately half of cars were found to be in excess of this speed, while on 40 mph-limit roads the proportion speeding was around one quarter. Table 1 shows the percentage of cars exceeding speed limits on a range of road types. The proportion exceeding limits by wider margins (e.g. 20 mph over the speed limit) is generally low. Therefore the proposal to increase the number of fixed penalty points imposed for more serious speeding offences is unlikely to affect a significant number of drivers.

Table 1: Speeding in Great Britain 2007

Road type	30 mph speed limit			40 mph speed limit			Single carriageway			Dual carriageway		Motorway		
	30+	40+	50+	40+	50+	60+	60+	65+	70+	70+	80+	70+	80+	90+
Cars (per cent)	50	5	0	25	2	0	10	4	2	45	12	54	18	3

NB: Further differentiation of vehicle speeds for single and dual carriageway was not possible due to the limitations of published data.

For those speeding offences which the police and the Crown Prosecution Service (the Crown Office and Procurator Fiscal Service (COPFS) in Scotland) judge to be sufficiently serious to warrant a Court hearing, the system provides a significant degree of flexibility. Magistrates or judges may deal with speeding offenders in a number of ways, according to their judgement of the seriousness of the offence. They may endorse by between three and six penalty points, or disqualify outright, and may additionally fine up to £1,000 (or £2,500 for a motorway offence).

However, the great majority of speeding offences are dealt with through the fixed penalty procedure. The fixed penalty for speeding is at present a flat rate of three penalty points and a £60 fine, regardless of the extent to which the speed limit has been exceeded.

Based on the most recent figures, police deal with 1.96m speed offences per year in England and Wales, (Ministry of Justice, *Motoring Offences and Breath Test Statistics England and Wales 2006*) and 164,000 in Scotland. At current levels around 9 per cent of these offences are processed in magistrates' courts each year (equivalent to 191,000 cases per year), and many of these will reflect cases where speed limits have been exceeded by what the authorities deem exceptional margins. For the following analysis, the number of offences detected per year is assumed to remain at this current level. This may not be the case, as the evidence suggests that the number of speed related offences have decreased over recent years (for example, total speed limit offences fell by 8 per cent between 2005 and 2006 in England and Wales) but the number of offences processed in a magistrates court has fallen by a smaller proportion and it is possible that the introduction of graduated penalties (and recalibrated enforcement equipment) may increase the number of cases being processed. Therefore, in the absence of further evidence, the assumption that the number of offences will remain the same is considered reasonable.

Police/CPS/Courts Service

The police are responsible for enforcement of speeding law, while the CPS and Courts Service have a role in prosecution of offenders.

Government

Government would be responsible for amending legislation.

Option B – Analysis of impact

Costs

Set-up costs

The primary cost of the proposal will fall to the police, who will be upgrading their Fixed Penalty System to accommodate the graduation. This requirement is being incorporated into the police's new Penalty Notice Processing system, which is already under development. To coincide with the graduation of fixed penalty points, it is also proposed that speed enforcement equipment is recalibrated so that devices record the lowest possible speed at which a vehicle could have been travelling. All equipment is already required to be submitted for an annual calibration check. The overall implementation costs to the police are unlikely to exceed £1m; work is being undertaken by ACPO to determine these costs more precisely, but these findings are not yet available.

Costs of disqualifications

Under this option, with more points received for excessive speeding, it is possible that there would be an increase in the number of drivers/riders reaching the threshold of points at which they face disqualification. This is particularly relevant to new drivers, where a licence is revoked should they reach 6 points within two years of having gained their licence, under the Road Traffic (New Drivers) Act 1995.

The proposals mean that such drivers could be disqualified following the issuing of a fixed penalty notice after committing only one speeding offence. The number of conversions from provisional to full licences per year was reported by the DVLA to be 820,000 in 2007/08, equating to around 2.3 per cent of total licences (circa 35m), indicating that the proportion of drivers who could be at increased risk of being disqualified under the proposals is around 5 per cent of the driving population (this is based on the total number of drivers who have qualified in the past two years).

An increase in disqualifications from driving will increase the number of individuals having to pay to take part in the Driving Standard Agency's testing procedures and reapplying to DVLA for licences. There would also be costs for the offenders in diverting to other forms of transport, and a potential loss of earnings in cases where they were required to drive for work purposes. However, such costs incurred by individuals, who are breaking existing laws, as a result of better enforcement are not quantified as part of the impact assessment process.

The processing of additional disqualifications through the courts system will also create costs.

However, it can be argued that new drivers, as well as those with enough points to be at risk of revocation, are already aware that they could be disqualified for a single excessive speeding offence, and so many of these disqualifications would take place with or without the proposals as the courts are already able to endorse 6 penalty points for serious speeding offences. Each year there are around 5,000 revocations under the Road Traffic (New Drivers) Act 1995 triggered by speed offences. It is also possible that the proposals will improve adherence to speed limits, particularly for those at risk of instant disqualification, implying that the number of offences will decrease overall.

The change in the number of disqualifications, and associated costs to both drivers and enforcement agencies, brought about by the move to graduated penalties will depend on the level of behavioural change that occurs amongst drivers who are potentially non-compliant with speed restrictions. It is possible that the introduction of higher graduated penalties will lead to an increase in the number of drivers being disqualified but also possible that the new system will deter this form of non-compliance and lead to no change, or even a reduction, in the number of disqualifications. In the absence of further evidence, the extent and direction of this change has not been quantified.

Drivers caught committing a speeding offence will also be required to pay a fine – this represents a cost to the driver, but for the purposes of the impact assessment is considered to be a transfer from the driver to the enforcement authorities.

Benefits

Prevention of road accidents

It has not been possible to quantify the extent to which the graduation of fixed penalties for speeding offences would reduce accidents, but it is possible that the proposals would bring an improved respect for and compliance with speed limits, which in turn should bring road safety benefits through reduced risk of death or injury to road users. Evidence has suggested that the greatest reductions in casualties would arise from interventions which reduce the speed of the faster drivers.¹ Recent evaluations of the National Safety Camera Programme for England and Wales have shown that enforcement of speed limits through safety cameras can significantly reduce vehicle speeds at camera sites. In particular, it has been found that the number of vehicles exceeding speed limits by 15 mph fell by 51 per cent at camera sites after the introduction of cameras.² There was also a reduction of 42 per cent in the numbers of people killed or seriously injured at camera sites. This indicates that camera enforcement of speed limits is effective in

¹ Taylor M., Lynam D. and Baruya A, (2000) 'The effects of drivers speed on the frequency of road accidents' Transport Research Laboratory TRL Report 421, Crowthorne

² PA Consulting (2005), 'The National Safety Camera Programme – Four Year Evaluation Report'

http://www.dft.gov.uk/pgr/roadsafety/speedmanagement/nscp/nscp/coll_the Nationalsafetycameraprogram/the Nationalsafetycamera progr4598

reducing casualties at camera sites, and increasing the certainty of receiving a higher penalty for exceeding speed limits to the extent outlined in the consultation document is likely to have a beneficial impact on road safety.

In 2006, exceeding the speed limit was cited as a contributory factor in 5 per cent of all road traffic accidents, 7 per cent of those involving serious injuries and 14 per cent of those resulting in fatality: this equates to 381 fatal accidents, 1,519 serious injury accidents and 7,258 accidents overall.³ These are likely to be under-estimates, as other contributory factors, such as 'loss of control', or 'careless, reckless or in a hurry' may in some cases be an indication of exceeding the speed limit. Based on these accident figures, and the values given in Table 3 of the Department for Transport's *Highways Economic Note No. 1*, these accidents would be estimated to cost the economy £1.1bn, including loss of output, human costs and health service costs associated with road casualties, as well as accident-related costs, including police time, insurance administration and property damage. Improving the deterrent to speeding will have greatest impact where speed limits are enforced. It is estimated that the annual economic benefits of the National Safety Camera Programme in 2004 was £258m in 2004 prices. These research findings show that an improvement in driver compliance with speed restrictions has potential to yield significant benefits if it translates into a reduction in accidents. However, the potential reduction in accidents depends on the extent of behavioural change that results from the introduction of graduated penalties and so has not been quantified at this time.

Reduced costs of court referrals

The introduction of a higher fixed penalty for those exceeding speed limits to the extents outlined in the consultation document could create a more efficient process for dealing with those exceeding speed limits who the authorities may previously have chosen to prosecute, potentially reducing the number of cases that are referred to court. As well as saving court and offender related costs, this would also reduce the amount of Crown Prosecution Service and police time spent compiling prosecution files for these offences. The average cost of a magistrates' court proceeding has been estimated at £707.⁴ This includes the cost of police attendance, prosecution, legal aid and probation service pre-sentence reports, in addition to the cost of running the courts themselves. Paid fixed penalty notices cost around £36 each to enforce.⁵ This indicates a net saving per case of £671.

The extent to which these costs could be saved depends upon the number of extra cases which the police choose to deal with through the fixed penalty system. This is largely at their discretion, but the potential scale for savings can be illustrated. With around 191,000 cases processed through the courts per year, diverting only 15–25 per cent of these to fixed penalty notices would create savings of between £19.2m and £32.0m per year. These savings will potentially increase, should the proportion of cases dealt with by fixed penalties increase over time.

Reduced numbers of fixed penalties

To the extent that the proposals improve compliance with speed limits, there may be a reduction in the overall number of fixed penalty offences, and correspondingly in the work carried out by the police. This depends on the extent to which the introduction of graduated penalties provides a deterrent effect and engenders behavioural change (i.e. improved compliance) therefore it has not been possible to accurately estimate this effect at this time.

³ Department for Transport (2007), 'Road Casualties Great Britain 2006'

<http://www.dft.gov.uk/162259/162469/221412/221549/227755/contributoryfactorstoroadacc1802>

⁴ Home Office Research, Development and Statistics Directorate (1999), 'The cost of criminal justice' <http://www.homeoffice.gov.uk/rds/pdfs/r103.pdf>, updated to 2007 prices.

⁵ PA Consulting (2005), 'The National Safety Camera Programme – Four Year Evaluation Report' http://www.dft.gov.uk/pgr/roadsafety/speedmanagement/nscp/nscp/coll_the Nationalsafetycamera prog/thenationalsafetycamera progr4598, updated to 2007 prices.

Option C: Analysis of impacts

This option would entail the same impacts of Option B, but with the additional effects of offering lower penalty points to those breaking speed limits by lesser amounts.

Costs

Set-up costs

As in Option B, the initial cost of the proposal will fall to the police who will be upgrading their Fixed Penalty System to accommodate the graduation. To coincide with the graduation of penalties, it is also proposed to recalibrate speed enforcement equipment so that devices record the lowest possible speed at which a vehicle could have been travelling. These costs are not expected to exceed £1m; work is being undertaken by ACPO to determine these costs more precisely but these findings are not yet available.

Costs of disqualifications

As with Option B, there is a possibility that, compared to the baseline, more drivers, particularly those affected by the Road Traffic (New Drivers) Act 1995, will be disqualified each year. However, the impact under this will be less pronounced as a result of the introduction of lower penalty points for exceeding speed limits by the margins indicated in the consultation document, meaning that drivers can commit more minor speeding offences before being disqualified under the penalty points system. Extra disqualifications would incur costs in loss of output, time costs for offenders, licensing and driver retesting costs, and in additional burdens on courts. However, as noted above, costs incurred by individuals, who are breaking existing law, as a result of better enforcement are not quantified as part of the impact assessment process.

As above, it can also be argued that new drivers, as well as those with enough points to be at risk of revocation, are already aware that they could be disqualified for a single speeding offence, should it be deemed sufficiently serious, and so many of these disqualifications would take place with or without the proposals. The courts are already able to endorse 6 penalty points for such offences. Each year there are around 5,000 revocations under the Road Traffic (New Drivers) Act 1995 triggered by speeding offences. It is also possible that the proposals will improve adherence to speed limits, particularly for those at risk of instant disqualification, implying that the number of offences could decrease overall.

Ultimately, the change in the number of disqualifications, and associated costs to both drivers and enforcement agencies, brought about by the move to graduated penalties will depend on the level of behavioural change which occurs amongst drivers who are potentially non-compliant with speed restrictions. It is possible that the introduction of higher graduated penalties will lead to an increase in the number of drivers being disqualified but also possible that the new system will deter this form of non-compliance and lead to no change, or even a reduction, in the number of disqualifications. In the absence of further evidence, the extent and direction of this change has not been quantified.

Drivers caught committing a speeding offence will also be required to pay a fine – this represents a cost to the driver but for the purposes of the impact assessment is considered to be a transfer from the driver to the enforcement authorities.

Potential costs of increases in lower level speeding

There may be a risk that reducing the fixed penalty points for relatively minor speeding offences, as defined in the consultation document, on roads with speed limits of 40 mph and above may increase the proportion of vehicles that exceed the speed limit by small amounts on these roads. However, it is thought that even a two point penalty will present a similar deterrent against these offences, particularly for those who have an otherwise clean driving licence. Therefore this impact is not thought to be significant.

Benefits

More equitable treatment of offenders

Introducing full graduation, as opposed to only raising the penalty points for excessive speeding, will make the penalty for speeding offences more equitable, with more severe offences attracting more penalty points. In particular, those who comply with the law would benefit from a more effective deterrent against excessive speeders and those who breach the limit by a relatively small amount through lapses of concentration would receive a lower penalty. This may improve perceptions of the fairness of speed enforcement, improving respect for speed limits. In theory, this may further improve compliance, and therefore provide additional savings in accident costs, although it is not clear whether this effect would be significant.

Prevention of road accidents

The proposals involving full graduation of penalties would bring road safety benefits similar to those outlined for Option B by reducing the speed of the fastest drivers and therefore the risk of death or injury road users. Research findings show that an improvement in driver compliance with speed restrictions has potential to yield significant benefits if it translates into a reduction in accidents. However, the potential reduction in accidents depends on the extent of behavioural change which results from the introduction of graduated penalties and so has not been quantified at this time.

Reduced costs of court referrals for serious speed offences

These benefits would be similar to those outlined under Option B, with a number of cases each year diverted from court proceedings to the fixed penalty notice system. The extent to which these costs could be saved depends upon the number of extra cases which the police choose to deal with through the fixed penalty system. This is largely at their discretion but the potential scale for savings can be illustrated. With around 191,000 cases processed through the courts per year, diverting only 15–25 per cent of these to fixed penalty notices would create savings of between £19.2m and £32.0m per year. These savings will potentially increase should the proportion of cases dealt with by fixed penalties increase over time.

Reduced numbers of fixed penalties

To the extent that the proposals improve compliance with speed limits, there may be a reduction in the overall number of fixed penalty offences, and correspondingly in the work carried out by the police. This depends on the extent to which the introduction of graduated penalties provides a deterrent effect and engenders behavioural change (i.e. improved compliance) therefore it has not been possible to accurately estimate this effect at this time.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	Yes
Small Firms Impact Test	No	Yes
Legal Aid	Yes	Yes
Sustainable Development	No	No
Carbon Assessment	No	Yes
Other Environment	Yes	Yes
Health Impact Assessment	Yes	Yes
Race Equality	No	Yes
Disability Equality	No	Yes
Gender Equality	No	Yes
Human Rights	No	Yes
Rural Proofing	No	Yes

Specific impact tests

Competition assessment

These proposals do not have any competition impacts.

Consultation with small business: the small firms' impact test

None of the respondents to the 2004 Discussion Note indicated that they were small businesses. However, the principle of a graduated structure was supported by the Freight Transport Association, whose membership consists of companies of all sizes.

Other main commercial vehicle trade associations and The Small Business Service have been consulted through the public consultation started on 27 November 2007. We encourage small firms to participate in this consultation.

Environment

It is unlikely that there will be any significant and quantifiable environmental impacts from any of the options. However, graduation of fixed penalty points for speeding is designed to help achieve appropriate vehicle speeds and this will also reduce associated emissions and therefore we would expect some positive qualitative benefits. In particular, it is anticipated that the higher graduation will reduce the level of excessive speeding, with associated environmental benefits.

Carbon assessment

It is unlikely that there will be any significant and quantifiable environmental impacts from any of the options. However, graduation of fixed penalty points for speeding is designed to help achieve appropriate vehicle speeds, and this will also reduce associated emissions, and therefore we would expect some positive qualitative benefits. In particular, it is anticipated that the higher graduation will reduce the level of excessive speeding, with associated environmental benefits.

Health

The proposals are designed to ensure greater respect for and compliance with speed limits, which will in turn continue to reduce the number of road traffic collisions, injuries and deaths in which excessive speed is a contributory factor. Greater compliance will also reduce the risk to more vulnerable road users and improve the quality of life for local communities. More detail on the potential for health benefits are provided in the evidence base.

Race equality assessment

There are no race equality impacts to these proposals.

Disability impact assessment

These proposals do not have any disability impacts.

Gender impact assessment

There are no specific gender impacts to these proposals. However, Ministry of Justice statistics, *Motoring Offences and Breath Tests, England and Wales*, show that around 80 per cent of the people found guilty

of speeding offences at Court are male. An element of these cases would be referrals to Court as a result of refusal to declare the driver at the time of an alleged offence. However, it is generally the more serious speeding offences that proceed to Court, which implies that male drivers are more likely to exceed speed limits by excessive amounts. It follows that male drivers are therefore also more likely to be affected by the higher graduation.

Human rights

There are no human rights impacts to these proposals. A ruling by the Grand Chamber of the Human Court of Human Rights in June 2007 confirmed that cars have the potential to cause grave injury and that certain responsibilities therefore come with owning or driving a vehicle.

Rural proofing

The majority of 30 mph speed limits are on urban roads, whilst the majority of higher speed limit roads are in rural areas. The available evidence indicates that, overall, the proposals to graduate the fixed penalty point structure for speeding offences are likely to have a broadly similar impact in urban and rural areas.

Legal aid

These proposals will affect the number of speed offence cases that are referred to court. While allowing some more serious offences to be processed with a fixed penalty notice rather than court proceedings, a possible increase in disqualifications might create some additional burdens on the legal aid system. The net effect is uncertain at this stage.