



Buses: bus lanes and priority measures

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This note sets out the law and practice on introducing and enforcing bus lanes and other priority bus measures, including London's 'red routes'.

Further information on bus-related matters can be found on the [Buses Topical Page](#) of the Parliament website.

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1 Bus lanes outside London

Bus lanes (also called 'priority measures') are a long-standing tool that local authorities have had available to them to help improve bus services and manage traffic flow and congestion. Local authorities usually outline any plans for bus lanes in their Local Transport Plans (LTPs), which are subject to consultation.¹ Government guidance on bus lanes sets out the policy reasons as to why local authorities introduce this kind of measure:

[If] buses are to fulfill their potential in providing an alternative within a sustainable transport system, they must be made more attractive. To do that, it is important that buses are able to operate efficiently. Bus services are, however, particularly susceptible to traffic congestion. Buses are less manoeuvrable than private cars and their routes and schedules cannot be changed at very short notice because they are registered to run on fixed routes (and frequent re-routing would make it difficult for passengers to know when and where buses could be found). They must stop at regular intervals to pick-up and set down passengers. If land is available for segregated busways - such as those introduced in Ipswich and Leeds - buses may be able to bypass congested areas, but in most cases land is not available in intensely developed urban areas and buses are not able to avoid congestion in the way that is sometimes possible for cars and taxis. Delays to buses increase operating costs which may in turn lead to fare increases. Passengers are thus deterred because of the slower and less reliable services and higher fares; some take to their cars and so cause even more congestion.

For these reasons, it is frequently worthwhile to introduce traffic management measures to assist the movement of buses. These can take the form of measures designed to facilitate the movement of traffic generally along bus routes, and to protect access to bus stops. They may go further and permit buses to use lanes or dedicated tracks, or make movements which are denied to other traffic. Such measures can provide substantial benefits to bus passengers by allowing faster journey times and a more regular and reliable service; they can also help to attract additional passengers by eliminating unnecessary capital and operating costs by reducing the number of buses required to run the service.²

Bus lanes are made by a Traffic Regulation Orders (TROs). Highway authorities (usually county and metropolitan councils and unitary authorities) are empowered to control traffic in their area by means of TROs, made under Part I of the [Road Traffic Regulation Act 1984](#), as amended. In England, Scotland and Wales Orders are primarily made under section 1 of the 1984 Act; and in London under section 6. The approval of TROs is a devolved matter for both Wales and Scotland. There is a statutory procedure that local authorities must follow when making a TRO including consultation and publication of information. These provisions are laid down in detail in the secondary legislation made under Part III of Schedule 9 of the 1984 Act.³

Each individual TRO will set out those vehicles permitted to use the bus lane and its hours of operation (more information on this is given in section 1.2, below). Those vehicles allowed to use a bus lane and any applicable time restrictions must be displayed on the sign announcing it, in accordance with the *Traffic Signs Regulations and General Directions 2002*

¹ for more information on LTPs, see section 3 of HC Library standard note [SN/BT/4351](#)

² DETR, [Keeping buses moving: a guide to traffic management to assist buses in urban areas](#) (Local Transport Note 1/97), October 1997, paras 1.5-1.6

³ *Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996* (SI 1996/2489); and *Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999* (SI 1999/614), as amended

(SI 2002/3113), as amended.⁴ Coloured surfacing may also be used to indicate a bus lane – though this should be in addition to signage and is not a substitute for it.⁵

2 London's priority network

Information on London's Red Routes can be found on the [Transport for London website](#).

Cecil Parkinson, Secretary of State for Transport under the then Conservative Government, announced proposals for easing traffic congestion in London in December 1989.⁶ These proposals included a 300-mile priority route system or 'red routes'. On these routes stopping, loading and unloading would be severely restricted. The routes would be introduced progressively with the complete network operational by the year 2000. Enabling legislation was included in Part II of the [Road Traffic Act 1991](#). It provided for the Secretary of State to designate a network of priority routes and appoint a Traffic Director for London to co-ordinate their implementation and operation. The aim of the network was to enable people and goods to reach their destinations in London more easily and safely, to provide special help to improve the movement of buses, to reduce the impact of congestion and to improve the local environment.

A pilot scheme was introduced in north and east London in January 1991 to establish the best way of implementing the proposal. The 'red route', an eight mile stretch from Archway Road in Haringey through to Commercial Road in Hackney, began on 7 January 1991 and was monitored by the government. The aims of the scheme were to:

- improve traffic conditions so that people and goods could move about more freely and safely;
- allow as far as possible for the genuine needs of residents and businesses;
- improve journey times and reliability, particularly for buses;
- reduce accidents;
- show where local environmental improvement could be achieved;
- provide better facilities for cyclists and pedestrians;
- reduce the effects of congestion; and
- avoid encouraging further car commuting into central London or across it.⁷

The government was pleased with the initial results from the pilot scheme, which saw overall journey times improve by 25 per cent; bus journey times reduce by over 10 per cent and reliability improve by a third; a fall in road casualties of some 36 per cent; and an increase in free parking spaces along the route where none had existed before.⁸ The TRL published a final report on the pilot scheme in 1993. It found that:

- Personal injury accidents along the route had decreased by 17 per cent;

⁴ the Regulations are supplemented by the guidance in the [Traffic Signs Manual](#)

⁵ Highways Agency, [Design Manual for Roads and Bridges](#), vol. 6, section 3, part 4, paras 2.17-2.18 [TA 81/99]

⁶ [HC Deb 14 December 1989, c1184](#)

⁷ Department of Transport, *Red routes in London: details of the pilot scheme*, November 1990

⁸ Department of Transport press notice, 11 June 1992 [PN 92/138]

- Bus journeys and general traffic were considerably quicker and the variability of bus journey times and journey times of general traffic were reduced by one third on average;
- Patronage on the 43 service, which used a large length of the pilot route, had increased by 8.8 per cent;
- Vehicle flows increased by eight per cent on average;
- No notable change in the numbers of pedestrians crossing the pilot route or the time waiting to cross;
- Pollutants from vehicle exhausts and traffic noise were reduced in the corridor served by the pilot;
- Illegal parking was drastically reduced on red lines without an increase of illegal parking on neighbouring side streets with yellow line restrictions;
- Loading areas were occupied for under 20 per cent of the day (mostly illegally); and
- The benefits of the pilot route would exceed the costs in under two years.⁹

Consequently, in December 1989 the government published a discussion paper outlining a series of new traffic management measures and parking controls to improve conditions on London's roads and ease congestion.¹⁰ This was followed by a consultation and the final proposals were included in the Bill that became the 1991 Act.¹¹ Detailed proposals for a 300-mile network of red routes in London, based on the existing primary route network, were published in January 1992.¹² The red route priority network was finalised in June 1992 and specified in detail in the *London Priority Route Order 1992 (SI 1992/1372)*, as amended. It was expected that the implementation of the network would cost in the region of £50 million over the five years to 1997 and the cost of administration would be of the order of £1.5 million per annum subject to variation in workload.¹³ By 1995 the total cost estimates had risen to £130 million at 1995-96 prices.¹⁴

There have been some studies of the efficacy of the red routes since their introduction. In 2004 the Labour Government published a report that included a case study of the three-year London Bus Initiative, which ran from 2000-03 with a £60 million grant from the government. It involved the introduction of over 100 extra bus lanes, 50 new pedestrian crossings, 300 signalised junctions equipped with bus priority and 140 junction improvements across 27 routes. It found waiting times for passengers reduced by around a third; improved bus and car journey time variability; and patronage increase on the routes of around a fifth.¹⁵ A 2006 study by TfL looked at the enforcement of bus lane contraventions and concluded that enforcement using roadside static cameras and bus-mounted cameras improves the

⁹ TRL, *Assessment of the Pilot Priority (Red) Route in London* (Project Report 31), 1993

¹⁰ DoT, *Traffic in London: A discussion paper*, December 1989

¹¹ DoT, *Traffic in London: Consultation on legislative proposals*, July 1990

¹² DoT, *Traffic in London: Consultation on proposals for a priority route network*, January 1992 [HC DEP NS 7768]

¹³ [HC Deb 18 June 1992, c610W](#)

¹⁴ [HC Deb 6 February 1995, c50W](#)

¹⁵ DfT, *Bus Priority: The Way Ahead*, 2004

effectiveness of the lane and that overall bus lane compliance is best maintained by constant enforcement.¹⁶

Under the *Greater London Authority Act 1999*, responsibility for London's priority bus network passed to Transport for London (TfL).¹⁷ In his 2001 transport strategy document, the previous Mayor of London, Ken Livingstone, stated that he would do more to give buses 'real priority' and to 'effectively enforce' priority measures.¹⁸ The current Mayor of London, Boris Johnson, has indicated in his transport strategy that bus priority measures will be introduced at 'critical locations' and that 'appropriate' enforcement of bus priority is carried out. The strategy states:

Bus priority measures such as bus-only roads, bus lanes and selective vehicle detection at traffic signals are essential tools in ensuring that the limited people-carrying capacity of the road network is being used most effectively. These measures help reduce bus journey times, improve bus reliability and increase the efficiency of the bus network, especially when they are considered as part of a whole route approach. Bus priority measures are systematically identified, appraised and delivered at key locations, including town centres and their approaches, at new development sites, and links where bus passengers represent a significant proportion of all road users.¹⁹

3 Use of other vehicles in bus lanes

One of the purposes of the TRO is to limit the use of the bus lane to buses and any other vehicles the authority decides to allow. This *may* include coaches, bicycles, motorcycles, taxis (but not private hire vehicles), goods vehicles and dial-a-ride services for disabled people. It can be any combination of these, although it is not usual for all classes to be included. When considering whether to permit other types of vehicle to use a bus lane, local authorities should consider the government guidance contained in Local Transport Note 1/97, which states that an assessment should be made in each case, measuring the potential impact on road safety; the operation of the bus lane, including potential delays to buses; delays to other traffic; the legality of the definition of the vehicle class; enforcement; and any impact on modal split.²⁰

The vehicles that have caused the most debate have been motorcycles. In February 2007 the Labour Government revised its advice to local authorities to encourage them to think more positively about allowing motorcycles in bus lanes. In the introduction, it set the scene as follows:

Since 1995, several authorities have made permanent a number of experimental Traffic Regulation Orders allowing motorcyclists to use bus lanes. Various monitoring and research projects have been carried out to determine the effects of these schemes on both motorcyclists and other road users. The research does not lead to clear conclusions, but suggests both potential benefits and disbenefits. As with any scheme, the decision to allow motorcycle access to bus lanes should be taken with care to mitigate foreseeable and avoidable risks.²¹

¹⁶ TfL, *Traffic Enforcement: Impact Analysis and Future Strategies*, June 2006

¹⁷ further information on the formation and responsibilities of TfL can be found in HC Library research paper [RP 08/36](#)

¹⁸ Mayor of London, *The Mayor's Transport Strategy*, 2001, chapter 4

¹⁹ Mayor of London, *Mayor's Transport Strategy*, 10 May 2010, section 5.4.3 and proposal 24

²⁰ op cit., *Keeping buses moving: a guide to traffic management to assist buses in urban areas*, para 4.10

²¹ DfT, *The Use of Bus Lanes by Motorcycles* (Traffic Advisory Leaflet 2/07), February 2007, p1

The 1997 guidance recommended that motorcycles should generally not be permitted to use bus lanes, but the 2007 guidance moderated that approach to 'encourage a more objective assessment to be made'.

There have been extensive trials of the impacts of allowing motorcycles to use bus lanes in London. The first trial ran from October 2008 to July 2010 and the second will begin almost immediately, running until January 2012. TRL have published reports both before and during the first trial.²² The Transport for London press notice accompanying the announcement of the second trial in 2010, stated that the first trial had seen a fall in the cyclist collision rate and more than half (51 per cent) of motorcyclists switching from riding on the outside of the road to the bus lanes.²³

The Motorcycle Industry Association (MCIA) has agreed a [voluntary code of conduct](#) with the Metropolitan Police and others regarding motorcyclists' behaviour when using bus lanes.

4 Enforcing bus lanes and priority routes

Approved local authorities have the power to enforce bus lane contraventions by virtue of regulations made under section 144 of the [Transport Act 2000](#), as amended.²⁴ There are five sets of regulations that together set out the regime for enforcing bus lane contraventions in England, and provide for their appeal by motorists:

- The *Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005* ([SI 2005/2755](#)), as amended;
- The *Bus Lanes (Approved Devices) (England) Order 2005* ([SI 2005/2756](#));
- The *Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005* ([SI 2005/2757](#)); and
- For England the *Tribunals and Inquiries (Bus Lane Adjudicators) (England) Order 2005* ([SI 2005/2758](#)); and for London the *Road Traffic (Parking Adjudicators) (London) Regulations 1993* ([SI 1993/1202](#)), as amended.²⁵

In November 2005 the Department for Transport published good practice guidance for local authorities wishing to introduce bus lane enforcement; the guidance was amended in 2008. The guidance explains why it is important for local authorities to properly enforce their bus lanes and how they should go about doing so:

In order to facilitate a viable bus service it is often necessary to regulate traffic on the route. One of the important lessons learnt from the Red Routes in London is the importance of having the correct traffic regulations in place and enforced at all points along the route. There is no point in introducing traffic management measures if they are not going to be enforced and compliance with regulations will only be gained if they are consistently and fairly enforced. In recent times, due to competing pressures and priorities, the police have not been able to provide the necessary level of consistent

²² TRL, [Impacts of motorcycles in Westminster bus lanes](#), 22 August 2008 [PPR365]; and TRL, [Assessment of TfL's experimental scheme to allow motorcycles onto with-flow bus lanes on the TLRN](#), May 2010, [PPR495]

²³ TfL press notice, "[Mayor and TfL to introduce new Motorcycles in Bus Lanes trial](#)", 16 June 2010

²⁴ in England this power extends to all local authorities where decriminalised/civil enforcement of parking is in place; this is now almost universal across England; no secondary legislation under this section appears to have been made for Wales and it does not apply to Scotland

²⁵ the DfT consulted on the proposed regulations in 2002, see: DfT, [Bus lanes contraventions regulations - consultation](#), July 2002

enforcement. This has led to a situation where some motorists regard some regulatory traffic signs as advisory rather than compulsory. Drivers and riders whose vehicles are banned from using bus lanes and other restricted areas of carriageway, but use them at banned times nevertheless, can cause delay to buses and frustration and resentment among those drivers complying with the regulations.

It is recommended that before introducing the civil enforcement of bus lanes, local authorities carry out consultation with the public and with stakeholder groups about their proposals, to ensure that they are well thought through and in line with the requirements of the population that the authority serves. It is recommended that this is done even if the authority is already carrying out decriminalised parking enforcement, although it may not need to be as detailed as in an area where the population is not familiar with civil enforcement. Unlike parking, the police retain the power to carry out bus lane enforcement and so consultation with the police is particularly important. Regulations banning some or all motorised road users from bus lane should be clear, well-signed and easy to understand. Without these measures the resentment felt by some motorised members of the public towards bus lanes may increase and the policy fail to win public support.²⁶

In England outside London and Wales, penalties issued for bus lane contraventions can be appealed to the [Traffic Penalty Tribunal](#). In London one may appeal to the [Parking and Traffic Appeals Service](#)

Bus lane contraventions are subject to civil penalties. These were first introduced, for this type of offence, in London in the mid-1990s; extended to the rest of England and Wales as outlined above. However, the **principle** of civil enforcement for traffic penalties ultimately derives from the decriminalisation of parking penalties legislated for by the *Road Traffic Act 1991*, as amended.²⁷ A number of reasons have been put forward over the years to justify the increasing decriminalisation of traffic penalties and shifting their enforcement to civil authorities, not the least of which is that it frees up police resources.²⁸

²⁶ DfT, [Provisional guidance on bus lane \(including tramway\) enforcement in England outside London](#), February 2008, paras 2.6-2.7

²⁷ full details of this can be found in HC Library standard note [SN/BT/2235](#)

²⁸ not everyone has been convinced by this argument; see, for example, the case put forward by the Transport Committee in successive reports in 2003 and 2004: Transport Committee, [Traffic Management Bill](#) (first report of session 2003-04), HC 144, 19 December 2003, para 21; and: Transport Committee, [Traffic law and its enforcement](#) (sixteenth report of session 2003-04), HC 105, 31 October 2004, paras 31-35