



Mobile Phone FPN Consultation
RULIS Division, Zone 3/29
Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR

11 March, 2016

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Dear Sirs,

Changes to the Fixed Penalty Notice and penalty points for the use of a hand-held mobile phone whilst driving

The BVRLA welcomes the opportunity to comment on Department for Transport's consultation proposing changes to the penalty regime for using a hand-held mobile phone whilst driving.

We support option 3 in the consultation which will increase the fixed penalty notice by 50% from £100 to £150 for all drivers and, raising the penalty level from 3 to 4 penalty points for non-HGV drivers and from 3 to 6 penalty points for Large Goods Vehicle licence holders who commit the offence whilst driving a HGV.

We believe that the hazards of driving whilst using a mobile phone are now well established and that the penalties should be increased to act as a sufficient deterrent. We would also suggest that alongside the increase in penalty there needs to be an increase in enforcement of the offence. There is perhaps a perception that this offence is not well enforced by the Police and to dispel this perception it would be worthwhile the Police having an increase focus in this area if and when the changes are introduced.

In addition, we believe that given the developments in mobile phone and vehicle technology there is very little reason why somebody should be holding their phone whilst driving. The developments in vehicle technology now mean that a driver can have an email read to them and reply to it without holding their mobile phone and whilst driving. We would welcome clarity from the department as to whether this is believed to be safe driving behaviour and if the department has a view on this.

Specific comments

- 1. Do you agree that driving whilst using a hand-held mobile phone is a dangerous activity?*

Yes we do. As highlighted in the consultation studies have found that talking on a hand-held mobile phone impairs driving more than driving above the drink drive limit and that 3,611 accidents in the period 2009-14 have occurred where at least one driver was using a mobile

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2. *Generally, are you in favour of increased sanctions for this offence?*

Yes we are in favour, again as highlighted in the consultation the previous increase in penalties has clearly not had an impact as the number of drivers observed using a hand-held mobile phone whilst driving increased between 2009 and 2014 with the penalty increasing in 2013 showing very little impact.

3. *Do you support an increase in the FPN for this offence?*

Yes we do, as explained above clearly the current levels are not a sufficient deterrent.

4. *If so, do you agree that we should increase the FPN from £100 to £150 for all drivers (including HGV)? If not, please explain your reasons why.*

Yes we do, we believe this level of increase should help ensure people think twice before using a hand-held mobile phone whilst driving.

5. *Do you support an increase in the Penalty Points for this offence?*

Yes we do, as explained above clearly the current levels are not a sufficient deterrent.

6. *If so, do you agree that we should increase the penalty points for non-HGV drivers from 3 to 4 penalty points? If not, please explain your reasons why.*

Yes we do, we believe this level of increase should help ensure people think twice before using a hand-held mobile phone whilst driving.

7. *Do you support a specific offence for drivers of Large Goods Vehicles (HGVs)?*

Yes we do given the greater potential for serious incident when a large goods vehicle is involved and given that drivers of these vehicles are in the main driving professionally and should not be breaking the law as part of their job.

8. *If so, do you agree that a specific offence for Large Goods Vehicle (HGV) drivers who offend whilst driving a HGV should be created which carries 6 penalty points and a £150 FPN? If not, please explain your reasons why.*

Yes we support this approach and the levels involved as we believe they reflect the serious nature of the offence incurred.

9. *Do you support an increase in both the FPN and Penalty Points for this offence AND a specific penalty for HGV drivers? If not, please explain your reasons why. Question 10*

Yes we do.

10. *Do you agree that HGV drivers who commit their first mobile phone offence whilst driving a HGV should be offered a remedial training course as opposed to a FPN? If not, please explain your reasons why.*

Yes we believe this would be a fair approach. However, we are unclear as to whether all police forces offer this an option and would suggest that the department ensures this is a standard approach across the country.

11. *What role might the mobile phone industry play in improving road safety? For example, promoting new technology with "drive safe modes".*

We would suggest that the mobile phone industry could work with motor manufacturers to ensure that hands free options are available in as many new vehicles as possible and that setting up a phone to be hands free via the car technology is simple and seamless between different vehicles.

Transport for London

March 2016

12. *What role might the insurance industry play in improving road safety? For example, promoting new technology with "drive safe modes".*

We have no comment on this area.

13. *Do you think it would be beneficial to target new technologies at certain groups of drivers? For example, young drivers, van drivers or those driving for work.*

No, we think technology is appropriate for all drivers rather than certain groups.

Closing comments

We hope our comments add value to the work the department is carrying out to improve road safety and reduce the instances of drivers using a hand held mobile phone whilst driving.

Yours sincerely



Jay Parmar

Director of Policy & Membership

Bona-fides BVRLA, the industry and its members

- Established in 1967, the British Vehicle Rental and Leasing Association is the UK trade body for companies engaged in the rental and leasing of cars and commercial vehicles. Its members operate a combined fleet of 4.5 million cars, vans and trucks.
- BVRLA members buy nearly 50% of all new vehicles sold in the UK, an estimated 1 million vehicles (including 308,000 UK-made vehicles) per annum.
- Collectively, members of the BVRLA support around 317,000 jobs and contribute over £24.9 billion to the UK economy each year.
- Through its members and their customers, the BVRLA represents the interests of over 2 million business car drivers and 10 million people per year who choose to rent a vehicle.
- As well as informing the Government and policy makers on issues affecting the sector, the BVRLA regulates the industry through a mandatory code of conduct, helping its members deliver safe, sustainable and affordable road transport to millions of consumers and businesses. For more information, please visit www.bvrla.co.uk .