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STATUTORY INSTRUMENTS

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**1995 No. 2994**

**The Road Traffic (Northern Ireland) Order 1995**

**PART II**

**Principal Road Safety Provisions**

*Promotion of road safety*

**Highway Code**

**51.**—(1) The Highway Code shall continue to have effect, subject however to revision in accordance with the following provisions of this Article.

(2) Subject to the following provisions of this Article, the Department may revise the Highway Code by revoking, varying, amending or adding to the provisions of the Code in such manner as it thinks fit.

(3) Where the Department proposes to revise the Highway Code by making any alterations in the provisions of the Code (other than alterations merely consequential on the passing, amendment or repeal of any statutory provision) the proposed revision shall, as soon as it is prepared by the Department, be subject to negative resolution.

(4) Before revising the Highway Code by making any alterations in its provisions, which under paragraph (3) are subject to negative resolution, the Department must consult with such representative organisations as it thinks fit.

(5) The Department must cause the Highway Code to be printed and may cause copies of it to be sold to the public at such price as the Department may determine.

(6) A failure on the part of any person to observe any provision of the Highway Code shall not of itself render that person liable to criminal proceedings of any kind, but any such failure may in any proceedings (whether civil or criminal, and including proceedings for an offence under the Road Traffic Orders) be relied upon by any party to the proceedings as tending to establish or to negative any liability which is in question in those proceedings.

(7) In this Article “the Highway Code” means the code comprising directions for the guidance of persons using roads issued under Article 130 of the Order of 1981, as from time to time revised under this Article or under any previous enactment.

**Powers of Department as to giving road safety information and training**

**52.**—(1) The Department may, with the approval of the Department of Finance and Personnel, provide for promoting road safety by disseminating information or advice relating to the use of roads.

(2) The Department must prepare and carry out a programme of measures designed to promote road safety and may, with the approval of the Department of Finance and Personnel, make contributions towards the cost of measures for promoting road safety, being measures taken by any authority, body or person.

(3) Without prejudice to the generality of paragraph (2), in pursuance of its duty under that paragraph the Department—

- (a) must carry out studies into accidents arising out of the use of vehicles on roads or parts of roads;
- (b) must, in the light of those studies, take such measures as appear to the Department to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of roads, the giving, or making arrangements for the giving, of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of roads which are maintainable by the Department, and other measures taken in the exercise of the Department's powers for controlling, protecting or assisting the movement of traffic on roads; and
- (c) in constructing new roads, must take such measures as appear to the Department to be appropriate to reduce the possibilities of such accidents when the roads come into use.