



Response from
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1 INTRODUCTION

- 1.1 The Motor Schools Association of Great Britain (MSA) makes the following response to the DfT Consultation Document *Mobile Phones and Driving - Proposal for an offence of using a hand-held mobile phone while driving*.
- 1.2 The MSA is the national trade association for driving instructors and schools founded in 1935. Members of the association are in the main Driving Standards Agency Approved Driving Instructors (ADI). We also have a partnership with the Institute of Large Goods Vehicle Driving Instructors (ILGVDI) and represent their interests together with those of prospective driving instructors (PDIs) and a number of bus/coach instructors and motorcycle instructors.

2 GENERAL COMMENTS

- 2.1 In order to canvass as wide a range of opinions as possible before submitting the association's views to the DSA, we invited all MSA members to comment through our monthly publication MSA Newlink. The consultation paper was published in the October 2002 issue. In the same issue, comments on the proposals were also published.
- 2.2 Members of the association's Board of Management have also consulted members through regional meetings and the association's network of branches and associated local ADI groups. The proposals were discussed at a recent meeting of the MSA Board of Management
- 2.3 We are content for our response to be included in the summary of responses, which the agency may divulge on request.

3 EXTRA QUESTION

- 3.1 We were somewhat surprised that the matter of the use of telephones by driving instructors and others supervising provisional licence holders was not addressed by the consultation document. For that, reason we added a question to the ones suggested in Appendix E. The extra question we posed was - *Do you agree with the proposal to introduce a specific offence to*

ban the use of hand-held mobile phones by those supervising provisional licence holders? We numbered the extra question 1a.

4 REGARDING THE QUESTIONS POSED

4.1 We have used the question grid shown in Appendix E adding our question 1a in the same style in the yes no response boxes we have given the percentage of respondents who answered any particular question.

Question 1 <i>Do you agree with the proposal to introduce a specific offence to ban the use of hand-held mobile phones by drivers?</i>	
Yes, we agree with the proposal to ban the use of hand-held mobile phones by drivers.	<input checked="" type="checkbox"/> 92%
No, we do not agree with this proposal.	<input checked="" type="checkbox"/> 8%
Please explain your reasons:	

Question 1a <i>Do you agree with the proposal to introduce a specific offence to ban the use of hand-held mobile phones by those supervising provisional licence holders?</i>	
Yes, we agree with the proposal to ban the use of hand-held mobile phones by those supervising provisional licence holders.	<input checked="" type="checkbox"/> 77%
No, we do not agree with this proposal.	<input checked="" type="checkbox"/> 23%
Please explain your reasons:	

Question 2

Do you agree that the proposed offence should not include hands-free phones?

Yes, we agree that the proposed new offence should not include hands-free mobile phones.

92%

No, we consider that further action is required on the use of hands-free phones by drivers.

8%

Please explain your reasons (if you have answered “no” please say what action you think should be taken):

Question 3

Do you agree that there should be no exemptions from the proposed offence?

Yes, we agree that there should be no exemptions.

85%

No, we consider that there should be exemptions.

15%

Please explain your reasons (if you consider that exemptions should be permitted, please say what they are and why you think each one is necessary):

Question 4

Do you agree that the new offence should be subject to penalty points and discretionary disqualification when a suitable opportunity arises?

Yes, we agree that the penalty should be raised in this way.

77%

No, we do not agree that the penalty needs to be raised.

23%

Please explain your reasons:

Question 5

Do you have any comments on the detail of the proposed new regulation set out in Annex A?

Question 6

Do you have any comments on the partial Regulatory Impact Assessment (Annex B)?

Question 7

Do you have any comments to make on the consultation process?