

Transporters; Should your trucks be “yellow line driving”

Food for thought

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Crash data that is available for the country, and this includes our own data and countless crash investigation cases undertaken, clearly highlights that opposite direction head-on type crash cases are of particular concern. This includes cases where full or even partial transgression into the opposing lane occurs. These are one of the highest and most catastrophic types of crash situations. These often stem from overtaking at inappropriate places such as blind rises, curves, lane mergers or tapering and where lanes are too narrow. This brings to the fore the specific subject matter being considered here, *yellow line driving*.

One only needs to take a little time travelling out on the roads to see just such situations and to watch the countless videos available online, on many of the social media forums. Countless, and in fact daily posts of videos of yellow line driving, illegal and inappropriate overtaking. Notably, this is a practice that we see in many in-vehicle camera recordings, the so-to-say “dash cams”, from footage regularly analysed.

We take the time to not only highlight and discuss this, but to provide our opinion, in order to assist you, the transporter and road user. This is not only a subject that you as middle or senior management and oversight should read, and be acutely aware of. However, is a subject that should be raised and discussed in detail with your drivers at a particular forum, or during your regular toolbox-talks.

The danger, of using this area inappropriately, is considerably greater than simply committing a traffic offence. From a vehicle, human, environmental crash investigation perspective, driving in the emergency lane introduces a series of clear, well known and predictable hazards.

A typical travelling lane is, in essence, designed to be predictable, with known or set expectations of a travelling lane. This includes such factors as; regular vehicle positioning, direction of travel, speed, lane geometry or width, surface condition, sighting distance, merging or movement behavior and regular presence of other vehicles.

Conversely, an emergency lane is considered differently. An emergency lane is considered and may be seen to; contain a slow moving mechanical problem vehicle; a stationary broken-down vehicle; vehicles that have stopped for a medical emergency; in current times a vehicle that may have stopped to take or make a call; emergency service vehicles trying to navigate, road or maintenance workers, very often a greater amount of debris, and all too often a very narrow and often tapering emergency lane. As a consequence, the expectations of a driver travelling through this area, is entering an environment that has not been designed or intended to function as a conventional travelling lane.

A further, often encountered troublesome factor, is that of edge drop-off often being found at the left side of these emergency lane areas, where the road surface abuts to a worn away soft verge. Dropping a wheel off, down such an edge drop-off, onto a difference surface, and likewise the attempt at re-entry over such different surface and edge drop-off, poses massive increased risk to unwanted tyre damage and blow-out, vehicle instability and even complete loss of control.

Positioning of a vehicle, especially a commercial vehicle, in such a position of the emergency lane, also brings into play the reduction of sighting. A commercial vehicle usually restricted to only the two outer side mirrors when positioned in a normal & correct driving lane, is now largely restricted to only the right side, outside mirror. This effectively creating a further “blind-spot”.

Perhaps the most troublesome overall factor of the use of the emergency lane, is the two typical key factors of lateral offset, or space of lane and width of vehicles passing by one another, especially with large commercial vehicles, usually being severely restricted. Similarly, massive speed differential, especially where such emergency lanes are on National Route of speeds between 80 to 120 km/h, where a stationary, or much slower vehicle moves into this area to allow for much faster travelling vehicles.

The terms *Emergency Lane* against that of *Hard Shoulder* are often used interchangeably. Their precise engineering and legal meanings can depend on the road design and jurisdiction, nonetheless we are referring to a clearly identified and marked, by means of a yellow line (what is known in Civil Engineering design terms as the road marking denoted RM4.1), paved, typically tar, area of the road. This is dissimilar to a verge, which may also be drivable, but is sand, gravel, grass and exists beyond the tar surface. From a safety perspective, the critical principle remains, the area beyond the yellow line should not be treated as an ordinary travelling lane merely because it is paved.

The yellow line found on the left side of many of South African roads and freeways is not simply a painted extension of the normal traffic lane. It delineates the boundary between the principal roadway and the shoulder or emergency lane. This demarcated area is primarily to provide a refuge for disabled or damaged vehicles or a working area for emergencies.

Let us start with the legal position of the South African National Road Traffic Act (NRTA), and understand just what the NRTA says. Yellow line driving, at least in respect of “moving over” to allow overtaking, **IS PERMISSIBLE**, under certain conditions. Yellow line driving, in respect of continuously driving in the yellow line, as if the yellow line demarcated emergency lane or shoulder is an “extra lane”, is not permissible. The KEY factors highlighted in bold and quoted verbatim from the relevant NRTA:

NRTA, Chapter X, Part 1, Rules of the Road, **Regulation 298 – Passing of vehicles**, with the specifically relevant section of:

- 1) *Subject to the provisions of subregulation (2) and (4) a, the driver of a vehicle intending to pass any other vehicle proceeding in the same direction on a public road **shall pass to the right thereof at a safe distance** and shall not again drive on the left side of the roadway until safely clear of the vehicle so passed: Provided that, in the circumstances as aforesaid, passing on the left of such vehicle shall be permissible if the person driving the passing vehicle can do so with safety to himself or herself and other traffic or property which is or may be on such road and –*
 - a) *the vehicle being passed is turning to its right or the driver thereof has signalled his or her intention of turning to his or her right;*
 - b) *such road is a public road in an urban area and –*
 - i) *is restricted to vehicles moving in one direction; and*
 - ii) **the roadway is of sufficient width for two or more lines of moving vehicles;**
 - c) *such road is a public road in an urban area and the roadway is of sufficient width for two or more lines of moving vehicles moving in each direction;*
 - d) *the roadway of such road is restricted to vehicles moving in one direction and is divided into traffic lanes by appropriate road traffic signs; or*
 - e) *he or she is driving in compliance with the directions of a traffic officer or is driving in traffic which is under the general direction of such officer, and in accordance with such direction: Provided further that **in no event shall any passing referred to in paragraph (a), (b), (c) or (d) be done by driving on the shoulders of the roadway or on the verge of the public road concerned.***
- 2) *The driver of a vehicle shall not pass other traffic proceeding in the same direction on a public road when Approaching –*
 - a) **the summit of a rise;**
 - b) **a curve; or**
 - c) *any other place where his or her view is so restricted that any such passing could create a hazard in relation to other traffic which might approach from the opposite direction, unless—*
 - i) **he or she can do so without encroaching on the right-hand side of the roadway;** or
 - ii) *the roadway of such road is restricted to vehicles moving in one direction.*
- 3) *The driver of a vehicle on a public road shall, except in the circumstances referred to in the first proviso to subregulation (1), upon becoming aware of other traffic proceeding in the same direction and wishing to pass his or her vehicle, cause his or her vehicle to travel as near to the left edge of the roadway as is possible, without endangering himself or herself or other traffic or property on the roadway, and shall not accelerate the speed of his or her vehicle until the other vehicle has passed.*
- 4) *When about to pass oncoming traffic, the driver of a vehicle on a public road shall ensure that the vehicle driven by him or her does not encroach on the roadway to his or her right in such manner as may obstruct or endanger such oncoming traffic.*
- 5) *The driver of a vehicle intending to pass a stationary bus on a public road shall do so with due care for the safety of persons who are approaching or leaving or may approach or leave such bus.*

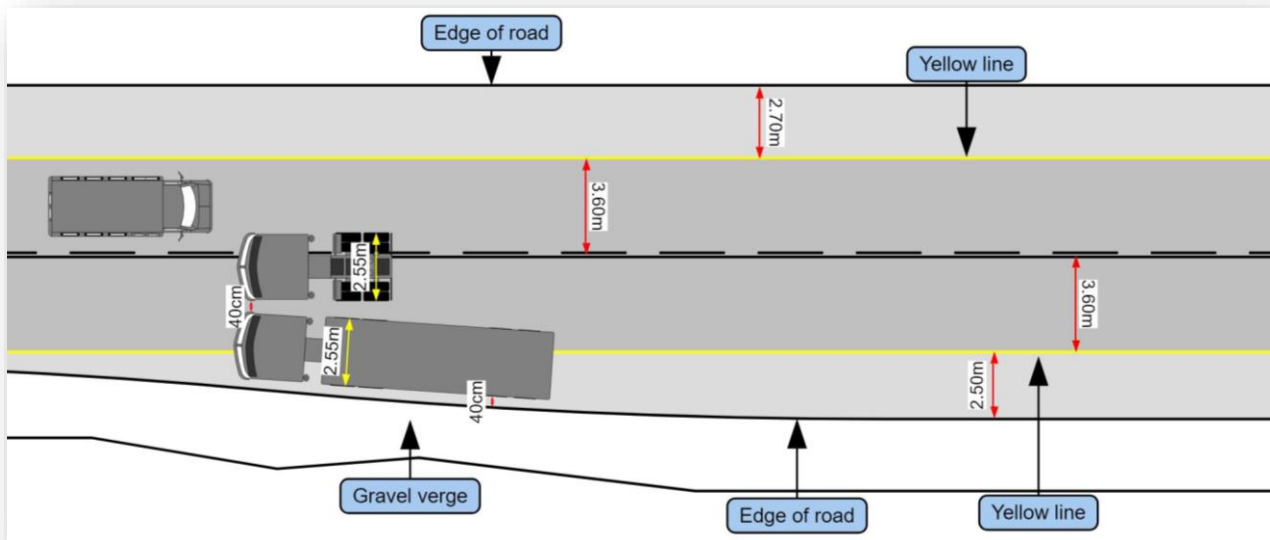
Subsequently, the specific **Regulation of 298a – Prohibition on driving on shoulder of public road, except in certain circumstances**

- 1) *Subject to sub-regulation (2) and regulation 298(1)(e), (Writer - see above) **no person shall drive a motor vehicle on the shoulder of a public road.***
- 2) *Notwithstanding sub-regulation (1), the **driver of a motor vehicle may, during the period between sunrise and sunset, drive such motor vehicle on the shoulder of a public road which is designated for one lane of traffic in each direction –***
 - a) **while such motor vehicle is being overtaken by another vehicle;** and
 - b) **if he or she can do so without endangering himself or herself, other traffic, pedestrians or property on such public road;** and
 - c) **if persons and vehicles upon a public road are clearly discernible at a distance of at least 150 metres.**

There are a few other NRTA specifications that relate directly and indirectly to yellow line driving, such as Reg. 161; 160; 191; 198; 214; 293; 287, 296; 297; 299; 304, 320; 323, these should be read, yet we will not delve into any others for this exercise.

On occasion, we see a substantial yellow line width, that can easily accommodate a commercial vehicle, in other situations, just narrower than a commercial vehicle, and in other cases, just a yellow line that in no way at all accommodates a vehicle.

[illegible]



It could be discussed that there are various Risk-Benefit factors. It could be considered that the use of the emergency lane could be seen to assist in: bypassing congestion; saving several minutes; overtaking slower traffic particularly where the lane is used to overtake on the left. The reality is, these benefits are either not a benefit, are minimal and rather, could lead to catastrophic situations of:

- Collision with a stationary or slow-moving vehicle
- Collision with a pedestrian – outside of a vehicle
- Collision with an emergency vehicle
- Loss of vehicle control, typically due to differing surface and drop off
- Punctures due to debris
- Obstruction of emergency services
- Prosecution due to any of these

Rather, compliance to proper intended use provides clear and established benefits that have already been highlighted.

It is crucial to raise both the combined issues of enforcement and education by and to you, as to the underlying Psychology of such yellow line driving. Acceptance of such practice without actual education of the risks, and enforcement thereof, can be seen to be condoning and acceptance thereof and a form of behavioral normalization.

- One driver is seen using the shoulder
- Other drivers observe it
- No enforcement of such practice
- Behavior becomes socially acceptable
- More drivers follow
- Emergency lane becomes congested, dangerous and unusable for its intended purpose

To summarize this highlighting and discussion; use of the yellow line or shoulder should largely be a rare event. Nonetheless, can be used appropriately to allow other vehicles to overtake, is allowed and should be something a driver may consider. That noted, it is most certainly NOT appropriate to be driving in or on the emergency lane or shoulder as a travelling lane. Perhaps stating the obvious, nonetheless, recommended driver's behavior should see.

- Remain within the designated traffic lane
- Maintain an appropriate following distance
- Never use the emergency lane simply to bypass congestion (left side passing)
- Expect stopped vehicles, pedestrians, animal and extra debris on the shoulder
- Move over appropriately when encountering a genuine roadside emergency
- Give emergency vehicles priority
- Reduce speed when approaching an incident
- Avoid sudden steering movements
- Avoid abrupt re-entry from the shoulder into traffic, merge progressively and indicate
- Remain alert for debris and damaged road surfaces

The action of choosing to use the emergency lane, or not, is an active choice by a driver, and is most certainly and an extremely subjective action. One driver may find a particular area of use of this action acceptable, another may not. This in itself brings to the fore the issue of the driver's "self-will", human-factor, within the overall System.

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