

»» MOVING ON »»

Issue 33, December 2010

The newsletter for HGV and PSV drivers and operators

Here to help!

'Regulators should provide authoritative, accessible advice easily and cheaply.' This was one of the findings of the Hampton Report on reducing administrative burdens by promoting more effective inspection and enforcement. Because if operators do not know or understand the relevant legal requirements, they will find it difficult to comply.

Part of VOSA's job as an enforcement agency is to support operators in understanding their obligations as duty-holders. VOSA realises that the wide range of legislation surrounding the operation of heavy goods vehicles and public service vehicles can be complicated and confusing. This is confirmed consistently by operator feedback and customer surveys, which highlight a desire for more information and education.

For many years now, VOSA has arranged seminars and has given presentations to inform various sectors of the industry about the rules for operators. VOSA has also produced educational material in the form of guide books and leaflets to help those involved in the transport industry.



More recently, VOSA has taken a fresh look at how these seminars are provided and has used the targeted approach that makes our roadside activity so effective to ensure that our education services are also reaching the right audiences.

VOSA's 'new operator' seminars are the first step in our updated education strategy, introduced to make sure that all new operators are getting good advice and guidance right from the start. Every new operator will receive an invitation to the next seminar held in their area, at which they'll be given guidance and advice to help them understand their 'undertakings' – their contract of duty. The new operator seminars will cover everything from the role of the Traffic Commissioners to drivers' hours rules and the consequences of not managing a third-party maintenance contract. Attendees will also be given assistance on where to go for further support and advice.

VOSA is working closely with trade associations to provide another new range of educational seminars and material – this time targeted specifically at various types of operator. The new material will provide information tailored to the needs of specific operator groups and will allow established operators the opportunity to take advantage of VOSA's expertise without fear of repercussion if they admit to gaps in their knowledge.

VOSA has a proven highly effective targeting regime – if you receive an invitation, please attend and take part. Participating fully in these seminars and implementing the

lessons learned will improve your compliance and help to protect you and your business.



You can download VOSA's range of educational guides and leaflets for free at www.vosa.gov.uk/manuals-and-guides

From the editor



Hello readers,

Forget the usual holiday gorge – here at VOSA we're preparing to face the New Year leaner and keener, ready for anything.

We've included a few 'heads up': on page 3 you can read about changes coming to the annual test and advice on the correct licence for a small vehicle, and page 7 explains the correct procedure to register a foreign vehicle on a GB O-licence.

VOSA has also been looking at the services we provide with a fresh pair of eyes and making improvements to their delivery – hence the new range of seminars explained on the front page and the centre-spread insight into the world of Authorised Testing Facilities.

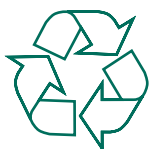
But it's not just about what we can do for you – safer roads can only be achieved by working together and doing what we can for each other. Safe working practices are explored on page 6 and some useful advice from the Institute of Advanced Motorists on driving in low sun – and the reflected glare from the road's surface – can be found on the back page.

Wishing you all a very Merry Christmas,

Jessie VanBeck

Keep your letters coming in to **Jessie VanBeck, *Moving On*, VOSA, Berkeley House, Croydon Street, Bristol BS5 0DA or email movingon@vosa.gov.uk**

This newsletter, along with previous issues, can be viewed as a pdf on the VOSA website: www.vosa.gov.uk/moving-on



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News in brief

Immobilisation release fees

Many readers will recall that when the Department for Transport consulted on the implementation of VOSA's powers to immobilise (at the same time as fixed penalty notices were introduced), it included a provision to charge for release.

VOSA started immobilising vehicles to enforce prohibitions in May last year, and initially we chose not to apply this charge for their release. Now that the scheme has bedded in, we intend to start charging for release in 2011. This will ensure that the costs of the scheme are carried by those who commit the offences.

VOSA station closures

Reviews into the potential market for Authorised Testing Facilities (ATFs) around VOSA's Birmingham and Mitcham test stations have found that there is sufficient interest in running ATFs to enable closure

of these two sites by July 2011. The nine-month timeframe allows time for ATFs to meet the required standards, achieve authorisation and go live.

Boost your electronic access

If you haven't yet signed up to the Operator Self Service, or OSS, now's the time. Giving you instant access to your licensing details, OSS allows you to update your details, add and remove vehicles and operating centres and pay

licence fees online. You will also receive a link to the online *Moving On* to the email address you provide – so don't delay, visit www.businesslink.gov.uk/OSS to register your business today.

Powers to stop in Scotland

Following recent consultation by the Department for Transport, VOSA expects to be granted powers to stop commercial vehicles in Scotland as we do in England and Wales at present.

As in England and Wales, VOSA stopping officers will be uniformed and the vehicles used will be marked with yellow and black battenberg, with 'VOSA' clearly

displayed on the front, rear and sides of the vehicle.

More information on the extended powers will be available through VOSA's free monthly e-bulletin *Latest VOSA News* and here in *Moving On*.

You can sign up to receive *Latest VOSA News* at www.alertsonline.net/VOSA

Looking for your feedback

In January VOSA will be running our annual customer satisfaction survey to understand how well we are delivering our services and to hear from you about where we should focus improvements. We will be using an independent research agency with Market Research Society

membership to telephone a random selection of operators. The Market Research Society guarantees that all responses made to customer surveys will be kept anonymous. We hope that if you are contacted you will be able to take part, as your feedback is very important to us.

Myth of the moment

'My trucks keep failing for basic headlight aim defects'

If headlights are set in the same horizontal plane but are found not to be in alignment when inspected by VOSA staff at the annual test, 'in cab' adjusters may be used to bring the lamps into alignment without incurring a fail or PRS (Pass after Rectification at Station). But the adjusters can be used only once – hence the requirement for both lamps to be level in the first place.

Attention all PSV O-licence holders



If you operate a small vehicle – one that has been designed or adapted to carry fewer than nine passengers – you must ensure that you are operating under the correct licensing arrangements. VOSA is particularly concerned about operators involved in providing leisure services, who in many cases use limousines or novelty vehicles of this size. Generally these types of operation do not meet the criteria for their vehicles to be classed as public service vehicles (PSVs) and therefore cannot be used in this way on a PSV operator's licence (O-licence).

Nick Jones – the Traffic Commissioner leading on this subject – recently sent a letter to all PSV O-licence holders setting out the legislation covering the use of small vehicles on such a licence. If you are operating small vehicles and cannot meet any of the conditions set out in the letter, you are probably operating them as private hire vehicles (PHVs) – in which case, you must have a PHV licence in order to operate. If you have not already done so, you should contact your local authority to seek advice on obtaining a PHV licence.

Failure to do this could lead to prosecution in the courts and action being taken against your O-licence by a Traffic Commissioner.

If you have not received a copy of the letter or you are not sure if you can use your small vehicle on your PSV O-licence, please contact VOSA at **psv.selfservice@vosa.gov.uk** or on **0300 123 9000**.

Changes to the annual test in 2012

No, it's not a typo – we want to give you a 12-month 'heads up' that in 2012 the annual test will change. This is part of harmonising periodic testing and inspection standards across the European Union under the combination of Directives 2009/40/EC and 2010/48/EU.

Some new test items will appear, along with some changes to reasons for rejection or failure. Light vehicle tests will see the inclusion of electronic aids, such as

electronic stability control, secondary restraint systems and electric wiring. Heavy vehicle tests will include number plates and see changes to brake calculations by evaluating efficiency relative to maximum authorised mass rather than design gross weight. In 2013, modern car tests will see a rise in the minimum efficiency standards for brakes. Many more changes will be made alongside these few examples. Final agreement from the Department for Transport on VOSA's proposals is almost

ready, so you can expect to hear more from us as decisions are made.

Further information on European standards for vehicle inspections and roadworthiness can be found at http://ec.europa.eu/transport/road_safety/topics/vehicles/inspection/index_en.htm

Paving the way to successful Authorised Testing Facilities

Authorised Testing Facilities are the future for heavy goods vehicle and public service vehicle testing in Great Britain. VOSA is working with businesses across the country to set up these 'one stop shops' that can provide testing at the same time as planned maintenance and repair – reducing the burden of vehicle downtime and in turn supporting commercial viability. To help you make the change to ATF status, VOSA has introduced a new team of Business Development Managers whose job it is to support your transition.



VOSA's Business Development Managers – or BDMs – are, in essence, your 'account manager' with VOSA – a personal contact who will explain the requirements, talk through your questions and concerns and make sure that your journey to becoming an Authorised Testing Facility – or ATF – runs smoothly.

Mark Warden is BDM for the Western Region. As more and more of the industry recognises the benefits of having testing at the point of service and repair, Mark's days are increasingly filled with visits to businesses that are interested in becoming ATFs and supporting their applications through to completion.

'No two days are alike,' says Mark. 'Everyone wants something different from making the change to ATF status. Luckily, it's a growth industry, so there is plenty of room for each business to set things up on an individual basis, in a way that works for them.'

'Meeting new businesses that are interested in developing an ATF but are not sure what route to take is what my job is all about. The rumour mill is rife with a lot of common misconceptions about what it takes to become

an ATF, and I've lost count of all the different stories I've heard about the limits on setting up or operating an ATF.

'I enjoy talking through people's questions and concerns and working with them to find out how they can become an ATF, rather than why they can't. This is the most rewarding part of my job.'

In line with our strategy to encourage vehicle testing at the point of service and repair, VOSA has three BDMs in place, supported by a Senior BDM. The team consists of Mark in the Western Region, Duncan Harrop covering the Northern Region, and Steve Tilley in the Southern Region. The trio are supported by Malcolm Tipping in the role of Senior BDM in their bid to help businesses make a smooth transition to ATF status.

If you have any questions or want to know more about becoming an ATF, get in touch with your local BDM, or visit www.businesslink.gov.uk/atf for more information.

Q: Do I need a drive-through workshop to become an ATF?

A: VOSA appreciates that many workshops are drive-in and reverse-out. In these cases we would consider the distance from the entrance door to the back wall and advise on the working length you would need for the type of vehicles you wish to test. If the test equipment cannot all be contained within one test lane, your BDM will advise on the options available, such as a side-by-side testing bay layout.

Q: Can I use my ATF bay for testing cars, vans and light buses?

A: Yes, you can. Your BDM will encourage you to explore the potential additional income that can be gained by testing a wider variety of vehicles. You are limited only by the space required to test each vehicle type – your BDM will go through this with you. With a little forward planning you can set up a single test lane to test all vehicle types.

Q: Do I need to test all types of vehicle (buses, trucks, trailers and artics)?

A: You can choose what types of vehicle you wish to test at your ATF based on your company's requirements and the test facilities available. There are three categories of testing for an ATF:

1. 'Open access' is exactly that – open access testing for all vehicles. The only limits to an open access ATF depend on what types of vehicle your premises are approved to test. At the time of writing, 16 of the 22 ATFs up and running in this country are open access.
2. 'Own account' is usually the choice of operators with a large fleet of vehicles of their own to test and who do not wish to test other customers' or operators' vehicles.
3. 'Third party' allows a business to test its own fleet as well as 'by invitation only' vehicles from other customers and operators.

Q: Would I need to conduct tests every day?

A: The number of tests you conduct is entirely up to you. You can, if you want to, open the ATF for tests one day a week or one day a month and spend the rest of the time on maintenance and repairs. Your BDM will discuss this with you during the ATF start-up and will explain how testing days can be increased or decreased to suit your requirements.

Q: I've heard that there's no real need for ATFs in my area – why should I invest in setting one up?

A: Your BDM can run through the truck and bus test volumes for your local test station/s so that you can see what potential income you could generate through pit fees – the charge you make to customers for the use of your test station. Attracting new customers to test their vehicles at your ATF could also generate income for any service and repair facility attached to the ATF.

Even if you only run an 'own account' ATF, you can still use the facility to increase the working hours of your own vehicles. The majority of companies booking at VOSA test stations suffer about three hours of 'dead' vehicle time – one hour to test and two hours to travel to and from the site. By conducting tests at your own premises, you generate about two hours of extra working vehicle time per vehicle each year, before you factor in the extra time saved by being able to conduct any necessary repairs at the same premises.

Q: Can I apply to become an ATF if I already operate as a Designated Premises (DP)?

A: Absolutely! Changing your status from DP will guarantee you priority as VOSA manages the supply of Vehicle Examiners to fulfil our contracts with ATFs.

Q: Can I carry out HGV and PSV annual testing using my own staff?

A: All HGV and PSV testing must be carried out by trained VOSA staff.

Visit www.businesslink.gov.uk/vosateststations to find your nearest testing location. The latest information on ATFs, as well as contract and application information, can be found at www.businesslink.gov.uk/atf



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Carelessness costs lives

Safety is the first duty of care every one of us has to each other. It is an awful truth that it often takes a tragedy to make us pay attention to the seemingly fussy rules and regulations that make the world a safer place for those around us.



In 2008, just as an October dawn was breaking, two men in the course of conducting a bus decelerometer test – or Tapley test – drove into an unhitched trailer parked by the side of the road. The 30mph collision resulted in the instant death of the mechanic calibrating and reading the brake meter.

It had been raining the night before, and the road was still damp when the accident occurred, although the condition of the road surface was not found to be a decisive factor. The key contributory causes identified by the Fatal Accident Inquiry included the following:

1. According to the conditions of the operator's licence, the trailer parked by the side of the road should have been parked in an officially designated off-road trailer park when not in use. However, 'matters of expediency' led the operator to use roadside parking to avoid the cost of driving it overnight to the nearest company operating centre, or parking it in an officially designated trailer park.
2. The trailer was painted dark blue and had been parked facing away from the flow of traffic with its landing legs down. The trailer was unlit – all that was visible to the driver of the bus were the two small white reflective discs on the front end of the trailer, which had been left angled upwards by the landing legs.

3. The brake test was conducted in the dark. Although the road was lit by street lamps, there was evidence of a pooling effect between lamp standards which created areas of shadow. The road itself was well known locally for the number of unlit trailers parked there. There was no evidence of a risk assessment having been carried out prior to the brake test.

As a result of these lapses, a man who made his living repairing and preparing vehicles for their annual test lost his life.

We operate in a dangerous industry. The rules and regulations relating to vehicle safety are there to protect you and your colleagues. Think about what you are doing, ask yourself whether it's safe, and use your skills, knowledge, experience and training to do what you can to improve the situation.

The Road Vehicles Lighting Regulations 1989 are available in full at www.legislation.gov.uk

The main requirements are summarised at www.dft.gov.uk/pgr/roads/vehicles/vssafety/requirementsfortrailers

The Highway Code can be found at www.direct.gov.uk/highwaycode

Drivers should note that the Highway Code stipulates that vehicles should not be parked facing the flow of traffic. It is expected that all HGV drivers understand this, as the driving test includes a theory test covering the Highway Code. Trailers must also be properly lit in accordance with Regulation 24(3)(b) of the Road Vehicles Lighting Regulations 1989.

Mechanics carrying out brake tests on public roads are recommended to carefully assess the proposed location and conditions beforehand. It is best to conduct Tapley tests in a safe, well-lit place.

Operators are bound by the conditions of their licence to ensure that trailers, when not in use, are parked either in an Authorised Operator's operating centre or at an officially designated off-road trailer park.

Register your vehicles as British

Since the new cabotage regulations (Article 8 of 1072/2009/EC) came into effect on 14 May 2010, some non-GB hauliers have started applying for operator's licences in Great Britain in order not to be limited by the new requirements. As a consequence, some of these new GB operators have been looking to use foreign-registered vehicles on their GB licences.

Recent legal guidance from the Department for Transport states that there is no provision for foreign-registered heavy goods vehicles (HGVs) to be used temporarily in this country – only as part of an international journey or for a cabotage journey.

So any GB operators using such vehicles must:

- immediately register these vehicles in Great Britain
- pay the attendant rate of Vehicle Excise Duty (VED)
- specify these vehicles on the O-licence within the required period.

VOSA examiners will be enforcing these rules. If a GB operator uses a foreign-registered vehicle, they are committing a VED offence and will be reported to the Driver and Vehicle Licensing Agency (DVLA), which can issue a fine.

So the message is simple – if you function as a GB operator, then your vehicles must be registered here and specified on your GB O-licence.

Any questions you may have about these regulations should be emailed to enquiries@vosa.gov.uk



London Low Emission Zone

Larger vans and minibuses are required to meet Low Emission Zone standards from January 2012, which allows extra time in a challenging economic climate for owners of these vehicles to comply.

Earlier this year, Transport for London (TfL) announced that from 3 January 2012, larger vans and minibuses will be included in the Low Emission Zone (LEZ) to help deliver cleaner air for Londoners.

Larger vans, minibuses and other specialist vehicles such as motor caravans and light utility vehicles must meet a Euro III standard for particulate matter (PM) in order to drive free of charge in the LEZ. Vehicles affected are:

- minibuses with eight or more passenger seats below 5 tonnes gross vehicle weight (GVW)
- larger vans between 1.205 tonnes unladen and 3.5 tonnes GVW
- motorised horse boxes between 1.205 tonnes unladen and 3.5 tonnes GVW

- motorised caravans between 2.5 tonnes and 3.5 tonnes GVW
- other specialist vehicles derived from vans and minibuses.

The standard daily charge for any of these vehicles to drive within the LEZ will be £100 if they do not meet the standards.

There will also be changes for operators of heavy goods vehicles (HGVs), buses and coaches that have been subject to the LEZ emissions standards since 2008. From 3 January 2012, HGVs over 3.5 tonnes and buses and coaches over 5 tonnes will be required to meet a tighter standard of Euro IV for PM to deliver a further reduction in emissions from these vehicles.

There will be a daily charge of £200 for HGVs, buses and coaches not compliant with the standards to drive within the LEZ.

VOSA will introduce phase 3 and phase 4 Low Emissions Certificate (LEC) tests from October 2011. There will not be a combined test for this scheme (fees will be charged separately) and the first LEC issued will be valid for 12 months.

Visit www.tfl.gov.uk/roadusers/lez for more information on the London Low Emission Zone.

Email any technical questions about your vehicle's compliance with the LEZ regulations to enquiries@vosa.gov.uk

Beware dangerous dazzle



IAM (Institute of Advanced Motorists) has warned that glare from the sun creates more dangers for drivers than driving at night or in bad weather. Latest government figures reveal that glare from the sun was a cause of 2,684 injury crashes in 2009 – as many as headlamp dazzle and bad weather combined.

As the winter evenings draw in, drivers have to contend with the dazzle of the low sun, in both the morning and evening. Neil Greig, IAM Director of Policy and Research, says: 'We can't change the position of the sun, or the need to travel at certain times, but there are simple steps you can take to ensure you're prepared for these conditions.'

'Keep your windscreen clean, both inside and out. On demist, your heater blows traffic fumes, suspended oil and smoke onto the inside of the screen, and wet roads add dirt and scratches to the outside. Dirty windscreens add to the danger when the sun is low. If you can't see, slow down accordingly, keeping an eye on the traffic behind in case the following vehicle doesn't see you against the sun.'

DfT agency details

Driver and Vehicle Licensing Agency (DVLA)
Driver enquiries: **0300 790 6801**
Vehicle enquiries: **0300 790 6802**
www.direct.gov.uk/emaildvla

Vehicle Certification Agency (VCA)
0117 951 5151
www.vca.gov.uk/contact.asp

Driving Standards Agency (DSA)
0300 200 1122
customer.services@dsa.gov.uk

Vehicle and Operator Services Agency (VOSA)
0300 123 9000
enquiries@vosa.gov.uk

You can find more advice and guidance on good practice and safer driving on the IAM website
www.iamdriveandsurvive.co.uk

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