



Freight Transport Association

APSE Northern Professional Practice Forum
Alternative Fuels & Transport Compliance
Seminar

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Obligations



- Observe the laws relating to the driving and operation of vehicles
- Comply with drivers' hours rules and tachograph regulations
- Ensure vehicles are not overloaded
- Ensure vehicles stay within speed limits
- Maintain vehicles in a fit and serviceable condition
- Implement an effective driver defect walk round check and defect reporting system
- Keep all records, for the required length of time, and produce them on request, in an ordered manner
- Notify any relevant changes to the Traffic Commissioner

The role of the Traffic Commissioner



- Traffic Commissioners are responsible for the licensing and regulation of those who operate heavy goods vehicles, buses and coaches, and the registration of local bus services. They are assisted in this work by deputy Traffic Commissioners, who preside over a number of public inquiries.
- **Responsibilities**
- Traffic Commissioners have responsibility in their region or country for:
 - the licensing of the operators of [heavy goods vehicles](#) (HGVs) and of [buses and coaches](#) (public service vehicles or PSVs)
 - the registration of local bus services
 - granting vocational licences and taking action against drivers of HGVs and PSVs
 - the environmental suitability of centres designated as parking locations for HGVs
- **Priorities**
- Traffic Commissioners' shared priorities are:
 - to ensure that people operating HGVs and PSVs are reputable, competent, and adequately funded
 - to encourage all operators to adopt robust systems, so that there is fair competition and that the operation of goods and public service vehicles is safe
 - to consider on behalf of the Secretary of State for Transport the fitness of drivers or those applying for passenger carrying vehicle or large goods vehicle driving licences based on their conduct
 - to consider, and where appropriate impose, traffic regulation conditions to prevent danger to road users and/or reduce traffic congestion and/or pollution
 - to ensure public inquiry proceedings are fair and free from any unjustified interference or bias
 - to engage with stakeholders - listening to industry, meeting with local authorities, trade organisations, passenger groups and operators and presenting seminars

Call to Public Inquiry



- Call up letter
- Public Inquiry Brief
- PI consider fitness to hold a O Licence
 - non o licensed fleet incidents can be considered
- Revocation, suspension or curtailment of licence
- Transport Manager – loss of repute
- Driver conduct hearings – revocation or suspension of vocational entitlement

Public Inquiry



- Call up letter - Don't panic
- Inform Senior Management
- Act quickly, timescales can be tight and adjournments only in exceptional circumstances
- Consider professional representation
- Consider if specialist reports and/or audits required
- Financial standing requirements
- Director will require to attend
- Media reporting – Communications/PR on stand-by

Public Inquiry



- PIs are not necessarily avoidable - accidents and human error will happen, can have good systems and still end up at PI
- Keep up to date with developments and industry practice
 - industry groups
 - training courses and updates
 - external audits
- Check O licence details are correct
- Consider O Licence awareness training for relevant personnel
- Does TM have systems for continuous and effective control of transport operations

When it go's wrong



57. The operator's licence held by [redacted] Transport Ltd is curtailed from 45 vehicles to 18 vehicles for 6 months and thereafter the authorisation will be 22 vehicles. Any increase in authorisation thereafter will require a formal variation such that I can be satisfied that the operator has become compliant. *[The number currently specified is 22].*

61. Suspension of vehicles – I will give the operator until 12 April 2016 to nominate the vehicles to be suspended from the licences. These vehicles must be vehicles specified on the licences as at 29 February 2016 to avoid any circumvention of the intention of my orders in this case. A list of those vehicles specified on 29 February 2016 will be sent to the operator and agent, Mr [redacted], so that there is absolute clarity in relation to which vehicles will be suspended. If the operator fails to nominate the vehicles to be suspended by 12 April 2016 I will choose them. The suspended vehicles cannot be used on these licences or any others during the period of the curtailment. The relevant legislation is section 26(6) of the 1995 Act.

62. The operator companies are warned as to their repute. Mr [redacted] is given the strongest warning possible in relation to his repute and professional competence as a transport manager short of loss of repute and professional competence.



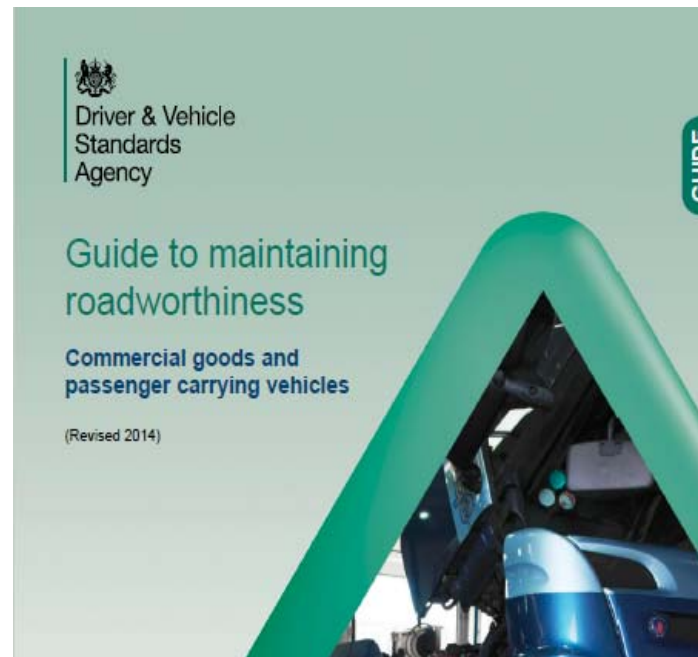
- Fleet of varied vehicle types, based over many different operating sites, operated by several departments
- Control of drivers based in departments beyond fleet or transport
- Control of fleet beyond O licenced vehicles as issues with those vehicles can lead to issues with operating sites
- Vans and grey fleet “cars” may also attract attention and require monitoring for example daily checks.

Compliance



- Compliance
- Acting in accordance with request or command etc.
- Or, Compliance “not an option” as stated by the Traffic Commissioner.

Are you a compliant authority?



Getting it right

DVSA recognises that operators of heavy goods or passenger carrying vehicles will not get everything right all the time. However, we do want you to be vigilant and responsible. The penalties for and consequences of non-compliance to you the operator and/or driver – and to the general public – can range from the inconvenient to the very serious and, sometimes, to the catastrophic. You and your staff may be fined or prosecuted and your vehicles may be prohibited. At worst, you may cause serious injury or fatal accidents because of badly maintained vehicles.

Are you a compliant authority?



- Are these examples of regular defects?



FTA services



- Commercial vehicle inspections.
- Gate checks.
- Weigh checks.
- Quality monitoring.
- Records audits.
- Investigations.
- Letter reports.
- Tachograph services.
- MHE & racking inspections.
- Tanker inspection & certification service.
- Passenger carrying vehicle inspections.
- Van excellence.
- Truck excellence.
- Consultancy.

FTA Services.



- We have a solution for all your compliance requirements.
- We are here to help.
- Please speak to myself or one of my colleagues for any further information or assistance you require.

Good, Bad or not sure?



- This is what good looks like!



Thank you



- Any questions

