



LOGISTICS UK

Transport and Compliance
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Member Advice Centre

28TH June 2023



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Member Advice Centre

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Main Priority

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What else do we do?

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PUBLICATIONS



MEMBER
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SUBSCRIPTION
PRODUCTS



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TRAINING
DEPARTMENT



COMPLIANCE
WEBINARS



FACE TO FACE
MEETING/TEAMS

Transport and Compliance

Road logistics industry
legislation and good practice

28th June 2023

➤ Legislation Updates

Updates to existing legislation

➤ Brake Testing – An overview

○ licence compliance

What about the actual roller brake test?

EBPMS – The future?

Category B Licence Derogation

Under the Category B licence, a driver may operate an alternatively fuelled vehicle up to 4.25 tonnes, providing:

- They have undertaken 5 hours training.
- It is used for purpose of transporting goods.
- It does not tow a trailer.
- It is operated within Great Britain.
- **Currently under review**



Plating Certificate Option

Get the plate and plating certificate for a new vehicle or trailer – Apply on-line and DVSA will send you the plate and plating certificates once you've recorded the details with them. There is no fee for this.

Notifiable Alterations – The process remains the same, but after inspection, DVSA will email you the plating certificates. Fee £27.00

Replacement plates – You have to apply to DVSA to get a replacement plate or plating certificate if the original has been lost or damaged. DVSA will email you the plating certificates. Fee £13.00.

<https://www.gov.uk/government/publications/hgv-and-trailer-ministry-plates-and-plating-certificates/hgv-and-trailer-ministry-plates-and-plating-certificates>

The image shows two forms side-by-side. The left form is a 'Plating Certificate' and the right form is a 'Ministry Plate'. Both forms are from the Department for Transport, Driver & Vehicle Standards Agency. The plating certificate includes fields for vehicle details, weights, and a signature section. The ministry plate includes fields for vehicle details, weights, and a 'DEPARTMENT FOR TRANSPORT GREAT BRITAIN' stamp.

An example of a plating certificate (left) and a 'ministry' plate (right).

Entitled Uses

- Agriculture, horticulture, fish farming and forestry.
- Rail transport.
- Heating of non-commercial premises.
- Power generation for non-commercial premises.
- Community amateur sports clubs and golf courses.
- Agricultural and special vehicles such as diggers, cranes and mowing machines working within the grounds. This does not include travel to and from the site. Rebated fuel can also be used for heating and lighting of such buildings.

Update for arborists

- 15th March 2023.
- HMRC's interpretation didn't include some aspects of arboriculture.
- Unintended difficulties for arboriculture businesses.
- Rebated fuel can now be used in machines and appliances (not vehicles), for all forms of tree work, as they could before April 2022.



Door-to-door household waste collection

- Vehicles used in connection with ... door-to-door household refuse collection or disposal.

‘Door-to-door in the context of this derogation does not mean every single door. It means a succession of households from which such waste is collected, so it is fine to collect green waste only from those households subscribing to the service.’

Vehicles used in connection with public services

Briefing note

This briefing note aims to highlight the key decision areas for managers deciding whether vehicles used for utility and public body/ public interest operations are in or out of scope of the EU drivers' hours rules, and in particular the issuing of interpreting the term 'vehicles used in connection with' in relation to one specific concession.

Scope of EU rules for goods vehicles

The EU drivers' hours rules (Regulation (EC) No. 561/2006 (561/2006)) applies to the carriage by road of goods where the maximum authorised mass (MAM) of the vehicle, including any trailer drawn, exceeds 3.5t.

EU exemptions are contained in Article 3 of 561/2006, whereas national derogations from the EU rules are contained in Schedule 1 of the Community Drivers' Hours and Recording Equipment Regulations 2007 (the 2007 regulations).

Schedule 1(8) of the 2007 regulations contains an exemption for:

- “Any vehicle which is being used in connection with –
- (a) sewerage, flood protection, water, gas or electricity maintenance services
- (b) road maintenance or control
- (c) door-to-door household refuse collection or disposal
- (d) telegraph or telephone services
- (e) radio or television broadcasting or
- (f) the detection of radio or television transmitters or receivers.”

Sewerage, flood protection, water, gas and electricity maintenance services

It is the Driver and Vehicle Standards Agency (DVSA) view that vehicles used in connection with sewerage, flood protection, water, gas and electricity services must be involved in the maintenance of an existing service (rather than the construction of a new service) to claim the concession.

For vehicles used in connection with sewerage maintenance services the term “maintenance” also applies to the removal of waste from a system but only where the waste is removed directly onto the vehicle and immediately taken away for treatment. This would also include transporting partially treated sewage from satellite sites to main sites.

The derogation doesn't apply to the movement of sewage sludge which has been treated to make a product which is then used for another purpose such as, for example, fertiliser.

Road maintenance or control

Vehicles used in connection with road maintenance services which:

- Are engaged on a journey directly relating to the maintenance services, for example, removing rubble or other materials.

And/or

- Are being used directly on the maintenance activity, for example, laying tarmac.

Such vehicles will fall within this derogation however journeys to a site for the purpose of positioning the vehicle in readiness for engaging in the maintenance activity or for returning to base after the maintenance activity has ended will not fall within this derogation.

Vehicles which are to be used or have been used that same day in connection with highway maintenance and control and don't travel far from the site where the work of highway maintenance is being carried out will fall within the derogation.

Door-to-door household refuse collection and disposal

It is the Department for Transport's (DfT) view is that, in order to be considered as exempt from the EU rules on drivers' hours and tachographs, a door-to-door household refuse collection and disposal operation should have the following characteristics:

- It should be carried out either by a public authority or by a private undertaking under contract to a public authority.
- It should involve the primary collection of waste from household or commercial premises, including the collection of street cleansing waste (eg litter from public street bins), whereby the transport activity remains subsidiary to the collection. The waste collected from commercial premises must be similar to or of the same kind as that collected from households. It must be collected in the same way (ie door-to-door), it must not be subject to any special collection regime or special rules, and must be collected using the same vehicles².

² Type of vehicle is indicative only. In certain rural areas, for example, conventional goods vehicles may still be used for door-to-door collections of household waste.

Gritters

- Dedicated gritters benefit from various exemptions:
 - Operator licensing.
 - Plating and testing.
 - Drivers' hours.
 - Vehicle excise duty.
- What about using gritters in warmer temperatures to spread sand or other materials on the road to stop the roads melting?



HGV and PSV inspection manual updates

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The main changes cover updates on:

- Wheel flanges.
- Seat belt webbing.
- Flashing stop lamp.
- PSV brake testing.
- Free Rolling Tyres on front steered axles.



Categorisation of defects

- DVSA's Categorisation of Defects updated on 5th May, includes skip carriers.
- Department for Transport Code of Practice for safety of loads on vehicles to be published later this year.



Categorisation of defects

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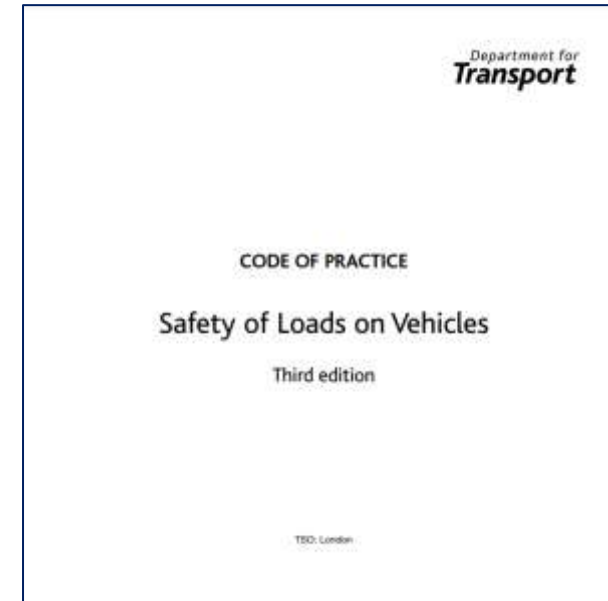
- Height indicator
- Transporting vehicles
- Transporting wheeled heavy plant equipment



Load security

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- HSE and DVSA new load security guide.
- Industry guidance used to support enforcement.
- Load security must at least equal industry good practice.

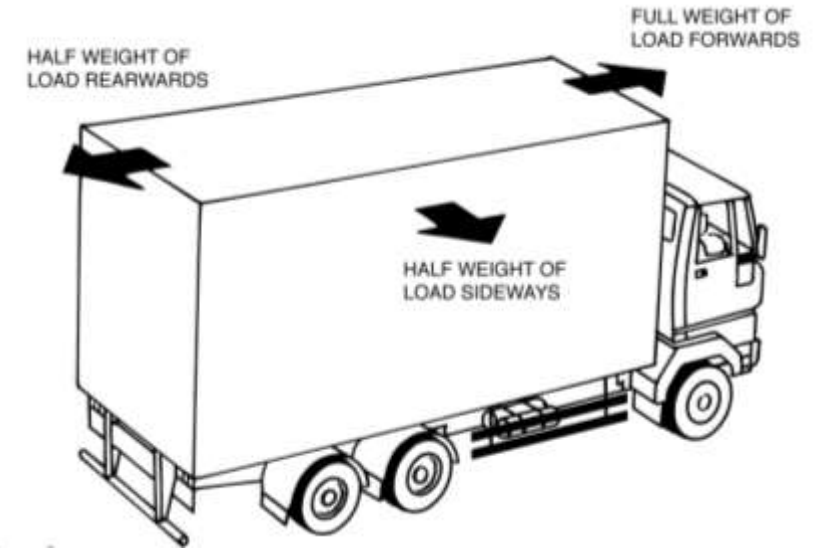


Load security – The Basics

The load securing system must be able to withstand normal driving and emergency actions.

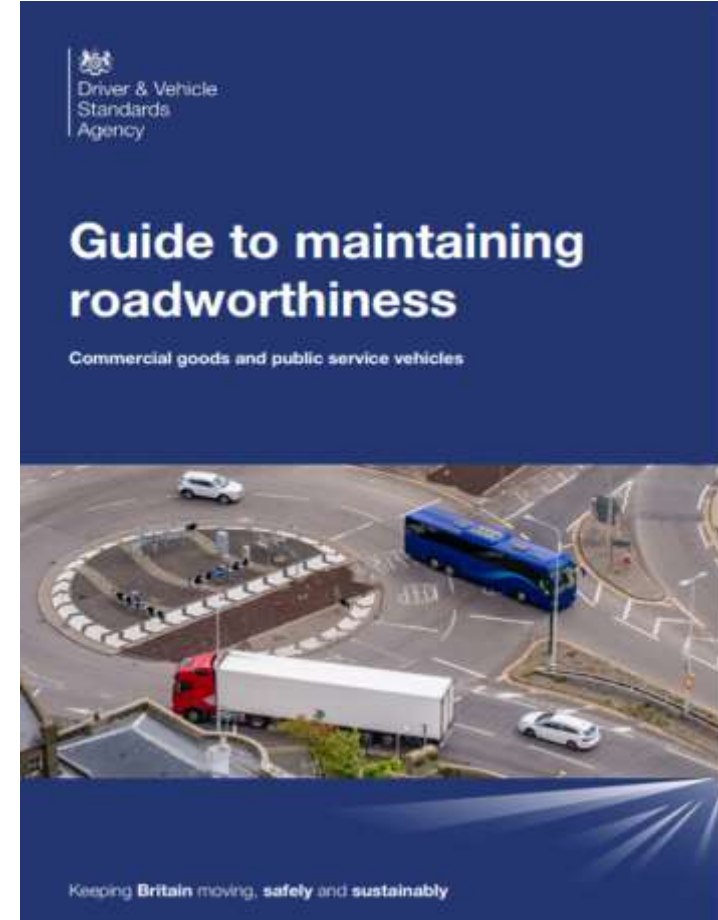
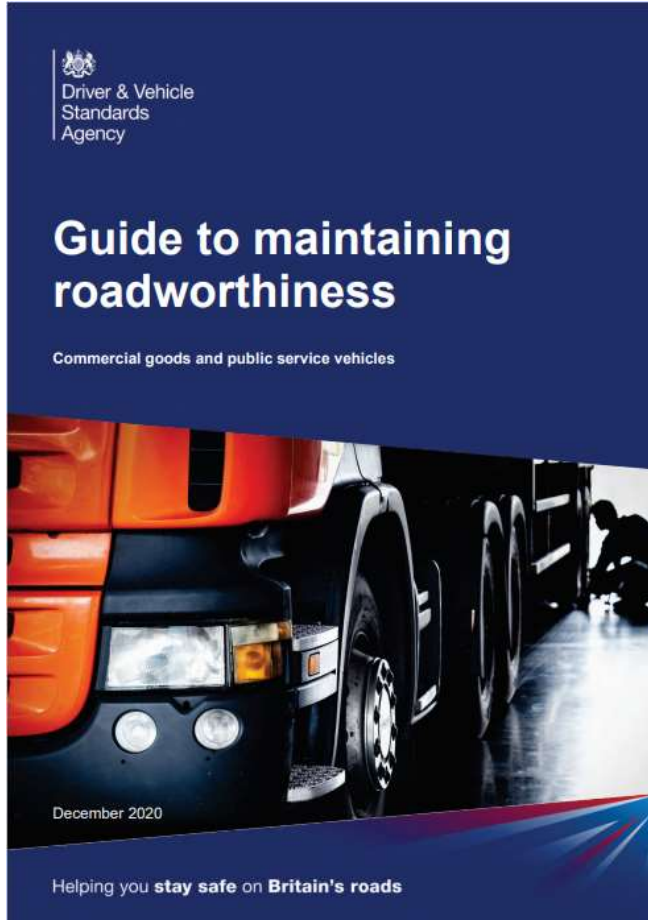
Things that affect load security:

- Structure.
- Physical barriers.
- Lashings.
- Friction.



Guide to Maintaining Roadworthiness (GTMR)

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Where the guide says you ***must*** do something, it is a direct legal requirement set out in legislation. Something that is required under Road Traffic law, Health and Safety legislation, or the legal undertakings to the Traffic Commissioner for your operator licence.

Where the guide says you ***should*** do something, it is best practice and, while you are not required to do it, it is strongly recommended that you do unless you can demonstrate that an alternative approach provides a similar level of compliance.

First-use inspection

Intermediate safety checks

Safety inspections – return to service

Towing another company's trailer

Trailer owner's responsibility

Non-UK registered trailers

Brake Testing

Small Trailers

Advanced Driver Assistance System (ADAS)

Vehicle safety recalls

- Where possible undertake brake tests laden, can be unladen if risk assessment.
 - **From April 2025:** Laden brake tests at every safety inspection or Electronic Brake Performance Monitoring System (EBPMS) evaluation.
- Brake tests can be done up to 7 days **before** the safety inspection.
- Decelerometer test – will also require individual temperature checks of each wheel.

BRAKE TEMPERATURE ASSESSMENT									
Side	Axle 1	Axle 2	Axle 3	Axle 4	Side	Axle 1	Axle 2	Axle 3	Axle 4
O/S	°C	°C	°C	°C	N/S	°C	°C	°C	°C
Date of braking assessment									



RBT – Brake Test Report

➤ Brake test printouts:

– Assessment and signed.

-Attach (hardcopy or electronic) to safety
Inspection record

Exemptions from laden brake testing at annual test only relate to vehicles or trailers being presented for annual test. The exemptions do not automatically apply to vehicles or trailers being brake tested as part of their normal preventative maintenance inspections.

DETAILED BRAKE TEST RESULTS		FULL TEST			
License pl. no.:	██████████	Chassis no.:	██████████		
DTP Number:	313877 Type Approved	GVTS:	██████████		
Vehicle Make:		Date:	04/04/2019	Time	
Vehicle Type:	3 AXLE SEMI-TRAILER	GVW:	39000 kg	TAW	
AXLE 1 2103 kg					
Service	N/S	BIND	TIME LAG	OVALITY	IMBALANCE
	O/S	Pass	Pass		679 kgF
		Pass	Pass		665 kgF (2 %)
Parking	N/S				631 kgF
	O/S				625 kgF (1 %)
AXLE 2 2171 kg					
Service	N/S	BIND	TIME LAG	OVALITY	IMBALANCE
	O/S	Pass	Pass		641 kgF
		Pass	Pass		724 kgF (11 %)
Parking	N/S				602 kgF
	O/S				659 kgF (9 %)
AXLE 3 2113 kg					
Service	N/S	BIND	TIME LAG	OVALITY	IMBALANCE
	O/S	Pass	Pass		637 kgF
		Pass	Pass		715 kgF (11 %)
Parking	N/S				576 kgF
	O/S				690 kgF (17 %)
TEST SUMMARY					
INSUFFICIENT					
Measured Vehicle Weight:	6387 kg				
BRAKE SYSTEM	PASS VALUE	TAW	TEST VALUE	RESULT	
Service	45%	TAW	17%	Pass (>= 3000)	
Parking	16%	GVW	10%	Pass (>= 1500)	
**** OVERALL RESULT : PASSED ****					

GTMR – Small trailer with overrun brakes

Small trailers up to 3.5t with overrun brakes should be tested using one or a combination of the following methods:

- A laden road test with brake temperatures checked.
- A static test, using the hand brake to check progressive braking of each wheel.
- A park brake drag or gradient test.



What about the Actual
Roller Brake Test?

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Roller Brake Testing—What do we need to look at to Improve?

1) Equipment condition



2) Conduct



3) User error

DETAILED BRAKE TEST RESULTS Full Test 1804

Dtp Number : 91878 Type Approved GVTS: 1804
Vehicle Make : SCANIA Date : 16/02/2023
Vehicle Type : 3 AXLE TRACTOR UNIT GVW : 27000 (kg) Registration No : [REDACTED]
Time : 13:07:12
GVW: 50900 (kg)

Axle	Weight	Service M/S	Service O/S	Parking O/S	Brake	Time Lag	Ovality	Max. Imbalance	Max. Force
Axle 1	8274 kg	Pass	Pass	Pass	Pass	Pass	Pass	914 kgf	914 kgf (L)
Axle 2	9822 kg	Pass	Pass	Pass	Pass	Pass	Pass	1185 kgf (22%)	1185 kgf (L)
Axle 3	6599 kg	Pass	Pass	Pass	Pass	Pass	Pass	646 kgf	646 kgf (L)

TEST SUMMARY

Measured Vehicle Weight = 24695kg

System	Pass Value	Test Value	Result
Service	50% GVW	33% (FMA)	PASS (Locks)
Secondary	25% GVW	20% (FMA)	PASS (Locks)
Secondary	25% GVW	16%	PASS (Locks)
Parking	12% GVW	11%	PASS (Locks)

****OVERALL RESULT: PASSED****

*Checked
16/2/2023*

V03.42Q/V0522/406/AUTO

Brake Testing -Equipment Condition

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- Clean.
- Uncontaminated.
- Good condition.
- Calibrated.



Roller Brake Testing – Where can it go wrong?

Wrong weight = less meaning!



Wrong details = wrong result

License pl. no.:	:	██████████
DTP Number	:	313877 Type Approved
Vehicle Make	:	
Vehicle Type	:	3 AXLE SEMI-TRAILER

Incorrect positioning = Low readings/early locks



Too fast = Low locks

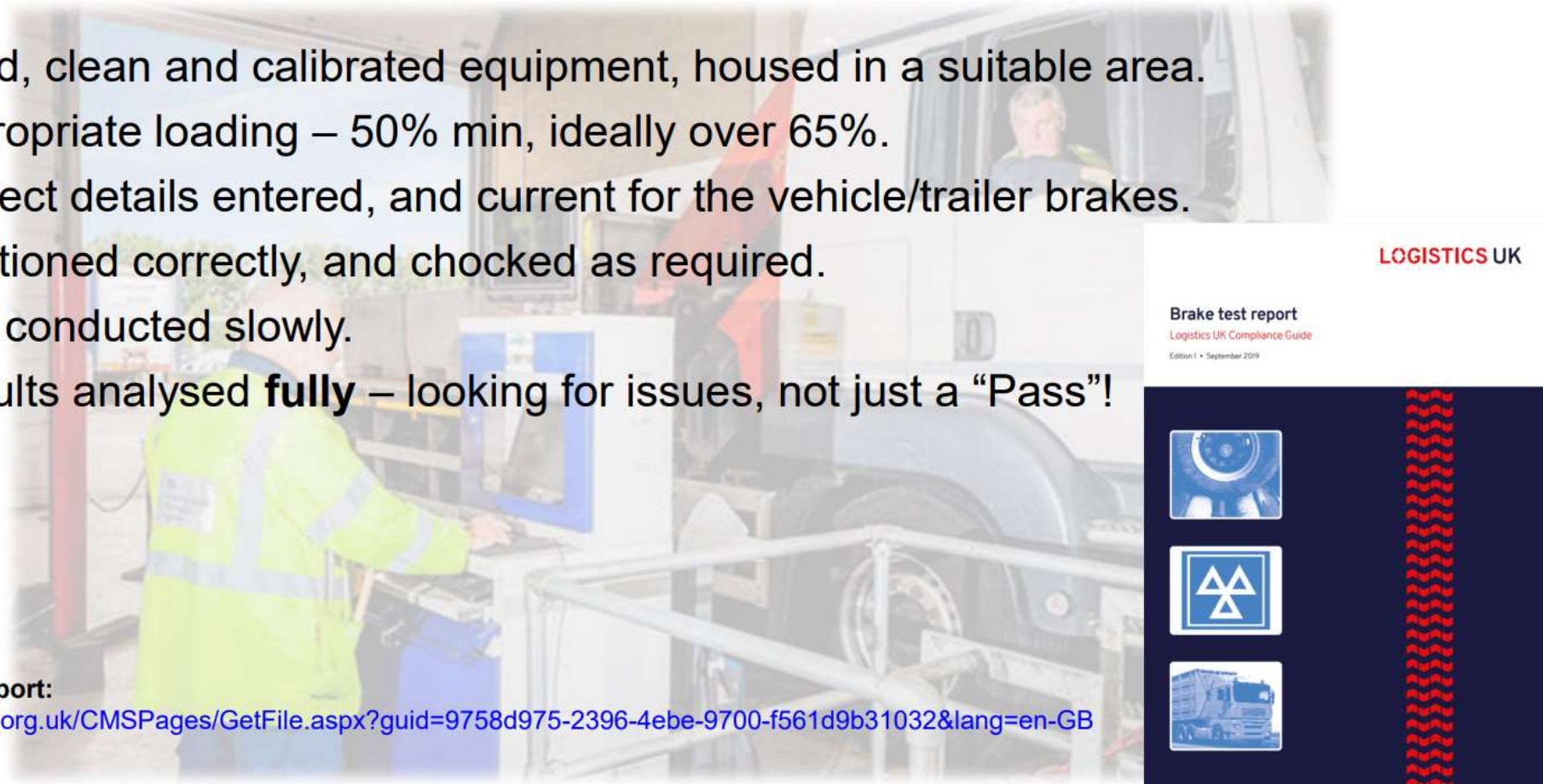


Brake Testing – In summary

- Good, clean and calibrated equipment, housed in a suitable area.
- Appropriate loading – 50% min, ideally over 65%.
- Correct details entered, and current for the vehicle/trailer brakes.
- Positioned correctly, and chocked as required.
- Test conducted slowly.
- Results analysed **fully** – looking for issues, not just a “Pass”!

Brake Test Report:

<https://logistics.org.uk/CMSPages/GetFile.aspx?guid=9758d975-2396-4ebe-9700-f561d9b31032&lang=en-GB>



What's the Alternative to RBT?

Electronic braking performance monitoring system (EBPMS)

This is a system that enables the braking performance of a commercial vehicle to be monitored and recorded during everyday operation under a variety of operating conditions.

EBPMS autonomously collects braking event data during every braking event and analyses the data over time to produce a braking performance value.

<https://www.gov.uk/government/publications/electronic-braking-performance-monitoring-systems>

BrakePlus Braking Performance Report

Trailer details:

Vehicle Operator:	TIP HQ
TIP Reference No:	1959554
Fleet No:	[REDACTED]
Chassis No:	[REDACTED]
Licence Plate:	[REDACTED]

Braking performance details:

Brake Performance Value:	80 % of g
Report Date:	May 11 2023
Date Range:	10/02/2023 to 11/05/2023
Duration:	90 days
Number of Brake Events:	1130

Result:

PASS

Note

'Date range' is the period to which the Braking Performance Value applies.

If the result indicated is 'Unqualified', it is likely that BrakePlus has insufficient braking event data to be able to produce a valid Braking Performance Value. An alternative method may be required to assess braking performance.

If the result indicated is 'Low Performance' (or if BrakePlus otherwise identifies braking deficiencies), the vehicle operator, as defined in the DVSA 'EBPMS Industry Standard Specification' document, needs to ensure appropriate action is taken to investigate, remedy and evidence any reported defects, as detailed in the DVSA publication 'Guide to Maintaining Roadworthiness'.



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**Thank you
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