

TE LEGAL UPDATE

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REGULATORY

Weight increase for efficient trucks

Trucks that carry equipment designed to cut emissions, such as aerodynamic flaps, will soon be allowed to run up to 45 tonnes. This is due to an updated EU weights and dimensions directive due to come into effect on 7 May 2017. There are no dates for implementation into UK law: this may be impacted by Brexit. The EC says payload must not be increased.

AEBS and LDWS introduction

Under EC Regulation 661/2009, since 1 November 2015, newly registered HGVs over 7.5 tonnes have been required to have Level 1 AEBS (autonomous emergency braking systems) and LDWS (lane departure warning system) fitted. Level 2 AEBS will become mandatory for new types from 1 November 2016 and all new vehicles from 1 November 2018.

Verification of container weights

Legally effective from 1 July 2016, IMO (International Maritime Organisation) has

amended the SOLAS (Safety of Life at Sea) convention, requiring that every packed container loaded on to a ship must have a verified gross weight.

Shippers are responsible for providing the information, which is the certified cargo weight (including packing material) plus container tare weight. Weighing equipment must meet national standards.

The purpose of these regulations is to safeguard against improperly declared weights. Under-declared weights leading to unsafe loading has contributed to serious truck accidents and implicated in the sinking of several vessels.

In-service ATP

If you own or operate vehicles that transport perishable foodstuffs across international borders, you must have ATP certificates for them (for all signatory countries to the Agreement on the International Carriage of Perishable Foodstuffs).

An in-service inspection can be undertaken at ATP designated stations - at the Refrigerated Vehicle Test Centre, Cambridge, and Conway Bailey Transport,



Redruth, or at an operator's site (by Cambridge Refrigeration Technology staff). First time ATP certificates expire after six years. Replacements are for three years.

New-generation digital tachographs

European Regulation 165/2014 mandates the introduction of a new generation of digital tachographs. New units will be required on newly registered vehicles from 2019. They will use a global navigation satellite system to produce location stamps at the start and end of each drive, and at three-hourly intervals. They will include wireless to alert enforcement officers to possible manipulation, and will integrate with telematics.

Driver CPC

Since 25 January 2016, the DfT has relaxed exemptions to Driver CPC rules for those whose main activity does not involve driving HGVs - such as vehicle technicians. The radius a vehicle can be driven without a Driver CPC holder has increased from 50km to 100km, provided the vehicle is unladen and the driver only drives trucks from "time to time". Amended regulations also allow HGV drivers to use a truck with an automatic gearbox when taking a Driver CPC practical test.

EMPLOYMENT LAW

Diabetic drivers

Changes to DVLA licence renewals for diabetic drivers follow approval from the Secretary of State for Transport's Honorary Medical Advisory Panel. They now require a GP examination for every other renewal, with only a self-declaration and independent diabetologist examination every year. The rules on driving with diabetes are complex. Drivers must be transparent with DVLA.

Licence form guide

DVLA has developed a guide to help vocational driving licence applicants complete the vocational application forms D2 and D4. The guide has been produced to give an overview of how the licensing system works. It is an attempt to streamline the application process and decrease delays and rejections from DVLA.

Smoking at work

Smoking is not allowed in any enclosed workplace, public building or on public transport. Operators must ensure they have 'no smoking' signs in all workplaces and vehicles, and ensure that people do not smoke in work premises or shared vehicles. Business can be fined up to £2,500 for failure to prevent people smoking, or £1,000 if they do not display signage.