



↑ Dept. of Transport
Weighbridge

SEEING RED

O licence compliance offences remain at a high level. The enforcers are employing new ways to drive down non-compliance. By Peter Shakespeare

The latest enforcement statistics published by the Driver and Vehicle Standards Agency (DVSA) covering the financial year 2016/17 suggest that 30% of commercial vehicles operate in an unroadworthy state on the UK's roads.

The word is 'suggest' because DVSA's enforcement policy is driven by intelligence and a targeted approach that focuses on operators who have a poor record, defined as a red rating in its Operator Compliance Risk Score (OCRS).

OCRS is used by DVSA to rate operators' levels of compliance. It differs from accreditation schemes because the assessment is made each time a fleet's vehicles are presented for annual test, are stopped at the roadside, or DVSA carries out an operating centre inspection. Those who largely meet its KPIs are deemed low risk.

Many of the 134,318 vehicles and trailers that were either checked at the roadside or at operators' premises over the 12-month period were targeted. The remainder probably resulted from an incident or were selected at random. Headline figures include domestic and non-UK HGVs, PSVs, trailers and LCVs. Therefore the true percentage is likely

to be lower, as compliant operators are stopped less often. But given that society would like 100% compliance, it is clear there is still a problem in terms of maintaining vehicle roadworthiness. Over 41,000 prohibitions were issued in 2016/17.

The statistics concerning drivers' hours' offences tell a less alarming story. Last year only 5.05% of the 89,568 drivers checked were found to have committed an offence (see table, p20). But when it came to overloading, 52.1% of the 8,272 vehicles checked were overweight. Vans were by far the biggest offenders (77.3% of those checked) compared with 39.1% for domestic HGVs. But in both cases more foreign vehicles were found to be overloaded.

Enforcement is a costly, labour-intensive business. Successive funding cuts to both the DVSA and the police mean their resources are being increasingly stretched, and while £4,207,400 was generated from fixed penalties in 2016/17, the question of whether commercial vehicle enforcement is adequately funded raises its head. How are the enforcers addressing any shortfalls?

The last few years have seen the rise of compliance accreditation schemes.

VEHICLE ENFORCEMENT CHECKS

- Commercial vehicles can be asked to stop by the police or a DVSA officer. They can stop lorries, buses and coaches.
- The police and DVSA have the power to carry out spot checks on vehicles and issue prohibitions if necessary. A prohibition prevents you from driving until you get a problem with your vehicle fixed.
- Police and DVSA officers can also issue fixed penalties if an offence is committed. Some of these are graduated depending on the circumstances and seriousness of the offence.

This 'self-policing' approach targets the problem at its source. To gain an accreditation, such as that designed by the Freight Operator Recognition Scheme (FORS), operators must pass independent annual audits of their compliance regimes. They are encouraged to improve further with the aim that they can achieve near 100% compliance.

In April 2018, DVSA introduced Earned Recognition. This allows operators to continually demonstrate they are compliant; or rather for DVSA to continually check they are.

TOP 10 OFFENCES 2016/17

OFFENCE	AVERAGE FINE
Overloading	£5,843.32
No O licence	£910.60
Vehicle excise duty	£348.33
Construction & Use	£328.94
Plating & Testing	£261.39
Miscellaneous	£227.00
Tacho/records	£175.18
Driver licence	£146.70
Drivers' hours	£107.27
Other O licence	£77.37



Eligibility requirements include holding an O licence for two years. Also, it must already have a low OCR score and must not have been subject to any regulatory action by the traffic commissioners for at least two years. It must have a full electronic management system for recording and managing maintenance and drivers' hours, from a supplier validated by DVSA.

If an applicant meets the criteria, it will have to submit three months of records to DVSA. If these are accepted, it will be audited across an extensive range of KPIs by an authorised audit provider. These are currently the trade associations, training providers and some independent consultants. Charges vary depending on fleet sizes, as does the amount of 'pre-work' required to bring the applicant up to pass standard. One auditor said its costs for the audit itself can range from £600 to £1,000 per site. Repeat audits are required every two years, between which DVSA will monitor and score operators' performance, by directly accessing its records on its compliance management IT system.

DVSA enforcement policy manager

Dave Wood says: "DVSA's priority is to protect everyone from unsafe drivers and vehicles. Since the initial launch, DVSA has accredited a total of 67 businesses with Earned Recognition status - this incorporates over 200 operator licences and approximately 20,000 vehicles. We are currently having positive discussions with TfL and FORS regarding Earned Recognition, and how a combined audit would provide benefits for operators who wanted to be in both schemes."

The Freight Transport Association believes that compliance with O licence undertakings is not just critical for road safety, it is critical for the image of the industry. It says the public at large needs to see there is a set of rules governing commercial vehicle operation and there is an effective enforcement process for those who would aim to break them.

DIGITAL TACHOGRAPH

Looking forward, the EU will introduce new tachograph regulations next summer: (EU) 165/2014 requires all newly registered in-scope commercial vehicles to have an intelligent digital tachograph fitted. The new tachograph will link

to a satellite positioning system and will transmit encrypted data wirelessly during roadside checks. It also has the potential to interface its data output to transport management software.

Through its VDO brand, Continental supplies digital tachographs; its latest, the DTCO 4.0 (pictured) launches at the IAA show in September. Continental says the link to a global navigation satellite system will enable individual vehicle position information to be automatically recorded at the start and the end of a shift, after three hours of driving and after each change of activity.

Meanwhile, enforcement vehicles will be fitted with remote early detection communication readers to capture information such as security breaches, the absence of a valid card and the speed recorded by the tachograph while the LGV is still in motion, according to transport training firm Novadata. It adds that the readers will be able to detect and time adjustment data, the most recent calibration date, and more (see also <https://is.gd/wubuge>).

Technology, therefore, looks to be the best and most cost-effective tool in the future of enforcement. **TE**

OPINION: WHERE DO WE GO FROM HERE?

While Earned Recognition is currently sold as a 'carrot' approach to avoiding prosecution, it also allows the enforcers to see whether an operator is compliant 24/7 - should they let it. Could the next step be to make it compulsory?

The new tachograph gives the authorities unprecedented levels of information. Theoretically, another dimension is its potential use to prove a vehicle has been speeding, if linked to mapping data. Given current

constraints on money and manpower resources, it is likely that over the next few years, Big Brother will be watching commercial vehicle drivers and operators closer than ever before. **Peter Shakespeare**