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Put your phone away!

REGULATORY

Using a mobile phone while driving can be very dangerous for the driver, other road users and pedestrians. It can also be costly. Professional drivers caught using a handheld device while driving will receive six penalty points on their licence and a fine of up to £2,500. HGV and PSV drivers caught using their mobile twice or accruing 12 points on their licence will face the magistrates' court. They will also be referred to the traffic commissioner and are likely to receive a suspension from professional driving.

In a recent case, one HGV driver received a three-month ban for filming traffic on his mobile phone while driving (not



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pictured). Despite the driver claiming that his actions had not been dangerous, the traffic commissioner decided that his conduct had fallen seriously below the required standards for a professional driver. The TC took away his vocational entitlement and disqualified him for three months. At the end of his disqualification, the driver will have to reapply for his vocational licence if he wants to

drive professionally again.

In addition to this, the operator licence holder may also face action from a traffic commissioner if one of its drivers is caught using a handheld device while driving to speak to their employer or customers. It is therefore important that employers provide drivers with training and have a policy in place on mobile phone use while driving.

REGULATORY

Lengthy ban for licence lending

The lending of O licences is an issue which traffic commissioners take very seriously. Firstly, if a licence is being used by someone else, it means that they have not been subject to the necessary checks to get into the industry. Secondly, it is also a fair competition issue, as an operator who is not compliant is not working within the same rules as everyone else, which means it has an unfair advantage when bidding for work.

This is why traffic commissioners are taking

strong action against any operator caught lending their licence.

In one recent case, a Scottish waste firm was disqualified for seven and a half years. One of its directors was banned from getting another licence for the same period, while three others were banned for five years. The transport manager was disqualified indefinitely. DVSA reported that the company was not scheduling work, covering maintenance costs or paying drivers for four vehicles specified on its licence.

Although that company in question also had additional compliance issues, this still

goes to show that traffic commissioners are taking a hard line on operators lending their licences. Anyone doing so is taking a massive risk for their business.

REGULATORY

Towing warning

Driver licence validation service Licence Bureau is warning operators to ensure they fully understand the licence requirements for towing loads, due to the confusing nature of the appropriate licences. The date on which an individual passed their test is key. See also: www.is.gd/abasiv.

Fact File

New guidance on vehicles as weapons

Over the past few years, there have been several instances of vehicles being used as weapons to injure and kill people. Consequently, operators and driver of commercial vehicles need to act and adopt a responsible approach to security.

The Department for Transport has recently published guidance on how to reduce the risk of vehicles being used as weapons. The aim of the guidance is to help prevent acts of terrorism and other crime. It outlines what to do to help keep the public and businesses safe from attack. It covers:

- Vehicle security – including checking vehicles and what to do if a vehicle is taken
- Security culture – including pre-employment checks for staff and drivers; and
- Site security – including vehicle access and operating centres.

It also contains a top 10 list of actions for HGV and PSV drivers; these are also relevant to engineers. See www.is.gd/edereq to download a full copy.