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Backhouse Jones

PSVAR exemptions until August

REGULATORY

The Public Service Vehicles Accessibility Regulations 2000, known as PSVAR, require buses and coaches designed to carry over 22 passengers on local and scheduled routes to incorporate features to enable disabled people to travel on them comfortably and safely, including a wheelchair space and a ramp or lift.

The Regulations have applied progressively to vehicles over the past 19 years. However, from 1 January 2020, any remaining coaches over 22 carrying capacity, and used on local or scheduled services, which were manufactured before 2005 fell under the remit of the Regulations. The requirement to incorporate such features obviously has commercial and financial consequences for operators



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and their customers. The Department for Transport acknowledged that many providers of fully paid-for and mixed school services would not be able to provide compliant services currently, so would be obliged to cease to provide mixed services, rather than secure appropriate vehicles.

As of 30 December 2019,

the DfT has agreed to grant temporary exemptions until 31 July 2020 to operators of school services procured by schools and colleges where most children pay a fare.

For more information about the issue, go to www.is.gd/wesuvi. For more details about the update, go to www.is.gd/zetaki.

CUSTOMS

Empty trucks

HMRC has released updated regulations regarding empty trucks entering and leaving the UK. For UK customs purposes, there will be no requirement to make a customs declaration for empty trucks. Otherwise empty trucks containing some packaging are also treated as empty, so no customs declaration will be required. This rule also applies to empty containers and pallets, temperature-control equipment and internal partitions. For more information, see www.is.gd/uvogux.

2020 predictions

2019 was a big year for Backhouse Jones, which celebrated its 200th birthday. The same year also brought a number of changes in transport law. So, what does 2020 have in store?

REGULATORY

- Pollution will continue to be a high priority, with zero emissions zones continuing to be rolled out in cities throughout the UK; London's zone will become tougher
- Direct Vision permits will be required from 26 October 2020 for drivers in London
- New guidance from the Office

of the Traffic Commissioner is expected on vocational drivers and bus reliability (among other things).

EMPLOYMENT

- Those employing so-called self-employed workers may be affected by the extension of IR35 to the private sector to cut down on tax avoidance. Also expected is the abolition of the 'Swedish derogation' in the agency worker rules
- The reference period for determining an average week's pay will be changing. The aim is to improve the holiday pay for seasonal workers.

Fact File

Bridge strikes

Traffic enforcement authorities warn that regulatory action is "a real possibility" for those failing to take the necessary steps to prevent a vehicle colliding with a bridge. In addition to the potentially catastrophic road safety issues, they pose serious financial implications, as well as create travel delays for other road users.

Some common causes of bridge strikes are drivers taking short cuts during 'not in service' journeys; staff with insufficient route knowledge returning a vehicle to depot; drivers taking a double-deck vehicle on a single-deck route; and misunderstanding of road signs.

To minimise the risk of bridge strikes, drivers should:

- know their vehicle height and width
- know their route in and out of service
- understand and obey traffic signs
- carry out adequate risk-based assessments
- provide drivers with route conversion charts.

Finally, Network Rail's guidance (www.is.gd/azafew) should be understood and readily available.