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Predetermined sanctions for MOT centres

LEGAL

From 11 January 2021, the Driver and Vehicle Standards Agency (DVSA) is changing the way that some disciplinary actions are dealt with for van and passenger car MOT centres. That now includes temporarily suspending MOTs.

Sanctions cover infractions such as:

- non-calibration of MOT equipment
- defective test equipment
- mandatory signs and notices not displayed, or displayed incorrectly
- a new vehicle record created on the MOT testing service that does not match the presented vehicle.

DVSA has removed the traditional disciplinary points



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from this section and will be using predetermined sanctions for each shortcoming. The level of the sanction depends on the severity and the number of times the same shortcoming has been identified. The first level is to give advice. The second level is to issue temporary

suspension notices (this is a new sanction). The third level is to start a disciplinary repute case, which is triggered when multiple occurrences of the same issue are found in a five-year period. Depending on the circumstances, this will either be on the third or fourth occurrence.

Fact File

Brexit: driving licences

From 1 January 2021, international drivers will need to carry their UK driving licence. They must have the right category of licence for the vehicle being driven.

Drivers do not need an international driving permit (IDP) to drive in the EU, Iceland, Liechtenstein or Switzerland.

However, they might need an IDP to drive in some EU countries and Norway if they have either a paper driving licence, or a licence issued in Gibraltar, Guernsey, Jersey or the Isle of Man. Operators are advised to check with the destination country's embassy.

REGULATORY

D-CPC training checks

Following a review of Driver CPC training and recommendations made by the European Commission, which have been adopted by the UK government, Driver CPC periodic training is to be monitored by DVSA to ensure drivers are not unnecessarily repeating training as part of the 35-hour requirement.

The DVSA will monitor drivers' records to identify periodic training that doesn't support their professional development. If DVSA identifies unnecessary repetition, it may

take action, including revoking driver qualification cards.

The only repetition of training allowed is when it supports a driver's development; for example, if more than one day's training is required to maintain a qualification such as driving dangerous goods.

REGULATORY

Brexit: take your licence

From 1 January 2021 the EU Community Licence is no longer valid. This means that a certified true copy of the standard international operators' licence must be carried at all times.

REGULATORY

PIs carry on during lockdown

The senior traffic commissioner has indicated that Public Inquiries and other hearings will continue during the latest national COVID-19 lockdown.

The Traffic Commissioners do, however, continue to monitor the COVID-19 situation closely and may identify cases where a virtual hearing (conducted via video link) might be appropriate rather than an 'in person' hearing.

Current advice is that, as long as operators do not have confirmed or possible COVID-19, they may continue

to attend the hearing as usual. That advice is, however, subject to change and hearings may ultimately be adjourned to a later date.

Operators that have been called to a Traffic Commissioner hearing and either do have confirmed or possible COVID-19, or are required to self-isolate/quarantine for any reason, must contact the Office of the Traffic Commissioner at the earliest opportunity so that alternative methods of running the hearing, such as attendance via video link can be considered (see also www.is.gd/qegile).