

## **Response of the RHA to the Department for Transport (DfT)**

### **Amendments to Licensing Restrictions: Bus, Coach and Heavy Goods Vehicles (HGVs)**

5 June 2024

#### **About the RHA:**

1. The RHA is the leading trade association representing over 8,500 road haulage, van and coach companies across the UK, 85% of whom are small and medium-sized enterprises (SMEs). Our members operate around 250,000 HGVs (half of the UK fleet) out of 10,000 operating centres and range from a single-truck company to those with thousands of vehicles. Our growing coach membership of around 100 operators run mostly non-scheduled passenger services using vehicles with a capacity of more than 16 seats.

#### **Summary of the consultation**

2. The UK Government has launched a consultation on the removal of the 50km restriction for 18 to 20 year old bus and coach drivers on a regular service. The proposal would allow people in this age group to drive a bus and coach on routes over 50km on regular (and special regular) services.
3. The second part of the consultation proposes to remove the requirement to hold a provisional bus, coach or HGV licence to undertake the theory and off-road modules of the DCPC test.

#### **Opening comments**

4. Coaches and buses serve different purposes. Unlike a bus, the majority of coach journeys are unscheduled services where they may be required to pick up any passenger from any point at any time. This contrasts with buses and a limited number of long-distance “express” coaches that run scheduled services along set routes at set times.
5. Part 1 of our consultation response will be from the viewpoint of our coach members taking into the account the nature of coach operations.
6. The 50km restriction for 18-20 year olds driving coaches has been viewed as unfair considering there are no such restrictions for HGV drivers once Driver CPC has been acquired. This restriction also blocks the route into the coach sector for school leavers directly from education. This has the potential of losing people who may have wanted a career in coach driving to other driving roles or to another sector.
7. Given that our members have been reporting difficulties recruiting coach drivers and have an ageing workforce, any such restriction hampers the ability to train and retrain young new drivers.

8. Part 2 of the consultation concerning the ability to complete the theory, case study and practical demonstration module of the DCPC test and or include the off-road manoeuvres test, has not been raised as an issue amongst RHA members.
9. Given this would include HGV as well as bus and coach, we have canvassed views of both HGV and coach operators as part of the consultation.
10. Our response to the proposal to allow the theory, case study, practical and off-road manoeuvres before receipt of a provisional licence will be based on what the proposal is trying to solve and whether this would benefit the learner.

**The department is proposing to amend the legislation to allow 18 to 20 year olds to drive a bus or coach on routes over 50km on regular (and special regular) services.**

11. RHA members support the proposal to remove the 50km restriction for 18 to 20 year old bus and coach drivers on regular (and special regular) services.
12. However, due to the nature of coach businesses, more journeys are unscheduled and therefore the proposal to cover regular and special regular services only restricts the ability to take advantage of the change.
13. Instead, RHA members propose making the change in line with HGV driving legislation and include unscheduled journeys within the amendment.
14. If amendments were made purely to regular services, this would put coach operators at a disadvantage. If someone under 21 can start their career driving within a bus operation, coach organisations may never see the benefit.
15. As recognised within the consultation, in 2023, 6.6% of bus driver positions are vacant and 13.6% of coach driver positions.
16. As per DfT's Annual Bus Statistics March 2023, the average age of a bus and coach driver is 52. The coach sector is trying to attract young people, especially within driving roles, therefore any preference to legislation for bus driving over coaches could further limit recruitment and widen the gap in shortages.
17. Given the existing training to complete the bus and coach driver test including the DCPC elements, there should be no increased risk to road safety than when compared with a new driver over 21 who has only just passed their Cat B test.
18. With regards to impacts on insurance premiums, we recognise that both coach and haulage operators see increased premiums for drivers under 25. Any increase to insurance premiums will need to be a consideration for the operator but should not hinder amending legislation.

**The department is proposing 2 options that will enable learners to be allowed to start training for bus, coach and HGV licences before receiving their provisional licence.**

**Option 1** – removing the requirement to hold a provisional bus, coach or HGV licence before undertaking the theory, case study and practical demonstration modules of the DCPC test.

**Option 2** – removing the same requirement given in option 1, but also includes the off-road manoeuvres test of the DCPC.

19. RHA believe that allowing learners to take any part of the vocational licence test without first gaining the provisional licence is not in the interests of the learner, business or training provider. Although there may be a small number of learners who are subsequently prevented from driving a heavy vehicle due to medical or driving convictions, it would lead to unnecessary time spent on training and subsequently, DVSA testing. Encouraging learners to invest time and money in training before being assessed does not benefit anyone.
20. It is important to understand the motivation for wanting to amend the requirement for the provisional licence before taking the modules not associated with on road driving. With wait times reduced to 5-10 days at DVLA, there is no perceived advantage in by-passing the requirement for the provisional licence.
21. As a result of the delays during the pandemic and subsequent strike action at DVLA in processing provisional licences, there was instances of people dropping out of training. At this point delays were being reported of over 4 weeks. During this time, with the NHS stretched, there were also longer waiting times for medicals.
22. Current wait times are around 5-10 days for gaining the provisional licence from DVLA. Medical waiting times will vary as to whether booking a private appointment or through the NHS.
23. Therefore, if we are trying to mitigate losing learners due to waiting for the medical and DVLA provisional licence, it would be preferable to make this process easier. Delays are more likely to arise from the postage of the licence. This could be mitigated by having a digital provisional licence that would allow a learner to book their tests once received.
24. By being able to start training and take the theory test and/or off-road manoeuvres before a provisional licence is obtained, there is the chance that the learner goes onto fail their medical or have undisclosed driving convictions. In this scenario, the learner or business will have completed training and DCPC test unnecessarily. This would result in wasted time and expense.
25. Additionally, funding rules for HGV Skills Bootcamps stipulate that a learner has their provisional licence before funding can be released: “To receive the start payment, the learner must also be able to provide proof of an HGV Provisional Licence.” (ESFA Skills Bootcamps funding guide August 2023). If this regulation was to be amended, it would require a change in funding rules for bootcamps.
26. RHA has concerns surrounding the safety of allowing people without a medical to drive a heavy vehicle, albeit off-road. To complete the off-road manoeuvre test, the learner would need to spend time training in the vehicle. Allowing learners to drive off-road without the necessary checks could also impact insurance costs for training providers.

- 27.** In speaking to training providers, they also noted that driving on public roads provides the learner with much needed experience of how to handle an HGV. This benefits the learner when attempting the off-road requirements. We also note that the training providers consulted whilst formulating our response were not supportive of this rule change.
- 28.** Currently there is no restriction on a learner starting training for the theoretical elements of the test. If a business wants to complete this training whilst waiting for the medical and provisional licence, then they are able to do so. This would easily cover the 5-10 days waiting to receive the provisional licence.

### **Alternative requests to consider.**

- 29.** RHA members believe that there are other changes that could be made that benefit the coach industry and help ease the labour shortages. Some of these changes have been made within the EU and RHA believe that the UK government should consider consulting on these changes within the UK.
- 30.** Members would like flexibility in how coach drivers can take their 45 minute break. Allowing the 45 minute break to be split into three 15 minute breaks would give coach operators greater flexibility and the ability to break at convenient times.
- 31.** Postponement of the daily rest period when working to the 12 day rule and where daily driving time on a particular day doesn't exceed seven hours:
- i) On a journey of six consecutive days or longer to extend their working day by up to one hour on one day during the journey.
  - ii) And on a journey of eight consecutive days or longer, to extend their working day by up to one hour twice on the journey.
  - iii) Extension of the 12 day rule to journey solely in one country (ie. Removal of the restriction of this to international journeys).
- 32.** Drivers can delay their weekly rest period until the end of day 12 when touring outside of their own country. This rule cannot currently be applied to domestic trips. Under domestic rules a driver is restricted to a 6 day tour within the UK before a replacement driver is required. Given that it is determined safe to operate in this way for international journeys, RHA believe that safety would not be compromised in extending this to domestic journeys.

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