

## **Information for members**

### **Consultation by Transport for London about their Direct Vision, HGV Safety Permit Scheme Plans**

**23rd January 2018.**

The RHA is encouraging operators of lorries to respond to the current consultation by Transport for London into its proposed Direct Vision HGV Safety Permit Scheme. To help responses this paper summarises the consultation and the questions being asked.

### **Summary of the Consultation**

1. Transport for London (TfL) are consulting on the planned Direct Vision Standard (DVS) HGV Safety Permit Scheme, to be introduced in 2020. Full information can be found on the TfL website - [here](#).
2. The TfL proposal will affect the operation of all lorries entering London weighing more than 12 tonnes gvw (N3 Class). **All + 12 tonne lorries operating in London will need to be registered and must obtain a permit from TfL to continue to work in London after October 2020.**
3. The proposal include fines of £550 for operators and £130 for drivers for failing to comply with the proposed regulation.
4. All lorries will be assessed against a TfL mandated star rating system. The system rates lorries by the visibility of the road from the drivers seat – vehicles will be rated from zero to five stars.
5. From October 2020 lorries with a TfL permit rated at 1 Star or above will be able to apply operate with no further mandatory action required before 2024.
6. Lorries rated as Zero Star, or where the lorry cannot be rated, will be refused a permit and banned (subject to fines) unless fitted with the following mandatory equipment;
  - Class V mirror fitted to the vehicle nearside.
  - Class VI mirror fitted to the front of the vehicle.
  - A fully functioning camera monitoring system shall be fitted to the nearside of the vehicle.
  - A sensor system that alerts the driver to the presence of a vulnerable road user (VRU) shall be fitted to the vehicle nearside.
  - Audible vehicle manoeuvring warning fitted to warn VRU of left turning vehicle.
  - External pictorial markings and stickers to warn VRU of hazards around the vehicle.
  - Side under-run protection fitted to both sides of the vehicle, unless this cannot be done.

7. In 2024 vehicles rated 1 and 2 Star will be banned, unless they can demonstrate compliance with the mandatory equipment list imposed at that time.
8. TfL say they are seeking views in this consultation on the final scheme proposals regarding:
  - The DVS technical protocol and the process of obtaining a vehicle star rating
  - The safe system requirements
  - The HGV Safety Permit application and administration process. This includes how to evidence compliance with the safe system
  - Permit duration and transferability
  - Enforcement and appeals
9. This consultation is open from 8<sup>th</sup> January 2019 until 18<sup>th</sup> February 2019.
10. The RHA urges members to respond directly to TfL online survey at <https://consultations.tfl.gov.uk/roads/direct-vision-standard-phase2b/consultation/subpage.2017-09-07.2118848556/> The RHA will be responding too.

## **Broad view of the RHA**

11. The RHA has engaged with this process since its inception. The RHA believes that vehicle standards should not be set locally – the appropriate level for determining vehicle standards is nationally or internationally.
12. The RHA is in favour of improved safety standards, including in this area. Well thought through standards at national or international level have been promoted to Government by the RHA and others, but have been rejected by current ministers.
13. We have also been concerned since the inception of this project that TfL have focussed almost exclusively on one aspect – the physical nature of lorries, and have failed to examine and holistically assess the causation of collisions on London roads. TfL have largely ignored behavioural and infrastructure issues throughout.
14. The RHA believes that locally mandated vehicle standards are complex, expensive and result in often ineffective or inappropriate measures being introduced..
15. The RHA also believes that locally based permit or registration schemes as proposed in this case undermine good quality national regulation. There is a danger that other local authorities will demand their own additional registration or permit schemes, leading to a patchwork of regulation and standards that will be difficult and expensive to comply with.

## The Consultation

16. The structure of the consultation and the survey – the main document that can be found through the link in paragraph 1 - makes it difficult to comment effectively on the questions being asked as outlined in paragraph 8 above. The links to the questions and question numbering of the survey do not work properly. We suggest responders use the link provided in paragraph 10 above.
17. The online survey consists of five material questions, four of which are tick box only. The tick box questions invite responses from Strongly Agree to Strongly Disagree (and the range in between).
18. There is the opportunity to reply with comments in response to question 10. In addition Question 12 asks for views on the quality of this consultation.

## The questions (the planned RHA response is shown for Q 1 - 4)

**Question 1. To what extent do you agree or disagree with our proposed process for obtaining a vehicle star rating? (Please refer to pages 15-19 of the consultation document)**

19. We strongly disagree.

**Question 2. Do To what extent do you agree or disagree with our proposals for the permit application process? (Please refer to pages 15-19 of the consultation document).**

20. We strongly disagree.

**Question 3. To what extent do you agree or disagree with our proposed safe system mitigating measures - for example cameras and mirrors. (Please refer to pages 10-14 of the consultation document).**

21. We strongly disagree.

**Question 4. To what extent do you agree or disagree with our proposals for how we enforce the scheme and how appeals will be dealt with? (Please refer to pages 20-21 of the consultation document)**

22. We strongly disagree.

**Question 10. Do you have any further comments on our final scheme proposals?**

23. The RHA will be commenting on detail on each of the subjects outlined in paragraph 8. Key points to note are:



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- It will be a requirement before any permit is issued for operators to “confirm their intention and plan to implement a driver training policy”, but TfL claim this is not mandatory. The RHA view is that this should be met by Driver CPC standards.
- The proposal includes provision to fine drivers £130. The RHA believes this is unacceptable.
- The “safe system” requires cameras for zero star vehicles to cover areas not visible to drivers 1 star to 5 star vehicles.
- The “safe system” requirement for audible warnings will create noise nuisance.
- Proposals are that small fleets less than 5 vehicles at zero star will have to upload data on all vehicles, but those with larger fleets will not.
- The validities are up to 2024 for zero to 2 star lorries, 10 years for 3 to 5 star lorries. However the permits are not transferable between operators.
- Overall, the proposals create massive additional administrative burden and red tape on operators.

## Final Comments

24. The RHA view is that policy of this type must be to international standard, agreed internationally and implemented by central Government, who have absolved themselves in this case. Department for Transport Ministers and Civil Servants have failed to take responsibility for a national issue, despite this being raised on numerous occasion.
25. The Impact Assessment provided by TfL as part of this consultation process clearly highlights that the planned system will be ineffective in reaching its road safety goals and will be expensive to implement. The RHA also believes that the Impact Assessment is optimistic about the positive benefits of the scheme and under estimates the cost. (These comments will be expanded upon in the final response from the RHA.)
26. We again urge members to directly express their views regarding this proposal to TfL, the Mayor and our transport ministers. The mayor can be contacted at [mayor@london.gov.uk](mailto:mayor@london.gov.uk) Ministers can be contacted [jesse.norman.mp@parliament.uk](mailto:jesse.norman.mp@parliament.uk) .

23rd January 2019

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