



## ROAD TRANSPORT FORUM

### HGV Driver Shortage

According to a recent report to be published by the all-party Parliamentary group on freight transport, only 2% of HGV drivers are under 25, while 60% are over 45 years old.

Group chairman, Labour MP for Stoke-on-Trent MP, Rob Ffello, said, *"It is .... striking that there are actually slightly more managing directors in transport and distribution businesses that are under the age of 25 than there are HGV drivers, which just shows how many barriers there are to getting young people driving."*

It is estimated that the road haulage sector is worth approximately £42 billion a year, the report says that governments in the past have focused on university qualifications as a marker of success, and so may have devalued skills, such as driving skills, which are crucial to the transport sector.

### Response on consultation on smoking in private vehicles carrying children

In February 2014, Parliament voted in favour of legislation that gave the Secretary of State powers to bring forward regulations to make private vehicles carrying children smoke-free.

The Government will proceed with the introduction of regulations to end smoking in private vehicles carrying children in England and has consulted on draft regulations.

The authorities intend to lay the regulations as soon as possible and, subject to Parliamentary approval, it is anticipated that the new offences would come into force on 1 October 2015.

### Consultation on the Exemptions from the Heavy Goods Vehicle (HGV) Roadworthiness Testing Scheme

The Department for Transport is proposing to remove or modify the exemptions to the requirement to be fitted with a Ministry Plate and undergo an annual roadworthiness test (MOT). This covers 10 different categories of vehicle and is estimated to affect approximately 40,000 vehicles, including breakdown vehicles, mobile cranes and road construction vehicles.

These are the same exemptions as were proposed in 2009/10, although at least two exemptions are now proposed for modification rather than removal as a result of the new EU Directive.

The removal of the exemptions may affect the legal operating weight of certain vehicles: these include Mobile Batching Plant (Volumetrics) and Mobile Concrete Pumps.

The consultation closes in early March and those affected by the changes are entitled to respond to the consultation. The consultation can be found at:

[www.gov.uk/government/consultations/hgv-periodic-testing-and-inspections-exemptions](http://www.gov.uk/government/consultations/hgv-periodic-testing-and-inspections-exemptions)



## Government plans to raise the national speed limit to 60 mph for HGV's travelling on dual carriageways.

Claire Perry, Parliamentary Under Secretary of State for Transport, has announced that the government plans to raise the national speed limit from 50 mph to 60 mph for HGV's travelling on dual carriageways. This follows an earlier increase, in July 2014, to the speed limits for HGVs on single carriageways.

*According to Claire Perry: "It is really important that speed limits for lorries reflect the needs of a modern transport network and improved vehicle technology. Britain has one of the best road safety records in the world and I am determined to ensure this continues. This change is about ensuring rules for lorry drivers' speed limits are in line with other larger vehicles on our roads, creating a fairer and more proportionate system."*

The speed limit changes update regulations from the 1980s and will ensure that, as of 6th April 2015, HGV drivers have speed limits that are better suited to a modern transport network.

## Consultation on the Exemptions from Operator Licensing

The Department for Transport is proposing to remove the exemption covering vehicles falling within the definition of the engineering plant exemption for the purpose of operator licensing that deliver materials as well as processing those materials (this includes volumetric concrete mixers).

Other categories of currently exempt vehicles which could be included in operator licensing are:

- Recovery / Breakdown vehicles;
- Showman's Vehicles;
- Mobile cranes;
- Electrically Operated vehicles.

The consultation closes in early March and those affected by the changes are entitled to respond to the consultation. The consultation can be found on the government's website.



## Successfully beating a speeding ticket

A driver who was issued with a speeding ticket recently managed to successfully defend himself.

The driver was alleged to have been travelling at 36 mph in a 30 mph zone. After receiving a photograph of the incident, he visited the location of the alleged offence. Whilst there he noticed that the distance between the white road markings used to calculate his speed seemed short. On measuring them, it turned out they were approximately three inches shorter than they should have been.

The magistrates' court accepted that the shorter lines made it appear that he was going faster than he actually was and the case was dismissed.

Jared Dunbar comments: "this case highlights the benefits of thoroughly investigating the details of an alleged offence, particularly when you are certain you didn't commit that offence. Fortunately this driver did this and successfully challenged his ticket. However, not all members of the public will know the rules adequately to be able to undertake such a process themselves. It shows there is merit in investigating prosecutions thoroughly before blindly paying a fine. Although it is often difficult to challenge the veracity of a machine, it goes to confirm the adage of Garbage In, Garbage Out."

For advice on transport law, contact **Jared Dunbar at Dyne Solicitors on 01829 773 100.**

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