



Transport tips – ‘vehicle maintenance systems’.

In my experience, the vast majority of Traffic Commissioner ‘Disciplinary Inquiries’ involve vehicle ‘maintenance’ issues. By ‘maintenance’, I am referring to the vehicle safety inspections that must be regularly carried out and the recording of such inspections to meet the obligations and undertakings given to the Traffic Commissioners as a condition of holding the Operator Licence.

Fleet Inspections

Vehicle Examiners are free to visit any operating centre, announced or unannounced, at any time to inspect the maintenance and inspection systems, as well as to inspect all or any of the vehicles specified on the Operator’s Licence.

The issue of PG9s and an unsatisfactory inspection report can contribute towards the haulier becoming the subject of a Disciplinary Inquiry. In my experience, the most common reasons for receiving unsatisfactory inspection reports are: -

- ❑ Failure to adhere to the promised safety inspection intervals. Usually, this is where a vehicle will have repeatedly missed safety inspections at the designated intervals.
- ❑ Drivers not adhering to a ‘nil defect’ reporting system.
- ❑ Defects are being reported but there is nothing to indicate whether or if defects are being rectified.
- ❑ Vehicles are routinely failing annual MOTs, suggesting (perhaps unfairly) sloppy safety inspection procedures or poor preparation of vehicles prior to test.
- ❑ Vehicles are attracting prohibition notices (PG9s) (defects identified at roadside checks or inspections at the operating centre) suggesting that the overall maintenance systems are failing.

Records

While it is obviously of vital importance to carry out regular safety inspections, in the eyes of the Traffic Commissioners, it is equally important to have available for inspection records of these checks. All maintenance related records must be kept

for a minimum of 15 months. Ideally, each vehicle should have its own maintenance file and this should include: -

- Safety inspection sheets. These are typically proformas. Every entry should be completed and the form signed, dated and the mileage filled in by the mechanic carrying out the inspection. The dates between successive sheets must not exceed the notified intervals or, if they do, this must be explained.
- Driver 'Nil Defect' Reports. Each day, the driver should inspect the vehicle, checking the lights, indicators, tyres, wheel nuts, leaks, etc. Drivers should be issued with a duplicate book of inspection sheets to be filled in daily. The top copy of these reports should be handed in to the Transport Manager, irrespective of whether or not a defect exists.

Please also refer to the 'Driver Defect Reporting Register' as a suggested means of recording defects as well as the 'Driver Defect Reporting Audit Sheets' to be periodically used for ensuring drivers are fulfilling their duties in carrying out daily checks.

A 'Forward Planner' should be central to the safety inspection regime detailing the times of all future safety inspections for a minimum of 6 months – preferably 12 months. Other routine maintenance, brake checks, annual MOTs, Tachograph recording equipment 2 yearly inspections and 6 yearly calibration checks should also be included on the Forward Planner or at least noted on a schedule so they are not overlooked.

I hope that the ideas and suggestions incorporated in this note will be of assistance to you. If you need any specific advice, please ring or email me.

John Dyne

Director – Dyne Solicitors Limited

Direct Dial: 01829 773102

Email: jbd@dynesolicitors.co.uk

Web: www.dynesolicitors.co.uk