

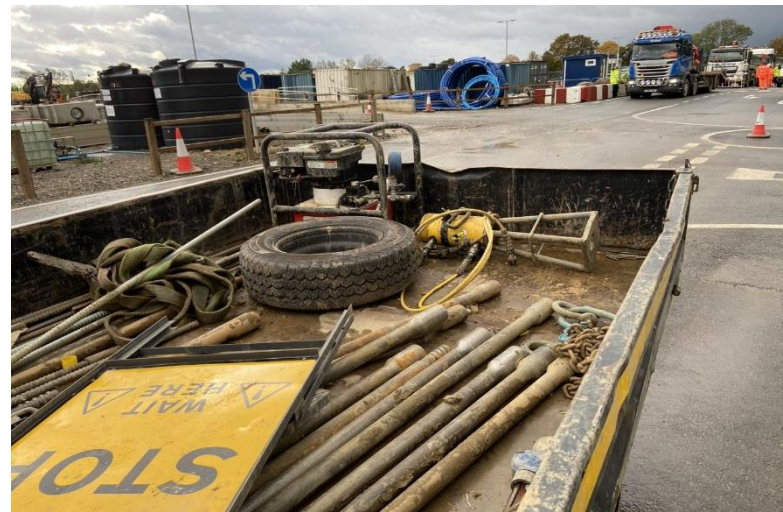
Safety Alert

Vehicle Compliance Checks

6 November 2020

Background information

- Highways England expects our supply chain to operate in a safe and legal manner.
- In September 2020 Highways England commenced a programme of compliance checks on vehicles and drivers working on our schemes across the country. The checks are intended to provide assurance that vehicles and drivers in the supply chain are safe and legal.
- Each compliance check is run in collaboration with the principal contractor. The vehicle and driver checks are conducted by Warwickshire Police by stopping vehicles for examination at the scheme compound. The focus is on education, rectification and data gathering, rather prosecution. However, the police reserve the right to take formal enforcement action for serious issues.



Findings

- So far compliance checks have been completed on 2 separate Smart Motorway Schemes. A total of 173 vehicles have been examined. The checks are predominantly on vans and trucks, but some passenger cars, both private and company, have been checked as well.
- We are extremely concerned that 61 vehicles (35%) were found to be non-compliant (illegal) in some way. A broad range of issues were recorded, but there were clear trends with some issues being found repeatedly. Police were requested to apply a 'light touch' in issuing penalties but still issued a number of penalty notices and prohibitions to the most serious issues.



Background information

Trends

- Neglect Items – A significant proportion of the issues found are what are termed ‘neglect’ items. These are problems with the roadworthiness of a vehicle that should be picked up by the driver during their pre-use check. For example; the checks revealed 16 vehicles with defective tyres and 13 vehicles with non-functioning lights.



- Vehicle Loading – The checks identified 18 vehicles unsafely loaded, predominantly flat-bed light goods vehicles, carrying tools and work equipment. Additionally 2 light goods vehicles were found to be substantially over their maximum vehicle weight
- Licensing - There have been 4 occasions of drivers not complying with the requirements of their driving license including a driver who had an expired disqualification, but had never re-applied for their license and drivers using vehicles without the correct license categories.
- Operating companies have been contacted directly about issues with their own vehicles and asked to take remedial action.

Please take this safety alert as reminder of the following points.

- Work related road risk must be given the same level of importance as any other aspect of health, safety and wellbeing.
- Employers must check that drivers hold a current and valid license for the vehicles they are expected to use.
- It is essential that drivers conduct a thorough and documented pre-use vehicle check every time they drive for work and that they know what action to take in the event of a fault being found.
- Drivers must be provided with the correct load security training, equipment and vehicle type for the load they are transporting.
- In addition to the safety aspect, it should be borne in mind that the issues identified rendered the vehicles and their operation illegal.
- This leaves the drivers and operators open to prosecution.
- It could also lead to further disciplinary action for those business holding HGV Operator Licences.
- These failings also represent a breach of the Principal Contractors CDM obligations and could also jeopardise their status as DfBB Champions.