



Department for Transport Consultation on HGV MOT Testing Exemptions
Unite Submission – March 2010

Introduction

This submission is by Unite the Union. Unite is the UK's largest trade union with over 1.5 million members across the private and public sectors. The union's members work in a range of industries including manufacturing, financial services, print, media, construction, local government, food, agriculture, education, health, not for profit and the transport sector.

Unite the Union's current membership in our Road Transport Commercial, Logistics and Retail Distribution sections, is almost 100,000. Unite is the largest trade union representing drivers, engineers, administrative staff, inspectors and managers employed in the UK transport industry, with the vast majority of organised workers in the sector in Unite.

Unite has obtained the views of our members through our lay member committees at national and regional level. Therefore Unite is in a unique position to submit a response to the Department for Transport consultation on 'HGV MOT Testing Exemptions'.

Q1: Do you agree that we should remove the exemption from roadworthiness testing for the ten categories of HGV listed in paragraph 3.1 – and, if not, why not?

Unite does not see a problem in removing the proposed exemptions. Why should some vehicles be exempt from annual MOT testing from the day they are built until the day

that they are scrapped? Especially when you consider that fork lifts, for example are used on a rougher terrain than the everyday car, which is already tested to MOT standard. It is Unite's members who are driving and operating these exempt vehicles, who are potentially being put at risk.

Unite's main concern would be the access to testing stations for the likes of mobile cranes, for instance. A sensible strategy would need to be devised on how an MOT would be conducted on vehicles bearing in mind the size, weight and logistics involved in getting such a vehicle to a MOT testing station. It would be pointless in a bid to step up the testing regime if drivers and other road users were placed at a greater risk in the process. Perhaps there could be some flexibility where MOT testers come to the vehicle?

So, in conclusion, Unite encourages the removing of the exemptions and in so doing, the lifting of the testing standard to MOT level as a positive step as long as it is conducted in a fashion that does not create any additional safety problems.

Q2: Do you consider that any other of the exempt categories of HGV listed in Annex A should be subject to testing in future – and, if so, which ones and why?

Unite believes that in order to establish a 'fair playing field' the exemption that exists for 'Visiting HGVs' needs to be looked at, especially as one of the driving factors for the removal of the exemptions in the first place is to bring UK regulations into line with Europe. Unite is aware that 'Visiting HGVs' are subject to roadworthiness testing under separate testing regimes. However, a situation should not be allowed to exist where domestic HGVs that are subject to an MOT test standard and are in direct competition with 'Visiting HGVs' could in some instances potentially be subject to a lesser standard. Clearly, 'Visiting HGVs' will be subject to their own nation's form of testing, however some cross-checking process should take place at the absolute minimum to guarantee that 'Visiting HGVs' are of the same roadworthiness.

Q3: Do you agree that it is necessary to remove the “specific vehicle” exemption in Regulation 44.1 (e) for normal HGV and HGV-derived vehicles – and, if not, why not?

Yes.

Q4: Do you agree that it is necessary to review the scope of the definitions in section 185 of the Road Traffic Act 1988 so that heavy vehicles with fixed equipment no longer fall outside the definition of vehicles which have to be tested – and, if not, why not?

Yes.

Q5: Do you agree with the draft Impact Assessment at Annex E - and/or can you help us to quantify more precisely the estimated costs and benefits?

Unite is pleased to see that it has been rightfully outlined that ‘the costs of testing the exempt vehicles we are proposing to include in the testing scheme in future would fall to the operators of such vehicles.’ Although this is an obvious statement it is critical to have it acknowledged in order to prevent any operators from trying to pass on any of these costs to their drivers.

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