



November 25th 2021

Driver training and trailer safety bodies raise concern at government plans to introduce Draft legislation: The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021

<https://www.gov.uk/government/speeches/draft-legislation-the-motor-vehicles-driving-licences-amendment-no-5-regulations-2021>

You will hopefully have received our letter of 16th November reflecting both the driver training and trailer safety sectors concerns over the proposed The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2021.

We note that, given that (Amendment) (No. 2) was not passed by parliament last week, there is now an attempt to lay a new draft statutory instrument, namely, The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021 before parliament, again designed to remove the requirement for car drivers to take another test to tow a trailer or caravan.

The same arguments and challenges we raised in our letter of last week (and driver training, trailer safety and wider road safety stakeholders have been raising this since the proposals to remove the requirement for a separate B+E test were first aired) stand in the face of this latest proposed statutory instrument (SI). Those being, quite simply, that:

- The rush to deliver more lorry drivers to our roads cannot be at the cost of road safety and human lives
- The demand for LGV testing is simply not manifesting as forecast
- Hundreds of LGV tests are already available each week and DVSA testing capacity is improving week by week (2,578 vocational slots available across the UK week ending 19th November, with 321 unsold slots the previous week – source DVSA)
- LGV trainers are feeding back to us that demand for training is still inconsistent with need which means that for some time to come there will inevitably still be more supply of LGV tests than demand for them - unless there is a better response to efforts to expedite recruitment of LGV drivers than we have seen so far.
- Removing B+E testing requirements for car drivers will mean far less will engage in specific training to tow safely
- We would also question the government seeking to make use of the urgency procedure under paragraph 14(6) of schedule 8 to the European Union (Withdrawal) Act 2018. Given the current situation of LGV test supply outstripping demand, and forecasts that recruitment of new drivers will remain challenging for some time to come, we are of the opinion that the urgency is not quite merited
- DVSA could look at better ways of delivering more testing capacity, in more flexible ways, working with the market in order to maintain mandatory testing in areas where

it is felt there is a greater road safety risk. For example, they could use bodies which hold DVSA accreditation to carry out driver and rider testing and can supply additional testing capacity on an ongoing basis - including B+E.

Another key question/challenge we would raise is that, whilst we recognise the need to expedite the licensing process for LGV, bus and coach drivers, in their enthusiasm for and creativity in drafting new/amending existing SI's (whenever they are thwarted in other amendments to aid this apparent aim of getting more freight on our roads), we cannot understand why government does not focus their efforts solely on amendments/drafting new SIs which solely support that aim – that of expediting LGV, bus and coach driver licensing. It is not too facile to suggest that amendments to existing legislation/new draft SIs could be developed which exempt LGV and other vocational drivers from having to have an additional 'towing' test - but still mandate car drivers are tested.

It is arguable that LGV, bus and coach driver trainees will have already been given more intense training in the risks of driving larger vehicles and transporting loads and have experienced more recent exposure to any form of driver training, so the risks of expediting their ability to tow loads (by exempting them from a separate test) could be seen as less.

Removing the need for car drivers to take a separate test would allow an individual who has probably not undergone any recent driver training/refresher training since their original Category B licencing (making their road risk greater – coupled with the fact that LGV, bus and coach training, with the accompanying CPC requirements, is deemed to be more rigorous) to take to the roads with no additional training or assessment of competency and safety, and allow them to start towing quite considerable loads cannot be in the wider interests of public safety.

The overwhelming road safety risk inherent in not requiring inexperienced towing drivers to take a test before letting them loose on our roads is still a cause for grave concern. And let us not forget that this concern is accompanied by the very real risk that without the requirement of a test, there will be no real incentive for drivers to engage in any training. – including engaging in DVSA's proposed accredited scheme.

This latest draft statutory instrument (The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021) does nothing to allay those very real road safety concerns, indeed it deepens them, as it underlines the government's wont to push a blanket instrument through at great speed - and at any cost.

We would be grateful if you could take on board the above concerns and challenges - and consider whether you can in all conscience support the government in this latest attempt to use supply chain challenges /challengeable DVSA testing resource issues as reason for the blatant disregard of road safety.

Yours sincerely



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