



LOGISTICS UK

**Welcome to Logistics UK
Public Service Webinar**

11 June 2024



Speakers Today:

Ray Marshall

Manager of Compliance Information

Tom Griffith

Manager of Compliance Information

LOGISTICS UK

Webinar House Rules

- Please keep your microphone/telephone **muted**.
- The webinar will be recorded.
- The webinar will be available on the Logistics UK website.
- We won't be able to deal with technical issues during the webinar.

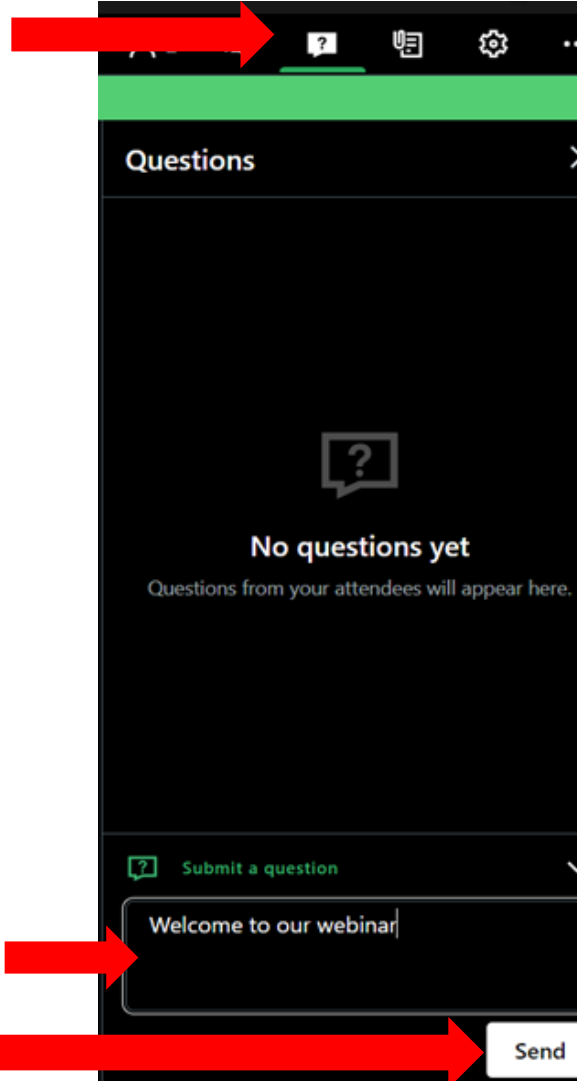
Questions?

Please use the question box to ask any questions throughout the webinar.

Unanswered questions and answers will be available to view on the Logistics UK website.

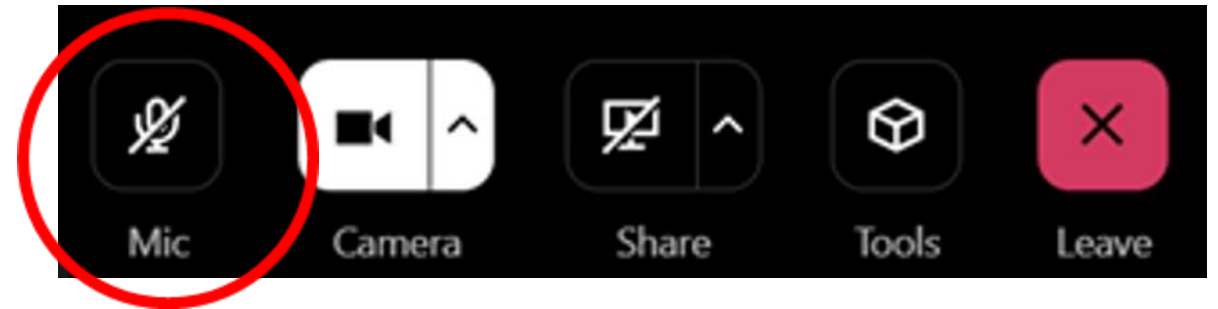
Introduction – How to ask questions

Open question pane



Type question here

Click to send



Agenda

- Operator Licensing.
- Door-to-door household waste collections.
- Using a tachograph to record GB domestic hours.
- Adequate rest.
- Driver CPC.
- Mechanics driving minibuses.
- Teachers driving minibuses.
- Section 19 & 22 permits.
- In-cab technology.
- DVSA's digitisation.
- Alternatively fuelled vehicles.
- Clean Air Zones.
- Regulatory requirements for tractors.



- Local authorities also require an operator licence because their functions are defined as business uses under the Goods Vehicles (Licensing of Operators) Act 1995.
- The management of your operator licence as a local authority is just as important as if you were an operator in the private sector, and the Traffic Commissioner will treat all licence holders equally, regardless of their sector.
- Misconception that local authorities do not fall into scope of many the same requirements as a company moving pallets of goods up a motorway.



Office of the
Traffic Commissioner



MISCONCEPTION



Door-to-door household waste collection

- Vehicles used in connection with ... door-to-door household refuse collection or disposal.

Vehicles used in connection with public services

Briefing note

This briefing note aims to highlight the key decision areas for managers deciding whether vehicles used for utility and public body/ public interest operations are in or out of scope of the EU drivers' hours rules, and in particular the Issuing of Interpreting the term 'vehicles used in connection with' in relation to one specific concession.

Scope of EU rules for goods vehicles

The EU drivers' hours rules (Regulation (EC) No. 561/2006 (561/2006)) applies to the carriage by road of goods where the maximum authorised mass (MAM) of the vehicle, including any trailer drawn, exceeds 3.5t.

EU exemptions are contained in Article 3 of 561/2006, whereas national derogations from the EU rules are contained in Schedule 1 of the Community Drivers' Hours and Recording Equipment Regulations 2007 (the 2007 regulations).

Schedule 1(B) of the 2007 regulations contains an exemption for:

- "Any vehicle which is being used in connection with -
- (a) sewerage, flood protection, water, gas or electricity maintenance services
- (b) road maintenance or control
- (c) door-to-door household refuse collection or disposal
- (d) telegraph or telephone services
- (e) radio or television broadcasting or
- (f) the detection of radio or television transmitters or receivers."

Sewerage, flood protection, water, gas and electricity maintenance services

It is the Driver and Vehicle Standards Agency (DVSA) view that vehicles used in connection with sewerage, flood protection, water, gas and electricity services must be involved in the maintenance of an existing service (rather than the construction of a new service) to claim the concession.

For vehicles used in connection with sewerage maintenance services the term "maintenance" also applies to the removal of waste from a system but only where the waste is removed directly onto the vehicle and immediately taken away for treatment. This would also include transporting partially treated sewage from satellite sites to main sites.

The derogation doesn't apply to the movement of sewage sludge which has been treated to make a product which is then used for another purpose such as, for example, fertiliser.

Road maintenance or control

Vehicles used in connection with road maintenance services which:

- Are engaged on a journey directly relating to the maintenance services, for example, removing rubble or other materials.

And/or

- Are being used directly on the maintenance activity, for example, laying tarmac.

Such vehicles will fall within this derogation however journeys to a site for the purpose of positioning the vehicle in readiness for engaging in the maintenance activity or for returning to base after the maintenance activity has ended will not fall within this derogation.

Vehicles which are to be used or have been used that same day in connection with highway maintenance and control and don't travel far from the site where the work of highway maintenance is being carried out will fall within the derogation.

Door-to-door household refuse collection and disposal

It is the Department for Transport's (DfT) view is that, in order to be considered as exempt from the EU rules on drivers' hours and tachographs, a door-to-door household refuse collection and disposal operation should have the following characteristics:

- It should be carried out either by a public authority or by a private undertaking under contract to a public authority.
- It should involve the primary collection of waste from household or commercial premises, including the collection of street cleansing waste (eg litter from public street bins), whereby the transport activity remains subsidiary to the collection. The waste collected from commercial premises must be similar to or of the same kind as that collected from households, it must be collected in the same way (ie door-to-door), it must not be subject to any special collection regime or special rules, and must be collected using the same vehicles².

² Type of vehicle is indicative only. In certain rural areas, for example, conventional goods vehicles may well be used for door-to-door collections of household waste.

Garden waste & bulky waste collections

'We charge residents a subscription fee to provide a dedicated garden waste and/or bulky waste collection services.'

Does this still fall under the derogation for door-to-door household waste collections?'

'Door-to-door in the context of this derogation does not mean every single door. It means a succession of households from which such waste is collected, so it is fine to collect green waste only from those households subscribing to the service.'



- Ignore the tachograph.
- Use a log book with the tachograph set to out of scope.
- Use the digital tacho to record domestic drivers' hours rules.

LOGISTICS UK

MAC
Fact Sheet

Recording Domestic Hours Using Tachograph

Vehicles used for the carriage of goods that are out of scope or exempt from the EU drivers' hours rules are subject instead to domestic drivers' hours rules of the relevant country. This Fact Sheet examines the issues surrounding operations subject to the GB domestic drivers' hours rules when using a digital tachograph to provide records.

Requirements

Under the domestic drivers' hours rules, depending on your operation, some drivers are not legally required to keep written records. Regulation 12 of the Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987 requires driving records to be kept for vehicles driven within scope of operator licensing, but there are exemptions depending on the time/distance driven.

Definition of driving

For clarity, in GB legislation, Section 103(3) of the 1968 Transport Act defines driving as where 'a person is at the driving controls of the vehicle for the purpose of controlling its movement, whether it is in motion or is stationary with the engine running'. The flowchart opposite will help to determine if operations are required to keep records.

Operations that fall into box A could choose not to keep any records. This Fact Sheet however, relates to those who are likely to choose to keep optional records for management purposes utilising the tachograph.

Those whose operations fall within Box B are legally required to keep records. If operators choose to use a tachograph rather than a log book to make legally required records, they must comply with ALL of the rules in relation to the tachograph's fitment and use, including driver card use, downloading (driver cards within 28 days and the vehicle unit (VU) within 90 days) and production of records at the roadside.

Record keeping options

For domestic hours operations, there are several options in relation to the use of vehicles fitted with digital tachograph recording equipment.

Flowchart:

```
graph TD
    Q1[Does the driver drive a vehicle in scope of operator licensing* on this day?] -- No --> A[NO RECORDS REQUIRED BY LAW FOR THAT DAY]
    Q1 -- Yes --> Q2[Does the driver drive for more than four hours on this day?†]
    Q2 -- No --> A
    Q2 -- Yes --> Q3[Does the driver drive outside a 50km radius of the vehicle's operating centre on this day?‡]
    Q3 -- No --> A
    Q3 -- Yes --> B[RECORDS REQUIRED BY LAW FOR THAT DAY]
    A --- A_text[Optional records may be used for management purposes.]
    B --- B_text[Drivers must use either log books, or tachograph records that comply with all the legal requirements on their use.]
```

Footnotes:

* This exemption does not apply to drivers of Crown vehicles which would have needed an operator's licence if the vehicles had not been Crown property. If this is the case answer 'yes' to this question in the flowchart.

† Any off-road driving carried out for agriculture, forestry, quarrying, building work, civil engineering or road maintenance does not count towards this total.

Ignore the tachograph

This may be the preferred option for operations or vehicles that are entirely out of scope of EU rules. Records would need to be kept in a log book.

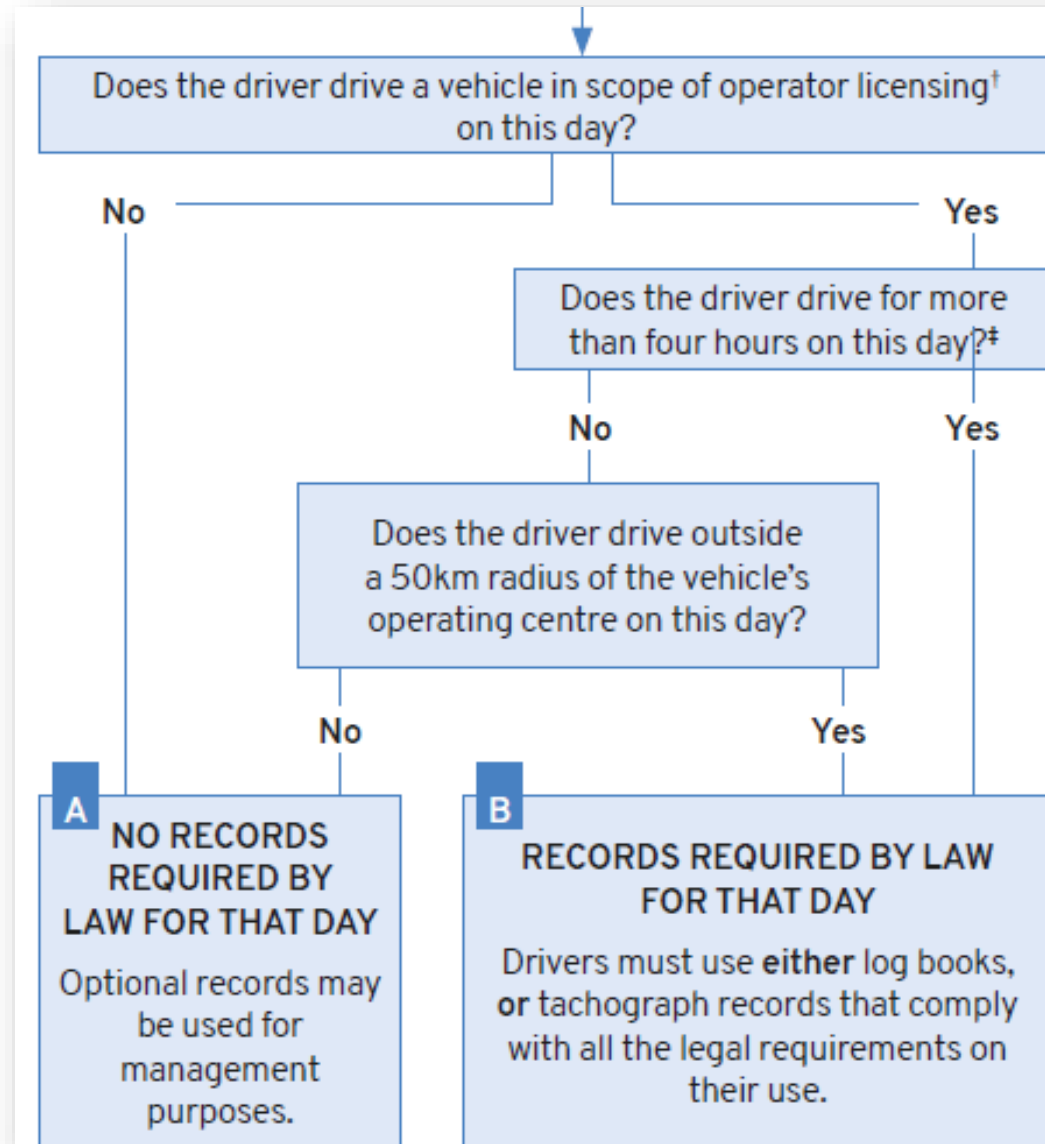
Use a log book with the tachograph set to out of scope

This may be the preferred option for those operations or vehicles that are mostly, but not entirely, out of scope of the EU rules. Where analysis for EU rules compliance must be carried out for drivers using the vehicle, the out of scope flag on the tachograph recording will help to qualify periods where vehicles have been driven without a drivers' card.

Use the digital tachograph to record domestic drivers' hours rules

This may be the preferred option for regular mixed driving operations or vehicles, or for those managers who wish to standardise record keeping across a mixed fleet.

Domestic record keeping options



Adequate rest

‘Being long and continuous enough to ensure that a driver does not harm themselves, fellow workers or others and that they do not damage their health in the long or short term.’



Driver CPC

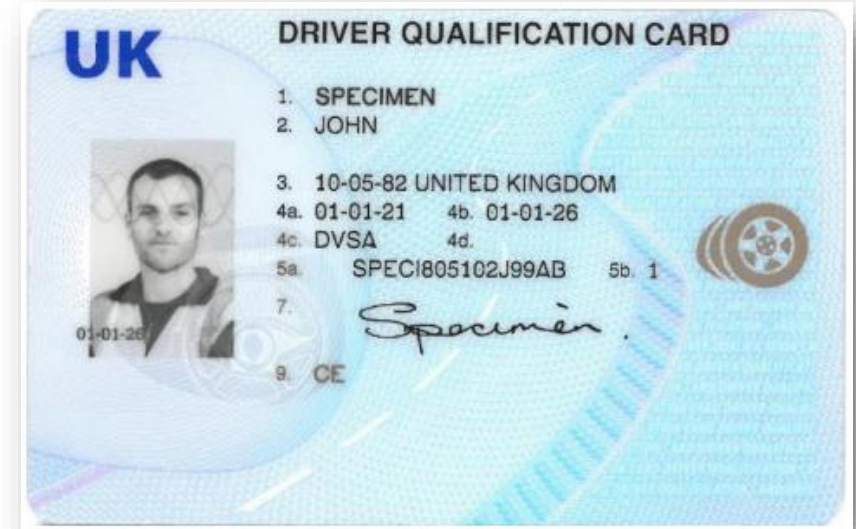
- Check your Driver CPC periodic training hours.
- 9 September 2024 deadline.
- Pay attention to the course dates and status of each course.

Check your Driver CPC periodic training hours

Use this service to:

- check how many hours of Driver Certificate of Professional Competence (CPC) training you've done
- check which courses you've attended
- check when you'll get your next Driver CPC card
- create a temporary password for your employer so they can view your record
- view your employee's record if they've given you a temporary password

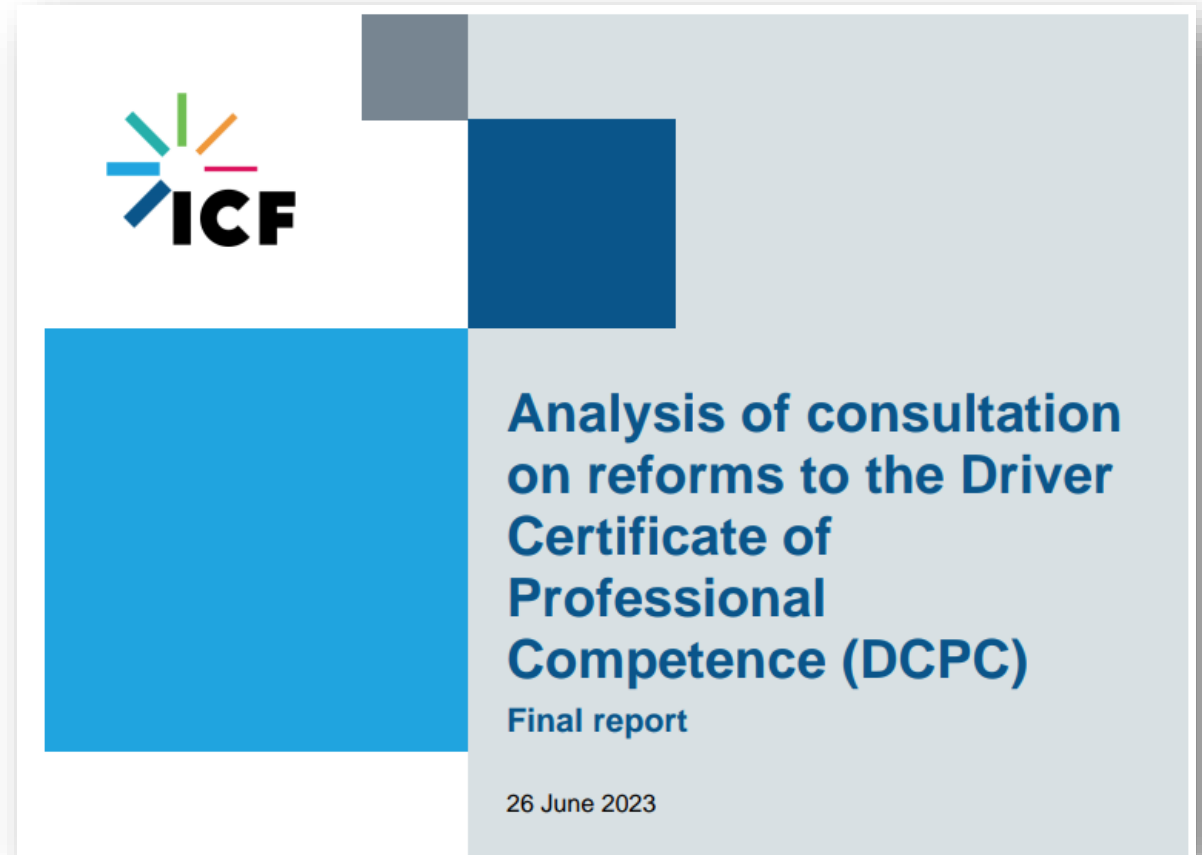
[Start now >](#)



DRIVER CPC - CARRIAGE OF DANGEROUS GOODS - DAY 2	05/07/2022	7	Used
DRIVER CPC - CARRIAGE OF DANGEROUS GOODS - DAY 3	06/07/2022	7	Used
DRIVER CPC - CARRIAGE OF DANGEROUS GOODS IN TANKS	07/07/2022	7	Used
ROAD SAFETY MATTERS	17/01/2023	7	Invalid
YOUR PLANET MATTERS	20/11/2023	7	Invalid

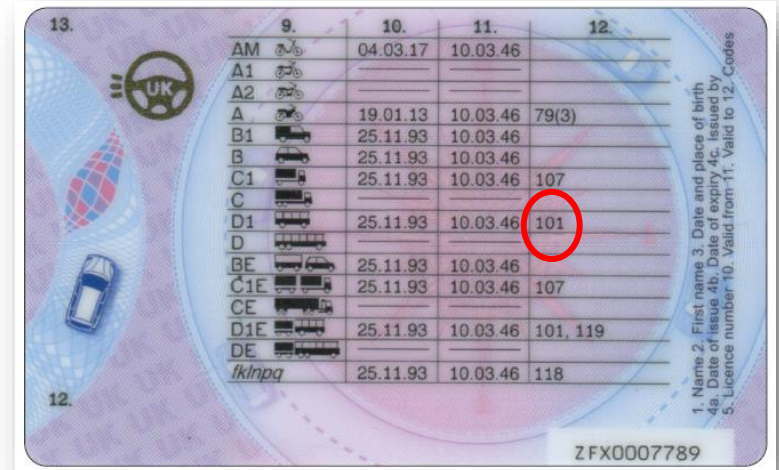
Driver CPC

- Introduce a new National DCPC.
- Reducing the minimum course length to 3.5 hours.
- Consultation on a periodic test?
- Regulations laid in Parliament in May 2024.



Mechanics driving minibuses

- Mechanics using their D1(101) entitlement.
- Not for hire or reward.
- The definition of hire or reward is in the Public Passenger Vehicles Act 1981.
- Our understanding is that a mechanic with a D1(101) entitlement would be able to drive empty minibuses on a road test.



A UK Driving License card showing various vehicle categories and their corresponding dates. The D1 category is circled in red, with the code 101 next to it. The license is issued to 'fklnpq' on 25.11.93, valid from 10.03.46.

13.	9.	10.	11.	12.
AM		04.03.17	10.03.46	
A1				
A2				
A	19.01.13	10.03.46	79(3)	
B1	25.11.93	10.03.46		
B	25.11.93	10.03.46		
C1	25.11.93	10.03.46	107	
C				
D1	25.11.93	10.03.46	101	
D				
BE	25.11.93	10.03.46		
C1E	25.11.93	10.03.46	107	
CE				
D1E	25.11.93	10.03.46	101, 119	
DE				
fklnpq	25.11.93	10.03.46	118	

1. Name 2. First name 3. Date and place of birth
4a. Date of issue 4b. Date of expiry 4c. Issued by
5. Licence number 10. Valid from 11. Valid to 12. Codes

ZFX0007789



Teachers driving minibuses

Vehicles used for the non-commercial carriage of passengers or goods:

- *'The driver makes the journey for their own purposes eg in connection with a hobby and not to earn income. If there is a financial contribution towards that hobby, such as sponsorship, then the contribution does not exceed the total cost of the hobby.'*
- *No payment is made, either to the operator or the driver, for carriage per se.*
- *Any financial contributions made does not exceed the running costs of the vehicle for that journey (eg contributions towards the fuel costs).'*

Driver & Vehicle Licensing Agency

INF52

Large vehicles you can drive using your car, bus or lorry licence

For more information, go to www.gov.uk/browse/driving

CUSTOMER SUPPORT EXCELLENCE

INVESTORS IN PEOPLE
We invest in people

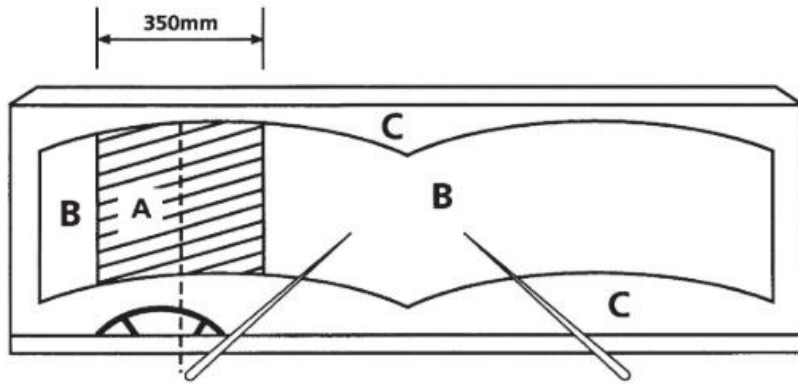
INF52
10/22

Section 19 and 22 permits

- Allow the holder to operate transport services for hire or reward without the need for a full public service vehicle (PSV) operator's licence.
- Any organisation operating without a view to profit, concerned with:
 - Education.
 - Religion.
 - Social welfare.
 - Recreation.
 - Other activities of benefit to the community.
- Section 22 bus permits are issued to bodies that are concerned for the social and welfare needs of one or more communities, and that want to run a local bus service on a non-profit making basis.



In-Cab technology: CCTV recording



Principles of General Data Protection Regulations (GDPR):

- Lawfulness, fairness and transparency.
- Purpose limitation.
- Data minimisation.
- Accuracy.
- Storage limitation.
- Integrity and confidentiality (security).
- Accountability.

LOGISTICS UK

MAC
Fact Sheet

Cameras and data protection

In recent years there has been a growing trend to fit dash cams in vehicles, whether they be cars, vans or heavy goods vehicles. In a lot of the cases, certainly for cars, the cameras have belonged to the driver, but companies are now installing cameras in their vehicles for various reasons. This Fact Sheet explains the legal considerations when installing and using these devices.

Camera or driver monitor?

When it comes to recording visual and/or audio data there are two styles of device that may be used; the in-cab camera (or dash cam) and the driver monitor. The difference between the two is that a camera will usually record in one direction, either forward facing or inward facing, whereas a driver monitor will record in both directions and store both sets of data as a single source. Another difference between the two devices is how they can be installed within a vehicle. The Driver and Vehicle Standards Agency (DVSA) view driver monitoring systems as an acceptable feature which may intrude into the swept area of the wipers, provided they do not seriously restrict the drivers view to front or sides of a vehicle, whereas dash mount monitors may intrude the swept area of the wipers provided they do not materially affect the view to the front or sides of a vehicle.

General Data Protection Regulations (GDPR)
Overview

Following the UK's departure from the European Union, the GDPR were retained in domestic law as the 'UK GDPR'. The UK GDPR sits alongside an amended version of the Data Protection Act 2018. These regulations govern the way in which organisations are able to collect, store and process data.

The UK GDPR and Data Protection Act 2018 sets out key principles, which should lie at the heart of your approach to processing personal data, which are that personal data is:

- Processed lawfully, fairly and transparently.
- Collected for specified legitimate purposes.
- Relevant to what is necessary.
- Accurate and kept up-to-date.
- Not kept longer than necessary.
- Processed and stored with appropriate security.

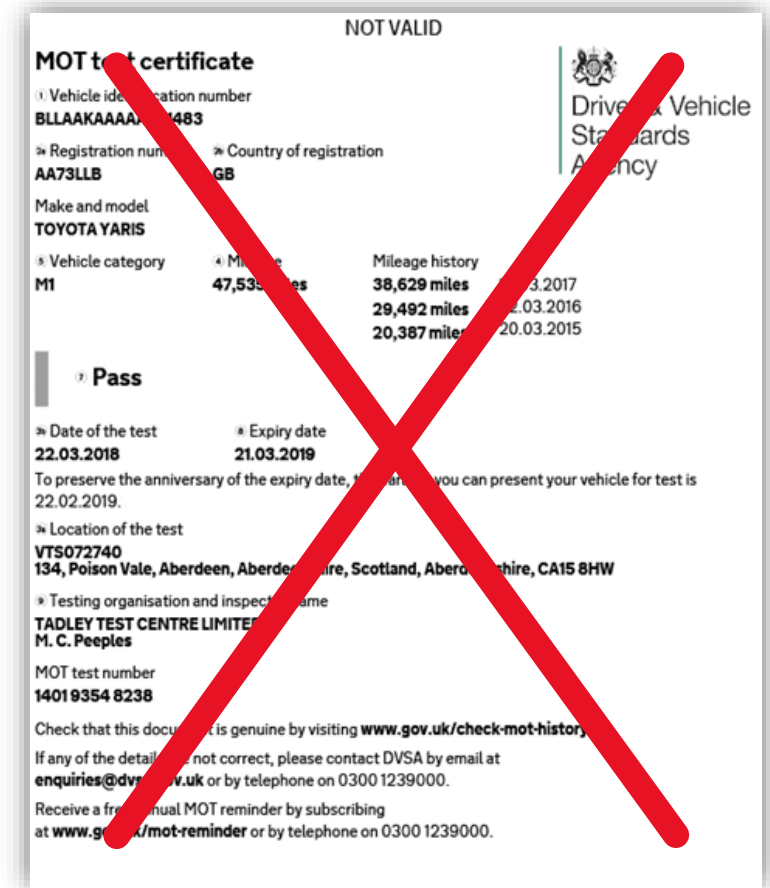
Under the GDPR, there are obligations on organisations to have measures to ensure that the GDPR are being complied with, including documented privacy impact assessments, the possible appointment of a Data Protection Officer, or additional record keeping obligations for organisations with more than 250 employees.

Failure to adhere to the requirements of the GDPR may result in organisations receiving fines, with the maximum amount being £17.5m or 4% of an organisation's global turnover, whichever is higher.

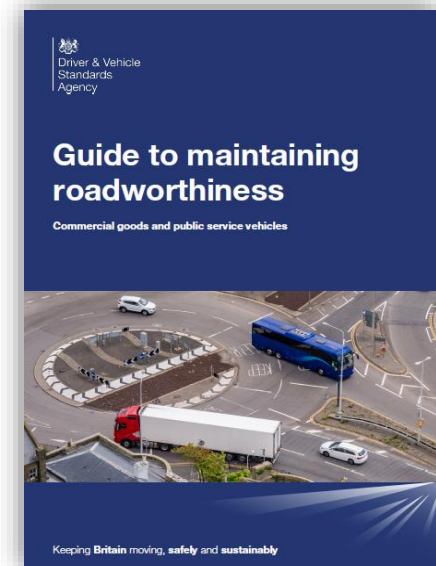
Handling the data

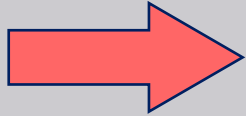
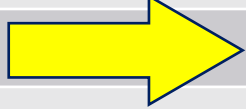

It is important to understand the legal requirements when collecting, storing or processing data gathered by these devices. In the case of data being collected by a driver's personal camera then the data belongs to the driver and is classed as private and does not come into scope of any legal requirements. However, data collected by the organisation

- 29 April 2024, DVSA stopped printing MOT pass certificates.
- DVSA's digital transformation project for heavy vehicle testing.
- Plans to move towards a digital first approach in the light vehicle MOT scheme also.
- Enhance the user experience.



- Manage your Vehicle Testing digital service (MyVT).
- Ability to capture data quickly and test results in real time.
- MOT history service.
- View/download copy of pass certificate.
- Publications will be updated.
- [DVSA webinar.](#)



Application	Requirements for Category B licence holder
Operator Licence 	Exempt if all of the following apply: <ul style="list-style-type: none"> • Powered entirely by alternative fuels, • MAM not exceeding 4.25t, • Operated within Great Britain.
Drivers' hours and tachograph	Exempt if used with 100km radius of base of undertaking.
Trailers 	No trailer allowed. Higher licence entitlements are not affected.
Testing	Exempt if electrically powered and registered before 1 March 2015. If under or up to 3.5t MAM, then on third anniversary of registration. If over 3.5t MAM, then on first anniversary of registration.
Driver CPC	If using Category B licence, then not required. If using Category C1 or above, then Driver CPC is required.
Training 	Five hours of training by an instructor registered on either: <ul style="list-style-type: none"> • National Register of LGV Instructors. • National Vocational Driving Instructors Register.

City	Enforcement Start Date
Glasgow	1 June 2023
Dundee	30 May 2024
Edinburgh	1 June 2024
Aberdeen	1 June 2024

Clean Air Zones and air quality schemes member briefing

May 2024

Summary of Logistics UK View

Over the coming years, a number of UK cities will be implementing Clean Air Zones and Low Emission Zones. Our position is to ensure that these schemes are introduced in a consistent way to avoid a patchwork of different regulations and that support is provided for those who have the least means to replace vehicles, such as small businesses and operators of high-value, low mileage specialist vehicles.

Clean Air Zones primarily aim to speed up the fleet replacement cycle. This process is well underway. At the end of 2021, Euro VI HGVs accounted for 63.8% of the UK fleet. Using historical trends for both the total number of licensed vehicles and Euro VI vehicles (taking into account the slower growth in 2020 due to the pandemic), it is predicted that by the end of 2022 Euro VI HGVs will account for 72.0% of the total number of vehicles, reaching 80.2% by the end of 2023 and 88.4% by the end of 2024.

However, these predictions are likely to change as there are some mitigating factors such as uncertain economic conditions following the COVID-19 pandemic and Brexit. In addition, there is a global shortage of semiconductors (microchips) which are needed for a wide range of manufactured goods such as laptops, washing machines and vehicle production. This is especially important as vehicle production in the EU has been hit by this shortage of microchips.

This implies that authorities wishing to drive reductions will need to consider additional policies, because the environmental improvements driven by Clean Air Zones will begin to slow as the fleet moves to lower-emission vehicles. For that reason, we are calling for measures such as tackling congestion through better traffic management, reviewing road layouts and traffic signals; enabling deliveries to be retimed out of peak hours, by relaxing delivery curfews to reduce pressures on road space during peak daytime hours; and supporting businesses to switch away from fossil-fuelled vehicles through a comprehensive and equitable charging/refuelling network.

Definition of a tractor?

- Tractor is defined in EU Regulation 167/2013. It essentially covers vehicles being a motor vehicle designed to 'pull, push, carry and actuate' equipment to perform agricultural or forestry work. Telescopic handlers (telehandlers) can also be type approved as tractors.

The regulatory requirements?

[Tractors and regulatory requirements: a brief guide.](#)



Tractors – Regulatory requirements

Driver licensing

- Category F or a vocational entitlement C1, C, or CE.
- Being considered in driver licence call for evidence.

Driver hours' and tachograph

- Vehicles used or hired without a driver by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity within a radius of 100 km from the base of the undertaking.
- Limited to 40kph (25mph).

Driver CPC

- Limited to 45kph (28mph).

Operating Licensing

- Tractors, including agricultural tractors, used for the specific purposes within 15 miles of a farm, forestry or estate.



Logistics UK support

- Member Advice Centre – 0370 605 0000 or mac@logistics.org.uk
- Briefing notes.
- E-News.
- Operator Licence Compliance Information Service (OLCIS).
- Training – Operator Licence Awareness Training.
- Audits.
- Vehicle Inspections.
- Logistics UK Vision – Drivers' hours and working time monitoring.

LOGISTICS UK

Weekly enews



5 June 2024

Your weekly member email from Logistics UK sharing the latest updates addressing industry-relevant developments, legislation and compliance updates and campaigns to help you stay informed.

In this issue:

- Logistics UK launches policy priorities for Scotland.
- Guide to Maintaining Roadworthiness delayed.
- New Export Health certificates required for certain Products of Animal Origin (POAO) for export to EU /movement to Ireland.
- Van market continues to grow, but electric van uptake needs to rise faster
- New Trailblazer Sub-Group seeking employers for Transport and Warehouse Operations Supervisor Apprenticeship.



LOGISTICS UK

magazine
Logistics

LOGISTICS UK

News

Features

eNews

Compliance

Logistics UK Verdict - Why are UK diesel prices the most expensive in Europe?



UK fleet operators are still having to pay more for diesel than their European counterparts, despite the 5p-a-litre fuel duty discount introduced in March 2022.

A new report from the RAC states that the average price of diesel at UK pumps is currently 155p, which makes it 5p more expensive than both Ireland and Belgium on 150p.

Although duty on both petrol and diesel was cut from 57.95p to 52.95p in spring 2022 to ease the burden of rapidly rising fuel prices following Russia's invasion of Ukraine, the UK still has the highest rate of duty on diesel in Europe alongside Italy.

[READ THE FULL ARTICLE >>](#)

Upcoming activities and events

LOGISTICS UK

Member briefing webinar

- Managing drivers in logistics: 11 July
<https://logistics.org.uk/memberbriefings24>

Events

- Logistics finance forum: 9 July
<https://logistics.org.uk/events/currently-live/logistics-finance-forum>
- Transport manager: Sep-Dec
<https://logistics.org.uk/transport-manager>

Forums and working groups

- Van policy working group: 25 June
<https://logistics.org.uk/membership/logisticsuk-councils>

Awards

- Van awards – deadline for entries: 12 July
<https://logistics.org.uk/vanawards24>
- Logistics awards – deadline for entries: 12 July
<https://logistics.org.uk/logistics24>





LOGISTICS UK

Member Advice Centre

0370 605 0000*

Customer Service Centre

0371 711 2222*

customerservices@logistics.org.uk

*Calls may be recorded for training purposes