Heavy vehicle testing review: call for evidence

Introduction

Thank you for responding. Your views will help to garner the attitudes towards our suggested options to improve heavy vehicle testing.

Closing date is 9 June 2023.

View all the questions

This survey provides questions based on user choice, a full copy of the questions is available [opens in a new window].

Print or save a copy of your response

At the end of this questionnaire, you may either print or save a copy of your response for your records. This appears after pressing 'Submit your response'.

Save and continue option

You may 'save and continue' at any time. If you do you will be sent a link via email to allow you to continue your response where you left off.

You must enter your correct email address if you save and continue, a mistake in the email address means you won't get the link you need.

Accessibility statement

Read our accessibility statement for SmartSurvey forms (opens in a new window).

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this consultation on attitudes towards our suggested options to improve heavy vehicle testing. Our DfT online form and survey privacy notice [opens in a new window] gives more information on how your personal data is processed in relation to this survey.

In addition to the information outlined in the privacy notice we are asking from:

- individuals their relationship to vehicle maintenance

- organisations the type they are and if an Earned Recognition (ER) operator:

  - how they carry out maintenance
  - if they have an Authorised Test Facility

Your details

1. Your (used for contact purposes only):

name?	Philip Lloyd
email address?	plloyd@logistics.org.uk

2. Are you: *

- [ ] answering as an individual?
- [X] providing an official response on behalf of an organisation? (Go to ‘Organisation details’)

Individual details

3. You are:

- [ ] an individual that maintains vehicles?
- [ ] a motorist?
- [X] another type of user?

  Head of Engineering Policy

[After answering go to ‘Proposals’]

Organisation details

4. You are best described as:

- [ ] an Earned Recognition (ER) vehicle operator?
- [ ] a non-ER vehicle operator or leaser? (Go to ‘Proposals’)
- [ ] a vehicle manufacturer or dealership? (Go to ‘Proposals’)
- [ ] an organisation that maintains vehicles? (Go to ‘Proposals’)
- [ ] an organisation that provides vehicle testing (authorised test facilities)? (Go to ‘Proposals’)
- [X] a trade body representing those in the public service vehicle or heavy goods vehicle sector? (Go to ‘Proposals’)

a road safety organisation? (Go to ‘Proposals’)

another type of organisation? (After answering go to ‘Proposals’)

Earned Recognition operator

5. You:

carry out your own maintenance?

use a third-party maintenance provider?

both carry out your own maintenance and use a third-party maintenance provider?

6. Do you have your own Authorised Test Facility (ATF) for maintenance?

Yes

No

Don't know

7. In your view is the Earned Recognition scheme a fair system?

Yes (Go to ‘Proposals’)

No

Don't know (Go to ‘Proposals’)

Increasing fairness

8. How, in your view, can the Earned Recognition scheme be improved to ensure that it is a fair system?

Proposals

We are consulting on making potential improvements to heavy vehicle testing by altering the earned recognition (ER) scheme [opens in a new window].
We have suggested 4 ways this scheme could be altered and are seeking your views on these options offered as well as any alternative approaches you may prefer to see implemented.

The options given for ER operators are:

- option 1, to increase the time between tests
- option 2, delegated testing
- option 3: reduced test content
- option 4: improved service provision

To increase the time between tests

This would remove the requirement for ER operators to have their vehicles and trailers tested at the current 12 monthly intervals, extending the period to provide more flexibility. Initial consideration is that every other year (two yearly) would be an appropriate frequency. This option would require primary legislation and it could take considerable time to implement.

Delegated testing

This would involve allowing ER operators to test their own vehicles and trailers, by default retaining existing frequency (annual from year 1). There is consideration as to the extent to which those conducting the test would need to be able to demonstrate independence from those that are maintaining or repairing the vehicle.

Reduced test content

This would involve reducing the content of the annual test for ER operators' vehicles, such as by removing some items that are covered in routine inspections or, in the longer term, that can be shown to be effectively monitored by in-vehicle systems. However, the vehicle would still be required to be presented for assessment against the aspects that remain within the annual roadworthiness inspection, and existing in-use requirements for vehicle condition would remain across the whole range of items. This would require some legislative change, which would impact on implementation timescales.

Options 1 to 3 all propose significant change to the statutory basis of vehicle testing, aimed at reducing the burden on ER operators.

Improved service provision

Option 4 proposes that DVSA could focus its service improvement efforts on those operators to minimise the testing burden which would not require legislative changes. Such an initiative could, for example, include:

- complete or greater guarantee of requested Authorised Testing Facility (ATF) slots for ER operators (and potentially those providers nominated by them)
- full move away from tracking tester utilisation, offset by different fee arrangements
- full flexibility around days or hours worked to match maintenance requirements so ER operators can get a test most suited to business needs

Further information and evidence is supplied in the consultation documentation [opens in a new window].

9. Do you believe that the existing testing regime for ER operators should be altered?

X Agree (Go to 'Reason for changes')

Disagree

Don't know (Go to 'Continue')

Disagree with change

10. Why not?

[After answering go to 'Continue']

Reason for changes

11. Why?

The opportunity for delegated testing was offered as an enticement way back at the initiation of the ER scheme and many of our members took up the scheme in the firm belief that at some point this would be a viable offer. They have fulfilled all their obligations to demonstrate their high levels of compliance (allowing DVSA the resources to concentrate on the less/non-compliant) and to them the MOT test is just an additional cost and restriction on their business, as they have demonstrated their commitment to maintaining a compliant fleet 365 days of the year, not one at annual test.

[After answering go to 'Option 1: increase the time between tests for Earned Recognition']

Continue

12. As you disagree or are unsure about our options for changes to heavy vehicle testing and the remainder of this survey is about the considerations for potential implementation, you may now either: *

go to the final comments section? (Go to 'Final comments')

continue answering the questions?

Option 1: increase the time between tests for Earned Recognition

To increase the time between tests

This would remove the requirement for ER operators to have their vehicles and trailers tested at the current 12 monthly intervals, extending the period to provide more flexibility. Initial consideration is that every other year (two yearly) would be an appropriate frequency.

13. What:

advantages do you believe increasing the time between tests for ER would bring to an operator?

Although this may deliver a proportion of the advantages of delegated testing, it is likely to bring with it issues and challenges in administration, which may well negate the benefits of this option

disadvantages do you believe increasing the time between tests for ER would bring to an operator?	Additional administration and cost of managing of a dual system, which could lead to non-compliance.

14. What impact do you think increasing the time between tests would have to:

Authorised testing facility services (ATFs)?	For those offering 3rd party testing and testing ER vehicles - negative. For ER closed ATFs, nil impact as they would still use the facility to inspect their vehicles.
non-ER operators?	Potentially a positive, though if DVSA limit their resource as they currently do, this change with make no difference.
other areas?	This would have a positive impact on the environment, reducing travel to/from ATFs with the corresponding improvement on air quality and freed up road space.

15. Do you believe there are risks to road safety if the increasing the time between tests option is implemented?

Yes

X No (Go to 'Option 1: increase the time between tests for Earned Recognition')

Don't know (Go to 'Option 1: increase the time between tests for Earned Recognition')

Increasing the time between tests: road safety risks

16. What risks and how could these be mitigated?

Option 1: increase the time between tests for Earned Recognition operators

17. What are the practical considerations when increasing the time between tests for:

vehicles changing operators?	As ER operator vehicle are maintained to a high standard, the vehicle condition would be no worse than it is today.
correct recognition of vehicles and trailers?	ER operators comply with all requirements (part of the condition of ER) so would act appropriately.
transitionary measures?	
other areas not covered?	

18. You believe tests should be:

X retained at every year?

implemented every 1 to 2 years?

implemented for another regular period above 2 years?

But able to be conducted by the ER operator or their maintenance provider (subject to discussion and agreeing of arrangements).

19. What, if anything, would you like to change in option 1 which increases the time between tests for ER operators?

We do not believe that option 1 is a viable option and as a hybrid solution would result in little benefits and probably more confusion.

Option 2: delegated testing for ER operators

Delegated testing

We are proposing that this option would retain the existing year frequency testing requirement. There is consideration as to the extent to which those conducting the tests would need to be able to demonstrate independence from those that are maintaining or repairing the vehicle, and how this would be archived.

20. In your view should ER operators be able to sub-delegate testing to their own maintenance providers?

X Yes

No

Don't know (Go to ‘Option 2: delegated testing for ER operators’)

Sub-delegation

21. Why?

Many ER operators have some/all of their maintenance contracted out, so provided those providers were able to demonstrate a high level of compliance to standards and procedures then we would support this.

22. How, in your view, should ER operators demonstrate independence of testing from vehicle maintenance and operation?

We would agree that there needs to be an independence between an individual who has prepared a vehicle for inspection and those that undertake an inspection (as is the case for other statutory type testing both in the UK and elsewhere in the EU) , so provided that this was the case then there is a level of independence and a supervision regime (which we, as a trade association, would help develop) in place, we believe that the necessary levels of assurance can be implemented.

Option 2: delegated testing for ER operators

23. What:

advantages do you believe delegated testing would bring to an operator?	Reduced; administration; duplication of time and cost in submitting for test; downtime of the vehicle; environmental impact assisting those operator's in reducing their carbon footprint.
disadvantages do you believe delegated	This would depend on the procedures that would be imposed in allowing such.

testing would bring to an operator?	

24. What impact do you think delegated testing would have to:

ATFs?	See comments in Q17
non-ER operators?	
other areas?	

25. Do you believe there are risks to road safety if delegated testing is implemented?

Yes

X No (Go to ‘Option 2: delegated testing for ER operators’)

Don't know (Go to ‘Option 2: delegated testing for ER operators’)

Delegated testing: road safety risks

26. What risks and how could these be mitigated?

Option 2: delegated testing for ER operators

27. What are the practical considerations when delegating testing for:

approvals required for a person to be deemed as competent for testing vehicles?	A qualified engineer, competent (trained in MOT inspection procedure & standards), authorised and supervised (QA).

transitionary measures?	Setting up and introducing a scheme.
other practical considerations not covered?	Development of a fee structure (payment for DVSA) and access to technical details and entering of test results.

28. Do you believe there will be challenges finding the additional tester capacity within the industry necessary to implement our delegated testing proposal?

Yes

X No (Go to ‘Option 2: delegated testing for ER operators’)

Don't know (Go to ‘Option 2: delegated testing for ER operators’)

Delegated testing: additional tester capacity challenges

29. What challenges and what do you think the will be the impact of these?

Option 2: delegated testing for ER operators

30. What, if anything, would you like to change in option 2 the delegated testing for ER operators?

We have propositions on how this could be implemented successfully and would seek engagement with DfT and DVSA to help develop this solution meeting concerns relating to compliance and the maintaining of road-safety.

Option 3: reduced test content

Reduced test content

Reducing the content of the annual test for ER operators' vehicles would, for example by removing some of the items currently required in routine inspections or, in the longer term, that can be shown to be effectively monitored by in-vehicle systems.

The vehicle would still be required to be presented for assessment against any aspects that remain within the annual roadworthiness inspection and existing in-use requirements for vehicle condition would also remain across the whole range of items.

31. What:

advantages do you believe less burdensome testing Would bring to an operator?	Very little.
disadvantages do you believe less burdensome testing Would bring to an operator?	More administration and confusion.

32. What impact do you think less burdensome testing would have to:

ATFs?	
non-ER operators?	
other areas?	

33. Do you believe there are risks to road safety if option 3 is implemented?

Yes

No (Go to 'Option 3: reduced test content')

X Don't know (Go to 'Option 3: reduced test content')

Reduced test content: road safety risks

34. What risks and how could these be mitigated?

Option 3: reduced test content

35. What are the practical considerations of less burdensome testing for:

operation of vehicles abroad (compliance with other countries regulation)?

transitionary measures?

other practical considerations not covered?

36. What, if anything, would you like to change in option 3 the streamlined test for ER operators?

It is difficult to answer any questions in this option as it is unclear what the proposals are.

We could see opportunities in this option in ER operators provide evidence of headlamps alignment, emissions and brake testing, which would remove the necessity for those items to be done at test and the benefits this could bring to ER operator in reduced test time - but the administration required of DVSA may negate these benefits, as the vehicle is still required to be presented for test.

Option 4: improved service provision for ER operators

Improved service provision

Improved service provision proposes that Driver and Vehicle Standards Agency (DVSA) focuses its service improvement efforts on ER operators in order to minimise other testing burdens beyond those mentioned in our other proposed options and which would not require legislative changes to implement. Such initiatives could, for example, include:

- complete or greater guarantee of requested ATF slots for ER operators (and potentially those providers nominated by them)
- full move away from tracking tester utilisation, offset by different fee arrangements
- full flexibility around days or hours worked to match maintenance requirements

37. What:

advantages do you believe improved service provision would bring to an operator?	This could reduce some of the administrative constrains, but this way built into the ATF strategy at initiation, which DVSA has over the years diminished - so we have little confidence that this change would be cemented into DVSAs modus operandi
disadvantages do you believe Improved service provision would bring to an operator?	These changes could result in an operational change for operators that is diminished would have a negative impact, so any change would have to be legally binding upon DVSA

38. What impact do you think improved service provision would have to:

ATFs?	Positive, if they were to be give the commitments requested
non-ER operators?	Positive if ATFs were able to offer them a better service
other areas?	

39. Do you believe there are risks to road safety if improved service provision is implemented?

Yes

X No (Go to ‘Option 4: improved service provision for ER operators’)

Don't know (Go to ‘Option 4: improved service provision for ER operators’)

Option 4: road safety risks

40. What risks and how could these be mitigated?

Option 4: improved service provision for ER operators

41. What are the practical considerations of improved service provision for:

DVSA staffing levels?	DVSA have failed to recruit to their current budget, so we fail to see how they could achieve the aspirations of this proposal
the potential adjustments to minimum fee levels currently set in ATF contracts?	There is already a fee level contained within the ATF contract. This was set to offset DVSAs costs - this may however need to be realigned to today’s indicative scheme costs
transitionary measures?	ATF contract renegotiations
other practical considerations not covered?	Identification of future needs

42. In your view:

	all operators?	ER operators only?
the greater guarantee of requested ATF slots should apply to:	**X**	
fully moving away from tracking tester 'utilisation', offset by different fee arrangements should apply to:	**X**	
full flexibility around days and hours worked to match maintenance requirements should apply to:	**X**	

Why?

The options suggested here were built into the original concept of ATFs and the provisions for such built into the original ATF contract. DVSA has had the ability to retract from that over the years, despite the industries resistance, so we fail to see how DfT would hold DVSA to any of these changes, as DVSA have been able to reap the benefits of the ATF strategy (prevention of estate refurbishment and maintenance and the financial benefits through the sale of their estate) and yet have diminished the original benefits for industry - greater flexibility, through their reduction of test capacity using increased utilisation as base measure.

43. What, if anything, would you like to change in option 4 the improved service provision?

We believe that this option should be pursued whilst the legal requirements are being put in place for delegated testing.

We have some reservations at to the desire to implement these changes, as we have been pursuing these changes for over 4 years with DSVA and they have been resistant to change.

Implementation

44. Would you like any other additional changes to be made to the ER scheme?

X Yes

☐ No (Go to ‘Option preference’)

☐ Don't know (Go to ‘Option preference’)

Additional options

45. What additional changes would you like and why?

The audit process has been growing steadily since its inception and we believe has reached the stage where it has become overly burdensome. We have had recent reports where the audit has consumed over 70 auditor hours - which is a high cost.

Option preference

We are asking not only the options you would like to have implemented but also the order in which those, as it may be different to our own, options should be implemented and why.

Our options are:

- option 1: increase the time between tests for ER operators
- option 2: delegated testing for ER operators
- option 3: reduced test content
- option 4: improved service provision for ER operators

46. With regards to implementation of our 4 options your preferred approach to implement:

X one of the four options?

☐ two of the four options? (Go to ‘Two options’)

☐ three of the four options? (Go to ‘Three options’)

☐ all of the four options? (Go to ‘Four options’)

Single option

The options are:

- option 1: increase the time between tests for ER operators
- option 2: delegated testing for ER operators
- option 3: reduced test content
- option 4: improved service provision for ER operators

47. Your preferred approach is to have only implement option:

1 implemented?

X 2 implemented?

3 implemented?

4 implemented?

[After answering go to ‘Risks’]

Two options

You have stated you would like 2 of the 4 options implemented.

The options are:

- option 1: increase the time between tests for ER operators
- option 2: delegated testing for ER operators
- option 3: reduced test content

- option 4: improved service provision for ER operators

48. The options and sequence you think your options should be applied in is the:

first implemented option of?

second implemented option of?

[After answering go to ‘Risks’]

Three options

You have stated you would like 3 of the 4 options implemented.

The options are:

- option 1: increase the time between tests for ER operators
- option 2: delegated testing for ER operators
- option 3: reduced test content
- option 4: improved service provision for ER operators

49. The options and sequence you think your options should be applied in is the:

first implemented option of?

second implemented option of?

third

implemented
option of?

[After answering go to ‘Risks’]

Four options

You have stated you would like all 4 of the options implemented.

The options are:

- option 1: increase the time between tests for ER operators
- option 2: delegated testing for ER operators
- option 3: reduced test content
- option 4: improved service provision for ER operators

50. The options and sequence you think your options should be applied in is the:

same as our proposed order? (Go to ‘Risks’)

different to our proposed order?

Alternative 4 option order

51. The options and sequence you think your options should be applied in is the:

first implemented option of?

second implemented option of?

third implemented option of?

fourth implemented option of?	

Risks

Any change to the vehicle testing regime has the potential to increase risk, particularly if there are fewer tests. It would be critical to ensure the rigour of the test is not compromised and is sufficiently comprehensive, as well as ensuring testers have sufficient independence. For all options, careful consideration will be given to any potential impacts on road safety or air quality.

52. In your view what risks, if any, to air quality does option:

1 pose?	Provided that there was still a requirement to undertake emissions checks annually, none
2 pose?	None, this would lead to improved air quality
3 pose?	This would depend on which elements are removed
4 pose?	This is situation normal, so would have a neural effect

53. Do you believe there are other risks that need to be considered?

X Yes

No (Go to ‘Other considerations’)

Don't know (Go to ‘Other considerations’)

Other risks

54. What risks?

There is a risk that DfT misses an opportunity to help improve air quality through reduce emissions though delegated testing - vehicles not having to travel to/from ATFs.

Subjects to the conditions around Delegated Testing (the details of which Logistics UK and the CPT have been developing) there is a risk that failing to expand MOT Testing training, development and CPD to the wider heavy commercial vehicle maintenance industry, could jeopardise what could be an initiative to improve inspection and defect identification process

within our industry, the outcome of which could improve overall safety inspection standards more widely and hence improve roadsafety.

Other considerations

55. In your view what, if any, other changes need to be made in order to ensure public confidence in road safety controls if any of our options to vehicle testing were implemented for:

non-ER operators?	An improvement in and demonstration of compliance.
ER operators?	There may be a need to include some further KPIs or audit requirements to satisfy compliance to MOT standards.

We currently collect as part of the application of for the ER scheme require applicants to supply key performance indicators (KPIs) [opens in a new window] on the areas of:

- maintenance
- driving activity

We are researching your view towards if these KPIs should only be sent electronically to us.

56. Do you agree or disagree that ER key performance indicator data should only be supplied to us electronically?

Agree (Go to ‘Other considerations’)

X Disagree

Don't know (Go to ‘Other considerations’)

Disagree with electronic only collection

57. Why not?

Although digital by default is governments mantra, many operators use a range of suppliers and providers to both satisfy their operational activities (business needs, or demand fluctuations) and meet their road-safety compliance commitments and/or aspirations. Not all those

supplies/providers have systems capable of meeting the KPI requirements or have the necessary interfaces with the operators' systems to do so. We believe that it is yet too early to demand this and may, at this time, be a hinderance to joining the ER scheme.

Other considerations

58. Would you support any of our proposed option alterations being applied beyond ER operators to all heavy goods vehicles and public service vehicle operators instead?

X Yes

☐ No (Go to 'Changes applied')

☐ Don't know (Go to 'Changes applied')

Application beyond ER operators

59. You would support:

☐ all of the options being applied to all heavy goods vehicles and public service vehicle operators? (Go to 'Changes applied')

X some of the options being applied to all heavy goods vehicles and public service vehicle operators?

Options to be implemented to all heavy goods vehicles and public service vehicle operators

60. You would support option:

☐ 1 being applied to all heavy goods vehicles and public service vehicle operators?

☐ 2 being applied to all heavy goods vehicles and public service vehicle operators?

☐ 3 being applied to all heavy goods vehicles and public service vehicle operators?

X 4 being applied to all heavy goods vehicles and public service vehicle operators?

Changes applied

Driver and Vehicle Standards Agency (DVSA) currently commits to not routinely stopping ER operator vehicles as part of its roadside enforcement activities.

However we will need to consider if a structural change in how enforcement is funded, or other fee changes, would need to be implemented with any change to testing for ER operators. Examples of new approaches could include a fee for ER or increases in test fees for those that still need tests.

61. How would you expect DVSA to determine compliance if any of these options were implemented?

DVSA currently has a fee arrangement in place with MOT garages where DVSA's activities (administration, supervision and enforcement) are funded through a fee attached to the undertaking of an MOT test.

For delegated testing we would envisage a similar arrangement, where a fee would apply that consists of (as is currently the case) an O'Licence element, plus a DVSA administration/supervision element.

If DVSA are expecting ER operators to pay for being in this scheme, then this is counter to the whole scheme - ER was partly sold as a means of DVSA being able to extract an element of operators from their O'Licence monitoring and enforcement, to allow DVSA to be more effective in tackling the on-compliant. The DVSA cost of administrating the ER scheme was seen as negligible to the aim of effective enforcement.

Logistics UK would not support ER operators having to pay for this scheme, they already incur administrative costs in collecting and reports KPIs as well as the costs of the ER Audits.

Other considerations

62. In your view what barriers, if any, exist for smaller operators that may prevent them from joining the ER scheme?

The costs of being in the scheme, as there are no tangible financial benefits currently - delegated testing may however provide that financial saving.

63. What, if any, views do you have on the practical arrangements relating to these changes to testing for operators:

leaving the ER scheme?	Some members have said that if some of these changes were also offered to non-ER operators (delegated testing) then they would consider leaving ER.
being removed from the ER scheme?	For delegated testing, the removal from ER and therefore loss of delegated testing could be too high a cost to bear, so would provide a greater desire to maintain the highest standards.

64. What views, if any, do you have on the practicalities of identifying vehicles that would be in scope of our changes to the heavy vehicle test?

There is already VOL, which could be utilised for such a function, however that system is in need of modernisation.

65. Do you think different arrangements need to be made to ensure trailers are identified separately to heavy goods vehicles?

X Yes

No (Go to ‘Other considerations’)

Don't know (Go to ‘Other considerations’)

Trailers

66. Why?

You can only be in ER if you are a Good Vehicle and PSV Operator and there are companies that own assets that require heavy commercial vehicle MOT testing that do not fall within the scope of the O'Licencing scheme, so perhaps DVSA could develop a parallel system for such businesses, this could asset in the practical application for some of the proposed options.

Other considerations

Some of these options, if implemented, could affect funding for DVSA enforcement.

Currently ER membership does not have an application fee amount.

67. How, in your view, do you think the loss of funding for DVSA enforcement might be mitigated?

We do not see the necessity for DVSA to lose is source of revenue - see our comments in Q61.

DVSA is expected to be a non-profit organisations with fees levied at the cost of operating the scheme. As we have previously mentioned, if DVA applies the same principle for fee collection as it does for the Class 1,2,3,4,5&7 scheme, then there should be no need to apply fees to ER operators.

68. Do you believe there should be an application fee for ER membership?

Yes

X No (Go to 'Final comments')

Don't know (Go to 'Final comments')

Fee

69. You believe the fee charged for ER membership should be:

under £50?

between £50 and up to £100?

between £100 and up to £150?

above £150 (in pounds)?

Final comments

70. Any other comments?

Logistics UK's position is that the option for Delegated Testing should initially start with ER operators (and their maintenance providers) and then expanded to include other compliant operators as the case for retained roadsafety is proven.

Logistics UK is one of the country's largest business groups, supporting, shaping and standing up for safe and efficient logistics. We are the only organisation representing the entire logistics sector.

We represent a sector delivering an increasingly innovative, productive and sustainable system of essential national infrastructure. This system ensures the availability of the products that households, businesses and public services rely on every day, and is supporting the UK's transformation for the future. Our membership of over 20,000 includes global, national and regional businesses and SMEs spanning the road, rail, sea and air industries as well as the buyers of freight services, such as retailers and manufacturers.