

Driving licensing review: opportunities for changes to the driver licensing regime

RoSPA and PACTS joint response to Department
for Transport's call for evidence

October 2022



Response to Department for Transport's call for evidence: Driving licensing review: opportunities for changes to the driver licensing regime

Introduction

This is the joint response of The Royal Society for the Prevention of Accidents (RoSPA) and The Parliamentary Advisory Council for Transport (PACTS) to the Department for Transport's call for evidence on opportunities for changes to the driver licensing regime. It has been produced following consultation with RoSPA's National Road Safety Committee and PACTS' members. RoSPA has also surveyed its RoSPA and ScORSA members as part of the formulation of this response. We have no objection to our response being reproduced or attributed.

The consultation seeks views on potential opportunities to "improve the driving licensing regime". These include whether to grant drivers who have category B car licence (the licence held by the vast majority of car drivers) additional entitlement to category C1 (7.5 tonnes) goods vehicle entitlement; and whether to grant drivers who have a category B licence entitlement to a minibus category D1 licence.

It is clear that these changes are predominantly designed to increase the range of vehicle that a B licence holder may drive, rather than to improve safety.

In addition to other ideas on licence categories, there are proposals to "raise the standards" of HGV instruction and improve pass rates and to permit a person who has held an HGV category C licence for two years to drive PCVs for maintenance and repair purposes.



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Your details

Name

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Are you responding as an individual or on behalf of an organisation?

On behalf of an organisation.

Your organisation is a:

Other – RoSPA and PACTS are road safety organisations.



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Organisation details

Do any of your employees hold a C1 driving licence?

No.

Have any of your employees got full category L entitlement driving licences?

No.

Do you run goods transport services by road?

No.



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Areas for information and evidence gathering

We wish to understand what opportunities there are to us in changing the driver licence regime now that the UK has left the European Union.

However, any changes would need to ensure continued safe use of our roads and be economically proportionate.

We are exploring in this call for evidence the areas of:

- C1 vehicles, which covers medium-sized vehicles between 3.5 and 7.5 tons plus a trailer of a maximum authorised mass of up to 750 kilograms (kg) amounting to a combined total of 8.25 tons
- D1 vehicles, vehicles which can have no more than 16 passenger seats, have a maximum length of 8 metres, and a trailer up to 750kg
- changes in order to raise the standards of heavy goods vehicle (HGV) instruction and improve pass rates
- smaller scale driving licence changes to benefit industry and to correct historic anomalies
- minibus service provision (optional minibus sector specific information)

This is your chance to ensure that the opportunities that may be presenting themselves to us, now that we have left the European Union, can be considered.

C1 entitlement

We are asking you for your thoughts about allowing drivers on a category B licence (a car up to 3.5 metric tons (T)) the ability to drive a C1 vehicle, up to 7.5T, without the need for:

- An additional test.
- Meeting the higher medical standards for driving large vehicles.

We are subsequently asking about a potential groups, training and scenarios where there could be exemptions to Driver Certificate of Professional Competence.



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We want to understand what you think are the potential benefits and drawbacks from these ideas.

Should, in your view, C1 entitlement be given to people at the same time as they pass their car (category B) test?

RoSPA and PACTS response

No.

Why not?

RoSPA and PACTS response

Category C1 was originally introduced in the 1968 Vienna Convention on Road Traffic ('Vienna Convention'). The contracting parties agreed that the skills to handle a medium-sized vehicle were distinct enough to warrant a separate sub-category within category C. Given that these vehicles are distinct from, heavier and larger than category B vehicles, we would argue that the C1 entitlement should not be given to people at the same time as they pass their category B test. We oppose this proposal on safety grounds. A survey of 98 RoSPA and ScORSA members revealed that 63% of respondents disagreed with this proposal. Cited reasons for disagreeing with this proposal included the significant differences in driving a car and a larger vehicle and a higher risk of more serious injury and fatal collisions.

It does not seem a sensible approach to give novice drivers the entitlement to drive larger vehicles. Young and novice drivers are over-represented in collisions¹. Inexperience can lead to negative safety impacts for the driver, their passengers, other vehicle occupants, motorcyclists, cyclists and pedestrians². Research has shown that young and novice drivers have poorer visual awareness than a more experienced driver and display a smaller range of horizontal scanning of the road, look closer to the front of the vehicle, check their mirrors less and focus more on stationary objects than moving objects. This is not deliberate but a direct result of inexperience.

Spatial awareness is also poorer amongst less experienced drivers. Research³ which explored driver's ability to understand the width of vehicles also found that experienced drivers are better at correctly judging gaps that

¹ Department for Transport (2020) cited in RAC Foundation (2022) 'Supporting New Drivers in Great Britain'

https://www.racfoundation.org/wp-content/uploads/Supporting_new_drivers_in_GB_Helman_et_al_Oct_2022.pdf

² RAC Foundation (2022) 'Supporting New Drivers in Great Britain'

https://www.racfoundation.org/wp-content/uploads/Supporting_new_drivers_in_GB_Helman_et_al_Oct_2022.pdf

³ Kroll, V. and Crundall, D. (2019), 'Aperture judgement in fire-appliance drivers', *Transportation Research Part F*, 63, 55-66.



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they can drive the vehicle through than those with less experience. This shows that drivers who are unfamiliar with vehicles of a certain size take time to learn their dimensions in relation to driving. This impacts on safety and could increase collision risk. These vehicles are also higher than category B vehicles. Research suggests that the higher the seating position, the less the driver is able to judge speed⁴.

The casualty data also does not support this proposal. As the paper states, internal Department for Transport analysis using STATS19 and C1 usage data suggests that, consistently from 2005 onwards, C1 vehicles have a higher rate of casualty collisions than other HGVs per billion vehicle kilometres. In 2019, C1 vehicles were involved with 23% (982) of casualty collisions involving a goods vehicle over 3.5 tonnes (4,339), while representing only 7% of the total distance travelled for goods vehicles over 3.5 tonnes. Additionally, research from PACTS⁵ found that per mile travelled in GB in 2019, vans and light goods vehicles were involved in more deaths of other road users than any other vehicle type, more even than HGVs. This proposal, resulting in the removal of the test, could see individuals driving C1 vehicles with little or no experience and, when considering that 30% of drivers fail the test, this may increase the already higher casualty collision rates.

In addition, RoSPA and PACTS have some concerns around the way that the questions in this call for evidence are framed. We would expect evidence to be offered in the paper to suggest that the proposals are safe for both drivers of these vehicles and other road users. We do not agree with the approach of asking why proposals are not acceptable, and asking respondents to defend the status quo.

In conclusion, for RoSPA and PACTS, going ahead with this proposal would be a retrograde step for road safety. We also opposed the derogation of drivers hours during the pandemic and the changes to HGV and trailer tests on safety grounds. We recognise that there will be an argument for relaxing these rules, to address driver shortages for some categories of vehicle. We don't accept the "grandfather rights" argument that we should revert to the pre-1997 pre-EU entitlements. The roads are busier and standards have changed and improved within the last 30 years – for us, it would not be acceptable to return to previous standards.

Should, in your view, there be an age restriction to being granted the C1 entitlement?

RoSPA and PACTS response

Yes, 21 years and above.

⁴ Rudin-Brown, C. M. (2004) 'Vehicle height affects drivers' speed perception – Implications for rollover risk' *Transportation Research Record*, 1899(1), 84–89.

⁵ PACTS (2020) 'What kills most on the roads? New analysis for the new transport agenda'

<https://www.pacts.org.uk/wp-content/uploads/PACTS-What-kills-most-on-the-roads-Report-15.0.pdf>



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Should, in your view, there be a minimum period of time that the driver should hold the car licence before being allowed to drive a C1 vehicle?

RoSPA and PACTS response

Yes, 2 years.

In your view, should drivers be required to pass the heavy goods vehicle (HGV) medical to gain the C1 entitlement?

RoSPA and PACTS response

No.

Why?

RoSPA and PACTS response

RoSPA and PACTS feel that passing the heavy goods vehicle medical to gain the C1 entitlement would be unnecessary. Drivers are responsible for ensuring that they do not drive when they are not fit to do so, and that they report any condition that affects their ability to drive safely to their employer, and if necessary to the DVLA. In our view, this is sufficient for drivers of C1 vehicles.



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Driver Certificate of Professional Competence (DCPC)

Do you think there are specific purposes of driving of C1 vehicles that should be exempted from DCPC for driving in the UK?

RoSPA and PACTS response

No.

Supply evidence of your opinion (for example business, road safety and C1 vehicle use)

RoSPA and PACTS response

We recognise that the review has considered how the DCPC process can be updated to reduce the burden on drivers – both returning and new – and to ensure it does not act as a barrier to working in the sector. Although we understand that there may be economic benefits of this proposal, this should not be at the expense of safety.

RoSPA and PACTS are opposed to exemptions being added, as our understanding is that the DCPC was introduced as a safety measure. Allowing particular groups, or those driving for particular purposes, to be exempt from these training requirements could be detrimental for road safety. If there are requirements for those driving this category of vehicle, there should be minimum exemptions from DCPC. Given the higher casualty collision rates involving those who drive a C1 vehicle, removing the requirement for training that could have safety benefits does not seem a sensible approach.

Do you think there are specific groups of drivers of C1 vehicles that should be exempted from DCPC for driving in the UK?

RoSPA and PACTS response

No.

Supply evidence of your opinion (for example business, road safety and C1 vehicle use)

RoSPA and PACTS response

Please see above response on our opinions on offering exemptions for specific driving purposes.

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Removal of D1 licence requirement

We are asking whether you think drivers who hold a category B licence should be permitted to drive a minibus, between 8 to 16 passenger seats, where currently a D1 category licence can be required, without the need for:

1. A D1 test.
2. Particular weight restrictions.
3. Meeting the higher medical standards for driving large vehicles.

We would like to understand what you think the potential benefits and drawbacks from doing this.

We are also researching the potential impacts on taxis, private hire vehicles (PHVs) and coaches as well as driver wages.

Would you support the removal of the requirement to obtain a D1 licence test to drive a minibus?

RoSPA and PACTS response

No.

If no, what are your main concerns for not supporting a removal of the requirement?

RoSPA and PACTS response

- Safety
- Inadequate driver skills

Supply any views and evidence you have on whether this change would have a negative or positive impact upon road safety?

RoSPA and PACTS response

Minibuses provide a vital service for many people and organisations. However, driving a minibus is significantly different from driving a car. A minibus is larger, longer, wider and heavier than a car, and its steering, cornering and braking characteristics are markedly different. Another important difference is the number of passengers being carried. Having responsibility for up to 16 people is a heavy responsibility that should be clearly recognised in the licensing regime. Some passengers may have additional needs, may be taken ill on the journey, and may need supervising.



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Like C1 vehicles, the D1 category was first derived from the 1968 Vienna Convention on Road Traffic. The contracting parties agreed that the skills to handle a medium-sized vehicle were distinct enough to warrant a separate sub-category within category D. As these vehicles have been considered distinct from category B vehicles, RoSPA and PACTS believe that drivers should continue to be required to gain D1 entitlement.

We recognise the potential social and economic benefits of this proposal. Changes to category D1 that allowed drivers to enter the minibus industry more easily may allow local authorities to meet their statutory obligations around home to school travel. They may also decrease costs incurred, as well as widen the pool of drivers for other minibus markets, plus increase consumer choice.

However, given that minibuses can carry up to 16 passengers, relaxing training and testing requirements is not a decision to be taken lightly. Driving a minibus is significantly different to driving a car, with the potential for distraction caused by passengers. Our understanding is that the requirement for a D1 test was implemented as a safety measure. Removing this requirement would therefore be a retrograde step for road safety.

The removal of a test could see further individuals driving category D1 vehicles with little or no experience. As 30% of drivers fail the test, there is a risk that removal of the test requirements may increase the collision rates.

Despite this, in certain situations there seems to be flexibility or different practice and we therefore believe that there is a need for more clarity in some areas. For example, we have some sympathy for schools attempting to organise activities such as swimming for children. Transporting children to the pool by minibus is regularly cited as a key barrier. Where schools do not have staff eligible to drive the school minibus, they are required to hire a coach, which adds to cost. More clarity should be offered for these organisations, but safety should not be sacrificed due to the lack of mobility options for users of services run by volunteers.

If the decision is taken to remove the requirement, we would urge that other criteria is in place to prevent drivers accessing the entitlement to a D1 licence at the same time as they pass their category B test. The current minimum age of 21 and two years driving experience should be maintained.

In your view if the requirement to obtain a D1 licence to drive a minibus were to be removed, what impact do you think this would have on the supply of minibus drivers?

RoSPA and PACTS response

RoSPA and PACTS are not in a position to comment.

What effect do you think the removal of the D1 licence requirement would have on the cost of running taxis and PHVs?



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RoSPA and PACTS response

RoSPA and PACTS are not in a position to comment.

In your view, what impact would the removal of the D1 licence requirement have on:

- **Bus drivers**
- **Coach drivers**
- **PHV drivers**
- **Minibus drivers**

RoSPA and PACTS response

RoSPA and PACTS are not in a position to comment. However, we expect that this is likely to reduce the number of people who wish to obtain other licence categories.

This widened entitlement category may not be accepted abroad, e.g. in the EU. In this case, it would limit their leisure and employment opportunities. UK licence holders abroad might not realise this and inadvertently break the law.



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Changes to raise the standards of HGV instruction and to improve pass rates

Do you agree with the introduction of a standardised instructor training and qualification programme?

RoSPA and PACTS response

Yes.

This should, in your view, be:

RoSPA and PACTS response

Mandatory.

Should, in your view, there be a mandatory register of HGV instructors managed by the Driver and Vehicle Standards Agency?

RoSPA and PACTS response

Yes.

If the instructor register was introduced, in your view, should it include public service vehicles and passenger carrying vehicles?

RoSPA and PACTS response

Yes.

Do you agree with the publication of pass rates achieved by instructors?

RoSPA and PACTS response

No.



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Why?

RoSPA and PACTS response

RoSPA and PACTS do not see any benefit of publishing pass rates achieved by instructors. If these rates were published, we believe that this will encourage driver trainers to simply teach what is required to pass the test. This approach, in our view, prioritises the test rather than the value of training received.



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Other licensing changes

We are asking you on your thoughts on some more minor, esoteric areas of driver licensing so that we might clean up some anomalies and restore some previously given rights to a select number of professional drivers.

The areas of research include:

- allowing category C holders the right to drive category D vehicles for the purposes of maintenance and repair, provided they have no passengers, without the need to gain an additional category on the licence
- reintroducing automatic granting of category D1E entitlement when category C1, C1E and D1 entitlements have been given and without having to pass a further specific category D1E test
- if it is time to end this L category
- whether most tractors driven under categories F or H for agricultural purposes should be considered as category C or CE vehicles

We are subsequently attempting to gain evidence 2012 Driving Licence Regulations (which implemented the EU third Driving Licence Directive) and other possible future areas of work.

Do you agree that entitlement should be changed to allow persons with category C entitlement to drive PCVs on their HGV licence for maintenance and repair purposes?

RoSPA and PACTS response

Yes.

What, in your view, would be the estimated costs or savings to you or your business would be if this was to be permitted and why?



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RoSPA and PACTS response

RoSPA and PACTS do not operate these vehicles and therefore are not in a position to comment.

Supply any views and evidence you have on if this change would have a negative or positive impact upon road safety?

RoSPA and PACTS response

Given that these vehicles would be driven in very limited circumstances without passengers, we believe that there would be a negligible impact on road safety.

Do you agree that the D1E entitlement should be granted to those drivers who hold:

	Yes	No	Don't know
C1 licences without taking an additional test?	X		
C1E licences without taking an additional test?	X		
D1 licences without taking an additional test?	X		

Why?

RoSPA and PACTS response

C1, C1E and D1 licences familiarise drivers sufficiently with larger vehicle sizes. As the paper states, by completing three of the four tests in the higher category of vehicles (group 2 vehicles), there was no reason to believe that a driver could not safely tow a trailer behind a bus if they could safely tow a trailer behind a HGV and we believe the same should apply to the group 2 subcategories of vehicles.

What, in your view, would be the estimated costs or savings to you or your business would be if this was to be permitted and why?



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RoSPA and PACTS response

RoSPA and PACTS do not operate these vehicles and therefore are not in a position to comment.

Supply any views and evidence you have on if this change would have a negative or positive impact upon road safety?

RoSPA and PACTS response

RoSPA and PACTS have no further comment.



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L category

Category L is a defunct category of driving licence which allowed a driver to drive any electric vehicle original used when the only electric vehicles on the road were:

- milk floats
- vans operated by the old gas and electricity boards

With electric HGVs and buses entering into the market, we are researching if it is time to end this category.

Are you dependent on the category L entitlement?

RoSPA and PACTS response

No.

In your view what, if any, financial implications are there to you or business in revoking the L-category licence and why?

RoSPA and PACTS response

RoSPA and PACTS are not in a position to comment.

In your view are there any road safety impacts to revoking these L-category licences?

RoSPA and PACTS response

No.

Do you believe that the L category licence should be revoked or maintained? And why?



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RoSPA and PACTS response

Revoked. As the paper states, prior to 1 January 1997, drivers who obtained a category B car licence were automatically granted category L entitlement, which allowed them to drive electrically propelled vehicles. Since 1 January 1997, category L is no longer issued, and drivers are now required to hold a category B licence to drive most vehicles that category L was intended to cover.

Category L should be revoked in its entirety to ensure anyone driving an electric vehicle meets the requirements of whatever driving licence category is appropriate to the size of vehicle they wish to drive.



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Tractors

There are some concerns that people using the category F driving licence (which is granted concurrently with a category B licence) are taking unfair advantage of the rules to drive very large tractors with very heavy loads. It is believed this is not in the spirit of the legislation as category F is to help farmers and other agricultural and forestry workers drive short distances with heavy equipment for off-road work. When larger tractors are used on the road for longer periods towing heavy loads, some stakeholders maintain that this should fall into the category C or CE regime, and not the category F regime.

In your view should we consider changes to legislation to bring agricultural vehicles within the:

	Yes	No	Don't know
C category?		X	
CE category?		X	

Why?

RoSPA and PACTS response

RoSPA and PACTS would not support change in this area as we are not convinced that these changes are being proposed in the interests of safety. These vehicles are now arguably driving a lot further and at higher speeds. This means that any change being proposed should be carefully considered on safety grounds.



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2012 driving regulations

We are undertaking our statutory review of the 2012 driving licence regulations.

Supply any evidence or comments regarding these regulations?

RoSPA and PACTS response

RoSPA and PACTS have no further comment.

What, if any, other driving licence issues do you think should be explored for improvement?

RoSPA and PACTS response

RoSPA and PACTS have no further comment.



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Minibus services provision

Do you provide minibus services?

RoSPA and PACTS response

No.

Final comments

Any other comments?

RoSPA and PACTS response

RoSPA and PACTS have no further comments to make on the consultation process, other than to thank the Department for Transport for the opportunity to comment. We have no objection to our response being reproduced or attributed.

