



AVRO News

Issue 41

January/February 2017

Association of Vehicle Recovery Operators

AVRO Christmas Card Design Competition Winner

This year's Christmas card design competition was won by Jayden Morley. Jayden was presented with £100 prize of gift vouchers by John Leach of G M Recovery.



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Changes to sending technical applications

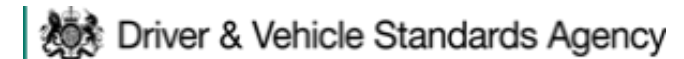
From **Sunday 1 January 2017**, you must send technical applications for the HGV, PSV, trailer and Carriage of Dangerous Goods by Road (ADR) through GOV.UK.

Any applications sent by email from 1 January 2017 won't be processed.

Applying online should speed up the whole process for you.

Read the recent blog post about changes for submitting technical applications to find out how to:

- Apply for an Individual Vehicle Approval test
- Apply for a test certificate for a lorry or trailer
- Apply for a test certificate for a bus or coach
- Tell the DVSA about a change to a bus or coach



Revised statutory documents introduced from 1 January 2017

The Senior Traffic Commissioner's statutory documents have been updated and republished taking effect from 1 January 2017. The revised versions cover:

- How to use the documents
- Good repute and fitness
- Finance
- Transport managers
- Operating centres
- Legal entities
- Impounding
- Case management
- Decision making

A great number of the amendments relate to updated legal references (following Upper Tribunal appeal cases). These have allowed some minor grammatical corrections. The Office for Traffic Commissioners says that licence applicants and operators are advised to pay particular attention to the following changes:

Transport managers (statutory document 3) - This has been revised to clarify the findings Traffic Commissioners can make about professional competence. It also offers further detail around the requirements for requesting a period of grace.

Impounding (statutory document 7) - This has been revised to clarify the evidence that hauliers need to produce for cabotage operations to conform to the 2009 regulation. It also offers guidance on steps that should be taken to prevent the future illegal use of a vehicle.

Case management (statutory document 9) - This has been revised to reflect the Welsh Language Act 1993 and Welsh Language (Measure) 2011 requirements in the administration of justice, including how much notice operators are expected to give that the Welsh language will be used in proceedings.

All 15 statutory documents can be accessed on GOV.UK.

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Prices from Fuelmate



W/C 20th June

Esso	: 98.21 ppl Excl VAT
BP Bunker	: 98.23 ppl Excl VAT
Shell	: 99.27 ppl Excl VAT
Texaco	: 98.21 ppl Excl VAT
UK Fuels	: 97.33 ppl Excl VAT
Keyfuels	: 97.86 ppl Excl VAT

W/C 23rd January

Esso	: 98.40 ppl Excl VAT
BP Bunker	: 98.44 ppl Excl VAT
Shell	: 99.47 ppl Excl VAT
Texaco	: 98.41 ppl Excl VAT
UK Fuels	: 97.77 ppl Excl VAT
Keyfuels	: 98.28 ppl Excl VAT

For further details, or to obtain a fuel card please contact:

Tracey Easton
 T: 01482 387777
 F: 01482 338591
 E: tracey.easton@fuelmate.co.uk
 W: www.fuelmate.co.uk
 Witham House, 45 Spyvee Street,
 Hull HU8 7JR



Extending new vehicles' first MOT from 3 years to 4 years

The Department for Transport is seeking views on whether the age a vehicle gets its first MOT should be increased from 3 to 4 years.



Options being looked at

The options being proposed are:

- To keep the current period for vehicles requiring a first MOT at 3 years, with no change
- To increase the age all vehicles get their first MOT from 3 to 4 years
- To increase the age cars and motorcycles get their first MOT from 3 to 4 years, but keeping it at 3 years for vans in classes 4 and 7



Driver & Vehicle Standards Agency



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Salary sacrifice tax breaks to be scaled back

In the recent Autumn Statement, the new Chancellor, Philip Hammond, announced radical changes to the tax treatment of certain options available under salary sacrifice and benefits-in-kind (BiK) schemes.

Under the government's plans, 'frivolous' uses of the salary sacrifice loophole will undergo a significant crackdown, with the government stating that it intends to look 'specifically at how the taxation of BiK and expenses could be made fairer and more coherent'.

As a result, from April 2017 the tax and employer national insurance advantages of salary sacrifice schemes will be removed for certain benefits. These include cash and non-cash vouchers, school fees, beneficial loans and much more.

Other benefits will escape the changes, including pension contributions and pensions advice, Cycle to Work schemes and childcare vouchers, amongst others.

Commenting on the decision to overhaul the schemes, the Chancellor stated: 'The majority of

employees pay tax on a cash salary. But some are able to sacrifice salary and pay much lower tax on BiK.

'This is unfair, and so from April 2017 employers and employees who use these schemes will pay the same taxes as everyone else.'

However, the reforms have attracted criticism from some business leaders.

Carolyn Fairbairn, Director General of the Confederation of British Industry (CBI), said: 'While exempting important areas like pensions and childcare, this measure sends the wrong signal to companies wanting to invest more in employee health and wellbeing.'

*Article courtesy of Newby Castleman
www.newbycastleman.com*

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CHARTERED ACCOUNTANTS

FORWARD THINKING ADVICE
LEADING THE WAY - PERSONALLY

Changes to booking specialist vehicle tests

From **30 January 2017**, you'll need to call the DVSA customer support team to book specialist vehicle tests.

You'll need to call DVSA to book, change or cancel a test for:

- Individual Vehicle Approval
- Motorcycle Single Vehicle Approval
- Certificate of Initial Fitness

You can contact their customer support team, Monday to Friday on 0300 123 9000.

No changes to applying for your test.

Before you book, you still need to apply for the test in the usual way.

For more information about submitting technical applications, you can read the DVSA's Moving On blog.



Driver & Vehicle Standards Agency



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Failure to stop leads to driving licence suspension

DVSA works with the Traffic Commissioners for Great Britain to protect you from unsafe vehicles and drivers. Every day, DVSA officers and examiners carry out checks on vehicles and drivers at the roadside to do this.



The DVSA stopping officers are authorised to identify and direct vehicles to check sites for further investigation. Their work makes a vital contribution to their enforcement activities.

Failing to stop

Failing to stop when instructed to do so by a DVSA officer is an offence.

DVSA can prosecute drivers, and send a report to the independent traffic commissioners, who have the power to take action against a driver's professional licence.

Recently, DVSA did just that after a driver failed to stop. DVSA officers were worried about his vehicle's load being insecure - it was carrying 4 skips stacked on top of each other.

The DVSA made 2 attempts to stop the vehicle but the driver didn't follow their instructions and continued on his journey.

Investigations after the incident revealed the driver wasn't using a tachograph card for the journey. He said it was faulty but didn't take a print out from the tachograph to make a manual entry on the back before starting to drive.


That an examiner subsequently discovered this offence only adds further justification to DVSA's decision to stop his vehicle.

Driver conduct hearing

At the driver conduct hearing before the Traffic Commissioner Nick Denton, the driver claimed that it wasn't safe to follow the stopping vehicle. But Nick didn't accept this and said footage from cameras on board the stopping vehicle showed he had sufficient time and opportunity to stop.

The Traffic Commissioner suspended the driver from professional driving for 8 weeks.

As this case shows, DVSA and the traffic commissioners will not tolerate any attempts to avoid enquiries or hide non-compliance.

 Driver & Vehicle Standards Agency



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Want to keep your O-licence? Here's one new year's resolution worth making!

Time is running out to make paper operator licence applications and renewals. The Office of the Traffic Commissioner envisages that the whole application process will be paperless and on-line by 2019. Operators are under a duty to ensure that their information on the system is correct. With much of it having been taken from organisations such as Companies House, it is really worth registering and checking the information on your business is accurate rather than leaving it to chance. If it isn't, you may be committing an offence and putting your operator's licence at risk.

If you are a Director or Transport Manager, please take this opportunity to see if you can log onto the new system at <https://www.vehicle-operator-licensing.service.gov.uk/auth/login/>. Please also

ensure that the Traffic Commissioner's Office have an up to date email address for you. If you cannot log on, it is something that you urgently need to resolve.

Backhouse Jones helped with the trial of the new system so are well-versed in how it works. With the deadline looming, why don't you give one of their regulatory team a call on 01254 828300 and see if they can help?

If you would like to read more, please see <http://www.backhousejones.co.uk/the-new-vols-system/>

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Emergency Exemption and temporary relaxation of drivers' hours and working time rules

Industry information explaining the drivers' hours and working time rules have been issued by the Department for Transport. This includes how to:

- Deal with emergency and urgent situations
- Request a temporary relaxation of the rules

The aim of this document is to provide industry with detailed information on the drivers' hours and working time rules and how to deal with emergency and urgent situations; particularly when and how to request a temporary relaxation of the rules.

It is important to remember that these rules are in place to protect road safety and the working conditions of drivers and to reduce the risk of drivers

being involved in fatigue-related accidents.

Therefore any relaxation of the rules must be a last resort. Industry must continue to put contingency plans in place to deal with emergency and urgent situations given that some adverse weather can normally be expected during the winter period.

Note: There is a process to follow to request a relaxation in drivers hours. This needs to be a case-by-case (per business) request, not a global industry request.

For more information go to

<https://www.gov.uk/government/publications/emergency-exemption-and-temporary-relaxation-of-drivers-hours-and-working-time-rules>



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Near misses

Dear Contractor

AA Contractor, Health, Safety and Environment near miss reporting

Have you ever thought “that was a close shave”, “I just got away with that”, “that was too close for comfort” or “just as well I wasn’t standing there”?

It’s most likely that when you say or think any of these phrases, you will most probably have had what is called a near miss. This is where an incident has occurred and would have caused you an injury if the situation had been just a bit different. For example, tripping up and being caught by a colleague before you actually fell and hurt yourself - if your colleague had not been there you would have had an injury. It’s usual to put things like this down to experience and then walk away safe in the knowledge that you won’t do that again. However, if it has happened to you, someone else might not be so lucky and instead of a near miss the consequences could be much more serious.

What about working at the roadside? You may come across a situation where a piece of equipment fails but causes no injury or damage and the equipment is then repaired or replaced, but would you take time to report this?

A near miss does not necessarily need to be an event which could have caused an injury. It could also have the potential to cause environmental damage. For example, you might be working on a vehicle and narrowly avoid a serious spillage of oil or fuel, but correct what you are doing just in time, preventing it from entering the drain.

In the AA hundreds of accidents and incidents are reported and investigated each year where someone was injured, property / equipment was damaged or

spillages occurred. However, the number of near misses reported is far less.

As one of our key Garage Partners it is really important that these events are reported, as they can highlight situations that have the potential to cause injury to staff or damage to the environment.

To help you report near misses more easily, the AA Health, Safety and Environment team have a “near miss hotline” which allows everyone to report situations that have the potential to cause harm or damage. Therefore, can I please ask you to advise your team to call the AA hotline on 0161 488 7450 and leave a message giving details of the near miss. The information gathered from these reports will then allow the Health, Safety and Environment team to study the incidents, review and improve our current working practices.

We all have a responsibility to each other and to the environment. By working together, we can try to stop our friends and colleagues from being hurt at work and help to prevent damage to our environment.

Your help and support is again appreciated.

Regards

Duncan MacRae A.A.E. M.I.M.I.
National Operations Manager
AA Contractor Management




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Vehicle safety recalls

R/2016/213	Toyota: Prius & RX	Airbag may incorrectly deploy
R/2016/227	Infiniti: Q30 & QX30	Rear seat belt may not secure the passenger
R/2016/228	Infiniti: Q30 & QX30	Anchorage point may be incorrectly positioned and may not restrain the passenger
R/2016/241	Citroen: C4 & DS4	Bonnet may open unexpectedly
R/2016/250	Jaguar: XF (2013 to 2015 model year vehicles)	Fuel may leak / risk of fire
R/2016/251	Mitsubishi: L200	Airbag may release shrapnel if deployed
R/2016/256	Vauxhall: Vivaro	EGR valve pipe may fail
R/2016/257	Volvo Car: S60, S60CC, V60, V60CC, XC90, XC60 & S90	Seatbelt may separate from the buckle
R/2016/259	Mercedes-Benz: Actros, Antos & Arocs	Steering may be adversely affected
R/2016/261	Bentley Motor Cars: Bentayga	Internal body joints/fixings may not be torqued to specification
R/2016/262	Fiat: Tipo	Steering wheel airbag may fail to deploy correctly
R/2016/265	BMW: F01 (7 Series), F02 (7 Series LWB), F03 (7 Series Security) & F07 (5 Series GT)	Front airbags and seat belt tensioners may fail to deploy when needed
R/2016/266	Rolls-Royce: Ghost	Front airbags and belt tensioners may not be triggered in a collision
R/2016/269	Mercedes-Benz: Citaro, Connecto, Euro, Intergro, Turismo & Travego	Air may leak
R/2016/270	Mercedes-Benz: S-Class (217)	Extended seat belt may malfunction and reduce effectiveness of shoulder belt
R/2016/271	Mercedes-Benz: CLA Shooting Brake (117)	Rear seat backrest may collapse in a collision
R/2016/273	Nissan: Note (E12)	Wheels may lock if abs is activated
R/2016/275	Mercedes-Benz: E-Class (207)	Risk of fire
R/2016/276	Citroen: C4 Picasso (B78)	Front suspension may fail
R/2016/277	Citroen: C4 Cactus	Bonnet may open unintentionally
R/2016/278	Maserati: Ghibli and Quattroporte	Possible loss of control
R/2016/279	Renault: Trafic III	Rear axle may detach
R/2016/280	Jeep: Wrangler (JK) - Model year 2016-2017	Airbag and/or pretensioner may fail to deploy in a collision
R/2016/281	Renault: Clio IV	Rear wheel may detach
R/2016/282	Mercedes-Benz: Atego 967	Rear service brake may fail to activate and allow vehicle to roll backwards
R/2016/284	Volvo Bus: B5TL	Possibility of fire
R/2016/286	Porsche: 918 Spyder	Loss of steering control
R/2016/287	Van Hool: EX16H, T9 (15, 16, 17, 18), TD9 (20, 21, 25, 27), TDX (21, 25, 27, 29), TX (11, 5, 16, 17, 18)	Loss of directional control
R/2016/290	Land Rover: Discovery Sport, Range Rover Evoque	Steering control may be compromised
R/2016/293	Wrightbus: NBFL & NRM	Rear door may open without warning
R/2016/296	Mercedes-Benz: Citaro	Maintenance flap glass may detach
R/2016/302	Land Rover: Discovery Sport & Range Rover Evoque	Short circuit may occur
R/2016/303	Land Rover: Range Rover, Range Rover Sport & Discovery Sport	Seat belt pre-tensioner may not deploy
R/2016/304	Dacia: Sandero & Logan	Drivers airbag may not deploy
R/2016/305	Jaguar: XJ	Passenger airbag may not deploy
R/2016/307	Land Rover: Range Rover, Range Rover Sport, Range Rover Evoque & All New Discovery	Front passenger airbag may not deploy
RCOMP/2016/013	VW: Auto Kit International waterproof seat covers	Seat cover may prevent side airbag deployment
RM/2016/042	KTM: 1190S, 1190ADV, 1190R, 1290S, 1290ADV & 1290R—(All models up to and	Brakes may fail

Vehicle safety recalls cont'd

RM/2016/045	Yamaha: MTM690	Engine may cut out or lose power
RM/2016/046	Ariel Motor Company: Ace	Rear wheel may lock up
RM/2016/048	KTM: Duke & Duke R	Brakes may fail
RM/2016/049	Polaris: Indian—Chief Classic, Chief Darkhorse, Chief Vintage, Chieftain Chieftain Darkhorse, Roadmaster and Springfield	Fuel may leak
RSPV/2016/015	Knaus Tabbert GmbH—Boxter & Boxlife	Seatbelt may not retract
RSPV/2016/016	Knaus Tabbert GmbH—Skywave, Sky TI, Sun I & Sun TI	Window may detach
RSPV/2016/017	Can-Am: Maverick X3 side-by-side vehicles (MY 2017)	Steering may lock
RSPV/2016/018	Can-Am: Defender (side by side)	Gearbox position display may be incorrect and lead to roll away

Proposed changes to HGV standards

Transport for London are holding the first of a series of consultations on proposals to implement a Direct Vision Standard (DVS) for Heavy Goods Vehicles (HGVs). The DVS aims to address the issue of HGV and vulnerable road user safety in London.

The DVS uses a zero to five 'star rating' system to categorise HGVs based on how much a driver can see directly from the cab without using cameras or

mirrors. Under the proposal 'zero star rated' HGVs would be banned or restricted from London's roads by 2020, and HGVs rated three stars and above only would be allowed from 2024.

For full details and to share your views, please visit the Transport for London consultation portal.

Please note the consultation closes on Tuesday 18th April.

MAYOR OF LONDON



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Membership subscriptions

A reminder that membership subscriptions are now due. Ensure you pay soon, to continue to continue to take advantage of all the benefits of being an AVRO member. For example:

- **A subsidised assessment for compliance to the requirements of PAS 43 with the association's preferred supplier**
- **A listing in the industry's definitive guide, the AVRO Membership Directory, circulated to customers, insurers, police, government and other industry related organisations, including a free copy to members**
 - **Access to the AVRO Direct Insurance Scheme, an exclusive commercial insurance package**
- **Access to the AVRO website which is full of useful trade information and offers that can assist your business**
- **Access to business advice and support from industry experts**
- **Access to legal opinion, employment advice and technical assistance**
- **Support from the AVRO Benevolent Fund in the event of a tragedy that affects directors and staff, plus free legal advice on personal injury cases**
- **An opportunity to voice your opinion on industry issues through your membership to a democratic organisation**

A DATE FOR YOUR DIARY

The AVRO Social Event and AGM will be taking place on the 1st and 2nd July 2017. More details to follow, but remember that this is our 40th Anniversary year and we intend to make it a very special one!



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Become ADR trained with AVRO

20th – 25th March 2017

Places available for 15 delegates, early booking recommended

Do Recovery Vehicles require ADR When a vehicle carrying dangerous goods breaks down or is involved in an RTC?

When a vehicle carrying dangerous goods breaks down or is involved in an RTC, it may have to be recovered by a towing vehicle. If the vehicle is supervised by the emergency services (usually the police), ADR exemption 1.1.3.1 (d) applies.

Otherwise, a new "transport unit" will be formed, and the regulations will apply conventionally. The towing vehicle or low loader should carry the front orange plate and the driver be appropriately trained (though it would be acceptable for the original driver to travel where that is possible).

If those conditions cannot be met the vehicle should be moved the minimum distance to a safe place pending proper arrangements being made. This could be as directed or supervised by a police officer.

Carriers seeking to arrange recovery of their own vehicles should ensure that the recovery agent has suitably qualified staff to recover vehicles carrying dangerous goods.

Becoming ADR trained with AVRO

Venue:-

AVRO House
1 Bath Street
Rugby
CV21 3JF

All Enquires to Sara Needham Office: [01788 572850](tel:01788572850) Email: sara@avrouk.com

20th – 25th March 2017 Places available for 15 delegates, early booking recommended.

The cost of the course is £400 + VAT per delegate plus Exam Fees at £120 (no VAT). Driver CPC can also be included at £37.50 + VAT plus an upload fee of £35 for 28 hours. All course literature will be included.

Course Introduction

ADR refers to the European Agreement concerning the carriage of dangerous goods by Road. This states that every driver transporting hazardous materials on the road requires vocational training.

An ADR licence will enable the licence holder to transport dangerous goods and hazardous material by road. This licence will be valid for five years for national and international journeys throughout signatory countries. A refresher course must be taken with an approved examination centre with a minimum of 5 weeks expiry left on their licence, and not more than twelve months before the expiry of the current ADR Driver Training. The qualification is carried out through the Scottish Qualifications Authority (SQA).

Core (Compulsory)	Tanker (Needed when transporting Goods via a tanker)	
	and/or	
	Packages (Goods that are packaged/contained)	
Class 1: Explosives	Class 4: Flammable Solids	Class 7: Radioactives
Class 2: Gases	Class 5: Oxidising Agents	Class 8: Corrosives
Class 3: Flammable Liquids	Class 6: Toxics	Class 9: Miscellaneous



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Operators*

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Fax: 01788 567320
E-mail: sara@avrouk.com

The AVRO Region 11
meeting will take place on
Wednesday 15th February
at the Mill House Premier
Inn, 15 Brighton Road,
Salfords, Redhill RH1 5BT
commencing at 20:20
hours

AVRO's new member service ... Licence Check! Saving you time and money

AVRO now has a driving licence verification service which will **save you time**, replace the burden of collecting paper records from your drivers and also support your corporate responsibilities as an employer under Duty of Care & Health & Safety legislation.

The Service

The AVRO licence check electronic service programme uses the latest technology to allow you to check your employee's UK driving licence details, status and credentials using the DVLA record. It is a **fully secure** service which allows AVRO access to provide full driver and licence reports.

Consent

To comply with the Data Protection Act, an employee must consent to their licence details being checked. AVRO licence check obtains this permission by issuing a D796 Driver Mandate Consent Document or by obtaining e-consent from the employee or driver. Once received consent is **valid for up to 3 years** providing he/she remains within your employ or control and does not withdraw their consent, meaning that you can recheck the licence as often as required.

The Process

Once consent has been granted and the Consent Document has been submitted, the AVRO licence check service is able to access the DVLA "LIVE" database via a dedicated secure Government Gateway connection. Licence information is then made available, **in real time**, to your customer portal account.

The licence results will;

- Verify that the driver is licensed to drive
- Verify the current endorsement status and penalty points (if any)
- Confirm all category entitlements, including start and end dates
- Provide warnings and Immediate Actions in case of expiries, revoked and disqualified drivers
- And more

The cost

You are simply charged for how many licence checks you intend to make, e.g. if you have 36 drivers and wish to check them once a year, you will be charged for 36 credits (1 credit = 1 check). You may of course purchase more credits at any time if your number of drivers or checks increase. Typically clients check their drivers at least twice a year.

From £4.25 per check*

Call 01788 572850 to find out how simple and cost effective it is for compliance and peace of mind

* Price for AVRO members, price excludes VAT. Non-member price is £5.50 + VAT per check.

