

# Safety Alert

## Vehicle Compliance Checks

13 November 2020

### Background information

- Highways England expects our supply chain to operate in a safe and legal manner.
- In September 2020 Highways England commenced a programme of compliance checks on vehicles and drivers working on our schemes across the country. Our checks are intended to provide assurance that vehicles and drivers in the supply chain are safe and legal.
- Each compliance check is run in collaboration with the principal contractor. The vehicle and driver checks are conducted by Warwickshire Police, on behalf of Highways England, by stopping vehicles for examination at the scheme compound. The focus is on education, rectification and data gathering rather than prosecution. However, the police reserve the right to take formal enforcement action for serious issues.



### Findings

- So far compliance checks have been completed on 2 separate Smart Motorway Schemes. A total of 173 vehicles have been examined. The checks are predominantly on vans and trucks, but some passenger cars, both private and company, have been checked as well.
- We are extremely concerned that 61 vehicles (35%) were found to be non-compliant (illegal) in some way. A broad range of issues were recorded, but there were clear trends with some issues being found repeatedly. Police were requested to apply a 'light touch' in issuing penalties, but still issued a number of penalty notices and prohibitions to the most serious issues.



If you have any queries about this safety alert then please contact **Mark Cartwright:**  
**Commercial Vehicle Incident Prevention Team: 07598 559366**

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## Background information

### Trends

- **Neglect Items** – A significant proportion of the issues found are what are termed ‘neglect’ items. These are problems with the roadworthiness of a vehicle that should be picked up by the driver during their pre-use check. For example; the checks revealed 16 vehicles with defective tyres and 13 vehicles with non-functioning lights.



- **Vehicle Loading** – The checks identified 18 vehicles unsafely loaded, predominantly flat-bed light goods vehicles, carrying tools and work equipment. Additionally 2 light goods vehicles were found to be substantially over their maximum vehicle weight.
- **Licensing** - There have been 4 occasions of drivers not complying with the requirements of their driving license including a driver who had an expired disqualification, but had never re-applied for their license. This also included drivers using vehicles without the correct license categories.
- **Operating companies** have been contacted directly about issues with their own vehicles and asked to take remedial action.

### Action Points

Principal (Tier 1) contractors to:

- Confirm that all issues identified in these and subsequent Highways England check visits are rectified promptly, including those identified with other contractors on site – before next use of vehicle.
- Confirm that policies and procedures relating to managing Work Related Road Risk (WRRR) are fully embedded in their health and safety management system and are subject to their own assurance processes - within 1 month of this alert being issued.
- Confirm they have appropriate policies to ensure that all HGVs operated by themselves and contractors hold the relevant operator's licence and meet, as a minimum, the undertakings of that licence and all other applicable legislation - within 1 month of this alert being issued.
- Confirm, within 1 month of this alert being issued, that they have appropriate policies covering any other vehicles (cars and vans) operated by them and contractors to ensure:
  - a.) Drivers are:**
    - Qualified, competent and fit to drive the vehicle provided
    - Aware of their obligation to abide by applicable legislation relating to, but not limited to, speed, drivers' hours, safe & legal loading, use of mobile phones and towing
  - b.) Vehicles are:**
    - Roadworthy and maintained to at least manufacturer guidelines
    - Safe and legally loaded

There will be an ongoing Programme of site checks to provide assurance that these requirements are being met and that WRRR is embedded within the site's health and safety system.

[Driving for Better Business](#) has many resources available to contractors to support these requirements.