**Confederation of Passenger Transport – response to 2022 Driving Licence Call for Evidence**

**28th October 2022.**

**CPT specific considerations**

CPT represents bus and coach operators throughout the UK. The operators of around 90% of local bus services alongside a huge number of coach operators are amongst our circa 650 members. We are seen as the voice of the bus and coach sector.

CPT makes the following representations on behalf of its members in relation to relevant areas of the call for evidence. We have provided this information in an alternative format to the questionnaire offered by the Department for Transport in an effort to remain concise and objective.

The areas of concern to CPT members are:

* D1 category licence changes
* Proposals for an instructor register
* Re-introduction of allowance to driver category D under category C for maintenance purposes
* Granting of category D1E entitlement when cat C1, C1E and D1 have been granted.
* Revocation of category L

Although not directly addressed by CPT below, a linked area of concern is the proposal for category C1 allowance to be provided to category B drivers. The passenger carrying vehicle sector is currently suffering driver shortages of 9.3% (bus) and 15.9% (coach). In providing drivers with C1, some individuals may be tempted away from bus and coach driving jobs and in to C1 haulage positions. This would have a detrimental effect on the current driver shortage.

Furthermore, towards the end of this document, CPT wishes to put forward further considerations regarding driver licensing. Those proposals should be considered as part of additional efforts to deal with the current, worsening PSV driver shortage, and to facilitate a less burdensome licence acquisition process.

1. **Proposals to allow category B licence holders to drive category D1 vehicles.**

We are unclear whether the proposal might be to revert to the pre-January 1997 position when Cat B licence holders were granted entitlement to drive Cat D1 vehicles on a ‘not for hire or reward’ basis. The wording of the questions might suggest that the ‘not for hire or reward’ restriction would not necessarily apply. CPT is concerned that enabling Cat B licence holders to drive Cat D1 vehicles without a medical or test would:

* Result in potential safety risks for passengers, some of whom would be vulnerable
* Take away the ability for a Traffic Commissioner to [take regulatory action](https://www.gov.uk/government/publications/traffic-commissioners-vocational-driver-conduct-january-2016/statutory-document-6-vocational-driver-conduct) in the case of a vocational category D1 licence. Linked to this is the removal of the need to declare relevant convictions on application for a vocational licence.
* Provide more advantage to the Community Transport sector, where much of the work undertaken is in competition to commercial Operator Licence holders.
* Remove the medical standards requirements for vocational licences

A potential example; a candidate for a private hire taxi licence is unable to gain the local authority badge due to issues with a CRB check which has highlighted offences of a sexual nature. Such a CRB check is not required, the driver is able to drive a 10-passenger seat vehicle under an Operator Licence and can undertake the same private hire work, just having to use a slightly bigger vehicle.

We consider that the risk profile for enabling more flexibility for C1 entitlement would be considerably different to that for D1 and that a number of the above points would not be as relevant for C1.

1. **Proposals for an instructor register.**

We note that the call for evidence mentions “HGV trainers”. We assume that the proposal would include PSV driving instructors.

CPT and its members support, in principle, this proposal in an effort to maintain high standards. There is some apprehension over the register being compulsory. It is felt that individual instructors may struggle with the concept.

Prior to the launch of the Call for Evidence, we had had discussions regarding a new voluntary register for PSV instructors. We believe there is merit in pursuing this approach.

Our members have raised concerns over the need to publish test pass rates. An example provided by one CPT member is that such publication could be of detriment where a specialist instructor is employed to deal solely with “struggling” candidates.

In considering the register, there must be clear proposals laid out regarding the qualification (and related training) process and procedures. It is felt that the previous availability of an NVQ is missed.

1. **Re-introduction of allowance to driver category D under category C for maintenance purposes**

CPT is not aware of any issues regarding this proposal. This previously assisted bus and coach operators to make better use of engineers who had entered the sector from the goods sector.

CPT is unaware of any safety concerns from members, or of any previous examples of risks to road safety when this allowance was previously lawful (up to 2014).

1. **Granting of category D1E entitlement when cat C1, C1E and D1 have been granted**

The CPT view is that this would mirror the allowance for holders of category D, who have passed a C+E test, to be eligible to drive category D+E combinations. The fact that they have qualified to a standard in a similar category should be seen as a benefit.

D1+E combinations are not routinely seen on UK roads. When they are used, trailers are used for “light” purposes. In general, for carriage of luggage or items for use in the intended activities of the passengers (bicycles, canoes etc).

1. **Revocation of category L**

CPT see this as a pragmatic approach to archaic legislation. Removal of the category is therefore supported. The category was intended for use of milk floats and similar vehicles, not for HGVs and PSVs which are much larger. As electric vehicles become more prominent on our roads, licence categories need to be suited to vehicle size and type of use.

**CPT Further Consideration Requests**

**Proposal to streamline driver training and testing**

Currently, a new vocational recruit cannot book the Module 1 & 2 tests until their provisional licence is issued. They then need to pass those in order to progress with Modules 3 & 4. The whole process can take several months.

We propose that trainees would be allowed to progress with Modules 1, 2, 3a and 4 (the off-road modules) whilst awaiting their provisional licence. Despite a significant improvement in DVLA processing times for straightforward vocational provisional licences, there is usually around two weeks between posting of the application and issue of the licence. In a highly competitive job market, this results in applicants being lost to sectors where a candidate can start a role (or training) immediately. The problem is exacerbated on occasions when there are medical issues that require investigation and a licence application may take 2-3 months to process.

Our members would like the ability to complete ‘off-road’ modules whilst the candidate awaits their provisional licence, therefore speeding up the overall licence acquisition process and improving the chances of the applicant staying interested and not taking another job elsewhere. There is a risk that an operator/driver could invest time and money in undertaking the other modules, only to have their provisional licence application refused but many are happy to take this risk. It should be noted that most applications, training and tests in the bus and coach sector are funded by the employer so there is little risk to the recruit.

CPT has previously raised this with DVSA. The Agency considered it, but concluded that it would require legislative change, and that there would therefore be a need for evidence of the problems that the current arrangements cause.

We have been undertaking regular driver vacancy surveys amongst our members and took the opportunity in the latest survey to ask members to let us know how many applicants they had lost from the recruitment process (accepted a job offer but then pulled out) for a variety of reasons, including delays with their provisional licence.  The June 2022 results showed that our members had lost a total of 128 applicants due to delays with provisional licences over a three-month period.  Over the course of a year, this would indicate a total loss of 500 drivers from our sector’s recruitment pipeline. However, this was based on a response from 160 operator members with a requirement of 45,727 drivers, which we believe is around half of the overall PSV industry requirement. It is acknowledged that some drivers would ultimately be refused a licence following investigations but extrapolating our figure to cover the whole vocational sector (including HGV), it is feasible that well over five thousand drivers may be lost per annum, and we believe that our proposal could significantly reduce this figure.

When raised at the DVSA VTTAG stakeholder group, other members of that group supported the concept of our proposal. Further, several members of the Commercial Vehicle Road Safety Forum have also indicated support for the proposal.

If DfT and DVSA were willing to support and take forward our proposal, a further step might be considered. The current testing framework is designed to protect passengers of PSV vehicles and other road users, considering in particular the size and weight of these vehicles. We believe that trainees (awaiting their provisional licence) might be permitted to undertake supervised on-road training in preparation for Module 3b of the test, with minimal risk. Instructors are already trained to intervene when there is an imminent road danger and most medical examinations in our sector are undertaken by occupational health professionals who have a good understanding of the higher medical requirements that apply to vocational drivers. As long as certain mitigations were in place, we believe that any risks could be reduced to an acceptable level; we should be pleased to discuss what mitigations might be necessary with the Department and DVSA colleagues.

**Removal of the 50km, regular service limitation for young PCV drivers**

Currently, a PCV driver can only use category D between the age of 18 and 20, where they are employed to drive a regular service / route with a length no-longer than 50kms. This is a huge barrier to the use of younger drivers in both the bus and coach sectors.

If a younger driver wishes to work in the coach sector, or undertake longer bus services, then they are unable to do so until they are 20 years old. The gap between full-time, tertiary education and 20 years old leads to younger potential drivers having to seek other careers in other sectors. These individuals see the current restrictions as “antiquated”. The situation is further compounded by the fact that an 18-year-old can drive a 44-tonne articulated heavy goods vehicle at 18, without restrictions.

It seems illogical that one young driver of a large vehicle is restricted, where another young driver of vehicles which can be longer, heavier and have varied loads, is not.

A driver may wish to enter the bus and coach driving sector at 18, with the agenda of driving a coach, though must undertake local bus service work as a “stop-gap”.

CPT members can see benefits in the ability to use younger drivers more diversely and are open to the idea of using younger drivers more widely. The ability to harness this potential should raise standards and will have a positive effect on the driver shortage.

Statistically, older drivers present a greater risk when considering fatal accidents.

If the 50km restriction cannot be removed in its entirety, then could it be removed in certain circumstances? These, considered as separate approaches, could include:

* Where a driver is double manning with an older / experienced driver
* Where the vehicle operator is part of the DVSA Earned Recognition scheme
* A longer route length above the 50km
* Allowing a 50km (or larger) radius to be used from base but removing the regular route criteria, allowing for private hire and other work to be undertaken.
* Where a driver is given clear instructions of their pre-planned route, for example they could be travelling to the other end of the country, but are given clear instructions of a route they must follow.
* A probation period after test pass.

In Europe, the IRU are lobbying the EU for this change to be made across the bloc. A harmonised position will contribute to younger drivers being able to undertake driving internationally.

**Contact**

We trust that this information will assist in the DfT Call for Evidence. CPT are able to assist further if required. Please contact operations@cpt-uk.org.

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