



## **A CONSULTATION PAPER**

# **REAL WEIGHT REQUIREMENTS FOR DRIVING TEST VEHICLES**

An executive agency of the Department of the Environment

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# REAL WEIGHT REQUIREMENTS FOR DRIVING TEST VEHICLES

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## Glossary

Abbreviation	Definition
AT	Authorised Trainer
DSA	Driving Standards Agency
DE	Driving Examiner
RTM	Real Total Mass (ie "real weight")
DVA	Driver & Vehicle Agency
IBC	Intermediate Bulk Container
MTV	Minimum Test Vehicle
IA	Impact Assessment
MAM	Maximum Authorised Mass (The term maximum authorised mass (MAM), used in the context of driving licences, is the maximum weight of a vehicle or trailer including the maximum load that can be carried safely while used on the road. This is also known as gross vehicle weight (GVW))

# 1 INTRODUCTION

1.1. In 2000 the European Commission adopted a Directive<sup>1</sup> that introduced higher standards for theory and practical driving tests to be passed before Member States in the European Union could issue a driving licence.

1.2. This Directive amended previous European standards<sup>2</sup> for the vehicles used for practical driving tests - commonly known as Minimum Test Vehicles (MTVs). The previous MTVs set minimum standards relating to a theoretically achievable weight - or Maximum Authorised Mass (MAM). The new EU standards require that many goods vehicles and vehicle-trailer combinations must, in addition to a MAM, satisfy a minimum “real weight” standard (referred to as the Real Total Mass – RTM), which involves a load on the vehicle. The Directive leaves Member States free to set higher MTVs for their jurisdiction if they so wish.

1.3. Member States were originally required to operate the RTM requirement no later than 11 October 2010. In 2001 DVA (Driver and Vehicle Agency) conducted public consultation<sup>3</sup> on the basis that NI would use the maximum period allowed by the Directive to transpose this requirement, and Ministers subsequently confirmed<sup>4</sup> that as NI policy.

1.4. Following representations by Member States, the European Commission has recently adopted amending legislation<sup>5</sup> allowing Member States until 30 September 2013 to transpose the real weight requirements. Ministers propose to use the extra time and implement the RTM provision in 2013. Great Britain (GB) authorities are also taking advantage of the 2013 timetable.

1.5. The latest Directive required relevant legislation to transpose the RTM requirement to be in force by September 2008. However, we envisage the domestic regulations will, following this consultation, be made by June 2010.

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<sup>1</sup> Commission Directive 2000/56/EC

<sup>2</sup> Council Directive 1991/439 Annex 2

<sup>3</sup> *European Changes to the Driving Test* - January 2001

<sup>4</sup> *European Changes to the Driving Test - Report on Responses and Decisions Reached August 2002*

<sup>5</sup> Commission Directive 2008/65/EC

1.6. The 2001 consultation identified that satisfactory implementation of the RTM requirement would require arrangements to be in place to ensure that:

- the relevant vehicles and trailers met the real weight; and
- any load is secured in a manner that ensured safety for the candidate, examiner and other road users.

1.7. Initially it was envisaged DVA could have offered a verification and certification service concerning weight and the safety and security of the load. However, this has now been ruled out due to the potential increase in volume of traffic and additional work this may produce which could not be sustained by the current DVA networks. Furthermore, as the project has developed, DVA has identified alternative solutions that do not rely on using a weighbridge.

1.8. DVA is an Agency within the Department of the Environment with responsibility for driving tests NI, and for introducing the RTM requirement. Responsibility within GB is with the Driving Standards Agency (DSA) who issued a separate consultation paper.

## **2 EXECUTIVE SUMMARY**

2.1. MTV standards are set so that vehicles used for practical driving tests have characteristics which are reasonably representative of the vehicles drivers will drive subsequently and ensure the practical test provides a sensible and balanced assessment of a candidate's driving skills.

2.2. Concerns had been expressed<sup>6</sup> that the European standards set in 1991 for MTVs applying to larger vehicles and vehicle/trailer combinations did not adequately represent modern vehicles in those categories. In light of such concerns the Commission decided to amend MTVs to make them more representative of the vehicles and vehicle/trailer combinations used in the road transport industry.

2.3. The real weight requirement for test vehicles was introduced to overcome the issue of people learning to drive and passing a driving test using a vehicle that is much lighter than the vehicles they drive once qualified. The new standards should provide for a more realistic

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<sup>6</sup> CIECA Report On The Theory And The Practical Driving Test For Categories C And D, Their Trailers And Sub Categories 1999

assessment of driving ability which in turn should lead to improvements in driving standards and road safety and better trained drivers entering the workforce.

2.4. Current MTVs include standards for a minimum theoretical weight, or MAM, for lorries and vehicle and trailer combinations. The new EU standards specify that certain vehicles and vehicle/trailer combinations must also satisfy a minimum real weight when used for a practical driving test – as shown in the table below. To meet these standards, DVA propose that vehicles for those categories will have to carry a specified load. We propose to use all the period allowed by the Directive for bringing the RTM standard into operation – ie from 30 September 2013.

### **Vehicles/Vehicle-Trailer Combinations Affected**

<b>VEHICLE CATEGORY</b>	<b>EU REAL WEIGHT REQUIREMENT</b>		<b>PROPOSED NI LOAD REQUIREMENT</b>
	<b>Vehicle or trailer affected</b>	<b>Minimum Real Weight</b>	
B+E (car and trailer)	Trailer	800 kgs	600kgs
C (lorry over 7500kg)	Vehicle	10,000 kgs	5,000kgs
C+E (category C lorry plus trailer)	Towing lorry & Trailer	10,000 kgs for lorry 5,000 kgs for trailer	5,000kgs 3,000kgs
C+E (articulated lorry)	Combination	15,000 kgs	8,000kgs
C1+E (lorry up to 7500kg and trailer)	Trailer	800 kgs	600kgs

D+E (bus over 16 seats and trailer)	Trailer	800 kgs	600kgs
D1+E bus up to 16 seats and trailer)	Trailer	800 kgs	600kgs

2.5. Domestic legislation obliges practical test candidates to provide suitable vehicles for their practical tests which meet the standards set for those tests<sup>7</sup>. Most tests conducted for these categories use vehicles belonging to training providers – these are well placed to ensure their vehicles meet the required standards.

2.6. DVA recognises that any change to MTVs risks creating costs for driver trainers, and therefore for drivers and the sectors they serve. The Agency proposes to mitigate these risks by:

- using the full period allowed by the Directive for transposing the RTM requirement;
- introducing the new RTM standards in a way that will be:
  - proportionate and cost-effective for all parties; and
  - simple and transparent for the candidate, trainer and examiner to understand and operate.

2.7. MTV requirements apply to all licence acquisition practical tests for any given category. Therefore the new RTM standards will apply to tests conducted by both DVA and non DVA (delegated) driving examiners<sup>8</sup>.

2.8. This Consultation Paper details the options for meeting the RTM standards for vehicles and seeks your views on the preferred way forward.

### **3 EXPECTED BENEFITS OF THE INTRODUCTION OF A REAL WEIGHT STANDARD**

3.1. Laden vehicles have different handling characteristics to unladen vehicles. Implementation of the RTM standard means candidates will be assessed in a vehicle with characteristics that more

<sup>7</sup> The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996

<sup>8</sup> Delegated examiners are employed by certain organisations (Ministry of Defence, some fire and police authorities) and are appointed to conduct tests for the staff of those organisations.

closely reflects the conditions drivers will subsequently face on the road. DVA proposes to discuss with industry stakeholders to ensure they understand the requirements of the Directive.

## 4 EXEMPTIONS

4.1 EU law does not provide for any exemptions to the real weight standard for vehicles used for practical tests after the final date allowed for transposition in September 2013.

## 5 HOW TO RESPOND

5.1. Please tell us by completing the attached questionnaire what you think of the options shown in the Impact Assessment for implementing the real weight requirement for certain categories of vehicles.

5.2. If you have difficulties downloading the consultation paper or questionnaire please e mail: [nicky.warnock@doeni.gov.uk](mailto:nicky.warnock@doeni.gov.uk) or contact us by telephone (028) 90541858 or by minicom: (028) 70341351 and we will send you a hard copy.

5.3. This document is available in alternative formats. Please contact us on the above numbers to discuss your requirements.

5.4. If you are unable, or do not wish, to respond electronically, please reply by post to: DVA Driver Policy & Standards, Balmoral Road, Belfast, BT20 3PR.

5.5. The Consultation period will last for a period of 12 weeks from 30 November 2009 to 19 February 2010, in accordance with Department for Business Enterprise and Regulatory Reform guidelines. Responses should arrive no later than **19 February 2010** although earlier receipt would help us. **Please note we are unable to consider any comments received anonymously.** We will acknowledge every response.

5.6. If you are replying on behalf of an organisation, it would be helpful if you could tell us who you are representing, the nature of the organisation, how many individuals' views are included within the response and what steps you have taken to gather those views.

## **6 DISCLOSURE OF INFORMATION**

6.1. In line with our policy on openness, it is our intention to make available the responses received. We will publish your response on our website: [www.dvni.gov.uk](http://www.dvni.gov.uk) at the end of the consultation period, unless you specifically ask us not to do so. You should also be aware that we may have to disclose your response if asked to do so as part of a request for information under the Freedom of Information Act 2000. You may ask that your response is kept confidential, but we will only be able to do this if withholding the information is consistent with the obligations under that legislation. Please note that a confidentiality disclaimer generated by an IT system in e mail responses will not be regarded as a confidentiality request. If third parties ask for hard copies of responses, we will make a reasonable charge for processing and copying.

## **7 APPLICATION WITHIN THE UNITED KINGDOM**

7.1. Legislative responsibility within Northern Ireland is devolved to the Northern Ireland Assembly under the Northern Ireland Act 1998. A similar consultation exercise has taken place in GB.

## **8 CONSULTATION QUESTIONS**

<b>General</b>
<b>Q1. Do you agree that a candidate should have the responsibility to satisfy the examiner that the vehicle/trailer meets the RTM requirements by presenting a vehicle/trailer with a standard load?</b>
<b>Category B+ E</b>
<b>Q2. Do you agree that the load requirement for trailers presented for the category B+E driving test should be set at 600kg?</b>
<b>Q3. Do you agree that the load for trailers presented for the category B + E driving test should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?</b>

### **Category D + E, D1 + E**

**Q4 Do you agree that the load requirement for trailers presented for the category D+E and D1+E driving tests should be set at 600kg?**

**Q5 Do you agree that the load for trailers presented for the category D+E and D1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?**

### **Category C1**

**Q6 Do you agree that NI should not impose an RTM requirement on C1 test vehicles?**

### **Category C1 + E**

**Q7 Do you agree that the load for trailers presented for the category C1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?**

**Q8 Do you agree that the load requirement for trailers presented for the category C1+E driving tests should be set at 600kg?**

### **Category C**

**Q9. Do you agree with our proposed load arrangement involving Intermediate Bulk Containers (IBCs) for category C driving tests?**

**Q10. Do you agree that the load requirement for lorries for category C driving tests should be set at 5 tonnes?**

**Q11. Do you agree with our proposed arrangement for fire services?**

### **Category C + E**

**Q12. Do you agree with the proposed load arrangement involving IBCs for lorry plus trailer type of category C+E driving tests?**

**Q13 Do you agree that the load requirement should be set at 5 tonnes for the lorry and 3 tonnes for the trailer for this type of Category C+E driving test?**

**Q14. Do you agree with the proposed load arrangement involving IBCs for a Category C+E driving test taken using an articulated lorry?**

**Q15. Do you agree that the load requirement should be**

set at 8 tonnes for the the trailer for a Category C+E driving test taken using an articulated lorry?

#### Practical tests undertaken by delegated examiners

Q16. Do you agree that it should be a condition of approval for the bodies that are authorised to use delegated examiners to ensure that all MTV requirements are met including RTM?

#### Implementation date

Q17. Do you agree that the implementation of the RTM arrangements should be in 2013?

## 9 WHAT HAPPENS NEXT

7.1. We shall use the responses received to this consultation exercise to inform the Minister of the views of consultees and any further evidence provided. A report based on the responses will be produced and posted on our website at: [www.dvani.gov.uk](http://www.dvani.gov.uk). We will contact everyone who sends us comments to tell them when a Response to Consultation Report is available.

## 10 IMPACT ASSESSMENTS

10.1. We have prepared a partial Impact Assessment (IA), which is at **Appendix 1**. The IA will be developed in the light of any comments received in response to this Consultation Paper.

## 11 THE CONSULTATION CRITERIA

11.1. We have produced this Paper in accordance with the principles of the *Code of Practice on Consultations* – the criteria are reproduced at **Appendix 2**. If you consider that this Paper does not comply with the criteria, please write setting out the areas where you feel the Paper departs from the criteria to:

- Nicky Warnock, Consultation Co-ordinator, Driver & Vehicle Agency, Balmoral Road, Belfast BT20 3PR.
- Tel: (028) 90541858; e-mail: [nicky.warnock@doeni.gov.uk](mailto:nicky.warnock@doeni.gov.uk)

11.2. A full version of the code of practice is available on the Better Regulation Executive web-site at:

<http://bre.berr.gov.uk/regulation/documents/consultation/pdf/code.pdf>

## **12 CURRENT REAL WEIGHT REQUIREMENTS**

12.1. Currently the MTVs for test vehicles in NI have no real weight requirements. In order to mitigate the risk of load shift or the load becoming detached, domestic regulations do not allow vehicles or trailers carrying load to be used for practical driving tests.

## **13 NEW EU REAL WEIGHT STANDARDS FOR VEHICLES/TRAILERS**

13.1. Trailers for categories B+E, C1+E, D+E and D1+E must weigh at least 800kgs on the day they are used for a practical driving test. A vehicle in category C must weigh at least 10,000kgs and the vehicle/trailer combination in category C+E must weigh at least 15,000kgs on the day they are used for a practical driving test.

## **14 OPTIONS REGARDING IMPLEMENTATION**

### **Option 1 – Not to implement the Directive**

14.1 This would involve ignoring our international responsibilities. It is the UK Government's policy to implement EU Directives in a timely and efficient way. Not to implement the requirements of the Directive may result in infraction procedures being taken by the European Commission which could attract significant financial penalties and embarrassment for the UK government. This is not a viable option.

### **Option 2 – Implement the Directive**

#### General

14.2. It is important that a candidate can establish, and an examiner can quickly and reliably check, that:

- the load means the vehicle or trailer satisfies the RTM standard; and that

- the presence of a load does not create unnecessary risk.

We looked at three options for implementation;

- (i) Compulsory load
- (ii) DVA provides and loads IBCs where required
- (iii) DVA weighs vehicle vehicle/trailer combination when presented for test

Details of all options may be found in the attached impact assessment. After careful consideration the Agency rejected options 2 and 3 on the grounds that they would not be cost effective, could impact on the times available for practical tests and would require a considerable financial outlay by DVA which, as a trading fund, would have to be passed on to customers. Our recommended proposal is detailed below.

14.3. We propose the following arrangement to satisfy the real weight requirement. A lorry or trailer subject to an RTM requirement will be required to have a standard load of a specified amount such that the weight of the load, together with the unladen weight of the lorry or trailer, will satisfy the RTM requirement. The weight of the load must be clearly observable and the load must be securely fastened.

14.4. The positive features identified for this approach are:

- all parties can be assured that RTM is being complied with;
- all parties can have assurance about load safety;
- by specifying the characteristics of any load (non-toxic, non-organic and easily complied with), any ambiguity is removed for the candidate or trainer as to what type of load is acceptable;
- cost effective for the candidate/trainer. The materials specified are relatively inexpensive and compliance should not be a significant burden compared with other alternatives that have been considered;
- the examiner can see at a glance that the vehicle is RTM compliant, ensuring any delays to the practical test because of compliance are kept to a minimum;
- where a substantial load is required, the nature of the load specified is durable and relatively cheap and will not have to be replaced for many years, addressing sustainability issues.

14.5. The negative features identified for this approach are:

- Cost burden on vehicle owner/trainer – although generally one off costs for IBC containers.
- Costs of loading or removing the specified load where the vehicles and trailers are used for other purposes.
- Increased fuel consumption if vehicle is run with a permanent load.

14.6. We set out below how we propose the detailed arrangements relating to load should work for the different categories of vehicle and trailer.

14.7. The driving test regulations oblige candidates to present themselves for test with a vehicle/trailer which meets the relevant MTVs for that category. Examiners must terminate the test with no refund of test fee if the vehicle/trailer does not meet the MTVs requirements. The same principle will operate in respect of any standard load specified for that category.

**Question 1 Do you agree that a candidate should have the responsibility to satisfy the examiner that the vehicle/trailer meets the RTM requirements by presenting a vehicle/trailer with a standard load?**

14.8. The EU legislation imposes a minimum RTM standard allows Member States to set higher RTM standards. We could do so by increasing the load requirement and thereby increasing the RTM. But a more demanding RTM would be likely to increase compliance costs. Also, if lorries and trailers were presented for test at a real weight close to their MAM, the slower acceleration might inhibit a driver making reasonable progress during a practical test. Very heavy vehicles and trailers might cause access issues at DVA's centres that currently offer practical lorry and bus driving tests. In conclusion, we do not see a strong road safety case for setting a higher RTM standard and therefore propose not to do so.

### Category B+E

14.9. Category B+E refers to cars and small vans towing trailers with MAM over 750kg. New EU legislation<sup>9</sup> caps the MAM of a B+E combination as 7 tonnes.

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<sup>9</sup> Directive 2006/126/EC

The current MTV for the test vehicle includes a minimum 1 tonne MAM for the trailer.

14.10. Drivers may need B+E entitlement in a wide range of circumstances, sometimes for private purposes (towing large caravans or horseboxes) and sometimes work-related (towing plant). We want a procedure for satisfying the RTM standard in a simple, cost-effective and practical manner. We wish to avoid an arrangement that involves a candidate having the cost and inconvenience of obtaining a special trailer just for the purposes of the driving test, or a requirement for the trailer to be specifically weighed and certified before it can be used for a practical driving test.

14.11. A sample taken from the web site of a leading trailer manufacturer in the UK found that, of 40 trailers that could legally be towed by a car or light van for category B+E, and meet the other current MTV specifications, (such as being a closed box body trailer), the minimum unladen weight was 200kg.

14.12. The EU standard for the RTM for the trailer for category B+E tests is 800kg. We therefore propose that a trailer for a Category B+E practical test should be required to have a standard load of 600kg. This is on the basis that such a weight, together with the unladen weight of a trailer, will satisfy the RTM requirement.

**Question 2 Do you agree that the load requirement for trailers presented for the category B+E driving test should be set at 600kg?**

14.13. We propose that the trailer load must comprise inert, non toxic material (such as 100kg bags of sand). This material must be contained in sealed transparent packaging bearing the manufacturers marking of the nature and weight of the contents and securely fastened on the trailer where appropriate.

**Question 3 Do you agree that the load for trailers presented for the category B + E driving test should be inert and non toxic material, such as bags of sand, and these should be safe and secured where necessary?**

## Category D+E and Category D1+E

14.14. The current category D+E refers to buses and coaches towing trailers with MAM over 750kg. Category D1+E also refers to minibuses towing trailers with MAM over 750kg. The current MTV for the test vehicle includes a minimum 1.25 tonnes MAM for the trailer in both Categories.

14.15. Very few D + E and D1 + E tests are taken in NI. DVA conducted only 3 D1+E, and no D+E tests between April 2008 and March 2009.

14.16. The trailers used for D+E and D1+E tests are often the same as those for used for B+E tests. We propose arrangements for these tests similar to those we propose for category B + E tests, ie without a requirement for the trailer to be specifically weighed and certified for the purpose of the practical driving test:

- it will be a candidate's responsibility to ensure that the trailer when presented for test carries a load of 600kg made up of inert, non toxic, material (such as 100kg bags of sand to meet the real weight requirement.
- this material must be contained in sealed transparent packaging so the examiner must be able to see at a glance that the load is sufficient to meet the requirements;
- the load must bear the manufacturer's marking of the nature and weight of the contents;
- the load must be safe and securely fastened on the trailer if necessary.

**Question 4** Do you agree that the load requirement for trailers presented for the category D+E and D1+E driving tests should be set at 600kg?

**Question 5** Do you agree that the load for trailers presented for the category D+E and D1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?

## Category C1

14.17. Category C1 relates to medium-sized lorries, with MAM up to 7.5 tonnes. The current MTV for the test vehicle includes a minimum 4 tonnes MAM.

14.18. Although the current EU standards apply a 4 tonne MAM as part of the MTV relating to category C1 (medium-sized lorries), they do not apply an RTM standard. The Directive allows Member States a discretion to apply a real weight requirement under domestic legislation. We have no current plans to do so as the possible safety benefits do not clearly outweigh the possible compliance costs.

### **Question 6 Do you agree that NI should not impose an RTM requirement on C1 test vehicles?**

## Category C1+E,

14.19. Category C1+E relates to medium-sized lorries towing trailers with the trailer having an MAM over 750 kg. The combined MAM of the lorry plus trailer must be no more than 12 tonnes. The current MTV for the test vehicle is a minimum 4 tonnes MAM for the lorry and a minimum 2 tonnes MAM for the trailer.

14.20. We propose to adopt arrangements similar to those already described above:

- it will be a candidate's responsibility to ensure that the trailer when presented for test carries a load made up of inert, non toxic, material (such as 100kg bags of sand) to meet the real weight requirement;
- this material must be contained in sealed transparent packaging so the examiner must be able to see at a glance that the load is sufficient to meet the requirements;
- the load must bear the manufacturer's marking of the nature and weight of the contents;
- the load must be securely fastened on the trailer as appropriate.

**Question 7** Do you agree that the load for trailers presented for the category C1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?

14.21. We propose that a trailer for a Category C1+E practical test should be required to have a standard load of 600kg. This is on the basis that such a weight, together with the unladen weight of a trailer, will satisfy the RTM requirement.

**Question 8** Do you agree that the load requirement for trailers presented for the category C1+E driving tests should be set at 600kg?

### Category C

14.22. Category C relates to large rigid lorries with MAM over 7.5 tonnes.

14.23. The RTM standard for this category is 10 tonnes. A recent survey of vehicles presented at DVA tests centres for lorry driving tests found that 90% had an unladen weight below 10 tonnes. Therefore it appears that most lorries presented as test vehicles will be unable to meet the minimum RTM requirement for Category C unless they carry a load. The same survey indicated that the unladen weight of these lorries was on average 5 tonnes or more.

14.24. In order that we can be confident that category C vehicles presented as test vehicles meet the RTM standard, we propose that they should have to carry a load of a specified amount and type.

14.25. As regards the type of load, we propose that lorries used for Category C tests must have safely secured on the vehicle 1,000 litre Intermediate Bulk Containers (IBCs) filled with water. These containers are constructed of moulded plastic with steel reinforcement, and when filled with water weigh one tonne each. The length and width of each IBC should not exceed the pallet dimensions set out in ISO Standard 6780 or should comply with the Euro pallet standard, as quality assured by the European Pallet Association (EPAL). IBCs are usually recycled commercial dry goods containers that do not have to be replaced for many years, addressing sustainability issues.

14.26. We propose that the driving examiner will make a visual check of the laden vehicle (including the water gauge on an emergency water carrying fire vehicle). Only a brief visual check will be made - the examiner will not physically test the security of the load. The examiner will check that the load appears to be safely secured and filled with water. If the examiner is not satisfied that this is the case then the test will not go ahead.

**Question 9 Do you agree with our proposed load arrangement involving IBCs for category C driving tests?**

14.27. As regards the amount of load, we propose that category C vehicles must carry a load of five IBCs filled with water (equating to a load of 5,000kg) in the cargo compartment of the vehicle.

**Question 10 Do you agree that the load requirement for lorries for category C driving tests should be set at 5 tonnes?**

14.28. DVA has been advised that fire services often use fire tenders as test vehicles and wish to continue to do so. We propose to make a special arrangement for this. We propose that in the case of emergency water carrying fire vehicle<sup>10</sup> the water reservoir must be full when presenting for test.

**Question 11 Do you agree with our proposed arrangement for fire services?**

Category C+E

14.29. Category C+E relates to both large rigid lorries towing trailers with MAM over 750kg, and to articulated lorries – tractor vehicles towing semi-trailers.

(i) Category C lorry with trailer

14.30. The current MTV for the test vehicle is a minimum 12 tonnes MAM for the lorry and a minimum 20 tonnes MAM for the trailer. The new RTM standard requires the lorry to have a real

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<sup>10</sup> Emergency Water Carrying Fire Vehicle means an emergency response vehicle that is operated by a fire and rescue authority as defined in the Fire and Rescue Services (NI) Order 2006. This vehicle must be filled with water when presented for the test.

weight of at least 10 tonnes and the trailer a real weight of at least 5 tonnes.

14.31. The issues which that arise with satisfying the RTM standard for Category C+E combinations comprising a category C lorry plus a trailer are similar to those that arise for Category C vehicles. Both the lorry and the trailer will require a load to meet the RTM standard.

14.32. We propose that vehicles and trailers will have to carry a standard load, safely secured on both the vehicle and trailer, comprising 1,000 litre Intermediate Bulk Containers (IBCs) filled with water.

14.33. We propose that the driving examiner will make a visual check of the laden vehicle (including the water gauge on an emergency water carrying fire vehicle). Only a brief visual check will be made - the examiner will not physically test the security of the load. The examiner will check that the load appears to be safely secured and filled with water. If the examiner is not satisfied that this is the case then the test will not go ahead.

**Question 12 Do you agree with the proposed load arrangement involving IBCs for lorry plus trailer type of category C+E driving tests?**

14.34. Regarding the load, we propose C + E combinations must carry five full IBCs in the cargo compartment of the lorry (ie 5 tonne load) and three full IBCs in the trailer (ie 3 tonne load) – 8 tonnes load in all.

**Question 13 Do you agree that the load requirement should be set at 5 tonnes for the lorry and 3 tonnes for the trailer for this type of Category C+E driving test?**

(ii) Category C + E articulated lorry

14.35. The current MTV for the test vehicle is a minimum 20 tonnes MAM for the combination. The new RTM standard requires the combination to have a real weight of at least 15 tonnes.

14.36. We propose that trailers in this category have, safely secured on them, 1,000 litre Intermediate Bulk Containers (IBCs) filled

with water as specified above. The load that must be carried on the trailer is eight IBCs (8,000kg).

14.37. We propose that the examiner will make a visual check of the laden vehicle (including the water gauge on an emergency water carrying fire vehicle). Only a brief visual check will be made - the examiner will not physically test the security of the load. The examiner will check that the load appears to be safely secured and filled with water. If the examiner is not satisfied that this is the case then the test will not go ahead.

**Question 14 Do you agree with this proposed load arrangement for this type of category C+E driving tests?**

14.38. Regarding the load, the unladen weight of an articulated lorry is typically less than that of an unladen rigid lorry/large trailer combination so the specified load needs to be more to satisfy the RTM requirement. We propose that these C + E combinations must carry eight full IBCs in the trailer (ie 8 tonne load).

**Question 15 Do you agree that the load requirement should be set at 8 tonnes for the the trailer for a Category C+E driving test taken using an articulated lorry?**

## **15. PRACTICAL TESTS UNDERTAKEN BY DELEGATED EXAMINERS**

15.1 The new EU rules for MTVs apply regardless of whether driving examiners are employed by the DVA or others conduct the tests. We propose that our transposition will impose the same standards for tests conducted by delegated examiners. In addition, we propose for tests conducted by non-DVA examiners that it would be a condition of approval for the body employing the examiner that all MTV requirements including RTM are met.

**Question 16 Do you agree that it should be a condition of approval for the bodies that are authorised to use delegated examiners to ensure that all MTV requirements are met including RTM?**

## **16. IMPLEMENTATION TIMETABLE**

16.1. Recent EU legislation requires Member States to bring the RTM requirements into operation no later than 30 September 2013 rather than 11 October 2010 as originally required. The RTM requirements should make the practical tests a more representative assessment of driving skills and therefore bring benefits to drivers and their companies, as well as road safety generally. On the other hand, the current economic climate sets challenges for private individuals, driver training organisations and companies that employ drivers. We therefore propose that NI will use the extra time and bring the RTM rules into operation in September 2013.

**Question 17      Do you agree that the implementation of the RTM arrangements should be in 2013?**



**Summary: Intervention & Options****Department /Agency:**  
DVA**Title:**  
Impact Assessment of the Real Weight Implementation

Stage:

Version: 1

Date: 22 October 2009

Related Publications: EU Directive 2000/56/EC

**Available to view or download at: <http://www.dvani.gov.uk>**

Contact for enquiries: Brian Morrison

Telephone: 028 90547936

**What is the problem under consideration? Why is government intervention necessary?**

To successfully implement the provisions of EU Directive 2000/56/EC, in respect of new Minimum Test Vehicle (MTV) specifications for certain categories of vehicles/ trailers, where a Real Total Mass (RTM) requirement will be introduced. From 2013 certain categories of vehicles and vehicle-trailer combinations must meet a minimum weight on a practical test.

As the competent authority, DVA will be statutorily responsible for ensuring that NI complies with the RTM requirement.

**What policy options have been considered? Please justify any preferred option.**

1. Not to implement (Considered non-viable)
2. Vehicles/ Trailers present for test with a standard load of either inert, non toxic material or a number of IBCs filled with water. (Preferred option)
3. As per (1) however DVA hold a stock of IBCs for loading onto non- compliant vehicles/ trailers (Considered poor vfm)
4. DVA weighs vehicles / trailers when presented for test to ensure RTM requirement is met (considered poor vfm)

**What are the policy objectives and the intended effects?**

Policy objective is to successfully implement the RTM requirement;

- a) In line with the Hampton Better Regulation principles
- b) Cost effectively
- c) With stakeholder support
- d) In a manner that facilitates compliance

The intended effect is that NI complies with the Directives RTM requirement whilst taking account of the above aims.

**When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?**

The policy will be reviewed in 2016. Health & Safety issues will be monitored during the interim period.

**Ministerial Sign-off For Consultation Stage Impact Assessments:**

*I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.*

Signed by the responsible Minister:

..... Date:

## **Background**

In 2000 the European Commission introduced Directive 2000/56/EC which revised the minimum standards for vehicles used for practical driving tests. One requirement is that from 2013 vehicles used for test must meet a minimum real weight requirement (called Real Total Mass – RTM) on the day they present for test. A load may be added to the vehicle in order to meet the necessary weight.

Vehicles and vehicle trailer combinations meeting the new RTM requirements that more closely reflect actual road handling conditions should lead to better prepared drivers with a consequent positive effect on road safety and training.

Most vocational driver training (particularly in Large Goods Vehicles (LGVs) and LGVs with trailers) is undertaken as intensive courses.

## **Issue**

On the day of the test, vehicles and vehicle + trailer combinations must meet the RTM requirement and the Agency must be able to easily verify that they are compliant.

Potentially, most vehicles will satisfy the RTM requirement only if they are laden. This raises issues about the nature and security of loads that may be carried on a test vehicle. The safety of the Driving Examiner, the candidate and other road users is a key concern.

In 2008/09 the Agency carried out the following practical test in the relevant categories:

Car + Trailers Tests (B + E)	= 328
LGV and LGV + Trailer Tests (C, C + E, C1 + E)	= 2754
PCV + Trailer Tests (D + E, D1 + E)	= 3
Total	= 3083

## **Progress to Date**

Practical research conducted by the Driving Standards Agency (DSA) in GB found that 70% of category C vehicles (rigid lorries) presented for test would **not** meet the new RTM requirement in an un-laden state. Many vehicles/ trailers in the other categories would also not be able to meet the new requirements without a load.

Research show that on average vehicles/ trailers which will meet the other MTV requirements for a practical test will have the un-laden weight shown in the table below

Category	Minimum Un-laden Weight
B + E	200kg (trailer)
D + E D1 + E	200 kg (trailer)
C1 + E	200kg (trailer)
C C + E (lorry plus trailer) C + E (articulated lorry)	5,000kg (lorry) 5,000kg lorry, 3,000kg trailer 11,000kg for the combination

It is therefore proposed that vehicles in the categories affected will present for test with a minimum load as specified in the options below.

### **Policy Objectives**

The Policy objective is to successfully implement the RTM requirement:

- a) In line with the Hampton Better Regulation principles
- b) Cost effectively
- c) With stakeholder support
- d) In a manner that facilitates compliance.

### **Stakeholder Support**

Following consultation with stakeholders DVA has developed a preferred option to meet both the individual need and concerns and the policy objectives (Option 2).

### **Admin burden**

As detailed in the options the administration costs to businesses (in this case customers) will be minimal.

In many cases there would also be the cost of an IBC, but such a container would not need to be replaced for a number of years.

The main costs for implementing any of these options will fall on the Agency.

### **Factors applicable to all outcomes**

#### **Assumptions**

- DVA cannot be certain of the number of test centres available in 2013 that will carry out the relevant categories of tests. For the purpose of this Impact Assessment (IA) we have assumed that the figure will be no less than the number currently in use (3 LGV/PCV centres and 4 PCV centres (7)).
- Approx 20 examiners conduct practical tests in the (vocational) licence categories that will be most affected by the RTM requirement. Although 20 are affected these examiners are also involved in conducting other types of tests. To maintain the operation flexibility and skills that are required in order to continue to deliver the level of service that customers expect, we anticipate retaining the same number of examiners.
- Each of the examiners affected will require one day's pre-implementation training at a cost of £420 per day (largely due to lost productivity)
- The costs of enforcement will be minimal as examiners will only be expected to ensure the RTM requirement is part of the existing visual check of the vehicle.  
Vehicle/ trailers that do not meet the requirements will not be allowed on test and the fee will be lost.
- LGV practical driving tests will be most affected by the introduction of RTM
- That most LGV vehicles/ trailers presented for test will be owned by professional training organisations rather than private individuals.
- We have assumed that five to nine Intermediate Bulk Containers (IBCs) would have to be purchased for each training vehicle unable to meet the RTM requirement.
- The volume of practical tests carried out in the affected categories will not be significantly different post-RTM implementation to that for 2008/09 i.e. 3,083.

### **Sensitivities/ Risks**

If requirements are perceived to be unreasonably onerous, there is a high risk of non compliance.

Concerns from business the compliance may push up fuel consumption thereby increasing costs.

Over-implementation makes NI operators uncompetitive compared with operators in other Member States.

### **Benefits**

Better prepare drivers and compliance with the Directive.

### **OPTION 1 NON IMPLEMENTATION**

This would involve ignoring our international responsibilities. It is the UK Government's policy to implement EU Directives in a timely and efficient way, not to implement the requirements of the Directive would result in infraction procedures being taken by the European Commission. This would result in significant financial penalties and embarrassment for the UK Government. This is not a viable option.

### **ASSUMPTIONS FOR OPTION 2 COMPULSORY LOAD ON PRESENTED VEHICLE**

Five to nine IBCs will be purchased by training organisations for each training vehicle. (Eight for compliance purposes plus one spare)

### **Sensitivities/ Risks for Option 2**

We do not envisage any significant political or financial risks associated with implementing this option.

### **Option 2: COMPULSORY LOAD (Recommended)**

For all practical driving tests in the affected categories, vehicles/ trailers will be presented carrying the load specified in the table below;

VEHICLE CATEGORY	PROPOSED REAL WEIGHT REQUIREMENT		PROPOSED LOAD
	Vehicle/Trailer Affected	Minimum Real Weight	
B+E (car and trailer)	Trailer	800kgs	600kgs
C (lorry over 7500kg)	Vehicle	10,000kgs	5,000kgs
C+E (category C lorry plus trailer)	Towing lorry & Trailer	10,000kgs for lorry 5,000kgs for trailer	5,000kgs 3,000kgs
C+E (articulated lorry)	Combination	15,000kgs	8,000kgs
C1+E (lorry up to 7500 and trailer)	Trailer	800kgs	600kgs
D+E (bus over 16 seats and trailer)	Trailer	800kgs	600kgs
D1+E bus up to 16 seats and trailer)	Trailer	800kgs	600kgs

The examiner will make a visual check only of the load and vehicle/trailer.

For those trailers in the B + E car plus trailer, C1 + E, medium sized vehicle plus trailer D + E and D1 + E buses and minibus plus trailer combination, a 600kg load comprised of an inert material (such as sand) must be safely loaded and secured to the trailer where necessary. This material must be contained in sealed transparent packaging bearing the producer's markings showing the nature and weight of the contents. The effect must be that the examiner is able to see at a glance that the load is sufficient to enable the combination to meet the RTM requirements.

The Agency will issue instructions on load safety and security for Health & Safety (H&S) purposes.

In all other cases vehicles and vehicle/ trailer combinations must have secured to them the appropriate number (5 or 8) of IBCs. These containers must be filled to the load line with water and have a capacity of 1,000 litres = 1 tonne in weight. The Agency will issue instructions on how the IBC container must be secured for H&S purposes. Utilizing an IBC will ensure that the material comprising the load is secure and that the weight of the container can easily be assessed.

### **Positive**

- DVA can be assured that the RTM requirement is being met
- H&S concerns regarding load safety are addressed
- Provides clarity for candidates as to what type of load is acceptable
- Minimises compliance cost for the candidate/ trainer
- Examiner can easily establish whether the vehicle is RTM compliant minimising any reduction in examiner productivity
- IBCs are usually durable, recycled containers, thereby addressing sustainability issues.

### **Negative**

- Compliance costs for vehicle owner/ trainer – largely one-off initial costs. Although minimised, they will exist
- Costs of unloading/ loading IBCs if they are not to be left permanently on the vehicle
- Increased fuel consumption if vehicle is run with a permanent load

### **Costs**

There would be a relatively minor cost to the Agency in implementing this scheme. It will be necessary for each examiner to attend a training session on the new test

Although there will be one-off costs for each trainer, they are relatively minor. Research shows that an IBC costs between £20 -£50. For IA purposes DVA is using the higher figure.

£420 per day x 20 examiner = £8,400

Total Costs = £8,400

**Benefits**

Better prepare drivers and compliance with the Directive.

**ASSUMPTIONS FOR OPTION 3 DVA HOLD A STOCK OF IBSs FOR LOADING ONTO NON-COMPLIANT VEHICLES/TRAILERS**

- That a minimum of two people (Administrative Assistants) are required at each test centre for loading/ unloading the vehicle
- That a qualified forklift operator would be required and that an AA would take on this role
- That a day's training would be required for each AA
- That the average costs of a day's training is £150
- That the DVA would take up a leasing option for the plant required
- That an average of 2 examiners would be testing vehicles at each test centre
- That 9 IBCs would be required for each test centre
- That there will be sufficient accommodation for Administrative Assistants at each test centre

**Sensitivities/ Risks for Option 3**

- Increase in time for stakeholders on test and in number of government employees make this option a politically sensitive issue
- Reduction in examiner productivity leads to extended waiting times
- Increased staff costs for DVA which would have to be recovered from customers
- Increased risk of security breaches at DVA test centres because of stored plant and equipment
- Possible malfunction of plant equipment augments the risk of test cancellation

**OPTION 3 DVA HOLD A STOCK OF IBSs FOR LOADING ONTO NON-COMPLIANT VEHICLES/TRAILERS**

Vehicles/ trailers are presented at the test centre without a load. The Agency holds a stock of IBC containers filled with water at each test centre that can be fixed on the vehicle/ trailer to enable it to reach the minimum required weight

**Positive**

- DVA can be assured that the RTM requirement is being met
- H&S concerns regarding load safety are addressed
- Minimises initial compliance costs for the candidate/ trainer

**Negative**

- Equipment and increased staff costs for the Agency which would have to be recovered from customers
- Loading/ unloading each vehicle/ combination before and after test will reduce the time available for test slots during the day
- Any decreases in time available for tests will result in increased waiting time
- Estate storage implications
- Additional costs to DVA will have to be recovered in the form of increased test fees
- Increased burden on trainers because of extended training vehicle time on test

**Costs**

Average salary of an AA @ 16619 x 2 x 7 (centres) = £232,666

Days training for each AA @ £150 per day = £2,100

Days training for each examiner (20) @ £420 per day = £8,400

Research from DSA shows that new forklifts suitable for RTM purposes would cost approximately £7,000 - £9,000 to purchase new. To lease such a vehicle, including maintenance and support is approximately £50 per week

Costs therefore £50 x 52 weeks x 7 Test centres = £18,200

The time taken to load/ unload the test vehicle would erode the time available for test by as much as 25%

This would either have an adverse effect of waiting times or require the Agency to deploy 25% extra examiner resource at each centre

7 test centres equates to 5 extra examiners @ £25,239 each  
= £126,195

Each extra examiner would also require attendance at a 5 week induction training course.

5 examiners x 25 days @ £420 = £52,500

There would also be the costs of purchasing IBC containers

2 examiners X 9 IBCs per each test centre @ £50 per item 18 x £50 x  
3 LGV centres = £6,300

Storage of relevant equipment would also require extra security on site at a further cost to the Agency.

**Total Costs = £446,361**

The administration costs of implementing this scheme will fall directly on DVA. As a trading fund the Agency has to recover costs from income, so any increase would have to be reflected in the fees charged for practical tests.

### **Benefits**

As at Option 2

**We regard this option as offering poor Value For Money**

### **ASSUMPTIONS FOR OPTION 4: DVA WEIGHS VEHICLE / TRAILER COMBINATION WHEN PRESENTED FOR TEST**

- That a minimum of two people (Administrative Assistants) are required at each test centre for loading/ unloading the vehicle
- That a qualified forklift operator would be required and that an AA would take on this role
- That a day's training would be required for each AA
- That the average costs of a day's training for an AA is £150
- That the DVA would take up the median priced option for weighing equipment
- That an average of 2 examiners would be testing vehicles at each test centre

- That each test centre (7) carrying out tests in the relevant categories would require weighing equipment
- That the working life of the weighing equipment would be five years before replacement
- That there will be sufficient accommodation for Administrative Assistants at each test centre

#### **Sensitivities/ Risks for Option 4**

- Increase in time for stakeholders on test and in number of government employees make this option a politically sensitive issue
- Reduction in examiner productivity leads to extended waiting times
- Increased staff costs for DVA which would have to be recovered from customers
- Increased risk of security breaches at DVA test centres because of stored equipment
- Possible malfunction of equipment augments the risk of test cancellation

#### **OPTION 4: DVA WEIGHS VEHICLE/ TRAILER COMBINATION WHEN PRESENTED FOR TEST**

DVA purchases weighing equipment for each location and weighs vehicle presented for test. Costs range from £7, 000 - £40,000 per item depending on the type of equipment used. If the vehicle, vehicle/trailer failed to meet the RTM requirement then the test would be terminated by the examiner.

We have assumed that in view of the numbers involved and the need for reliability the Agency would require an optimum performing device @ £25,000 per item.

Responsibility for weighing the vehicle and checking the security of any load before the test falls on the Agency.

#### **Positive**

- DVA can be assured that the RTM requirement is being met
- Minimises initial compliance costs for the candidate/ trainer

**Negative**

- Equipment and increased staff costs for the Agency which would have to be recovered from customers
- Weighing each vehicle/ combination before and after test will reduce the time available for test slots during the day
- Any decreases in time available for tests will result in increased waiting time
- Estate storage implications
- Additional costs to DVA will have to be recovered in the form of increased test fees
- Increased burden on trainers because of extended training vehicle time on test

**Costs**

7 x £25,000 for an item of weighing equipment at each centre =  
£175,000

Average salary of an AA @ £16619 x 2 x 7 (centres) = £232,666

Days training for each AA @ £150 per day = £2,100

Days training for each examiner (20) @ £420 per day =£8,400

The time taken to weigh the test vehicle would erode the time available for test by as much as 25%

This equates to 5 extra examiners @ £25,239 each = £126,195

Each extra examiner would also require attendance at a 5 week induction training course.

5 examiners x 25 days @ £420 = £52,500

Storage of relevant equipment would also require extra security on site at a further cost to the Agency.

Opens up a further avenue for dissatisfied candidates/ trainers to complain about how the test was conducted and/ or the result, including appeals to magistrate's courts

The administration cost of implementing this scheme would fall directly on the Agency. As a Trading Fund the DVA has to recover costs from income, so any increase would have to be reflected in the fees charged for practical tests

**Total Costs** = **£596,861**

**Benefits**

As at Option 2

**We regard this option as offering poor Value for Money**

## APPENDIX 2

### Code of Practice on Consultation

#### THE SEVEN CONSULTATION CRITERIA

##### **Criterion 1 – When to consult**

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

##### **Criterion 2 – Duration of consultation exercises**

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

##### **Criterion 3 – Clarity of scope and impact**

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

##### **Criterion 4 – Accessibility of consultation exercises**

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

##### **Criterion 5 – The Burden of Consultation**

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

##### **Criterion 6 – Responsiveness of consultation exercises**

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

##### **Criterion 7 – Capacity to consult**

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

## DOE SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM

### Section 1

#### **Introduction**

This form is intended to help you to consider whether a new policy (either internal or external) or legislation will require a full equality impact assessment (EQIA). Those policies identified as having significant implications for equality of opportunity must be subject to full EQIA.

The form will provide a record of the factors taken into account if a policy is screened out, or excluded for EQIA. It will provide a basis for consultation on the outcome of the screening exercise and will be referenced in the Annual Report to the Equality Commission. Copies of completed forms should be retained on file within business areas (**and a copy sent to the Equality Unit**) and reference should be made to the outcome of the screening exercise and subsequent consultation in any submission made to the Minister.

#### **Background**

##### **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

The main groups within each of the nine categories, highlighted above, are identified at Appendix 1.

In addition, without prejudice to its obligations above, the Department is also required, in carrying out its functions relating to Northern Ireland, to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.

#### **Advice on Completion of the Screening Form**

It is important that the screening form is completed carefully and thoughtfully. Your Divisional or Agency Equality Officer and the Department's Equality Unit in room 413A Clarence Court (ext 40203/40813) will be happy to assist with all aspects of the screening process and will help with the completion of the form, if required.

Further advice on the screening process can be accessed at Section 4 of the Equality Commission's Guide to the Statutory Duties.

### **Policies included for EQIA**

If, after screening, it is decided that a policy will require a full EQIA, a decision will be required on the priority and timing of the assessment. The screening form should be noted accordingly, signed off and copied to the Equality Unit for inclusion in the EQIA programme.

### **Policies excluded for EQIA**

If a decision is taken to screen out the policy or where there is ambiguity about the equality implication of the proposal, the screening form should be signed off by a senior officer responsible for the policy and a copy sent to the Equality Unit. Copies of all screening out forms will be placed on the Department's website.

### **Section 2 – Policy to be Screened**

#### **Definition of Policy**

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider changes to or any new initiatives, proposals, schemes or programmes as policies. The policies covered in the Equality Scheme EQIA programme are a reasonable guide both to the nature of external departmental policies and the level at which they should be considered.

The revised Guidance from The Equality Commission emphasises that the Statutory duties apply to **internal** policies (relating to people who work for the organisation) as well as **external** policies (relating to those who are, or could be, served by the organisations).

It is important to remember that even if a full EQIA has been carried out in respect of an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

OFMDFM Guidance on Legislative Procedures (Primary and Subordinate) sets out clearly the stages at which equality of opportunity considerations should be taken into consideration in the development of legislation.

#### **Overview of Policy Proposals**

The aims and objectives of the policy must be clear and well defined. You must take into account any available data or evidence that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories. Evidence may be qualitative and or quantitative and may include research or internal information and or experience in relation to service and customer monitoring exercises. Where appropriate, arrangements should be made to obtain any data necessary to assist screening. The Equality Unit or Central Statistics & Research Branch (Stephanie Harcourt ext 40878 or Michael Bennett ext 40916) are available to provide advice on data requirements.

2.1 Please insert below a brief description of the policy/legislation, including the title and all the main aims and objectives

**Title** Introduction of Real Weight Requirement for goods vehicles and vehicles with trailers, used for practical driving tests. From 2013 certain categories of vehicles and vehicle-trailer combinations must meet a minimum weight on practical test.

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**Aims** To successfully implement the provisions of EU Directive 2000/56/EC in respect of minimum test vehicle specifications, by introducing a minimum weight requirement.

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Vehicles and vehicle-trailer combinations meeting the new Real Weight Requirements that more closely reflect actual road handling conditions should lead to better prepared drivers, with a consequential positive effect on road safety and training.

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It is essential that all the aims/objectives of the policy be clearly and fully defined.

2.2 On whom will the policies/legislation impact? Please specify

The legislation will impact on those wishing to undertake practical driving tests in the relevant categories and on driver training organisations for the relevant categories:

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Car + trailer tests (B+E)

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LGV and LGV + Trailer Tests (C, C+E, C1 + E)

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PCV and PCV + Trailer Tests (D+E, D1+E)

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2.3 Who is responsible for (a) devising and (b) delivering the policy, eg is it DOE, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?

(a) EU -

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(b) DVA – equality issues have been considered

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2.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

n/a

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**2.5 What data are available to facilitate the screening of this policy/ legislation?**

Initial Impact Assessments containing benefits and costs of implementation are available. Data on the gender, age profile, religion, political affiliation, ethnicity, disability and dependents of driving test customers is available from DVA’s annual customer survey (August 2008).

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**2.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.**

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No additional data is required.

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**See Appendix 4 of the Equality Commission Practical Guidance on EQIA which provides a list of Sources of S75 data or speak to Central Statistics and Research Branch (Stephanie Harcourt, ext 40878, or Michael Bennett, ext 40916) or Equality Unit (Alex Boyle, ext 41194, or Laura McAleese, ext 40203).**

**Section 3 – Screening Analysis**

In cases where there is no available quantitative evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Branch and organisations representing the Section 75 Groups will be important and helpful at this stage in obtaining qualitative evidence of impacts. Every effort should be made to ensure that assessments are evidence based.

The following criteria must be considered when screening.

3.1 Is there any indication or evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependants		X

**Please give details**

**No particular section 75 group would be affected more than another following the implementation of this policy.**

3.2 Is there any indication or evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependants		X

**Please give details**  
**There is no aspect of the policy which affects any section 75 group**  
**in a different way to any of the others, and it is unlikely there will**  
**be varying needs between groups.**

3.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	<b>Yes</b>	<b>No</b>
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependants		X

**Please give details of any consultations carried out, and any problems identified.**

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3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?

**Yes**                      **No**

**Please give details**

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**3.5 It may be that a policy/legislation has a differential impact on a certain Section 75 group, as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:**

**This is not the case**

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**3.6 Please consider if there is any way of adapting the policy to promote better equality of opportunity or good relations.**

**Please give details**

n/a

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**3.7 In relation to Departmental obligations under Section 49A of the Disability Discrimination Act 1995 (DDA) (as amended by the Disability Discrimination (Northern Ireland) Order 2006), please consider if there is any way of adapting the policy to show due regard to the need to promote positive attitudes towards disabled people and/or encourage participation by disabled people in public life.**

**Please give details**

This proposal will introduce a requirement for certain vehicle categories to have a minimum load when presented for practical driving tests, and as such there is not scope within the policy to promote positive attitudes towards disabled people.

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**Section 4**

**EQIA Recommendation**

You should consider carefully in this section whether full EQIA is necessary, particularly where answers to any questions in Section 3 are affirmative.

4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.

<b>Prioritisation Factors</b>	<b>Significant Impact</b>	<b>Moderate Impact</b>	<b>Low Impact</b>
Social Need.			X
Effect on people’s daily lives.			X
Effect on economic, social and human rights.			X
Strategic significance			X
Financial significance			X

**Please give details**

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**4.2 In view of the considerations in Section 3 and 4 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly. Yes/No/Unsure**

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This proposal will introduce a requirement for certain vehicle categories to have a minimum load when presented for practical driving tests, and will apply equally to all candidates. As such the proposals do not require a full EQIA.

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**4.3 If an EQIA is considered necessary please comment on the priority and timing in light of the factors in table 4.1.**

n/a

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**4.4 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring?**

**Please give details**

n/a

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**Section 5**

**Endorsement**

I can confirm that the proposed policy has been screened for equality of opportunity and good relations implications and has been screened out for equality impact assessment/~~requires a full equality impact assessment.~~



**Signed:** \_\_\_\_\_

**Agency/Division:** Driver and Vehicle Agency

**Date:** 21 October 2009

**PLEASE FORWARD A COPY OF THE COMPLETED FORM TO:**

**DOE EQUALITY UNIT  
ROOM 413A  
CLARENCE COURT  
10-18 ADELAIDE STREET  
BELFAST  
BT2 8GB**

**QUERIES TO:** **ALEX BOYLE, EXT 41194**  
[alex.boyle@doeni.gov.uk](mailto:alex.boyle@doeni.gov.uk)

**LAURA McALEESE, EXT 40203**  
[laura.mcaleese@doeni.gov.uk](mailto:laura.mcaleese@doeni.gov.uk)

**Section 6**

**For Completion by Equality Unit**

**Date**

**Screening result recorded:** \_\_\_\_\_

**Placed on website:** \_\_\_\_\_

**Screening out completed:** \_\_\_\_\_

**Screening to be reconsidered:** \_\_\_\_\_

**Give reasons:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Agency/Division notified date:** \_\_\_\_\_



Main Groups Relevant to the Section 75 Categories	
<u>Category</u>	<u>Main Groups</u>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
Gender	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians

**CONSULTATION PAPER – REPLY FORM:**  
**REAL WEIGHT REQUIREMENTS FOR  
DRIVING TEST VEHICLES**

An electronic version of this reply form is also available online at: <http://www.dvtani.gov.uk/consultationdocuments/home.asp>

Alternatively, you may complete this reply form and forward it to:  
**DVA Driver Policy & Standards, Balmoral Road, Belfast, BT20 3PR.**

**CONSULTATION PROPOSALS**

**Please Note:** DVA is unable to consider any views submitted anonymously. Please complete your name and address below:

**Name:** ..... **Title:** Mr/Mrs/Miss/Ms.

**Address:**.....

.....

..... **Postcode:** .....

**Telephone number:** .....

**Email address:** .....

**Organisation (if applicable)\***

.....

**Please complete Organisation details box below**

Organisation Details						
Organisation Purpose: Please tick one box:						
ADI	M/c trainer	LGV / PCV trainer	Driver / rider trainer representative organisation	Government Department / Local Council	Police / Fire / MoD etc	Other: *please specify below
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Other						
Organisation purpose: ..... ..... .....						
<b>How many views are represented by this response?</b>						

How were the views gathered?

Please tell us what you think of the proposals by ticking one of the boxes below. If you wish to comment further, please do so in the space provided.

Please note: DVA will only take account of any comments if you have ticked the relevant box indicating the strength of your support.

If you need more space for your comments, please continue on a separate sheet. Clearly cross-reference your comments to the relevant proposal and securely attach the sheet to the remainder of your response.

**Disclosure of Information**

The Driver and Vehicle Agency (DVA) is an executive agency of the Department of the Environment NI (DOENI) (the data controller). Your personal data will be processed by DVA for the purpose of administering the Consultation only.

***Freedom of Information – Publication of Responses***

In line with our policy on openness, it is our intention to make available the responses we receive. We will publish them on our website – [www.dvani.gov.uk](http://www.dvani.gov.uk) – at the end of the consultation period, unless you specifically ask us not to do so. You should also be aware that we might have to disclose your response if asked to do so as part of a request for information made under the Freedom of Information Act 2000. You may ask that your response is kept confidential, but we will only be able to do this if withholding the information is consistent with the obligations under that legislation. Please note that a confidentiality disclaimer generated by an IT system in email responses will not be regarded as a confidentiality request. If third parties ask for hard copies of responses, we will make a reasonable charge for processing and copying.

Personal data is not disclosed to, or shared with, any third parties other than in accordance with the Data Protection Act 1998. For further information, please see our privacy notice on our website: [www.dvani.gov.uk](http://www.dvani.gov.uk).

Details of the DoE’s/ DVA’s registration with the Information Commissioner can be viewed on the Data Protection Public Register on the Commissioner’s website – [www.ico.gov.uk](http://www.ico.gov.uk). DoE’s registration number is Z582270.

Please Note – we will not revise or edit comments received to remove typographic errors or spelling mistakes before publishing them on the website.

If you do not want your reply to be made publicly available – please tick the box below.

I do not want my reply to be made publicly available	
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**Proposal No 1: Do you agree that a candidate should have the responsibility to satisfy the examiner that the vehicle/trailer meets the RTM requirements by presenting a vehicle/trailer with a standard load?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 2: Do you agree that the load requirement for trailers presented for the category B+E driving test should be set at 600kg?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 3: Do you agree that the load for trailers presented for the category B + E driving test should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 4: Do you agree that the load requirement for trailers presented for the category D+E and D1+E driving tests should be set at 600kg?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 5: Do you agree that the load for trailers presented for the category D+E and D1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 6: Do you agree that NI should not impose an RTM requirement on C1 test vehicles?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 7: Do you agree that the load for trailers presented for the category C1+E driving tests should be inert and non toxic material, such as bags of sand, and these should be safe and secured if necessary?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 8: Do you agree that the load requirement for trailers presented for the category C1+E driving tests should be set at 600kg?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 9: Do you agree with our proposed load arrangement involving Intermediate Bulk Containers (IBCs) for category C driving tests?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 10: Do you agree that the load requirement for lorries for category C driving tests should be set at 5 tonnes?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 11: Do you agree with our proposed arrangement for fire services?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 12: Do you agree with the proposed load arrangement involving IBCs for lorry plus trailer type of category C+E driving tests?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 13: Do you agree that the load requirement should be set at 5 tonnes for the lorry and 3 tonnes for the trailer for this type of Category C+E driving test?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 14: Do you agree with the proposed load arrangement involving IBCs for a Category C+E driving test taken using an articulated lorry?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 15: Do you agree that the load requirement should be set at 8 tonnes for the the trailer for a Category C+E driving test taken using an articulated lorry?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 16: Do you agree that it should be a condition of approval for the bodies that are authorised to use delegated examiners to ensure that all MTV requirements are met including RTM?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**Proposal No 17: Do you agree that the implementation of the RTM arrangements should be in 2013?**

Total Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree

Comments:

**GENERAL COMMENTS: Please use this section if you wish to make any general comments about the proposals contained in this Consultation Paper**

Comments:

**INITIAL IMPACT ASSESSMENT: If you think any of the estimated costs referred to in the Initial Impact Assessment are incorrect please provide alternatives in the box below**

**INITIAL IMPACT ASSESSMENT: do you have any other comments about the Initial Impact Assessment?**

Comments:

**CONSULTATION CRITERIA: Do you feel that this Consultation Paper meets the consultation criteria at Appendix 2?**

Totally Agree	Largely Agree	Slightly Agree	Slightly Disagree	Largely Disagree	Totally Disagree
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Comments:

**Is there anything you particularly liked or disliked about the format of this Consultation Paper?**

Comments:

Please return the completed Reply Form to:

**DVA Driver Policy & Standards, Balmoral Road, Belfast, BT20 3PR**

**THE LAST DATE FOR THE RECEIPT OF RESPONSES TO THIS CONSULTATION IS: 19 February 2010**