

**THE ROYAL SOCIETY FOR THE PREVENTION OF ACCIDENTS
RoSPA**

**RESPONSE TO THE DTLR CONSULTATION DOCUMENT
“DTLR PROPOSALS FOR A VEHICLE IDENTITY CHECK SCHEME”**

22 April 2002

DTLR Consultation Document on the Proposals for a Vehicle Identity Check Scheme.

This is the response of the Royal Society for the Prevention of Accidents (RoSPA) to the DTLR Consultation Document on the Proposals for a Vehicle Identity Check Scheme.

GENERAL COMMENTS

Vehicle ringing is a very lucrative business for the criminals who practice it and the costs for insurance companies and consequently the drivers who insure with them are considerable. Hopefully by making vehicle ringing harder this initiative will operate to reduce theft and consequently the insurance premiums for car drivers. However it must be ensured that Vehicle Inspectors are not put at risk. They are not trained to deal with criminals and strategies need to be put in place so that stolen cars and criminals are dealt with by the police.

SPECIFIC COMMENTS

Question 1

Do you have any comments or queries about the draft regulations as presented (paras 3.9 – 3.10)?

RoSPA Response

The draft regulations give a fee of £25 for testing and a further fee of £25 for an appeal. Yet the body of the text gives a fee for 2003 of £26.50 and the Working in Practice Document prepared by the Vehicle Inspectorate suggests that the fee for appeal should be greater than for the VIC because of the increased work involved. These would seem to be more realistic costs than the ones given in the draft regulations.

Question 2

Do you agree that the scheme should be limited to cars initially (paras 4.1 –4.2)?

RoSPA Response

It is beneficial to restrict the scope of the scheme to one area initially. This will allow any problems to be identified and solved before extending the scheme more widely. However if it is the intention to widen the scheme later then that needs to be taken into account in the initial start up plans and investment so that any adaptation of sites or purchase/rental of new sites will take account of possible future needs for dealing with vehicles in addition to cars.

Question 3

Do you agree with the proposal to allow the Vehicle Inspectorate to administer the scheme initially (paras 4.3 – 4.4)?

RoSPA Response

The main role of the Vehicle Inspectorate has been in ensuring that vehicles meet safety and environmental standards. They administer the MOT scheme and are involved in roadside checks to ensure vehicles are not defective and are operating within the road traffic legislation in terms of Tachograph, vehicle weight, vehicle licensing and other documentation. Traffic Examiners are already involved in the enforcement of the following legislation.

EEC Directives 3820/85 and 3821/85 - Drivers hours and Tachograph
Public Passenger Vehicles Act 1981
Road Vehicles - Construction and Use) Regulations 1986
Traffic Act 1968
Carriage of Dangerous Goods by Road Regulations 1996
Health and Safety at Work Act 1974
Road Traffic Act 1988
The Goods Vehicle - Plating and Testing Act 1988
Vehicles Excise and Regulations Act 1994
Goods Vehicle - Licensing of Operators Act 1995
Road Traffic - Foreign Vehicle Act 1972

They have recently become involved in, or are about to become involved in the impounding of vehicles operating illegally, digital Tachographs, the Auto Number Plate Reader (ANPR), the Deposit System, preventing operators benefiting from flagging out, the New Drivers Hours Directive and the Tachograph Calibration and Seal Check to be carried out at Annual Test.

Although the additional recruitment of Traffic Examiners has been authorised the Traffic Commissioners' Annual Report 2000-2001 highlights the need for more permanent staff to increase efficiency.

Administering this new scheme extends the role of the Vehicle Inspectorate into a new area of identifying stolen vehicles. The DTLR needs to ensure that this does not detract from the traditional work of the Vehicle Inspectorate to protect the safety and health of road users, by providing sufficient funding to set up this new scheme and to recruit and train the staff to implement it without encroaching on the work that is presently being done by Vehicle Examiners to enforce the safety of vehicles on the road.

The Traffic Examiners also need to ensure that the safety of Vehicle Inspectors is not put at risk. They are not trained to deal with criminals and strategies need to be put in place so that stolen cars and the criminals involved, are dealt with by the police.

Question 4

Do you agree with the Government's intention to proceed with the proposals for written-off vehicles (paras 4.5 – 4.11)?

RoSPA Response

RoSPA has concerns about the roadworthiness of a car being taken for a vehicle identity check particularly since they will be allowed to do so in a semi repaired state, and without benefit of MOT or excise duty. It must be emphasised to presenters that if a vehicle is to be driven to the test station, which could be a journey of some 35 miles, it must be in a safe condition and it must be insured for third party liability.

Question 5

Do you agree with the proposal that Category A and B vehicles should be tested if submitted for the VIC inspection (paras 4.13 – 4.15)?

RoSPA Response

RoSPA has concerns about Category A vehicles being presented for inspection, since Category A vehicles have been so badly damaged that they are not even suitable to provide spare parts. If an "administrative error" has occurred in classification or a means has been found to execute a safe and economic repair then there should be a method to reclassify the vehicle with DVLA. A genuine category A vehicle even after repair or partial repair may constitute a considerable risk on the road, while being taken to the testing station which as stated previously could be as much as 35miles away.

Question 6

Do you agree with the proposal that Category D vehicles should be brought into the scheme at a later date if the need arises (4.16 – 4.19)?

RoSPA Response

RoSPA agrees that initially Category D vehicles should not be part of the scheme and their inclusion later should be dependent on the ability of the Vehicle Inspectorate to cope with additional demand either from within their own resources or using approved bodies in the private sector, without detracting from their other work in the areas of the health and safety of road users.

Question 7

Are you content with the proposal to bring 'self-insured' vehicles within the scope of the scheme (4.20 – 4.24)?

RoSPA Response

It would seem sensible, to bring self-insured vehicles within the scope of the scheme.

Question 8

Do you agree with the Government's intention to proceed with the proposals for scrapped vehicles (paras 4.25 – 4.28)?

RoSPA Response

The approach outlined seems to rely on the owner who has a vehicle with "substantial damage to its bodywork" being aware that when they scrap it, they need to return the registration documents to the Secretary of State. How will members of the public be made aware that their vehicle does or does not fall within the category specified? It would be less confusing for the general public if they were required to return their registration documents to DVLA if they sold their car to a scrap or salvage dealer.

Question 9

Do you believe that the estimates for the number of vehicles likely to undergo a VIC inspection is a realistic estimate and, if not, explain clearly with the aid of any relevant information if possible why you disagree (paras 4.30 – 4.33)?

RoSPA Response

The figures in the Working in Practice document supplied by the British Vehicle Salvage Federation estimating that the demand for VIC tests will be in the region of 250,000 is likely to be the most accurate since these are the people who are selling such vehicles on. However if the scheme is effective in discouraging ringing of vehicles then that figure will be minus at least some of the vehicles stolen to match a scrapped one.

Question 10

Do you agree with this approach to augment existing safeguards for road users (paras 4.34 – 4.35)?

RoSPA Response

The safety of road users is an important issue and should not get lost in the need to reduce the theft of vehicles. It is beneficial that vehicle examiners will alert applicants to the limitations of the VIC, in terms of not assessing the roadworthiness of the vehicle and the possible need for a specialised inspection. Also the encouragement of applicants to arrange for the MOT test at the same time as the VIC. However this could be taken further with information on the need for a specialised assessment being emphasised before the VIC is booked. The encouragement to book both together could include a monetary benefit in terms of a small reduction in cost if they are booked for the same time. The Vehicle Inspectorate would also have to ensure that as far as practicable, the VIC stations were sited with or close to MOT testing stations. If mobile inspection units were to be used in rural areas, as suggested by the Vehicle Inspectorate, then these would need to be parked close to existing MOT stations.

However it should be emphasised to applicants that the vehicle needs to be road worthy before being taken for the VIC if it is to be driven on the road. The inclusion of a statement similar to that on the back of form VT30 the Customer's Copy of Notification of a Refusal to Issue an MOT Test Certificate in the pre booking process would be helpful. This statement makes it clear that although a vehicle may fall into the exemption categories temporarily, the driver can still be prosecuted if the vehicle does not comply with the various Regulations covering its Construction and Use.

Applicants should also be warned to check that their insurance covers them for the journey to and from the VIC inspection. In some cases that journey could be as much as 70 miles and other road users need to be protected.

It would be of benefit to also highlight that the vehicle examiners will issue a prohibition notice against any vehicle found to have serious roadworthiness defects, requiring the vehicle to undertake a full MOT roadworthiness check, even if it is less than three years old or is covered by its previous MOT, as suggested in the Working in Practice Document December 2001.

Question 11

Do you agree with the proposed vehicle licensing arrangements (paras 5.1 – 5.10)?

RoSPA Response

In the short term the proposals suggested will be beneficial, however in the longer term, a system as suggested in the DTLR and DEFRA's Consultation on Abandoned Cars would be better. This proposed a system of continuous registration of vehicles with vehicle keepers retaining fiscal responsibility unless they can prove that they notified DVLA of the change of ownership and the use of an Electronic or Web based system which requires both parties to register a transfer and gives the seller proof of notification to DVLA.

Question 12

Do you have any comments to make on the RIA (paras 6.1 – 6.3)?

RoSPA Response

The Regulatory Impact assessment raises the subsidiary benefit of identifying vehicles, which have been patched together from more than one donor vehicle, "cut and Shut". It would be of benefit to other road users and unsuspecting purchasers for these vehicles to be identified during the VIC inspection.

Question 13: Do you have any comments on the likely costs and benefits of the scheme (paras 6.1 to 6.11)?

RoSPA Response

A reduction in car thefts of 30,000 annually will save insurance companies a great deal of money and hopefully reduce insurance premiums for motorists. It will also save police time not only in inspecting vehicles but also in investigating vehicle theft. As above there is also the benefit of identifying "cut and shut" vehicles. However as was stated earlier it must be ensured that the reduction in vehicle crime is not at the cost of the very important work done by the vehicle Inspectorate in ensuring the safety of vehicles.

Question 14

Do you have any comments on the Vehicle Inspectorate paper on how the VIC scheme might work in practice (paras 7.1 – 7.3)?

RoSPA Response

In practice, the VIC scheme will require considerable access to computer technology and access to personal data. Systems will need to be put in place that ensure such information can only be accessed by authorised users and such users have strict guidelines to work to.

The Society thanks the Department of Transport, Local Government and the Regions for the opportunity to comment on this Consultation Document. We have no objections to our response being reproduced or attributed.

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