



accidents don't have to happen

# Banning Tyres Aged 10 Years and Older

RoSPA's Response to the Department for Transport's Consultation

Date: July 2019



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

## Introduction

This is the response of The Royal Society for the Prevention of Accidents (RoSPA) to the Department for Transport's consultation on banning tyres aged 10 years and older. It has been produced following consultation with RoSPA's National Road Safety Committee.

Following the Department's announcement in February 2019 to consult on banning the use of tyres 10 years or older on certain vehicle types, the Department has now developed its proposals to implement a legislative change. The consultation seeks views on these proposals. The vehicles included in the proposals are heavy goods vehicles, heavy trailers, buses, coaches and minibuses. The Department are also seeking evidence on whether to introduce a similar maximum age for tyres fitted to taxis and private hire vehicles.



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

### Question 1

**Do you agree that we should ban the use of first life tyres aged 10 years and older on all axles of HGVs, heavy trailers, buses, coaches and minibuses? If not, please provide your reasoning.**

### RoSPA Response

RoSPA agree that it should be an offence to use or operate a vehicle on a road in Great Britain with a tyre fitted that exceeds the age of 10 years. The age of tyres will be defined from the date of manufacture determined by the markings on the tyre sidewall. This would supplement existing regulations on tyre maintenance, such as ensuring that tyres meet standards for tread depth and the absence of cuts and lumps that might indicate a structural failure. We hope that this will improve road safety for all users.

### Question 2

**Do you agree with our proposal, subject to the outcome of the consultation, to prohibit the use of re-treaded tyres, of any age on the steered axles of HGVs, buses, coaches and minibuses? Please include any evidence you have relating to the safety of re-treaded tyres on the steered axles. If you do not agree, please provide your reasoning.**

### RoSPA Response

RoSPA agree that it should be an offence to fit re-treaded tyres of any age to steered axles of HGVs, buses, coaches and minibuses. We hope that this will improve road safety for all users.

### Question 3

**Do you agree with our approach for re-treaded tyres, (that their age should be defined from the date of the re-treading and those that were re-treaded 10 or more years ago should be subject to the same restrictions as first life tyres that are 10 years and older)? If not, please provide details of any proposed alternative treatment for re-treaded tyres in any legislation.**

### RoSPA Response

RoSPA agree that it should be an offence for re-treaded tyres to be fitted to a non-steered axle if it exceeds 10 years from its date of re-treading as specified on the tyre wall. We hope that this will improve road safety for all users.

We recognise that re-treaded tyres are a key element of the heavy-duty vehicle market and provide a cost-effective product to operators, a sustainable solution to recycling worn tyres and employment at UK manufacturing sites and therefore those that are less than 10 years old should continue to be used on non-



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

steered axles, provided they meet UNECE Regulations 108 & 109 and all other standards for tyre maintenance. They must also be tested according to the same load and speed criteria as those used for new tyres.

The use of re-treaded tyres on axles other than those used to steer the vehicle provides the economic and operational flexibility to vehicle operators and the environmental benefits of re-treaded tyres, as there is currently no evidence that RoSPA is aware of to suggest at this point that re-treaded tyres provide any less safety than first life tyres.

#### Question 4

**Do you think we have explained our proposals clearly, including how they might affect you? If not, what other information would you find useful?**

#### RoSPA Response

RoSPA believe that the way the proposals have been explained is clear. A requirement for maximum tyre age will be added to Regulation 27 (Construction and Maintenance of Tyres) or in a new regulation in Part C of Part II of the Construction and Use regulations. Regulations will also be amended to mandate the visibility of markings on tyres, including in a twin-wheel arrangement, where tyre date markings will need to be displayed on the two outer facing sidewalls of the arrangement.

It is also clear that re-treaded tyres will need to comply with UNECE marking regulations 108 & 109 when they are supplied to the UK market. Changes may also need to be made to regulations governing roadworthiness testing, as all in-scope vehicles will need to be checked in annual tests.

The proposals will not affect RoSPA.

#### Question 5

**Do you agree with the proposed exemptions for:**

- a) Tyre roadworthiness?
- b) Vehicles of historical interest?

**Please explain your response.**

#### RoSPA Response

RoSPA agree with the proposed exemptions for agricultural motor vehicles (not being a category T tractor), that is not driven at more than 20mph, agricultural trailers, agricultural trailed appliance, a broken down vehicle or a vehicle proceeding to a place where it is to be broken up, being drawn, in either case, by a motor vehicle at a speed not exceeding 20mph and a category T tractor that is not driven at more than 40km/h. This is because exemptions to some testing already apply to these vehicles.



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

RoSPA also agree that it is appropriate to provide an exemption to those vehicles in scope which meet criteria for vehicles of historic interest and are over 40 years old, provided that they are not used for commercial purposes. All vehicles that are used to carrying paying passengers or goods must have tyres less than 10 years old.

### **Question 6**

**Do you anticipate any operational issues for you to be able to comply with the proposed implementation period of 3 months? If yes, please explain what operational issues you anticipate.**

### **RoSPA Response**

RoSPA have no comment to make, as we do not operate these kinds of vehicles.

### **Question 7**

**Do you agree with our proposed approach to enforcement? If not, do you have any suggestions for how we could improve our approach to enforcement?**

### **RoSPA Response**

RoSPA agree with the proposed approach for enforcement, as long as awareness is raised of the planned changes among the professional vehicle operating sector, the maintenance and tyre management community and the third sector. We agree that any changes should be enforced via the Operator licensing regime, roadside checks and roadworthiness checks. The Police service would continue to enforce the rules in the usual way, although care must be taken to ensure that the Police have the capacity to enforce the new legislation.

RoSPA agree that in some cases, it may be appropriate for those who do not comply with the new legislation to go to Magistrates Court for prosecution. It is proposed that sanctions such as fines, penalty points or disqualification can be imposed on the owner, vehicle operator or driver. Although RoSPA agree that this should be the case, it is likely to be the operator that is liable in most cases. Extensive education will need to be provided to drivers to equip them with the knowledge to be able to check the age of the tyres on the vehicle they are operating. RoSPA are concerned that without education, drivers could be prosecuted for driving a vehicle with non-compliant tyres without being aware of the legislation, or having been given the knowledge to understand the tyre markings that indicate the age of their tyres. It must also be ensured that the penalty is proportionate, as if the penalty for not complying is lower than the cost of replacing the tyres, some operators may choose not to comply.

In terms of practicality, to ensure that the change in legislation is enforceable, the date of manufacture must be visible for the purposes of inspection, and will need to be maintained and not tampered with.



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

### Question 8

**What views do you have on the analysis of the costs and benefits outlined in the consultation stage impact assessment?**

#### RoSPA Response

RoSPA believe that it is feasible to implement the new legislation, as the estimated rate of non-compliance is around 0.1%.

The costs derive from replacing older tyres and bringing forward tyre purchases. Only a subset of re-treaded tyres would be required to be replaced, as these can be used (if less than ten years old) on axles that do not control the steering of the vehicle. The other cost could be that businesses or individuals selling tyres that are ten years or older would sell less units, as the demand for these tyres would fall. Due to this, lost revenue may be made up through passing the cost to consumers, which could be reflected in the price of new tyres.

RoSPA believe that the benefit of the legislation would outweigh the costs, as there is an estimated reduction in fatal collisions due to older tyres being removed from use. It may also reduce more minor collisions, and re-tread tyres meeting UNECE Regulations 108 & 109 is assumed to provide some additional safety benefits compared to allowing the continued use of re-tread tyres over 10 years old.

### Question 9

**What are your views on the potential environmental impact of our proposals?**

#### RoSPA Response

RoSPA is not in a position to comment.

### Question 10

**Do you think this ban on the use of tyres 10 years or older should be extended to taxis and Private Hire Vehicles?**



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

## **RoSPA Response**

RoSPA agree in principle that any vehicle that is used to transport passengers for a fee should be governed by legislation on tyre age. However, the Department would need to gather evidence to understand the age profile of these vehicles, what proportion of vehicles have tyres fitted that are over ten years old and what impact a ban on older tyres might have for operators of these vehicles.

### **Question 11**

**Do you consider that tyre age should be part of the licensing test requirement for taxis and PHVs? If not, please suggest alternative methods for implementing any ban.**

## **RoSPA Response**

RoSPA believe that if a ban on tyres over ten years old were to be introduced for taxis and private hire vehicles, this could be part of the licensing test requirement, either via MOT or Local Authority Testing. This could be included in the existing checks on tyres for wear and tear.

### **Question 12**

**What else do you think we should be aware of in relation to an age-related ban for tyres for taxis and PHVs?**

## **RoSPA Response**

RoSPA has no further comment to make.

### **Question 13**

**Do you have any other observations or comments about aged tyres?**

## **RoSPA Response**

RoSPA have no further comments about aged tyres.



Response to Commons Transport Committee's Call for Evidence, Road Safety Inquiry

RoSPA has no further comments to make on the consultation process, other than to thank the Department for Transport for the opportunity to comment. We have no objection to our response being reproduced or attributed.

