

Driving licensing review - call for evidence on opportunities for changes to the driver licensing regime

Cycling Scotland submission October 2022

Introduction

Thanks for responding. Your views will help to research potential opportunities. At this stage, however, we have not made up our mind to take forward any of these proposals.

Closing date is 28 October 2022.

Accessibility statement

Read our [accessibility statement for SmartSurvey forms \[opens in a new window\]](#).

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this call for evidence to research potential opportunities in driving licensing.

We are asking for:

- your name and email address, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions)
- whether you are representing an organisation or yourself

For individuals we're asking if you own a driving licence and full category L entitlement in order to understand your relationship with the topic.

For organisations we're asking the:

- type of organisation you are, to ascertain your relationship with the topic
- number of employees owning driving and L-category licences, to find it's effect

If you run road transport good services, the amount of vehicles you have and their use plus potential savings of these proposals, to better understand their effects.

If a minibus service we're asking:

- about your current and future service provision to better understand the services you provide
- within what areas of the country you operate minibuses to understand the types of area being served
- under what regulatory regime you operate minibuses to better understand your operations
- how long your minibus journeys are to understand work and cost
- if you are a minibus operator, how many drivers work on either a voluntary or paid basis within your organisation, along with their age to better understand your operations
- your views towards the driver shortage within the sector and what impact, if any, has this had on service provision, to better understand the current situation

The processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain any information that allows you to be identified, DfT will, under data protection law, be the Controller for this information.

Information regarding section 19 or 22 permit minibus services will be anonymised and shared with the Community Transport Association.

Your personal data is processed on behalf of DfT by Smartsurvey, with respect that they run the survey collection software only, your personal data will not be shared with any other third parties.

Any information you provide will be kept securely and destroyed within 12 months after the closing date. Any information provided through the online questionnaire will be moved to our internal systems within 2 months of the period end date.

Your details

Organisation details

Question 5. Your organisation is a:

Cycling
charity

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- FINAL

A C1 category means that you can drive vehicles between 3,500 and 7,500kg Maximum authorised mass (MAM) (with a trailer up to 750 kilograms (kg)).

[Driving licence categories are listed on GOV.UK \[opens in a new window\]](#).

Question 8. Have any of your employees got full category L entitlement driving licences?

- No
(Go to 'Road transport services')

Road transport services

Question 10. Do you run goods transport services by road?

- No (Go to 'Areas for information and evidence gathering')

Road transport services information

Question 15. Supply, if any, positive or negative impacts you think may arise from the C1 licence proposal?

Comments:

The proposal to automatically extend driver licensing without taking an additional test has environmental and safety risks and should not be implemented. If licensing up to 7.5 tonnes was made automatic it may mean more large vehicles on our roads, resulting in failure to meet our net zero targets set at COP26 and increased danger to people cycling (and other at-risk users).

Areas for information and evidence gathering

We wish to understand what opportunities there are to us in changing the driver licence regime now that the UK has left the European Union.

However, any changes would need to ensure continued safe use of our roads and be economically proportionate.

We are exploring in this call for evidence the areas of:

- C1 vehicles, which covers medium-sized vehicles between 3.5 and 7.5 tons plus a trailer of a maximum authorised mass of up to 750 kilograms (kg) amounting to a combined total of 8.25 tons
- D1 vehicles, vehicles which can have no more than 16 passenger seats, have a maximum length of 8 metres, and a trailer up to 750kg
- changes in order to raise the standards of heavy goods vehicle (HGV) instruction and improve pass rates
- smaller scale driving licence changes to benefit industry and to correct historic anomalies
- minibus service provision (optional minibus sector specific information)

This is your chance to ensure that the opportunities that may be presenting themselves to us, now that we have left the European Union, can be considered.

C1 entitlement

We are asking you for your thoughts about allowing drivers on a category B licence (a car up to 3.5 metric tons (T)) the ability to drive a C1 vehicle, up to 7.5T, without the need for:

1. An additional test.
2. Meeting the higher medical standards for driving large vehicles.

We are subsequently asking about a potential groups, training and scenarios where there

could be exemptions to Driver Certificate of Professional Competence.

We want to understand what you think are the potential benefits and drawbacks from these ideas.

Question 18. Should, in your view, C1 entitlement be given to people at the same time as they pass their car (category B) test?

- No

Question 19. Why not?

A C1 licence should not automatically be given out because of the environmental impact of these vehicles, increased congestion and potential danger to people cycling and to all road users.

On average between 2003 and 2005, Light Goods Vehicles made up 11.3% of traffic volume and were involved in 3.8% of crashes involving people cycling. On average between 2015 and 2018, LGVs made up 15.4% of traffic volume and were involved in 8.1% of crashes with a bike. We also know that between 2015 and 2020 in the UK, the highest proportion of pedal cycle casualties that were fatal occurred in collisions involving an HGV (6.1%).

Increased road traffic increased the risk of danger to people cycling. As we work towards net zero, the focus should be on ways that freight emissions can decrease and on increasing sustainable travel. The proposal to give out the licences automatically undermines these efforts and could increase pollution and danger on our roads. In Scotland, the route map to reduce car kilometres by 20% by 2030 sets out how to best achieve this and this includes moving freights off roads and onto rail and cargo bikes.

C1 implementation

Question 21. Should, in your view, there be an age restriction to being granted the C1 entitlement?

- Yes, 18 years and above

Question 22. Should, in your view, there be a minimum period of time that the driver should hold the car licence before being allowed to drive a C1 vehicle?

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- Yes

Question 23. In your view, should drivers be required to pass the heavy goods vehicle (HGV) medical to gain the C1 entitlement?

- Yes

Question 24. Why?

Currently, all applicants for the entitlement require a medical examination and an eye test: we see no rationale for removing these important checks to ensure safety on our roads.

Driver Certificate of Professional Competence (DCPC)

Driver Certificate of Professional Competence which is a professional qualification required for drivers of lorries, buses, minibuses or coaches engaged in the commercial carriage of goods or passengers.

Question 25. Do you think there are specific purposes of driving of C1 vehicles that should be exempted from DCPC for driving in the UK?

- No (Go to 'Groups')

Groups

Question 28. Do you think there are specific groups of drivers of C1 vehicles that should be exempted from DCPC for driving in the UK?

- No (Go to 'Training')

Training

Question 31. If C1 were removed from DCPC should, in your view, alternative requirements (for example training or qualifications) be mandated?

- Yes

Training reasoning

Question 32. What alternative training requirements do you suggest and why?

We do not support the current requirements being removed. There is also an opportunity for professional drivers to undertake courses to gain more awareness of people cycling such as the Practical Cycle Awareness Training that is currently being offered within Scotland. [Practical Cycle Awareness Training \(PCAT\)](#) is a JAUPT accredited course that promotes awareness of Vulnerable Road Users, including people cycling. The course counts as 7 hours of Driver CPC and meets requirements for fleet operators working towards FORS Silver level.

Removal of D1 licence requirement

We are asking whether you think drivers who hold a category B licence should be permitted to drive a minibus, between 8 to 16 passenger seats, where currently a D1 category licence can be required, without the need for:

1. A D1 test.
2. Particular weight restrictions.
3. Meeting the higher medical standards for driving large vehicles.

We would like to understand what you think the potential benefits and drawbacks from doing this.

We are also researching the potential impacts on taxis, private hire vehicles (PHVs) and coaches as well as driver wages.

Question 33. Would you support the removal of the requirement to obtain a D1 licence test to drive a minibus?

- No (Go to 'Against D1 requirement removal')

Additional stipulations

Question 34. What additional stipulations would you recommend?

A mandatory requirement to undertake additional training such as MiDAS

Question 35. Would you support these 'additional stipulations' applying to individuals:

when driving a vehicle under a Section 19 or 22 permit?
when driving a vehicle under a PSV 'O' Licence?
at other times when driving a minibus?

- Yes

Against D1 requirement removal

Question 36. What are your main concerns for not supporting a removal of the requirement?

- Safety
- Environmental impact

Removal of D1 licence requirement

Question 38. In your view if the requirement to obtain a D1 licence to drive a minibus were to be removed, what impact do you think this would have on the supply of minibus drivers?

- No effect

Cost of running taxis and PHVs

Question 39. What effect do you think the removal of the D1 licence requirement would have on the cost of running taxis and PHVs?

- Don't know

Changes to raise the standards of HGV instruction and to improve pass rates

We are asking you on your thoughts about [introducing a standardised instructor training and qualification programme for HGV trainers \[opens in a new window\]](#).

Question 41. Do you agree with the introduction of a standardised instructor training and qualification programme?

- Yes

Voluntary or mandatory requirement

Question 42. This should, in your view, be:

- Mandatory

List of instructors

Question 43. Should, in your view, there be a mandatory register of HGV instructors managed by the Driver and Vehicle Standards Agency?

- Don't know (Go to 'Pass rate publication')

Other licencing changes

We are asking you on your thoughts on some more minor, esoteric areas of driver licensing so that we might clean up some anomalies and restore some previously given rights to a select number of professional drivers.

The areas of research include:

- allowing category C holders the right to drive category D vehicles for the purposes of maintenance and repair, provided they have no passengers, without the need to gain an additional category on the licence
- reintroducing automatic granting of category D1E entitlement when category C1, C1E and D1 entitlements have been given and without having to pass a further specific category D1E test
- if it is time to end this L category
- whether most tractors driven under categories F or H for agricultural purposes should be considered as category C or CE vehicles

We are subsequently attempting to gain evidence [2012 Driving Licence Regulations \[open in anew window\]](#) (which implemented the EU third Driving Licence Directive) and other possible future areas of work.

Question 47. Do you agree that entitlement should be changed to allow persons with category C entitlement to drive PCVs on their HGV licence for maintenance and repair purposes?

- No

Question 48. What, in your view, would be the estimated costs or savings to you or your business would be if this was to be permitted and why?

Question 49. Supply any views and evidence you have on if this change would have a negative or positive impact upon road safety?

[Attach any information to your return]

Comments:

We feel that there should be no automatic entitlement as this could present additional risks to vulnerable road users for example in the depot.

Question 50. Do you agree that the D1E entitlement should be granted to those drivers who hold:

C1 licences without taking an additional test?	No
C1E licences without taking an additional test?	No
D1 licences without taking an additional test?	No

Why?

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- FINAL

We feel that there should be no automatic entitlement.

Question 51. What, in your view, would be the estimated costs or savings to you or your business would be if this was to be permitted and why?

No impact.

L category

Category L is a defunct category of driving licence which allowed a driver to drive any electric vehicle original used when the only electric vehicles on the road were:

- milk floats
- vans operated by the old gas and electricity boards

With electric HGVs and buses entering into the market, we are researching if it is time to end this category.

Financial implications

Question 55. In your view what, if any, financial implications are there to:

you in revoking
the L-category
licences and
why?

none

business in
revoking the L-
category

none

licences and why?

Revoking licences and road safety

Question 56. In your view are there any road safety impacts to revoking these L-category licences?

- No (Go to 'L category requirement')

Revoking licences and road safety issues

Question 57. What road safety issues and why?

None.

L category requirement

Question 58. You believe the L category licence should be:

- revoked

Why?

This is no longer relevant as more EVs are now on our roads.

Tractors

There are some concerns that people using the category F driving licence (which is granted concurrently with a category B licence) are taking unfair advantage of the rules to drive very large tractors with very heavy loads. It is believed this is not in the spirit of the legislation as category F is to help farmers and other agricultural and forestry workers drive short distances with heavy equipment for off-road work. When larger tractors are used on the road for longer periods towing heavy loads, some stakeholders maintain that this should fall into the category C or CE regime, and not the category F regime.

Question 59. In your view should we consider changes to legislation to bring agricultural vehicles within the:

Yes
C category? Yes
CE category? Yes

Why?

This should be done to ensure that we meet our environmental standards as well as safety standards. As these vehicles are more likely to be on rural roads, they can be a safety risk for people cycling. [In 2021 in Scotland, non built-up roads accounted for over two-fifths of the total number of reported casualties \(44%: 2,204 out of 5,023\). However, they accounted for over two-thirds of those killed \(69%: 96 out of 139\) and over two fifths of the total number of seriously injured \(46%: 739 out of 1,596\).](#)

Final comments

Question 88. Any other comments?

Removing the need for extra licensing and testing can have a big impact on road safety for vulnerable users, our environment and the enjoyment of people using the road for active travel.

We know that reducing vehicles on roads should be our goal – with more freight being moved to rail and last mile journeys being done by cargo bike and this proposal is contradictory to this. Additionally, we know that large vehicles pose a significant risk to people cycling and all road users and will often have a more severe impact in the event of a collision – with this in mind we reject these proposals and propose an adherence to [vision zero](#) and a [reduction in car kilometres route map to 2030 in Scotland](#).

We would welcome more training to raise awareness of people cycling for professional drivers. An example of this is the Practical Cycle Awareness Training which we deliver alongside operators and local authorities, with over 350 LGV/PCV drivers undertaking training to improve safety around people cycling.