

VOSA have 'Power To Stop' vehicles (stopper vehicles) and the authority to use them to stop any type of vehicle for compliance checks to be carried out.

A VOSA 'accredited person', when in uniform, has the power to order vehicles to stop for the purpose of carrying out compliance checks.

A VOSA Traffic or Vehicle Examiner / Officer has the authority to:-

- inspect any goods carrying vehicle and, for that purpose, detain the vehicle for as long as it takes to carry out the inspection.
- ask the driver to divert up to five miles and to direct to a suitable place of inspection or weighing;
- inspect tachograph charts and driver' cards, drivers' records such as driver's licences and drivers' hours related documents (i.e. payment records) and to remove these items when an offence is suspected;
- issue a prohibition notice to a defective vehicle;
- issue a graduated fixed penalty against the driver.

Section 99ZD of the Transport Act 1968 - Offence of failing to comply with requirements or obstructing an officer.

(1) A person commits an offence if he:

- a) Fails without reasonable excuse to comply with any requirement imposed on him by an officer under any of the sections 99ZA to 99ZC of this act; or
- b) Obstructs an officer in the exercise of his powers under 99ZB or 99ZF of this Act.

(2) A person guilty of an offence under subsection (1) of this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently a maximum of £5,000.00).

## PRODUCTION OF RECORDS AT THE ROADSIDE TO ENFORCEMENT STAFF

You **must** be able to produce the following at the roadside, whenever an inspecting officer so requests:-

- Drivers using vehicles fitted with analogue tachograph recording equipment must produce:
  - record sheets (tacho charts) for the current day and any completed in the previous 28 *calendar* days;
  - your digital tachograph driver card (if you have been issued with one, *even if never used*);
  - any manual records and/or printouts made during the same period.
- Drivers using vehicles fitted with a digital tachograph vehicle unit must produce:
  - your digital tachograph driver card;
  - manual records and printouts made during the current day and any completed during the previous 28 *calendar* days,
  - analogue tachograph record sheets (tacho. charts) for the same period (*i.e. covering occasions where you have driven an analogue tachograph equipped vehicle*).

**DRIVERS' MUST HAND IN DRIVING RECORDS TO THE OPERATOR WITHIN 42 DAYS OF COMPLETION**

**OPERATORS MUST DOWNLOAD DIGITAL TACHOGRAPH DRIVER CARDS EVERY 28 DAYS AND VEHICLE UNITS EVERY 56 DAYS**

**Damaged or lost driver cards:** If a driver is operating a vehicle fitted with a digital tachograph vehicle unit and his/her driver card is damaged, malfunctions or is lost or stolen, a printout (from the vehicle unit data record) must be produced at the start of the journey and a further printout (from the vehicle unit data record) must be produced at the end of the journey.

Both printouts must have the following information manually added by the driver:

- the driver's name and driving licence number;
- periods of: other work, availability and rest / break not automatically stored by the vehicle unit;
- the driver's signature.

**Records to be kept by a "part time" driver:** If you spend a day or days of any working week *not* driving an 'in-scope' vehicle you MUST still keep a manual record of *all* work carried out during those days. It is recommended that the rear of analogue tachograph charts be used for this purpose, with the centre field of the chart completed as normal and the rear of the chart being manually completed with periods of work and breaks marked on the graph area normally available

**IF THE VEHICLE YOU ARE IN CHARGE OF IS ISSUED WITH A PROHIBITION NOTICE IT THEN BECOMES AN OFFENCE FOR THE VEHICLE TO TRAVEL ON THE ROAD. A PROHIBITION NOTICE MUST BE CLEARED IN WRITING BY AN AUTHORISED OFFICER BEFORE THE VEHICLE CAN PROCEED, ALTHOUGH THE OFFICER MAY USE HIS DISCRETION TO PERMIT THE VEHICLE TO BE MOVED TO A PLACE WHERE IT CAN BE UNLOADED AND/OR REPAIRED.**

**ALWAYS GET IN TOUCH WITH THE OPERATOR AS SOON AS A PROHIBITION IS ISSUED AGAINST A VEHICLE OR YOU ARE ISSUED WITH A GRADUATED FIXED PENALTY NOTICE.**

**WHEN YOU ARE ASKED TO SIGN FOR RECEIPT OF A GRADUATED FIXED PENALTY NOTICE YOU THEN HAVE 28 DAYS TO EITHER CONTEST THE OFFENCE YOU HAVE BEEN ACCUSED OF, OR PAY THE PENALTY.**

# COMMERCIAL VEHICLE DRIVERS' MUST WEAR THEIR SEAT BELTS

*Truck and van drivers' are not exempt from wearing seat belts. If a seat belt is fitted IT MUST BE WORN. Failure to wear a seat belt can result in unnecessary injury in the case of an incident on the road and the issuing of a £60.00 fixed penalty .....or much worse.*

Before 1<sup>st</sup> March 2005 'delivery drivers' could contest that they were exempt from wearing a seat belt when they were carrying out 'local' deliveries, as up until that time there was not any maximum distance specified for 'local' deliveries within the regulations.

However, the seat belt exemption for delivery drivers now only applies when the driver can prove that he or she is travelling no more than 50m between deliveries or collections. This exemption is in place for those making frequent and regular stops - such as delivering milk or post door to door. It cannot be used by any other type of truck or van driver to allow them to drive without wearing their seat belt.

235,000 fixed-penalty notices were issued in 2006 to vehicle occupants not wearing a seat-belt and it's important that all commercial vehicle drivers' are aware that since May 2009 VOSA inspectors have had the authority to issue fixed penalties against drivers' who they see not wearing seat belts and this could result in not only a fine, but also further action being taken by the Traffic Commissioner against both the driver and the operator of the vehicle.

Local Safety Camera Partnerships are now taking enforcement action against drivers' who fail to wear seat belts while driving. Camera Van Operatives are triggering the LTI/2020 DVD camera system when they see offences being committed at camera sites across the country, and a Notice of Intended Prosecution is then sent to the registered keeper of the vehicle .... **YOU'VE BEEN WARNED !!**

**IF A SEAT BELT IS FITTED – YOU MUST  
WEAR IT!**

