



Department
for Transport

Examining the Maximum Weights of Agricultural Trailers and Combinations

Consultation Response Summary

October 2014

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Part 1 - Introduction

- 1.1** A report¹ by the Independent Farming Regulation Taskforce was published in May 2011 and includes recommendations that the Government examine the maximum weights of agricultural trailers and combinations and the maximum speed of conventional² tractors. These recommendations fell under the Department for Transport's (DfT) remit.
- 1.2** The consultation to examine the maximum speed limit for regular tractors on public roads was published separately. This consultation response document concentrates on examining the maximum weights of agricultural trailers and combinations.
- 1.3** The Road Vehicles (Construction and Use) Regulations 1986 specify maximum weights for agricultural vehicles. Currently, the maximum weight of agricultural trailers and combinations is 18.29 tonnes (t) and 24.39t. The Farming Taskforce report concluded that the current limits do not reflect the capabilities of modern farm machinery, preventing farmers from using particular trailers on public roads and causing unnecessary time delays for farmers as they have to make more trips to do their work. In other EU countries, tractors can often tow higher weights, and this suggests there might be a competitiveness issue between UK farmers and those in the rest of the EU.
- 1.4** The report recommended to Government that the maximum weights of trailers and combinations are increased from 18.29t and 24.39t to 21t and 31t respectively (Option 1). It recommended that machinery of this weight would be required to be registered with an appropriate scheme to ensure roadworthiness, and that industry would develop such a scheme in partnership with the DfT.
- 1.5** We also considered an additional option of increasing the weight of combination permitted (31t) while keeping the same maximum trailer weight of 18.29t (Option 2)
- 1.6** Also included for consideration was a further industry proposal for limits of up to 33t maximum train weight for a tandem axle trailer with an axle spacing of greater than or equal to 1.8 metres, and 37t train weight for a tri axle trailer with road friendly suspension.
- 1.7** The Impact Assessment (IA) summarised the monetised costs and benefits by Option and Scenario and was published with the consultation document.
- 1.8** In the consultation we sought views on:
 - a) Your preferred policy option or further options

¹ <https://www.gov.uk/government/publications/independent-farming-regulation-task-force-report>

² Some tractors have a current speed limit of 40mph due to higher technical requirements. We did not propose to alter this.

- b) The balance of costs and savings
- c) The voluntary annual test
- d) Road safety costs
- e) Implementation costs
- f) Non-compliance
- g) Impacts on road wear and tear
- h) Fuel consumption
- i) The impact on small firms
- j) Noise levels

1.9 The consultation document was published on 7 November 2013 and ran for 12 weeks until 30 January 2014.

1.10 Table of Questions

No.	Question
1	Do nothing – this means not changing the law and the weight limits remaining as they are. Is this your preferred policy option? Please explain your answer.
2	Policy Option 1: Agricultural vehicle operators would volunteer for an annual test, outlined in the law, in order to qualify for increased maximum trailer and maximum combination weights. The maximum weight of agricultural trailers would increase to 21t (from 18.29t) and the maximum weight of combinations would increase to 31t (from 24.39). Is this your preferred policy option? Please explain your answer.
3	Policy Option 2: Agricultural vehicle operators would volunteer for an annual test, outlined in the law, in order to qualify for increased weight of combination permitted (while keeping the same maximum trailer weight). The maximum weight of agricultural trailers would stay the same at 18.29 and the maximum weight of combinations would be 31t. Is this your preferred policy option? Please explain your answer.
4	The industry has proposed weight limits of up to 33t maximum train weight for a tandem axle trailer with an axle spacing of greater than or equal to 1.8 metres, and 37 tonnes train weight for a tri axle trailer with road friendly suspension. What are your views on these limits?
5	Do you think that a test requirement is necessary as part of any of the options above? I.e. should the limits be changed keeping existing enforcement provisions? If so, what are your views on this test, for example, where should a test occur, who should it be undertaken by, what should be tested?

6	Do you consider there to be any additional policy options, or variants of policy Options 1 and 2? Please explain fully and provide any evidence you may have.
7	The Impact Assessment assumes that the voluntary annual test would be a self-funded scheme (i.e. the agricultural vehicle operators incur the costs of testing). Do you agree that it should be self-funding?
8	If you are responding as an agricultural vehicle operator, what do you consider to be a reasonable cost for the voluntary annual test?
9	Do you feel the balance of savings and costs of extra weight detailed in the Impact Assessment reflects your own experience or expectations?
10	Do you have any evidence on the frequency or severity of collisions involving tractors towing agricultural trailers on public roads and what effect an increase in the maximum weight limit would have on the safety of all other road users?
11	Do you have any evidence on what effects if any the policy will have on road wear and tear and road maintenance requirements?
12	Do you think there will be a direct transition cost of implementation which government or the private sector will incur as a result of the weight limit change? Please provide any evidence or figures you may have.
13	Do you have any evidence on the impact of this proposal on fuel consumption?
14	Do you think that increased weight limits would lead to a shift from other modes of haulage into agricultural haulage?
15	How do you think the proposals will impact on small firms?
16	Please provide any evidence you may have on the number of agricultural operators who fail to comply with the current weight limits.
17	Do you believe that current enforcement practices will need to change if the weight limits are increased?
18	Do you think that an increase of the maximum agricultural weights will have a significant impact on noise levels? Please provide any evidence you may have.
19	Do you think that all of the potential costs and benefits of the policy options have been considered in the Impact Assessment? Please provide details if you think costs or benefits have not been included.

Part 2 - Executive summary

- 2.1** The Department received 304 responses in total. However of those 40 were blank leaving 264 responses for the purposes of this summary. We are pleased with the high response rate and grateful for the time people took to reply. Responses to the consultation were used to inform the Government's decision on next steps.
- 2.2** Not all respondents indicated an organisation or sector. However from the information provided organisations were broadly categorised into 12 main groups and individuals into 5 main sectors.
- 2.3** 70 respondents said they represented an organisation, broken down as follows:

Table 2.1	
Organisation	Number of Responses
Trade Organisation - Farming	4
Trade Organisation - Agricultural engineers/manufacturers	2
Trade organisation - Logistics	3
Agricultural engineers/manufacturers	6
Logistics	10
Local Authority	7
Parish Council	5
Trade Union	1
H&S/Road Safety	10
Farm/Farming related	10
Police	2

Others	10
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2.4 153 respondents were individuals, broken down as follows:

Table 2.2	
Sector	Number of Responses
Farming Sector	87
Agricultural engineers/manufacturers	10
Logistics Sector	9
Police	2
Other	45

2.5 41 respondents did not indicate whether they represented an organisation or were responding as individuals.

2.6 Respondents were generally in favour of increasing the weight limits for tractors and trailers. 16% of respondents to Q.1 were in favour of maintaining the status quo, with 73% in favour of some change (the remainder responding 'other'). However, it was also clear that the majority of those in favour felt any increase should be conditional on a number of requirements. For example regular mandatory testing of vehicles for roadworthiness, additional testing of drivers or more effective enforcement.

2.7 Of those respondents choosing a preferred option for weight increases between:

Option 1 - an annual voluntary test, outlined in the law, in order to qualify for increased maximum trailer (21t) and maximum combination weights (31t);

Option 2 - an annual voluntary test, outlined in the law, in order to qualify for increased weight (31t) of combination permitted while keeping the same maximum trailer weight (18.29t); and

the industry proposal - to increase limits to 33t maximum train weight for a tandem axle trailer with an axle spacing of greater than or equal to 1.8 metres, and 37t train weight for a tri axle trailer with road friendly suspension;

The largest group (50%) were in favour of the industry proposal, whilst 33% were in favour of Option 1 and 3% supported Option 2.

2.8 16% responded to do nothing.

- 2.9** Of those choosing either Option 1 or Option 2 (Q.2 and Q.3) there was a strong preference (92%) for Option 1. However many respondents indicated that Option 1 did not go far enough and higher weight limits would be more appropriate. These respondents are included under 'other' (52%).
- 2.10** 40% of the farming sector (including farming related TUs/representative bodies but excluding suppliers of agricultural machinery) responses were in favour of Option 1 with 1% in favour of Option 2. 54% suggested other options including the industry proposal or other weight limits, test options etc.
- 2.11** This industry proposal (under Q.4) for higher weight limits received 177 responses of which 70% were in favour and 29% not in favour with some responses suggesting weights should be increased further still. Overall there were 60 responses calling for some or all of the following:
- an increased minimum specification (brakes, suspension, tyres etc.) for both tractors and trailers operating at any increased weight limits;
 - a suitable mandatory training/qualification for drivers;
 - Minimum age for drivers operating these vehicles.
 - Certificate of Professional Competence (CPC) style qualification for operators;
 - operator licensing; and
 - maximum permitted working hours (particularly at harvest time).
- 2.12** 78% of farming sector responses were in agreement with the industry proposal with some suggesting even higher limits would be more appropriate.
- 2.13** The majority of those responding 'do nothing' were logistics sector, parish councils or individuals.
- 2.14** For the question on the voluntary roadworthiness test (Q.5) there was a strong opinion that an annual test would be necessary to operate at any proposed weight increase with 92% in favour. Opinion was divided on whether all vehicles should be tested or only those operating at higher weights (55 v 57 responses). The main reason given for the two tier approach was that it was not reasonable to expect those farmers wishing to continue to operate at the current weight limits to incur the expense of testing. 90% of farm/farming related responses received were in favour of testing.
- 2.15** Suggestions for what should be tested (tractor, trailer, tractor/trailer combinations, brakes, tyres, lights etc.) and when/where (HGV test centre, agricultural vehicle suppliers, on farm at test centre, recorded self-check by operator etc.) are many and varied. Some responses suggest that consideration of a mechanism for recording details of those vehicles tested and assessed as roadworthy would also be required.
- 2.16** On the question of whether tests should be self-funded (Q.7), those responding were strongly in favour of self-funding (87%) with a broad range of suggested fees (£50- £750 for tractor/trailer combination).

- 2.17** 76% of those responding to Q.9 thought the balance of savings and costs of an increased weight limit detailed in the impact assessment was realistic.
- 2.18** There was very little quantitative evidence given on the subject of road safety/collisions (Q.10). Most evidence given was anecdotal. The largest group (34%) thought an increase in weight limits would not adversely affect the safety of other road users whilst 13% thought that it would.
- 2.19** Under Q.11 on whether an increase in maximum weights would lead to an increase in road wear and tear, 56% of respondents thought there would not be an increase in wear and tear as modern vehicles use road friendly tyres and suspension. Also, they argue that with increased capacity fewer journeys would be needed, reducing the total miles of road use. However, others expressed concern the rural road infrastructure would not cope with the increased weights resulting in damage to the roads and roadside verges.
- 2.20** Very little evidence was provided on the number of agricultural operators failing to comply with the current limits (Q.16). However, of those offering an opinion, the majority (88%) thought that the current weight limits were being exceeded. This correlates with evidence provided by Police Scotland which found in excess of 60% of tractor/trailer combinations to be non-compliant. A common reason given for this was that modern tractor/trailer combinations would be running half empty if compliant.
- 2.21** There was a strong opinion (Q.13) that an increase in weight limits would mean an overall decrease in fuel consumption (72%). Reasons given for this include modern, more efficient vehicles and fewer road trips required.
- 2.22** The majority (63%) of those responding to whether the proposed weight increase would result in a shift from other modes of haulage (Q.14) thought there would be no modal shift towards agricultural haulage, although some with the proviso that regulations were adequately enforced. Some haulage interests expressed some 'level playing field' concerns including a call for fair competition with a highly regulated road haulage industry.
- 2.23** Of those responding to Q.15, the impact on small firms, the largest group (38%) thought there would be no significant impact. Of those who thought there would be an impact 51% thought this would be positive and 49% thought it would be negative.
- 2.24** Views on whether current enforcement practices would need to change (Q.17) were evenly divided with 48% Yes and 49% No responses. 74% of respondents to the question from the farming sector thought that no change was needed as current Driver and Vehicle Standards Agency (DVSA) and Police inspections were adequate and effective and that higher limits would not increase the need for enforcement as more operators would be compliant. However, 75% of respondents from the logistics sector thought that current enforcement practices would need to change. Suggested changes included higher levels of enforcement activity and more use of roadside checks.

- 2.25** From those respondents who thought a change in enforcement practices was necessary, there was a strong opinion that very little enforcement was evident at present. One police response stated that 'enforcement authorities would need access to the trailer test data to ensure compliance'.
- 2.26** A significant majority (83%) of those responding to Q.18 on noise impact as a result of increased weight limits thought there would be no significant increase in noise levels. The main reasons given were that modern tractors, though larger, are built to higher specifications and are consequently quieter. Another reason given was that larger trailers would mean fewer journeys on public roads and therefore any noise would be for a shorter period. Reasons given for an expected increase in noise included increased tyre noise.
- 2.27** The majority of respondents (68%) thought that all of the potential costs and benefits had been considered in the Impact Assessment (IA) (Q.19). Costs that were thought to have been omitted included - enforcement practices, damage to road infrastructure and road safety. Benefits that were thought to have not been considered included - benefits for trailer manufacturers and benefits as a result of fewer empty journeys.

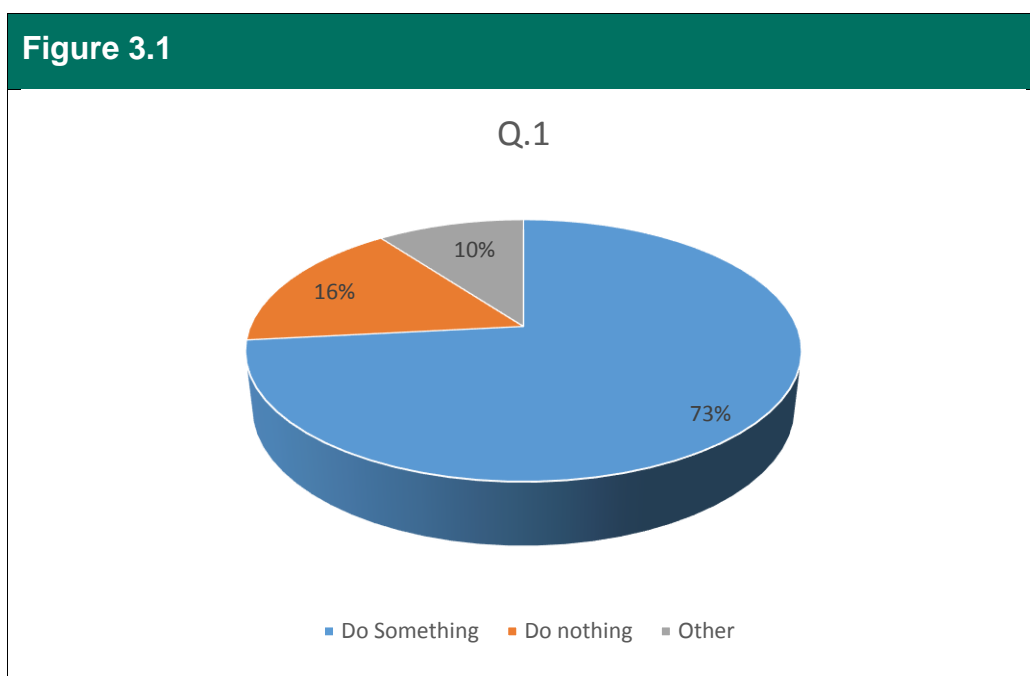
Part 3 - Detailed Summary of Responses

Q1 Do nothing – this means not changing the law and the weight limits remaining as they are. Is this your preferred policy option? Please explain your answer.

3.1 Total number responding to this question: 225³

Table 3.1	
Q.1 Do Nothing	Number
Yes	37
No, No-other	165
Other	23

Figure 3.1



3.2 73% of respondents, including the majority of representative organisations from all sectors, supported some change from the current

³ Sector specific figures (where given) include responding trade unions and trade bodies representing that sector

weight limits. This included 92% of the farming sector responding to this question. Common reasons given were:

- With the technical advances made with modern tractors and trailers the 1986 Regulations' weight limits are out of date and need raising.
- There is a need for parity with other EU Member States to address commercial disadvantage.
- The current weight limits encourage use of smaller tractors to maximise trailer loads leading to potentially unsafe operating.
- The current limits are incompatible with the processing rates of other farm machinery such as combine harvesters, leading to uneconomic downtime.

3.3 Most 'do nothing' responses received were from hauliers, individuals and Parish Councils, though 5% of farmers responding to this question also opposed change.

3.4 The small number of farmers who responded in favour of the status quo felt the proposals to increase weight limits would only benefit larger operators, could lead to unnecessary additional costs to smaller farms, would result in road safety issues and that the rural road infrastructure is unsuitable for larger, heavier vehicles.

'I know how difficult it is for us to stop with a tractor and trailer and I do not have old tractors but modern ones with braked trailers. The countryside is not the place for these larger trailers and as most farms are in the countryside I cannot see the benefit of extra speed and size except for the few large farms using roads in the large arable areas so I would implore you not to allow this legislation for larger trailers and increased speed of tractors to be passed.'

3.5 Some hauliers felt they were already at a commercial disadvantage compared to farmers (as they have to comply with more onerous regulation, such as operator licensing and drivers' hours rules) and that increasing weight limits would exacerbate the situation. Concern was also expressed that drivers would not be suitably trained/qualified to safely operate the heavier equipment on public highways and that the specification of trailers should be in line with road haulage industry standards.

'To me, the questions that need to be answered on this subject are what rules are going to be imposed and how rigorously are they going to be imposed? Hauliers want a level playing just as farmers do...'

3.6 Two parish councils opposed change and expressed concern over the ability of the local rural road infrastructure to accommodate larger, heavier vehicles as vehicles operating under the existing limits were already damaging the roads and verges.

'The roads through the village were not designed to carry the existing permitted weight limits with the result that the verges are continually being eroded to the severe irritation of residents. Heavier vehicles will only exacerbate this issue.'

- 3.7** Safety was a concern for those supporting the 'do nothing' option, with several responses claiming unsafe operation by young untrained drivers. There was also concern that increasing weight limits would lead to damage to bridges and roadside buildings along with a general deterioration of 'the quality of life' of rural communities. Some representative comments are below:

'One can see the damage done to roadside verges, herbage and adjacent structures and realise even now that these vehicles are so often oversized '

'Speed and weight limits are already too great for the small county roads and lanes. Some differentiation between main classified roads and others should be the only possible area for consideration, even with existing vehicle limits.'

- 3.8** Other points included:

- specification of trailers should be in line with road haulage industry standards;
- larger vehicles are not suitable for rural roads;
- there should be a test to acquire a tractor driver's license similar to the test required for an HGV licence.

Q.2 Policy Option 1: Agricultural vehicle operators would volunteer for an annual test, outlined in the law, in order to qualify for increased maximum trailer and maximum combination weights. The maximum weight of agricultural trailers would increase to 21t (from 18.29t) and the maximum weight of combinations would increase to 31t (from 24.39). Is this your preferred policy option? Please explain your answer.

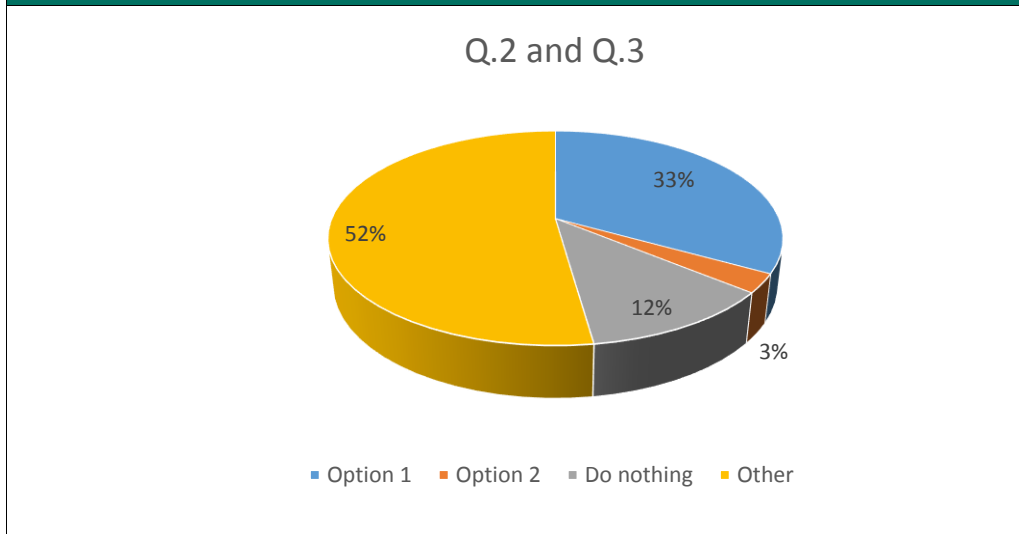
and

Q.3 Policy Option 2: Agricultural vehicle operators would volunteer for an annual test, outlined in the law, in order to qualify for increased weight of combination permitted (while keeping the same maximum trailer weight). The maximum weight of agricultural trailers would stay the same at 18.29 and the maximum weight of combinations would be 31t. Is this your preferred policy option? Please explain your answer.

3.9 Total number responding to these questions 245

Table 3.2		
Q.2 and Q.3	Number	
	Policy Option 1	Policy Option2
Preferred Option	81	7
Other	128	
Do nothing	29	

Figure 3.2



3.10 The majority (52%) of respondents, including 54% of farmers suggested ‘other options’. Of those suggesting other options, the largest group were advocating higher weight limits than proposed. However many were also keen to see additional regulatory measures in place other than roadworthiness testing, for example Driver CPC, operator licensing, and rules to ensure that appropriately large tractors are used with larger trailers. Hauliers, in particular, were keen to ensure a level playing field between farmers and heavily regulated HGVs.

3.11 There was significant support (33%) for Option 1, including 40% of farmers responding to this question, though many of these respondents also advocated higher weights. Reasons given for supporting Option 1 included:

- Higher weight limits would enable fewer trips therefore enabling a reduction in fuel use/emissions,
- Higher weight limits would allow modern tractor and trailer combinations to operate legally and safely on the road
- Increasing weight limits will allow for fewer journeys on roads, with the ability to carry more tonnage in one movement.
- Option 1 is necessary to provide parity with other EU member States.

3.12 Many responses indicated some form of test and possibly increased minimum specification for technical standards (including brakes) was necessary to operate at the higher weights, or other regulatory measures. Some felt that a test would be disproportionate at these limits. Comments included:

'Modern tractors can safely haul 31t and with an MOT style test would remain safe'

'31t gross weight is move in right direction but need to consider that size of tractor is safely matched to the weight of trailer and the need for suitable brakes to stop the combination quickly when necessary'

'Testing of drivers necessary and CPC style training necessary to maintain road safety'

3.13 Responding safety organisations supported an increase in weights only with the introduction of a roadworthiness test.

3.14 Local Authorities were generally in favour of the proposal to increase weight limits.

3.15 There was very little support for Option 2, as respondents felt that it gave little increase in permitted load weights.

"Maximum trailer weights must be increased as with Option 2 current practice would still break law"

3.16 Of those supporting an option other than Option 1 or 2, comments included:

'Increase gross train weight to 38t and put in pre-seasonal checks (MOT style) on tractors with spot check done by DVSA as they do now.'

'This policy does not go far enough to address the change in modern agricultural equipment in terms of weight, speed and safety that would allow for higher gross train weights.'

'Yes if not higher. Many 14 t trailers can weigh 5-6t and a 200hp tractor can weigh 11-12t so a tractor and trailer combination weighing 18t could still only carry 13t in it. Many trailers are now 18t capacity so the maximum weight ought to be 36t.'

3.17 29 responded 'do nothing.'

Q.6 Do you consider there to be any additional policy options, or variants of policy Options 1 and 2? Please explain fully and provide any evidence you may have.

3.18 Total number responding to this question 108

Table 3.3	
Q.6 Other Policy Options	Number
Higher limits	30
Compulsory test	25
Driver training/test	19
Minimum age	12
Higher vehicle specification	13
Same rules as HGVs	9

3.19 28% of respondents called for higher limits than proposed in Options 1 and 2, or the industry proposal under Q.4. The majority of these respondents thought that compulsory testing should be introduced with any higher limits.

3.20 8% thought agricultural tractors and trailers operating at the proposed weights should be subject to the same regulations as HGVs.

3.21 18% of respondents thought that driver training/testing should be mandatory and 11% thought a minimum age requirement should be introduced.

3.22 12% of respondents thought that higher minimum vehicle standards should be a condition of operating at the proposed limits with specific mention of braking efficiency, air brakes and safe trailer coupling systems.

3.23 Some other respondents thought that:

- To operate safely, tractor weight/brake horse power should be matched to the trailer laden weight rather than be restricted by an overall maximum train weight.
- Vehicles operating at proposed weights should be limited to use of A and B class roads only.
- The maximum permitted weight should be per axle not gross weight.

Q.4 The industry has proposed weight limits of up to 33t maximum train weight for a tandem axle trailer with an axle spacing of greater than or equal to 1.8 metres, and 37 tonnes train weight for a tri axle trailer with road friendly suspension. What are your views on these limits?

3.24 Total number responding to this question 177

Table 3.4	
Q.4 Industry Proposal	Number
Yes	124
No	51
Other	2

3.25 The majority (70%) of those responding to this question were in favour of the industry proposal. This included 77% of farming sector responses.

3.26 Some of those supporting this proposal commented:

'These weights and axle specification is entirely appropriate and in many case already very widely in use. If the UK is going to continue to try and compete in produce wholesome food at the best possible price the weights will be vital.'

'These limits are more in line with current axel limits for HGVs, and would greatly assist the farming industry by increasing efficiency of operations. Existing legal maximum axle loadings are outlined in the Construction and Use Regulations 1986, Regulation 79. As a consequence of this, there is no need to have a separate limit on trailer weight as this would unreasonably restrict the capacity of agricultural trailers where their axle loadings and spacing would permit larger loads to be carried.'

'It would remain within the design limits of modern machinery and allow most efficient use of road, time, machine and operator.'

3.27 Of all respondents to this question, 20% expressed concerns that the increase in weight limit should be dependent on an improved safety specification for tractors and trailers (air brakes, suspension etc.) and 6% specifically mentioned the need for an annual test. One respondent stated a test was unnecessary at these proposed weights.

- 5% of respondents commented that when considering combinations, tractors should be large enough to safely haul the proposed increased weights.
- 6% thought that for the proposed increase, tractors/trailers and operators should be subject to the same/similar requirements and testing as HGV operators.
- 4% responded the proposed weights were not high enough.

3.28 Other respondents commented:

'Makes it very expensive as tri axle trailers are more expensive to buy, maintain and run.'

'Ok provided a compulsory system of vehicle and driver testing is introduced'

'A minimum age limit of 18 should also be a requirement for these higher loadings. 16 - 18 year olds should be able to drive using the current weight limits.'

'Why are they not proposing road friendly suspension for tandem axle trailers?'

3.29 The 29% of respondents not in favour of the industry proposal gave comments that included:

'...surely tractors should be made to have compulsory MOTs with drivers made to take HGV tests and compulsory annual training for safety reasons.'

'Combinations running at these higher weights should be subject to the same regulations and enforcement as the goods vehicle sector'

'not until there is a change in the licencing i.e. HGV and MOT testing'

'At that weight the dangers to the public are the same as a car driver driving a 44t vehicle. Why no special licence like an HGV driver, why no training? Why no compulsory MOT why rebated diesel when used for on road hauling?'

3.30 With one respondent commenting:

'Far too high. These weights are encroaching on HGV levels with no cost at all to the farmer. As an owner/operator I have to comply with lots of legislation to maintain my operator's license and I object to farmers taking my livelihood.'

Q.5 Do you think that a test requirement is necessary as part of any of the options above? I.e. should the limits be changed keeping existing enforcement provisions? If so, what are your views on this test, for example, where should a test occur, who should it be undertaken by, what should be tested?

3.31 Total number responding to this question 200

Table 3.5	
Q.5 Annual Test Required	Number
Yes	185
No	15
Other comments	
Test all	55
Test on base of size	57
Minimum age	25
Driver test	36
Mandatory training	28
Tachograph, CPC etc.	27

3.32 Of those responding to this question 92% were in favour of an annual test either for all or only those operating at the proposed higher weight limits. This included 90% of farming sector and 91% of logistics sector responses.

3.33 Responses to the question of whether all vehicles should require a test or whether testing should be weight related were very evenly balanced, with 30% opting for test all and 31% opting for testing only those operating at the proposed limits.

3.34 14% of respondents thought there should be a minimum age for drivers and 15% of respondents thought drivers' training and licensing requirements should be strengthened.

3.35 Owing to the seasonal use of tractors and trailers, some respondents thought that tractor and trailer test intervals should be dependent on use rather than time.

3.36 Of the trade and other representative organisations responding to this question, eight supported vehicle roadworthiness testing, of which three

could only support roadworthiness testing at the higher weights proposed by industry. Some also questioned whether driver competence needed to be addressed and one thought that any test should be through a visiting service with no impact on the existing resources of the HGV testing scheme.

3.37 Not all responding in favour of testing gave a view on whether the roadworthiness test should apply to tractors, trailers or both. However, some respondents commented that testing as a combination would not be practical for farms where there were numerous tractors and trailers (and therefore numerous combinations) to be tested.

3.38 15% of respondents called for requirements similar to those for HGVs to be put in place (for example the use of tachographs, driver CPC) of which 1% were from the farming sector.

3.39 Comments included:

'Tractor and trailer testing should be mandatory and should be subject to regular servicing requirements similar to HGVs.'

'All tractors and trailers if they run at higher weights should be bound by the same rules as HGV's. 6 weekly checks and annual test'

'A test requirement should be pivotal to all of the options given. The test criteria should cover all aspects of roadworthiness of agricultural vehicles.'

'Whichever policy option is introduced, it should be imperative that there is the introduction of annual testing and inspections/routine servicing for agricultural vehicles and trailers.'

3.40 As to where the testing should take place;

19% of farming sector comments indicated a preference for testing at a DVSA centre whilst 10% thought that testing should be undertaken at the farm, with one respondent suggesting the use of a portable rolling road. Logistics sector comments largely supported testing at a DVSA test centre though two respondents commented the test could be undertaken at the farm by a certified examiner.

'Test at a designated MOT HGV test centre with the same requirements as a 32t artic'

'Testing should perhaps be at 6 monthly intervals. Testing could be done on farm by certified tester.'

3.41 On the question of who should test vehicles for roadworthiness the largest group of farming sector responses (36%) thought a qualified agricultural engineer or dealer whilst the logistics sector favoured DVSA staff.

‘Agricultural machinery dealers would be ideal test centres, set up and certified in the same way that MOT test centres are, including, for example, rolling road equipment.’

‘I believe the test should be undertaken by businesses which already deal with the sort of equipment involved for example machinery dealers. It would not be practical to use current HGV test centres as the location of these for a regular test would be prohibitive due to their distance for agricultural machines’

‘Tractor and trailer testing should be mandatory and should be subject to regular servicing requirements similar to HGVs. Testing could be carried out by approved agricultural engineering companies.’

‘All tractors and trailers if they run at higher weights should be bound by the same rules as HGV’s. 6 weekly checks and annual test carried out by trained DVSA staff’

3.42 Comments were also received on how roadworthiness tests could be recorded. Some felt that trailers should carry a permanent identification plate and registered on a database, perhaps carrying a licence plate to show when last tested.

One respondent suggested:

‘I believe that farmers should be able to register their equipment as either the old 24.39/18.29t rules or the new 31/21t system. They should be able to operate smaller trailers at less than 24.39/18.29t without any change in testing/rules and any larger trailers should be registered for the 21/31t scheme. Any new trailers would need to be registered at manufacture as 24.39/18.29t or 31/21t. I personally run 110hp tractors with 12t trailers and I feel that this size does not require any change in legislation, whereas if I went up to 21/31t, I would accept that my harvest students operating these rigs be tested annually and the trailers tested every 3-5yrs’

Q.7 The Impact Assessment assumes that the voluntary annual test would be a self-funded scheme (i.e. the agricultural vehicle operators incur the costs of testing). Do you agree that it should be self-funding?

3.43 Total number responding to this question: 180

Table 3.6	
Q.7 Vol. Annual Test	Number
Yes	158
No	22

Of those responding to this question 87% were in favour of self-funding for tests.

3.44 14 respondents provided additional comments supporting self-funding for a voluntary test.

3.45 One respondent suggested DVSA supervision and a structure similar to that in place for HGV and MOT testing. One thought that cost should be no more than HGV testing (on a pro rata basis) whilst another thought there should be some input from Government towards setup costs.

3.46 12% were not in favour of self-funding of tests for reasons such as:

‘If government thinks it’s in the national interest to test agricultural vehicles then the government should pay.’

‘The industry is already squeezed by the supermarkets and perhaps a levy on food to cover the cost would spread the cost more fairly.’

‘I think it should be 50:50 with the Government as it is as much a benefit to the whole nation as to the farmer. But if it meant it got the motion passed that its self-funding then lets self-fund’

Q8. If you are responding as an agricultural vehicle operator, what do you consider to be a reasonable cost for the voluntary annual test?

3.47 The total number responding to this question was 145. The 27 comments stating ‘don’t know’, ‘not applicable’ or offering no opinion, have been removed from the total for this summary.

Table 3.7	
Q.8 Cost of Annual Test	Number
Figure in £s	98
Comparative cost e.g. 'as for car MOT'	20

3.48 79% suggested a cost in figures (£s).

3.49 41 estimated costs per item were provided; the suggested costs for roadworthiness testing per item breaks down as:

Tractor only: estimate range £30-100, mean £59

Trailer only: estimate range £20-200, mean £51

Combination: estimate range £50-750, mean £223

£750 is treble the next highest estimate. If this figure is discounted the mean suggested cost for combinations would be £157.

- 3.50 57 respondents provided an estimated cost for an annual test without specifying what was to be tested. These figures ranged from £0 to £250 with a mean estimated cost per test of £89.
- 3.51 11% thought the cost should be in line with or proportional to an HGV test whereas 5% thought it should be as for a car MOT.

Q.9 Do you feel the balance of savings and costs of extra weight detailed in the Impact Assessment reflects your own experience or expectations?

3.52 Total number responding to this question 114

Table 3.8	
Q.9 Savings and costs broadly accurate	Number
Yes	94
No	18
Other	2

- 3.53 82% of those responding to this question agreed the balance of savings and costs detailed in the impact assessment reflected their experience or expectations.
- 3.54 16% of respondents disagreed with the balance of savings and costs with nearly all making no additional comment.
- 3.55 Some respondents felt that the Health and Safety Executive's (HSE) 2007 report 'Evaluation of the Mechanical Condition of Agricultural Vehicles' had significant limitations, and that the results were misleading.
- 3.56 One local authority commented:
'No, not enough information on the costs of road deterioration and the subsequent maintenance costs that will fall on the local highway authority. This potentially has a larger impact on those authorities with significant lengths of narrow evolved highway.'

Q.10 Do you have any evidence on the frequency or severity of collisions involving tractors towing agricultural trailers on public roads and what effect an increase in the maximum weight limit would have on the safety of all other road users?

3.57 Total number responding to this question 158

Table 3.9	
Q.10 Would weight increase affect safety?	Number (Opinion)
No evidence	45
Safer	37
Less safe	21
Same	17
Other	38

3.58 Under this question there was very little quantitative evidence given – most offered anecdotal evidence. 34% of respondents thought that increasing weight limits would not increase the risk of collisions on the road with 23% of respondents expecting the testing of tractors/trailers and training of operators to be a positive contribution to safety. Common reasons given include:

‘increasing the overall weight limit will make tractor trailer combinations safer on the road as bigger heavier tractors will handle the weight better, bigger brakes better engine braking.’

‘Safety of other road users would be aided by the testing regime on the larger carrying machines, it must be recognised that these machines should have superior braking systems fitted by the manufacturer.’

‘Higher weight limits would mean fewer tractor/trailer combinations required to move produce, therefore collision likelihood must fall.’

'My experience of collisions involving agri[cultural] vehicles is that the car drivers have always been in the wrong, most times overtaking while the agri[cultural] vehicle has been turning right, with indicators signalling correctly. The maximum weight limit should not affect other road users' safety, it should actually make it safer having a heavier tractor towing, better to control the load.'

- 3.59** 13% of respondents thought increasing weight limits would increase the risk of collision on the road. Common reasons given included that the vehicles are too large for the rural road infrastructure, increased stopping distances for vehicles hauling higher weights, young/inexperienced drivers and a general lack of vehicle maintenance and roadworthiness.

'It appears to me that many drivers of heavy tractor and trailer combinations are inexperienced, poorly trained, and unaware of their impact on other road users. I fear that any weight or speed increases without compulsory training and testing will lead to many more serious road traffic accidents and human casualties.'

'Increasing the potential maximum weight & thus stopping distances together with the reduction in cornering speeds caused by the change in the centre of gravity coupled to the fact that these could be driven by children will increase both the risk & severity of collisions.'

'I can recall many instances of vehicles being overloaded regularly, trailers and towed vehicles without satisfactory brakes, vehicles with no rear lights, loads not properly secured (with many cases of loads being lost on public highways with delays and detriment to motorists as well as the obvious safety risk)'

'Any proposed raising of limits and speeds will lead to accidents, deaths, travel delays and further misery on the HGV industry and will do nothing to serve agriculture, which itself does not have a problem in the vast majority of cases'

- 3.60** 34% of respondents gave comments which did not indicate an opinion on the effect the proposed weight increase would have on road safety. These have been categorised as 'other' and include comments such as:

'No evidence but correct tractor/trailer match is essential as a mismatch will contribute towards accidents'

'A lot of accidents aren't caused by weight but by inexperienced operators without sufficient training'

'No evidence other than personal experience, the usual causes over loading, faulty brakes, inexperienced driver. Main cause is rear lights on trailer not working correctly'

'I have seen plenty of tractor/trailer combinations involved in accidents and trailers becoming detached.'

'It's not the tractors that cause accidents, it is other drivers trying to overtake'

Q.11 Do you have any evidence on what effects if any the policy will have on road wear and tear and road maintenance requirements?

3.61 Total number of responses to this question: 92

Table 3.10	
Q.11 Increased road wear and tear?	Number (Opinion)
Yes	40
No	52

3.62 There was no evidence submitted but 92 respondents submitted an opinion. 43% thought that wear and tear would increase and 56% thought there would be no increase in wear and tear.

3.63 Main reasons given for no increase can be summarised as:

- With higher weight limits there will be fewer trips. Lower mileage travelled will mean less wear and tear.
- Higher specification suspension and road friendly tyres will result in less wear and tear to road surface.
- Better load distribution will lead to more even axle weights and better spread of load over road surface.

3.64 All Parish Councils responding thought that wear and tear would increase as a result of increasing weight limits. Reasons given were largely concerns that the rural road infrastructure is not capable of supporting larger and heavier vehicles and that any increase in weight limits would result in greater damage to roads, roadside verges and bridges.

3.65 Other reasons given for an increase in wear and tear can be summarised as:

- Larger, heavier tractors and trailers will exert more force on road surface.
- Agricultural tyres and suspension are not road friendly.

- The size of vehicle required to carry the proposed higher weight limit is unsuitable for the rural road infrastructure and will lead to an increase in damage to both roads and roadside verges.

Q.12 Do you think there will be a direct transition cost of implementation which government or the private sector will incur as a result of the weight limit change? Please provide any evidence or figures you may have.

3.66 Number responding to this question: 113

Table 3.11	
Q.12 Direct transition cost?	Number
Yes	34
No	57
Other	11
Don't know	11

3.67 50% of respondents to this question thought there would be no direct transition cost of implementation and 30% thought there would be costs.

3.68 Reasons given for no expected transition costs included:

‘Any cost attributed will be incurred on an annual basis. There may be a cost to individuals who choose to upgrade machinery to make it easier to comply with any new legislation.’

‘There should be little in the way of transition cost unless government make things complicated.’

3.69 Comments given by those expecting transition costs included:

‘Setting up the guide lines for the test and training hgv centres or whoever is used.’

‘Yes tractors and trailers will need to be on a database like for HGVs.’

‘there will always be a small cost with implementing a new law. I feel the greatest cost would be to the agricultural industry with getting tractors and trailers up to spec to be in line with the laws.’

‘Yes, some manufacturers do not put sufficient braking systems on to their product as standard. This will need to be addressed for new implements, and for existing ones already in service. Once completed, maintenance should be easier to do.’

‘[There will be] Bridge strengthening costs in certain instances’

3.70 Of the 11 responses included under other, nearly half commented on increased costs due to road wear and tear, which would not be classed as a transition cost.

Q.13 Do you have any evidence on the impact of this proposal on fuel consumption?

3.71 Number responding to this question: 96

Table 3.12	
Q.13 Fuel consumption?	Number (Opinion)
Less	69
More	8
Same	13
Other	6

3.72 Of the 96 respondents offering a view, 72% thought the proposal would lead to fuel savings while 8% thought fuel consumption would rise and 13% thought there would be no change.

3.73 One respondent estimated that if the gross tonnage was increased to 37t, fuel consumption would reduce by up to 23% on a per tonne basis.

3.74 The main reasons given for reduced fuel consumption can be summarised as:

- There will be fewer journeys required to shift the same tonnage
- There will be fewer unladen ‘return to base’ journeys
- Modern larger tractors are more fuel efficient

3.75 Reasons given for an increase in fuel consumption include

- Heavier loads will mean increased fuel consumption
- Tractors bought for safe use on road will be ‘overkill’ for off road tasks resulting in a greater overall fuel consumption

Q.14 Do you think that increased weight limits would lead to a shift from other modes of haulage into agricultural haulage?

3.76 Number responding to this question: 162

Table 3.13	
Q.14 Modal shift	Number
Yes	42
No	106
Other	14

3.77 Of those responding to this question 65% thought there would be no shift from other modes of haulage into agricultural haulage as a result of this proposal, whereas 26% thought there would be a shift.

3.78 Typical reasons given for no shift can be summarised as:

- Agricultural vehicles are too slow compared to HGVs.
- The specialised nature of agricultural haulage where vehicles must be operated both on and off road is not suitable for general haulage.
- It would not be cost effective to haul anything other than agricultural loads with an agricultural tractor as operators would be required to use non rebated white diesel and pay Vehicle Excise Duty.

3.79 The main reasons given by those who thought there would be a shift from other modes considered that using a tractor / trailer combination would be cheaper than using an HGV because:

- There are lower running costs as tractors use red (rebated) diesel;
- There is no requirement for servicing;
- There is low or no vehicle excise duty;
- Little/no insurance is required;
- There is no requirement for an Operator Licence;
- There is no driver training requirement beyond a category F or B licence (tractor or car) and;
- There are no drivers' hours restrictions.

3.80 Breakdown by Sector

3.81 Farming Sector

There were 46 responses from the farming sector of which 80% thought there would be little or no shift from other modes into agricultural haulage. Seven respondents thought there may be some shift as a result of an increase in weight limits. Comments given for this included:

‘Quite possibly a shift from farm to end buyer within a given radius’

‘Possibly a little but only for local traffic’

‘There is a possibility of a shift but this should be policed/monitored’

3.82 Logistics Sector

There were 11 responses from the logistics sector of which 64% thought there would be a shift from other modes into agricultural haulage. Comments included:

‘Yes, the haulage industry will suffer as a result of higher weights’

‘I very much agree there will be a shift, as agricultural haulage is cheaper to provide thanks to the lack of regulation and licencing.’

‘These limits will allow tractors to carry as much weight as an HGV we may see tractors doing the job of Artics without the need for operators licencing, trained drivers, white diesel and drivers hours laws. Careful consideration will be needed as there will be no reason for HGV operators [not] to switch to running tractors and do[ing] away with a lot of the legislation that comes with operator licencing.’

3.83 Four respondents did not expect a shift. One commented:

‘No lorries are still cheaper to run than tractors for haulage work.’

Q.15 How do you think the proposals will impact on small firms?

3.84 Number responding to this question: 145

Table 3.14	
Q.15 Impact on small firms	Number
Benefit	29
Disadvantage	28
No impact	60
Other	28

3.85 Of those responding to this question, the largest group (41%) thought an increase in weight limits would have no significant impact on small firms. Those who thought there would be an impact were almost equally divided on the nature of that impact with 49% expecting a negative impact and 51% a positive one.

- 3.86** This differs from the responses received from the farming and logistics sectors where:
- 44% of farmers believe there will be little or no impact on small firms, but only 7% predict a negative impact and 24% a positive one, and 66% of responses from the logistics sector predicted a negative effect.
- 3.87** Reasons given for a negative impact included a loss of business for small road haulage companies due to a shift into agricultural haulage and the cost to small farms of new equipment and subsequent maintenance/running costs. Comments included:
- ‘Farming/agricultural businesses will benefit whilst small hauliers will lose custom’*
- ‘It will destroy small hauliers who operate according to the law’*
- ‘It could and probably will drive some hauliers out of business’*
- ‘Working in haulage all of my life, I know several small firms that I would bank on either closing or reducing vehicles/staff should the proposals come to fruition’*
- ‘It will take work from legitimate hauliers because they [farmers] can do it cheaper.’*
- 3.88** Typical reasons given for a positive impact can be summarised as:
- Demand for new trailers may boost business for UK trailer manufacturers
 - Increased efficiency will lead to cost savings
 - There will be less labour required at harvest as fewer tractors and trailers will be required
 - The proposal will increase farmers' ability to compete with other States and run more efficiently
 - This will give small farms more options for the transport of their goods
- 3.89** Other responses (summarised) included:
- Should lead to some unsuitable/unsafe trailers in current use being replaced by new roadworthy equipment
 - Must retain the option for small firms to opt out of test if not operating at higher weights
 - small farms would need to use agricultural contractors more to avoid the need to invest in bigger equipment and
 - A two tier system is needed so small firms can continue to operate at existing weight limits without testing

Q.16 Please provide any evidence you may have on the number of agricultural operators who fail to comply with the current weight limits.

There were 85 responses to this question with 71 expressing an opinion on compliance with the current weight limits.

Table 3.15	
Q.16 Operators currently not compliant	Number (Opinion)
Non-compliant	70
Compliant	1
Other	14

3.90 There was very little evidence provided under this question but of the opinions given 99% indicated that a significant number of operators are currently non-compliant. Of the farming sector responses offering an opinion, 55% thought that farmers operate outside the current limits, 13% thought farmers were compliant with the current limits, whilst 32% offered other comments.

3.91 Reasons given for non-compliance included:

- Modern equipment would mean running with trailers half empty to comply with current regulations
- Lack of enforcement activity leads to lack of evidence about compliance
- Lack of enforcement leads to lack of compliance

3.92 Other comments can be summarised as:

- When using safe combination of loaded trailer and larger tractor it can be difficult to stay within current train limits.
- With modern equipment it may be easy to inadvertently overload trailers.
- There are limited opportunities to weigh agricultural vehicles in the normal course of operation. Increased limits would reduce possibility of overloading.
- Without a knowledge of the trailer contents it is impossible to say if a trailer is overloaded without weighing.

3.93 There were two Police responses offering evidence:

- The Association of Chief Police Officers commented that evidence obtained through operational enforcement (e.g. operation Harvester)

concur with the HSE study that a significant proportion of agricultural machinery is not roadworthy.

- Police Scotland referred to a recent 3 month operation where over 60% of tractors tested failed to comply with weight limits.

Q.17 Do you believe that current enforcement practices will need to change if the weight limits are increased?

3.94 Number responding to this question: 170

Table 3.16	
Q.17 Change needed	Number
Yes	82
No	83
Other	5

3.95 Responses to this question were evenly split with 48% thinking there was a need for change and 49% thinking there was no need for change. 74% of farming respondents and 25% of logistics respondents thought there was no need for change and 26% of farmers and 75% of logistics respondents thought a change would be necessary. The main reasons given for change were:

- There is a current lack of enforcement
- There will be a need for increased enforcement activity for a period after introduction of roadworthiness testing
- There will be a need for enforcement authorities to have access to test data
- There is a need to check that cargo is farming related
- There should be greater use of weighbridges to check for compliance
- There should be more enforcement on minor roads

3.96 Comments included:

‘Enforcement authorities would need access to the trailer test data to ensure compliance. There would also need to be a permanent means of identifying the owners of the trailers. A disc system similar to HGV trailers would be beneficial as it would record the trailer chassis number of the tested trailer for ease of identification. At present unless a trailer is put for test there is no means to identify an owner.’

'Roadside spot checks are effective (as someone who has received an enforcement notice). This is a good way of making sure you are more vigilant in the future.'

3.97 Reasons given for no need for change included:

- Current DVSA and Police inspections are adequate and effective
- Higher limits will lead to better self-policing
- Higher limits will reduce the need for enforcement as more operators will be compliant

3.98 Six responses commented on the need for consistency of enforcement across the UK and the need for clarification of the regulations for both enforcement agencies and operators.

Q.18 *Do you think that an increase of the maximum agricultural weights will have a significant impact on noise levels? Please provide any evidence you may have.*

3.99 Number responding to this question: 113

Table 3.17	
Q.18 Impact on noise levels	Number
Yes	19
No	94

3.100 The majority of respondents (83%) thought there would be no significant increase in noise levels as a consequence of increasing weight limits.

3.101 Main reasons given for no significant increase included

- Although larger, modern tractors are built to a higher specification and quieter
- The weight of a vehicle does not materially affect sound emissions
- Better maintained tractors and trailers will be quieter
- Fewer journeys will mean shorter duration for noise generated

3.102 The main reasons given by those who thought there would be a significant increase included:

- Larger vehicles will generate more noise
- There will be increased tyre noise

- Engines will need to work harder to pull heavier payloads and will therefore be noisier
- There will be more noise with increased use of air brakes

Q.19 Do you think that all of the potential costs and benefits of the policy options have been considered in the Impact Assessment? Please provide details if you think costs or benefits have not been included.

3.103 Number responding to this question: 78

Table 3.18	
Q.19 Potential costs/benefits	Number
Yes	53
No	19
Other	6

3.104 The majority (68%) of respondents to this question thought that all the potential costs and benefits of the policy options had been included, whereas 24% thought some costs or benefits had not been included and 8% provided other comments.

3.105 Of those thinking that some benefits had been omitted, one response thought the benefits had been underestimated, one thought there could be a benefit to British trailer manufacturers whilst another raised the additional benefit of fewer empty return journeys.

‘There could be potential benefits to the economy through businesses investing in new trailers and equipment to meet the regulations and make use of the improved weight limits.’

‘mention had not been made of fewer empty return journeys and I can see no assessment anywhere of that. It is of far more significance in agriculture than in the HGV haulage simply because we don't have back loads. E.G. It is not allowed to haul dung to a field then reload there and then with grain from a combine. The trailer would have to be cleaned and disinfected.’

3.106 Costs that respondents thought should have been included in the IA included costs of; enforcement, damage to road infrastructure, road

accidents, and the increased cost of trailers if they were required to be type approved.

‘One of the important issues in this policy area is enforcement. Levels of enforcement related to fair competition and managing road risk are inadequate at present but the need would become substantially more pressing were an increase in weights to be allowed. This would involve additional costs. We are concerned that this no-where reflected in the impact assessment either in terms of costing or funding.’

‘If higher weights cause an increase in tractors on the public roads this will have a detrimental effect on other road users, increased journey times and increased fuel and brake usage’

‘There is no evidence that the environmental costs have been more than cursorily considered.’

‘[We believe] that an impact assessment of the costs or benefits should include the cost of accidents involving agricultural vehicles on public roads.’

‘Will trailers have to be type approved to be on the road if this higher weight goes through? This will raise the price of new trailers and mean a lot of people will have to buy new to meet this.’

- 3.107** One respondent thought the DfT estimate for the number of units likely to be presented for roadworthiness testing may be too high, leading to an overestimate of both costs and benefits and that the assumption made that the same number of trailers as tractors would be tested was inaccurate.

‘The DfT low estimate indicates 95,252 and the high estimate 142,878 trains; i.e. tractor and trailer. These figures equate to 190,504 and 285,756 tractors/trailer tests respectively, we think these estimates are extremely ambitious and would not represent actual demand, especially when annual tests of HGV’s and their trailers only total 623,000.’