



Department
for Transport

Government Response to Consultation Examining the Weight and Speed Limit for Tractors and Trailer Combinations

October 2014

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Ministerial Foreword

I am very pleased with the high level of interest shown in these consultations and would like to thank all those who responded for their valuable input. I have noted the views expressed, both by people concerned about the proposals and supporters.

After careful consideration I have decided to proceed with plans to increase the weight and speed limits of agricultural tractors and trailers and to develop detailed proposals for a roadworthiness test for these vehicles. These changes will apply to Great Britain and are planned to be implemented in two distinct phases from Spring 2015.

These changes will update regulations which were set in the 1980s and before. The changes will better reflect the capabilities of modern machinery (which are safer due to technological advances such as improved braking systems but are also heavier). Increasing these limits will improve the efficiency of the farming sector and help to boost the economy. However, there was also significant support for the introduction of a roadworthiness test.

Initial changes to weights and speed limits will be introduced by March 2015 and will include increasing the maximum combination weight limit for tractors and trailers from 24.39 tonnes (t) to 31t and applying an effective speed limit of 25mph for conventional tractors.

Phase two is planned for introduction before harvest 2016 and it includes the consideration of further increases in weights and speeds, including maximum laden trailer weight limits and a roadworthiness test for some agricultural tractors and trailers.

The farming sector is an essential part of the economy which puts food on the table. Today's heavier tractors mean that some farmers are forced to carry less produce than when the limits were set to stay within the weight limits set out in law. This is having an impact on the competitiveness of UK agriculture. For example, farmers need to be able to maximise the grain they can transport from the field to the store to keep up with harvesting operations and to preserve grain quality.

I expect the changes taking effect from next year to generate almost £62m in deregulatory benefits to farmers per year and bring our farmers more in line with their international counterparts.



Summary of Consultation Findings and Next Steps

Introduction

- 1.1** We received 611 responses to the consultations examining the maximum weight of agricultural trailers and combinations and speed limits for tractors. We are pleased with the high response rate and are grateful for the time people took to reply. This is a brief summary of the main findings, the Government's response to the consultations and the next steps. Full summaries of the responses can be found on www.gov.uk.

Consultation Responses and Government Response

- 2.1** A broad range of stakeholders responded to the consultations including a number of trade organisations representing the agricultural industry, engineers, manufacturers and the logistics industry; local authorities and parish councils; safety interest groups; individuals and police.
- 2.2** The majority of respondents supported increasing the weight limits of agricultural tractor and trailer combinations and increasing the speed at which conventional tractors can travel legally. Respondents generally thought that current regulations on weight and speed limits are out of date and do not reflect the current technological capabilities of modern tractors and trailers, but many also considered that if the limits were to be increased, it would be important to ensure provisions related to road safety were also considered. A number of other questions related to potential impacts were also asked, and responses considered.
- 2.3** The Department has decided to increase the weight and speed limits of agricultural tractors and trailers and to develop detailed proposals for a roadworthiness test for these vehicles. These changes will apply to Great Britain and will be introduced in two distinct phases from Spring 2015. Initial changes to weights and speed limits will be introduced by March 2015 and will comprise raising the gross train weight limit of tractors and trailers to 31t from 24.39t, and applying an effective speed limit of 25mph for conventional tractors, up from 20mph.

Proposed Weight Limits

- 2.4** The majority of the opposition to higher weight limits derived from concerns around competitiveness with haulage and the impacts on rural road maintenance of large vehicles. These are discussed below.
- 2.5** The Department considers that leaving tractor and trailer weight limits at 1980s levels does not present the best balance of benefits and dis-benefits in the 21st century. Technology has moved on significantly in the intervening 30 years, as have the demands we place on our farmers. The

current weight limits prevent farmers carrying as much produce as they did when the weight limits were set.

- 2.6** One of the main proposals in the consultation was to increase the maximum combination weight (also known as the maximum train weight) for tractors and laden trailers up from 24.39 tonnes (about 24 imperial tons). This is to be implemented as part of the first phase of changes, prior to other possible changes to weights and a roadworthiness test for some tractors and trailers, because there are advantages of doing this change in isolation.
- 2.7** The maximum combination weight is part of a regulatory framework which also includes maximum axle weights and a maximum laden trailer weight of 18.29t (about 18 imperial tons). This framework (with its difference of about 6 imperial tons between the maximum combination weight and the maximum laden trailer weight) assumed a tractor weight of up to about 6 imperial tons. So an increase in the maximum combination weight from 24.39t to 31t will allow tractors of up to 12t or so to haul the maximum laden trailer weight of 18.29t.
- 2.8** Because tractors often weigh considerably more than 6 tons, the outdated regulatory framework has created a perverse incentive to use smaller tractors to pull large trailers to maximise the produce that can be carried legally. So larger tractors, which all else being equal, will be able to handle large loads better, are legally unable to move the same loads as smaller tractors. It is also a constraint on efficiency. Complying with the current law generates more journeys than necessary, increasing costs, time spent transporting harvest, exposure to risks on the road due to more mileage and more fuel use.
- 2.9** The majority of respondents opting for a weight increase supported higher weight limits than the Department's two proposed options, including the industry's proposal for a 37t maximum gross train weight for tri-axle trailers (33t for two axle trailers), with no maximum laden trailer weights, but maximum weights determined by the existing maximum axle weights. The proposal also involves a roadworthiness test for some agricultural vehicles.
- 2.10** There was very strong support from respondents for a roadworthiness test to be put in place. The Department agrees that this will be a necessary component of a significant further increase in weight limits, beyond the initial change proposed in the maximum combination weight (above). We are grateful to respondents for their detailed comments on how a test should be set up and how the costs should be apportioned, and will consider them carefully as we work with industry and experts to develop detailed test proposals.
- 2.11** The Department will consider these views carefully in determining the appropriate final maximum gross train weight for harvest 2016.

Proposed Speed Limits

- 2.12** Consultation respondents indicated strong support for increasing the speed limit, with many advocating a higher speed limit than 25mph. The consultation responses indicated a great deal of confusion about the current speed limit and an expectation that it is being broken routinely.

On the evidence available to the Department, it would appear that changing the legal speed limit from 20 mph to 25 mph is liable to only result in a small change to average actual speeds.

- 2.13** The current 20mph speed limit is set lower than many tractor speed limits on the continent, and we are persuaded that this small increase in the speed limit will allow farmers to operate legally in a more competitive and efficient way, without significant dis-benefits.
- 2.14** The Department does not intend to raise the speed limit beyond 25mph as part of the first phase of changes, despite some suggestions to do so in the consultation (for example 30 mph on dual carriageways). Some tractors are already allowed to travel at 40 mph, because they comply with more stringent requirements. The proposal to increase the effective speed limit from 20 mph to 25 mph for most tractors was not linked to roadworthiness tests.
- 2.15** The Department will review the position as part of the second phase of the work. There is some existing pan-European legislation and proposals under development, which are relevant to any decisions about allowing speeds in excess of 25 mph. So we will consider this further as part of the package of changes to be implemented for harvest 2016.
- 2.16** Road safety was the main concern for those who opposed an increase in the speed limit. The Department has considered the evidence on this, and we explain our conclusions below.

Road Safety

- 2.17** Road safety is a priority for the Department, and so we considered carefully the possible impacts of the proposals on road safety.
- 2.18** Respondents' views that tractor accidents related to speed are in the main caused because tractors drive too slowly are reflected in the statistics on the cause of accidents¹. A slightly faster speed could avert some of these accidents. Very few respondents thought accidents were caused or exacerbated by tractors going too fast, and this is also reflected in the statistics. As the predicted change in speed is very small, the Department considers that the impact of the speed limit change on road safety is likely to be very small.
- 2.19** There is no clear relationship between vehicle weight and crash frequency. However the new combination weight limit planned for phase one will remove a legal barrier to farmers using larger tractors for large loads, which smaller tractors are currently allowed to tow. All else being equal the large tractors will be able to handle large loads better than smaller tractors. Using more balanced tractor / trailer combinations should result in better control of the trailer and improved handling of the combination, and thus less likelihood of overturning. The new combination weight limit will also mean farmers can more fully utilise the

¹ 2.7%, compared to 0.1% for other vehicles. 2005-2012 Contributory Factors data from STATS19. NB the contributory factors are largely subjective and depend on the skill and experience of the investigating officer to reconstruct the events which directly led to the accident. They reflect the attending officer's opinion at the time of reporting and are not necessarily the result of extensive investigation. Furthermore it is recognised that subsequent enquiries could lead to the reporting officer to change his/her opinion. Therefore the reliability of the contributory factor statistic cited is limited to some extent.

capacity of larger trailers (unlike in the status quo), encouraging their use. The use of larger trailers should reduce the number of 'overloaded or poorly loaded' agricultural vehicles – a contributory factor in a number of accidents involving tractors.

2.20 Though it might be expected that heavier weight would increase stopping distances, tractor brakes are likely to become more effective when used with a heavier unbalanced trailer, because more weight will be transferred to the rear axle of the tractor during braking, improving adhesion utilisation and so reducing the likelihood of the wheels locking.

2.21 The phase one weight limit increase will enable farmers using 16t trailers to make 11% fewer trips over the course of the year, and 18% fewer trips during peak months. This reduction in mileage would in itself work to reduce the number of crashes.

2.22 Some respondents were keen to see additional regulatory measures in place, other than a roadworthiness test, if weight limits were to be increased. The Department has considered whether other regulatory measures are needed by exploring the characteristics of accidents involving tractors². Particular options suggested by respondents and considered include:

- A minimum age for tractor drivers. The Department considers that there is insufficient evidence that the age of drivers is a significant risk factor to restrict the employment opportunities of young people in rural areas, as we do not have information on the age profile of tractor drivers.
- Increased training for tractor drivers, either through a different driving licence or Driver Certificate of Professional Competence. We have limited evidence at present to justify intervention around driver competence. The proportion of accidents associated with driver competence are broadly the same as other vehicles (suggesting enhanced driver testing may not have a large impact).
- Drivers' hours and operator licensing requirements. These would pose a significant burden for farmers, and as tractor journeys tend to cover relatively short distances from farm to field, the Department considers that this would be disproportionate. Some tractors used for some purposes do fall into these regulatory regimes but there are no plans to change the boundaries.

2.23 The Department considers that the moderate changes in weight and speed limits as part of phase one are likely to have a broadly neutral impact on road safety, and notes that only 13% of respondents to the weight limits consultation, and 10% of respondents to the speed limits consultation, considered that increasing these limits would negatively impact road safety.

Fuel Consumption and Environment

2.24 The majority of respondents considered that weight limit increases would lead to fuel savings, as farmers would need to make fewer trips to transport produce. The majority also felt that fuel consumption would fall

² From the 2005-2012 Contributory Factors data from STATS19.

as a result of the speed limit increase. We are unable to quantify the impact of this proposal on fuel consumption. This is because – whilst increasing the weight limits would result in fewer trips for tractor drivers – it could be argued that these vehicles will use more fuel per mile as they are more heavily laden. Since we have limited information about the fuel efficiency of agricultural vehicles, the net impact of these two effects is unknown, and consequently we cannot be certain about the impacts of proposals on greenhouse gases.

- 2.25** Respondents were asked about the impact of the proposals on noise levels, and the majority felt there would not be a significant impact. The Department agrees with this assessment, as though heavier faster vehicles may generate more noise, the proposals will result in fewer trips.

Modal Shift

- 2.26** We asked in the consultation if respondents thought proposals to increase speed and weight limits for tractor and trailer combinations would result in a shift from other modes of haulage into agricultural haulage. The majority of respondents felt that they wouldn't, and the Department agrees with this view.
- 2.27** The Department has listened to hauliers' concerns, and considers that tractors' low maximum speed mean that they do not present significant competition to haulage - over long distances, a lorry will always be a more efficient and cost effective mode of transport. The majority of tractor journeys are over short distances from field to farm, where it would not be possible to use lorries. The proposed speed limit increase is too small to materially change the relative attractiveness of tractors and lorries as haulage modes, given that lorries will soon have a 50mph speed limit on rural single carriageways - twice the proposed new speed limit of a tractor. We believe the introduction of a roadworthiness test will be an appropriate level of regulation for the higher weight limit we propose to put in place.

Compliance and Enforcement

- 2.28** Respondents to both the weight and speed limit consultations indicated that they thought there was widespread non-compliance with the current limits, reflecting that they are not fit for purpose - the main reason given for non-compliance related to the fact that the current limits were so out of date it is difficult not to exceed them. Respondents provided little actual evidence of this, however.
- 2.29** The Department notes the evenly split views about whether enforcement practices need to change and will consider whether changes are needed alongside the roadworthiness test and increase in weight and speed limits.
- 2.30** The Department is keen to ensure proportionate regulation and considers that the current regulations are disproportionately restrictive. Additional enforcement of the current limits is unlikely to be a proportionate use of Police or Driver and Vehicle Standards Agency resource, due to the small number of tractors, and the small roads they tend to use; which do not have appropriate places for checks to be carried out.

Road Maintenance

- 2.31** The Department has considered the impact on road maintenance in our revised impact assessment. We consider that the impact of heavier tractor / trailer combinations for the initial increase by harvest 2015 to 31t gross train weight will be small. The impact of heavier vehicles on road maintenance will be a consideration when the Department develops plans for higher weight limits for harvest 2016.

Impact Assessments

- 2.32** The majority of respondents to both consultations considered the impact assessments reflected their experiences and expectations. There were some comments that road maintenance had not been adequately considered, though no respondents provided evidence in answer to the consultation question about road maintenance. The Department has added additional material to the final stage impact assessment to assess road maintenance impacts.
- 2.33** Additional benefits from reduced empty running were identified, as well as farmers needing to use fewer tractors per job. The Department has not been able to model these impacts, but notes them.
- 2.34** Several respondents thought the benefits from an increase in speed limit had been overstated, because many tractors were already travelling faster than 20mph, and we have reflected this in our final stage impact assessment.
- 2.35** Some transitional costs were identified by respondents, related to increased mechanical requirements for tractors and trailers, or the introduction of the roadworthiness test. It is worth noting that tractors and trailers are already required to comply with roadworthiness requirements. Costs identified will be considered as the Department develops detailed test proposals.
- 2.36** Views on how the proposals would impact on small businesses were mixed, with hauliers expressing concern about the impact on small haulage firms, as they predict significant modal shift. The Department does not consider this is a likely outcome, as discussed above. Some concerns were raised about the impact of test requirements on small farms. The Department is keen to minimise bureaucracy, especially for small businesses, and this will be a key consideration in developing detailed plans for the roadworthiness test.
- 2.37** The Department will also refine its assessment of the likely take-up of proposals as detailed plans for the full weight increase and roadworthiness test are developed.

Speed Limits for Other Agricultural Vehicles

- 2.38** The Department has not considered speed limits for other agricultural vehicles at this time, but will keep the matter under review.

Next Steps

- 3.1** The changes to be implemented for March 2015 will be implemented through a change in domestic legislation (the Construction & Use Regulations) to be put to Parliament over the next few months. The existing speed and weight limits continue to apply until the change has been put into effect. The amended speed and weight limits will cover England, Wales and Scotland.
- 3.2** The full package of changes will result in further legislative changes, but the changes to our law will be preceded by a period of engagement with industry and others, to ensure that the resulting changes are appropriate and fit for purpose, without overburdening industry but ensuring that roadworthiness concerns of these vehicles are adequately addressed.