



Analysis of the Call for Evidence on the Heavy Vehicle Testing Review

Final Report

14 September 2023



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A report submitted by [ICF Consulting Services Limited](#)

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1 Introduction

This report presents the analysis of the Department for Transport's call for evidence on changes to heavy vehicle testing (HVT). The call for evidence ran for eight weeks between 14 April and 9 June 2023. This report includes analysis of the 49 formal responses to the call for evidence and six written submissions.

1.1 Background and context

The annual test provides independent assurance of the roadworthiness of heavy goods vehicles (HGVs) and public service vehicles (PSVs) in Great Britain. The statutory test is undertaken by the Driver and Vehicle Standards Agency on behalf of the Department for Transport and examines vehicles and their component parts against minimum standards of maintenance. The test forms an important component of the regulatory system for heavy vehicle safety and, along with vehicle operator licensing, provides oversight of the maintenance process. DVSA staff conduct most tests at authorised testing facilities (ATFs), which are privately owned by heavy vehicle operators, leasers, and maintenance organisations.

Approximately a tenth of heavy vehicles are members of the DVSA's voluntary earned recognition scheme (ER), in which operators provide the DVSA with regular monitoring against key performance indicators (KPIs). The scheme is designed to enable operators to demonstrate that they meet exemplary standards of maintenance and reduces the likelihood of checks by DVSA enforcement staff.

The Department for Transport's heavy vehicle testing review (HVTR) in 2021 suggested that there could be potential to make changes to the testing regime for operators of ER vehicles – given the assurance that it provided – but work would need to be done to ensure that there were no safety impacts.¹

Following the recommendations of the review, the Department for Transport is exploring changes to the testing regime for ER members. Changes for ER members could make testing more flexible for those who demonstrate the highest standards of maintenance, while releasing capacity within the system for other operators.

The aim of the call for evidence was to consider the views of stakeholders on potential options for modifying the testing regime. It specifically sought views on four suggested options for changing the testing regime for ER operators², which are to:

- Option 1: Increase the time between tests, which are currently held annually.
- Option 2: Allow ER operators to test their own vehicles and trailers, (or to sub-delegate testing to a maintenance provider).
- Option 3: Reduce the content of annual tests, where elements of the test are routinely inspected or monitored.
- Option 4: Improve the testing service for ER operators, which would provide flexibility and priority service for ER operators.

The call for evidence also captured views on practical considerations for different stakeholders when making changes to the ER scheme and HVT testing regime.

¹ Department for Transport (2021) [Heavy vehicle testing review: Final report](#).

² Department for Transport (2023) [Heavy vehicle testing review: call for evidence](#)

Overall, the call for evidence contained 111 questions, including 34 closed questions and 77 open questions.

1.2 Respondents to the call for evidence

This report presents the analysis of 49 formal responses to the HVT call for evidence, and six additional written submissions. The HVT call for evidence received 43 responses through the online portal. A total of six offline responses to the survey were received that were in the same structure as the call for evidence response document and therefore have been included with the responses through the portal. A further six offline responses were received which comprise a mix of position statements and feedback regarding the call for evidence.³

Four stakeholder groups of respondents were identified for analysis (individuals who maintain vehicles, ER operators, non-ER operators, and other stakeholders). There were between eight and 18 responses received for each respondent group. As shown in Figure 1.1, ER operators were the largest stakeholder group that responded to the survey.

While those who were ER operators were the largest respondent group in the survey, ER operators consist of around 10% of all HGV and PSV operators.⁴ There are currently 119 operators in the ER scheme⁵, with at least 25,000 HGVs and 180,000 PSVs.⁶ As a result, it should be noted that ER operators are disproportionately represented in these results.

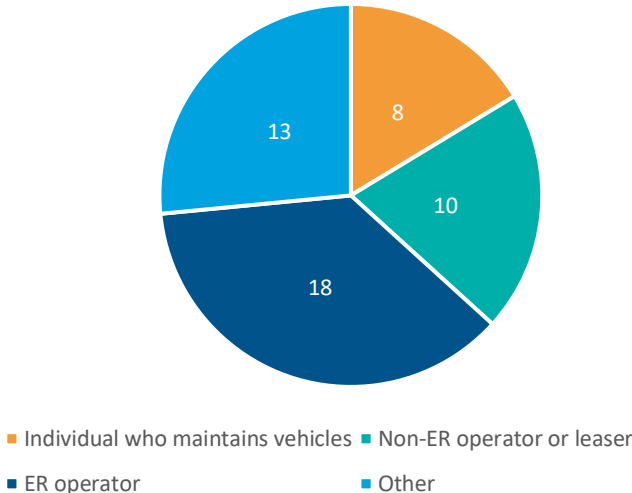
³ One organisation (John Lewis Partnership) submitted both an offline response to the survey and a position statement.

⁴ DVSA (2023, 14th April) Heavy vehicle testing review: Call for evidence. Available at: [Heavy vehicle testing review: call for evidence - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/heavy-vehicle-testing-review-call-for-evidence). Note: The number of ER-member vehicles is based upon the 115 operators in the scheme as of April 2023; at least four operators have joined the scheme since the date of publication.

⁵ DVSA (2023, 1st September) DVSA earned recognition: Accredited vehicle operators. Available at: [DVSA earned recognition: accredited vehicle operators - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/dvsa-earned-recognition-accredited-vehicle-operators)

⁶ DVSA (2023, 14th April) Heavy vehicle testing review: Call for evidence. Available at: [Heavy vehicle testing review: call for evidence - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/heavy-vehicle-testing-review-call-for-evidence). Note: The number of ER-member vehicles is based upon the 115 operators in the scheme as of April 2023; at least four operators have joined the scheme since the date of publication.

Figure 1.1 A pie chart showing the number of respondents by stakeholder group.



Of the 18 respondents who were ER operators, eight carried out maintenance at both a third-party maintenance provider and on their own. A further six carried out maintenance on their own whilst the remaining four carried out maintenance at a third-party provider. A total of eight operators had their own authorised testing facility (ATF).

The other respondent group contained responses from two motorists, three trade bodies or unions, an organisation that provides vehicle testing, three others who responded in an individual capacity and four others that responded on behalf of an organisation.

The results have been disaggregated by respondent groups where possible.

The study team have highlighted responses from trade bodies and other industry stakeholders where these have been disclosed in responses. These are the British Vehicle Rental and Leasing Association (BVRLA), Logistics UK, the National Franchised Dealers Association (NFDA), the Road Haulage Association (RHA) and the Royal Society for the Prevention of Accidents (RoSPA), in addition to the John Lewis Partnership.

1.3 Structure of the report

The remainder of the report is structured around the sections of the call for evidence. Specifically:

Chapter 2 examines respondent views on the earned recognition scheme and current testing regime.

Chapter 3 examines respondent views on changes in the time between tests for ER operators, as outlined in Option 1 of the HVT call for evidence.

Chapter 4 examines respondent views on delegated testing for ER operators, as outlined in Option 2 of the HVT call for evidence.

Chapter 5 examines respondent views on reducing test content for ER operators, as outlined in Option 3 of the HVT call for evidence.

Chapter 6 examines respondent views on improving testing service provision for ER operators, as outlined in Option 4 of the HVT call for evidence.

Chapter 7 examines respondent views wider aspects of the ER scheme and the risks associated with changes to the testing regime.

Chapter 8 examines respondent views on practical considerations for implementing changes in the testing regime for ER and other operators.

2 The earned recognition scheme and current testing regime

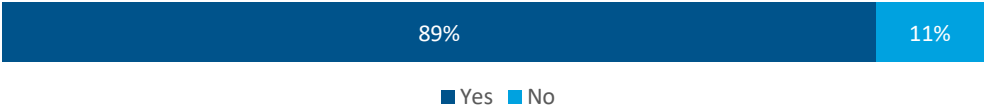
This chapter examines the questions related to respondents' views on the earned recognition scheme and changes to the heavy vehicle testing system. These are:

- Q7. Fairness of the earned recognition scheme (ER-operators only).
- Q8. Improvements to ensure that the earned recognition scheme is fair (ER-operators only).
- Q9. Views on changing the testing regime for earned recognition operators.
- Q10. Reasons that respondents disagree with altering the testing regime.
- Q11. Reasons that respondents agree with altering the testing regime.

2.1 Fairness of the ER scheme

ER operators were asked about the fairness of the ER scheme. Nearly all (89%, or 16 of 18) of those that responded to the question stated that the ER scheme was fair. Only one of the two ER operators that stated it was unfair suggested a way that it could be improved. They felt the system did not provide sufficient benefits to those who join the scheme and there should be more "commercial dispensation for the investment made to be an ER member".

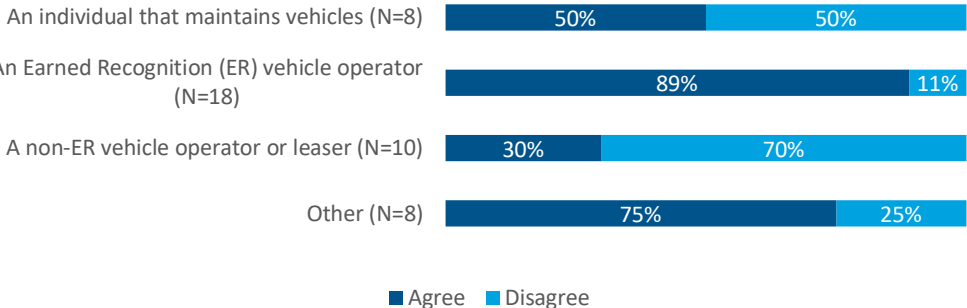
Figure 2.1 Percentage of respondents who believe the earned recognition scheme is fair (N=18)



2.2 Views on changing the testing regime for ER operators

Over half (59%, or 29 of 49) of respondents to this question stated that the current testing regime for ER operators should be altered. Responses varied by respondent group however (see Figure 2.1), with most of those who were **ER operators** (89%) believing it should be altered while over two thirds of those who were **non-ER operators** (70%) felt it should stay the same.

Figure 2.2 Percentage of respondents who believe the testing regime for ER operators should be altered



2.3 Reasons for agreeing with altering the testing regime

Of the 29 respondents that explained why they felt the testing regime should be altered, most felt that ER operators should be given more rewards for providing greater evidence of their standard of maintenance. Some trade bodies (including the **RHA, Logistics UK and BVRLA**) and **RoSPA** stated that ER operators demonstrate their compliance continually as scheme members, and therefore it would be appropriate to alter annual testing for those operators. They commonly believed that testing resources could be redirected to non-ER operators because they evidence their compliance less regularly.

Some also felt that greater flexibility should be included to provide "*saving on downtime and additional costs*" and to incentivise compliance. Other respondents stated that changing the testing regime could benefit non-ER operators and the wider industry because of the possibility that released testing capacity could be redistributed for other operators and "*free up test examiners for other locations*".

A few respondents supported changes for ER operators because they felt the current testing regime is "*in need of modernisation*", and this would be an opportunity to introduce improvements to the service. The **RHA** stated that changes could also apply to operators scoring green on their OCRS scores.

"These operators have voluntarily demonstrated their commitment on a monthly basis to KPI's for vehicle maintenance and should see a tangible benefit. Focusing efforts on the non-compliant would be a more effective use of resources".
(Approved ER system supplier).

"The current regime has been in place for a long period and the operating environment has changes considerably and it is good to consult on the opportunity to make some changes which may make the system more appropriate for the next 10 years". (Non-ER vehicle operator or leaser).

"As we are audited periodically to a high standard and send over maintenance KPIs every four weeks, we feel that qualifies us for more flexibility saving on downtime and additional costs". (ER vehicle operator).

2.4 Reasons for disagreeing with altering the testing regime

The 19 respondents who provided a reason why they disagreed that the test regime for ER operators should be altered frequently noted that it would create a more unfair testing system. Some respondents who were **non-ER operators** felt that most of the proposed changes would give ER operators a commercial advantage over non-ER operators. A few felt that it would benefit larger operators who had the resources and infrastructure in place to gain and uphold ER membership and would disadvantage smaller operators who maintain high standards of maintenance.

Other respondents felt that maintaining standards of ER operators could not be guaranteed if changes were made to their testing regime. One respondent **who maintain vehicles** believed that testing assures compliance since an "*independent person checks the roadworthiness*" and doubt ER operators could be guaranteed to continue to uphold these standards with more flexibility. This was reinforced by another respondent who felt that the ER scheme's auditing and reporting system was insufficient and "*not robust enough to allow appropriate KPIs to be measured*".

"All vehicles should be subject to the same testing regime. ER has other benefits, testing should not be part of that. It would impractical (and costly in terms of time and admin) to start dividing testing regimes. What happens when trucks are sold, lent, hired etc?" (Non-ER vehicle operator or leaser).

"A lot of these vehicles have lots of new parts fitted for annual test so questions the state of maintenance during the year. This would also give them a commercial advantage over smaller operators due to cost savings. [sic]". (Individual who maintains vehicles).

3 Option 1: Increasing the time between tests

This chapter presents respondent views on changes in the time between tests for earned recognition operators. It specifically covers:

- Q13. Advantages and disadvantages to operators of increasing the time between tests for earned recognition operators.
- Q14. Impact of increasing the time between tests for authorised testing facility services (ATFs), non-ER operators and other areas.
- Q15. Perceptions of the risk to road safety of increasing the time between tests.
- Q16. Potential risks to road safety of increasing the time between tests, and suggested mitigations.
- Q17. Practical considerations when increasing the time between tests.
- Q18. Suggested frequency of tests for ER operators.
- Q19. Suggested changes to Option 1.

3.1 Advantages and disadvantages of increasing the time between tests

3.1.1 Advantages for operators of increasing the time between tests

Overall, 39 respondents provided their views on the advantages of operators increasing the time between tests.

Across all stakeholder groups, respondents most frequently identified cost savings to be the primary advantage of increasing the time between tests for ER operators. This was because they believed that ER operators would need to prepare vehicles for tests less frequently, which would reduce the labour and equipment required. Some respondents who were **ER operators** and the **RHA** also highlighted that this would reduce vehicle downtime, since vehicles would not need to be idle for MOT preparation as frequently. This could *"increase fleet utilisation"* and reduce *"the number of spare vehicles required to cover"* vehicles being prepared for tests.

Some respondents also highlighted that increasing the time between tests would lower the annual demand for tests. They believed that this could release capacity within the DVSA and ATFs, with the possibility that more tests could be made available for other operators.

A few who were **non-ER operators** that responded to the call for evidence reported similar advantages, although one noted that Option 1 *"would be great but not fair on smaller operators"*, who may not be a part of the ER scheme. Similarly, **Logistics UK** stated that increasing the time between tests could introduce administrative challenges for ER operators, which *"may well negate the benefits"*.

"Increasing the time between tests for qualifying operators means less "down time" for the HGVs and trailers in question which, in turn, means these vehicles can be better utilised. This brings commercial advantages for these operators". (RHA)

"There would also be savings in time and fuel if the vehicle must be taken to an authorised testing facility that is not on the premises. If vehicles were tested less often, this would also free up DVSA testers, who would then be able to provide

other services and be available to other Authorised Testing Facility Services (ATFs). The ATFs would also have more capacity, which would improve service for operators who are not part of the ER scheme". (RoSPA).

3.1.2 Disadvantages for operators of increasing the time between tests

Overall, 41 respondents provided their views on the disadvantages for operators increasing the time between tests.

Of the 15 **ER operators** that reported disadvantages to increasing the time between tests, some stated that it would disadvantage operators who require accreditations to enhance their bids for contracts. This could cause difficulties when reselling vehicles to non-ER operators.

Some respondents who were **non-ER operators** expressed concern that it would remove an "annual external audit of all vehicles". Without annual testing, there would be less independent oversight of ER operators' vehicles. Potential disadvantages of this included the need for more preparation and administrative work before tests and the greater risk placed on ER operators.

One **ER operator** highlighted that defective vehicles could continue to operate for an additional year when, under annual testing, they would have failed their first test. This was echoed by other respondents who highlighted that operators could pose risks to themselves and wider road safety operators when they "miss out on maintenance issues" and there is no independent assurance.

On the other hand, some **ER operators** and the **RHA** believed that there were no disadvantages for operators of increasing the time between tests.

"We don't see a major opportunity here as we tend to over service at time of MOT and it is a good opportunity to take a vehicle out of service annually to conduct some preventative maintenance also as such we would see it as a value add opportunity annually". (Non-ER vehicle operator or leaser).

"This option is not sensible as it is an established fact that the longer the time duration between tests, the greater the likelihood of faults materialising, irrespective of the quality and credibility of the earned recognition (ER) operator. Some of these faults will not be identified until the vehicle's test is formally carried out annually (...) Generally light vehicles cover less mileage than HGVs and therefore it seems inconceivable you would accept bi-annual testing when light vehicles are MOT tested every year". (NFDA).

"Given the reliability of new vehicles I see no disadvantage". (ER operator).

3.2 Impacts of increasing the time between tests

3.2.1 Impact on authorised testing facilities (ATFs)

A total of 41 respondents stated what they perceived to be the impact of changing the frequency of tests on AFTs. Most believed that it would have both positive and negative impacts. It would reduce the number of tests carried out on an annual basis, which most felt would reduce ATFs' revenues which could in turn lead to increased costs per test for operators and reduce testing capacity due to potential closures. On the other hand, a few who were **ER operators** anticipated that

reducing the frequency of tests would reduce the current strain on ATFs, which would help ATFs in *"reducing backlogs"* and allow them to *"focus on 'problem' operators"*.

These impacts were consistent across all respondent groups. However, respondents who were **non-ER operators** also highlighted that more tests would be available last-minute, which would improve their process of preparing vehicles and booking tests.

Some trade bodies (including **Logistics UK and the BVRLA**) stated that increasing the time between tests could negatively impact the economic viability of ATFs who offer third party testing for ER vehicles. A few felt that the impact on ER-owned ATFs would be minimal since ER operators would continue to use the facilities to inspect their vehicles. In contrast, the **RHA** reported that there would be no impact on ATFs because ER operators only account for a small proportion of all operators.

3.2.2 Impact on non-ER operators

In total, 39 respondents reported on the impact of changing the time between tests on non-ER operators. In terms of benefits, respondents across all stakeholder groups most commonly believed that non-ER operators would benefit from a possibility of more tests available for non-ER operators. Conversely, a few respondents, including **Logistics UK**, felt that it was possible the DVSA would reduce resources for testing to reflect the reduced demand, which would limit any impact on non-ER operators.

In addition, some who were **non-ER operators** cautioned that reducing the frequency of tests could impair their ability to compete with ER operators. When non-ER operators undergo annual tests, they would be required to invest more money into preparing for and undergoing tests, which they believed would be an *"unfair disadvantage"*. An **individual who maintains vehicles** felt this would create a *"two-tier system"*, although a few who were **ER operators** believed that the option would encourage non-ER operators to join the ER scheme since they would wish to share the same benefits.

3.2.3 Impact on other areas

A total of 23 respondents reported on other areas that could be impacted by increasing the time between tests. A few believed this would impact the DVSA; although the decreased demand for tests could reduce DVSA expenditure, it may also reduce revenues from testing.

A few respondents, including **Logistics UK** also anticipated that it would have a positive impact on the environment. This was because operators would need to take fewer *"unnecessary road trips"* to ATFs, which would reduce some carbon emissions. Others also highlighted a possible reduction in the pressures and workload of various stakeholders.

"Non-ER operators would clearly benefit from the testing capacity that is freed up. However, these operators would suffer a commercial disadvantage by the down time incurred when their vehicles are being tested, compared with Earned Recognition operators who incur no such disadvantage. We believe an acceptable compromise is to extend the benefits being offered to Earned Recognition operators to those who score green on their OCRS scores". (RHA).

3.3 Risks to road safety of increasing the time between tests

There were mixed views among respondents on whether changing the time between tests would affect road safety. Of the 42 respondents that answered this question, around half (55%) stated that they did not believe it would pose a risk to road safety and 43% stated it would. However, while most (78%, or 14 of 18) respondents who were **ER operators** believed there would be no risks, most (88%, or seven of eight) who were **non-ER operators** believed it would pose a risk to road safety.

Figure 3.1 Respondent perceptions of whether there is a road safety risk of increasing the time between tests (N=42)



Respondents who believed that increasing the time between tests would pose risks to road safety most frequently identified a risk to the condition of heavy vehicles. Some respondents, including **RoSPA**, stated that more critical defects could be missed when the DVSA would have less sight of vehicles, leading to the possibility of more road traffic accidents. A few respondents believed that the change would encourage ER operators to undertake *"more relaxed maintenance regimes"*. The primary reason for this was that annual testing encourages operators to perform regular maintenance, and removing this incentive could enable ER operators to *"reduce their maintenance activities, especially in a low margin industry and in a cost of living crisis"*.

A **non-ER operator** expressed their concern that maintenance providers would have less input between tests and would be less accountable when incidents occur. This could mean that operators are more liable for incidents. However, the respondent felt that it *"shouldn't all be down to the operator"* to ensure that the highest standards are maintained.

To mitigate these risks, some respondents believed that the DVSA should use alternative methods to maintain its sight of vehicle standards. Respondents commonly suggested that *"the exclusion from roadside checks for ER operators should be removed, allowing DVSA to monitor safety at the point of vehicle operation"*. Similar suggestions were to perform more frequent site visits and increased auditing activities. However, one who was a **non-ER operator** noted that exclusion from roadside checks was a *"primary advantage of ER status"* and therefore could contradict the objectives of the scheme.

A minority of respondents suggested that mitigations could be made independently, including replacement 'mock' tests performed by DVSA approved and audited testers.

"Although regular service inspections should detect defects that would be found at an annual test, anyone who has ever dealt with a sub-standard maintenance provider knows that this isn't always the case. An annual test completed by a DVSA tester serves as a means of auditing maintenance providers and a final failsafe in detecting and prohibiting dangerous vehicles being allowed on the road."

Extending annual tests to bi-annually reduces the effectiveness of the annual test in this sense". (Non-ER vehicle operator or leaser).

"It is common practice for vehicle operators to choose to have one or more levels of pre-MOT prior to the formal MOT, alongside substantial test preparation. However, there is a risk that vehicle standards could slip if the DVSA less sight of the vehicles, which could lead to an increase in the number of collisions where a defect is a contributory factor". (RoSPA).

3.4 Practical considerations of increasing the time between tests

3.4.1 Vehicles changing operators

In total 35 respondents provided information on what they felt was the primary consideration for vehicles changing operators when increasing the time between tests. Respondents commonly considered whether the frequency of testing should change when ER-operated vehicles changed operators. Various suggestions were made, which included a return to annual testing after the next test, returning to annual testing within one year of the previous test and *"immediate testing on sale"*. Of those who felt that ER operated vehicles should be tested more frequently after a change in operator, some believed it was more possible that the vehicle would have defects due to the longer period between tests.

In contrast, a few respondents including **Logistics UK** felt that ER operators will have demonstrated continuous maintenance of their vehicles, and therefore minimal considerations would be required when these were exchanged. A few respondents believed that changes should only occur when ER-operated vehicles are exchanged with non-ER operators. However, a few noted that special consideration should be made for rental and hire cars, since it could be harder to ensure that the vehicle's testing regime aligned with the status of its various operators. One **non-ER operator** stated that this would increase the need for tests outside of their usual cycle and at short notice, and therefore *"ATF availability could then be an issue"*.

Some respondents stated that the practical considerations of doing this would be minimal if digital systems and administrative procedures were in place to record and trace changes in operation.

"We believe that in circumstances where a vehicle changes operator, the vehicle in question must revert to the current testing regime overseen by DVSA". (RHA).

3.4.2 Correct recognition of trailers and vehicles

In total, 29 respondents provided their views on new procedures to be introduced to enable the correct recognition of trailers and vehicles. There were a wide range of responses. Suggestions included physical proof of their eligibility for increased time between tests and a prefix on the MOT certificate to display the ER membership status of the licensed operator. The **RHA** suggested that the DVSA and police could put measures in place to mitigate the potential impact on their enforcement procedures.

Some respondents noted that trailers would require greater consideration than vehicles, since they are often pooled or rented by operators.⁷

A few **ER operators**, and **Logistics UK**, stated that ER operators could be expected to correctly register their vehicles and trailers since this was an existing condition of ER scheme membership. As a result, they believed no additional considerations would be required.

"Given the legislative changes required and time frame surely any impact can be overcome by digital means". (ER operator).

"ER operators comply with all requirements (part of the condition of ER) so would act appropriately" (Logistics UK).

3.4.3 Transitional measures

Of the 25 respondents that provided information on transitional measures for implementing Option 1, a few who were **ER operators** suggested that vehicles could be tested after two years, without the need for additional transitional measures. Similarly, the **RHA** suggested that operators test their vehicle when it is next due, and then every two years after that. However, one **ER-operator** stated that they would need to ensure that tests were evenly spread across a 24-month period to ensure enough were operable.

Similarly, a **trade body** stated that the DVSA should put measures in place to account for changes in demand for testing. They noted that *"some ER operators may choose to continue with an annual DVSA test"* out of preference, and therefore flexibility would be required from the DVSA.

"Our MOT plan would have to be redrawn as vehicles would have to be spread over 24 months but some would have to be initially tested early to maintain an even fleet spread" (ER operator).

"Some ER operators may choose to continue with an annual DVSA test. Understanding which may do this and which would immediately take advantage of the increased flexibility would be important for DVSA and ATF resource planning" (Trade body).

3.4.4 Other practical considerations

Only 16 respondents provided information on other practical considerations for increasing the time between tests. Some felt that the age of vehicles or the test history of operators should be considered in addition to their ER status, while one **ER operator** noted that the increased time between tests should apply by default to the newly registered vehicles of ER operators.

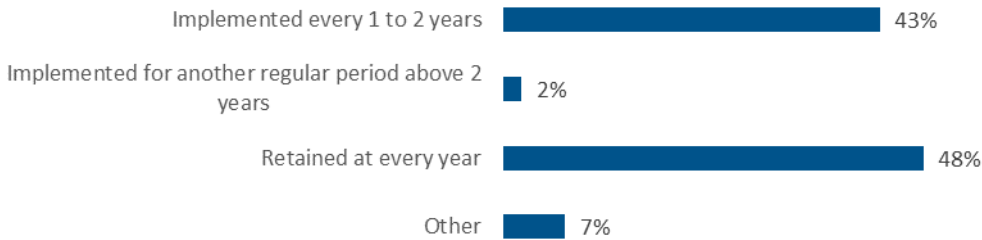
3.5 Frequency of testing

When asked about the frequency of testing, there was a relatively even split between respondents that wanted the test to be conducted every year (reported by 48% of respondents) and those that wanted it implemented every 1-2 years

⁷ An analysis of views on separate arrangements for trailers is provided in Section 8.7.

(reported by 43% of respondents). Three respondents (7%) stated that another approach should be taken in the implementation of the tests.

Figure 3.2 Respondents' preferred time between tests. (N=42)



3.6 Changes to Option 1

Respondents were asked about possible changes to Option 1, to which 25 respondents replied. The most commonly suggested change was to introduce alternative methods for monitoring vehicle standards. A few respondents also suggested that ER operators should "give [the DVSA] access to vehicle maintenance records, parts expenditure, staff training and development" to demonstrate that regular maintenance is being undertaken.

A couple of respondents also suggested that technology could be better utilised to collect KPIs, perform diagnostics and provide the DVSA with access to real-time data. They felt that greater monitoring would help to uphold vehicle standards.

Respondents that were **ER operators** commonly suggested that the time between tests should depend on vehicle characteristics. Some suggested that this should consider the age of heavy vehicles. One suggested "when a vehicle reaches a certain age that the frequency revert back to a year". Similarly, a **non-ER operator** suggested that vehicles which score more than 95% on their test would not require a test for two years instead of one.

A few respondents suggested that ER operators take action independently to ensure their vehicles were sufficiently maintained if the time between tests is increased. One pointed to what took place during the COVID-19 pandemic, when heavy vehicle MOTs were stopped and operators would "prep the assets annually as though they were going for a test". Another respondent highlighted that ER operators should be required to report when selling and exchanging vehicles, to ensure that the correct length between tests is taken by the vehicle's next operators.

The **RHA** felt that the eligibility criteria should be extended for increasing the time between tests, noting that "the benefits offered by Option 1 should also be extended to operators scoring green on their OCRS scores".

"I would suggest that when a vehicle reaches a certain age that the frequency revert back to every year. Possibly after eight years. Failures become more common as a vehicle ages. I would recommend an MOT in year 1, 3, 5, 7, 8 then annually. I would prefer an MOT in the first year, as first years can almost be as troublesome as later years". (ER operator).

"We do not believe that Option 1 is a viable option and as a hybrid solution would result in little benefits and probably more confusion". (Trade body).

4 Option 2: Delegated testing

This chapter presents respondent views on enabling earned recognition operators to test their own vehicles and trailers by default, or to sub-delegate testing to maintenance providers. It specifically covers:

- Q20. Suitability of sub-delegated testing for earned recognition operators.
- Q21. Reasons that delegated testing is or isn't suitable.
- Q22. Methods for earned recognition operators to demonstrate independence of testing.
- Q23. Advantages and disadvantages to operators of delegated testing.
- Q24. Impact of delegated testing for authorised testing facilities, non-ER operators and other areas.
- Q25. Perceptions of the risk to road safety of delegated testing.
- Q26. Potential risks to road safety of delegated testing, and suggested mitigations.
- Q27. Practical considerations when delegating testing.
- Q28. Perceptions of challenges of finding the additional tester capacity necessary for implementing delegated testing.
- Q29. Potential challenges of finding additional tester capacity, and their impact.
- Q30. Suggested changes to Option 2.

4.1 Suitability of sub-delegation

Respondents were split in their view of ER operators being able to sub-delegate testing to their own maintenance providers. Overall, 45% (or 19) stated yes and 45% (or 19) stated no.

Views varied between stakeholders. More than half (59%, or 10 of 17) of those who were ER operators believed that sub-delegation would be suitable, while most who were **non-ER operators** disagreed that it would be suitable. Views among those who were **individuals who maintain vehicles** were mixed, with half (50%, or three of six) stating yes and the remainder stating no.

Figure 4.1 Respondent perceptions of whether ER operators should sub-delegating tests to their own maintenance providers (N=42)



Of the 19 respondents that agreed that ER operators should be able to sub-delegate testing to their own maintenance providers, most stated that this was because they felt ER operators could be expected to uphold high standards of maintenance. Respondents from all groups noted that this would be suitable on the condition that

"the maintenance providers have all the equipment and knowledge to correctly maintain vehicles" and that suitable training and auditing was in place to ensure this.

Some respondents felt that it would be suitable for other stakeholders to undertake testing too. A few **non-ER operators** believed that delegated testing would *"free up space / lanes at ATFs for non-ER operator tests"* and release capacity for the DVSA.

However, one respondent felt that ER operators should only be able to delegate testing when they have an ATF, as they felt that there was a greater likelihood of bias when sub-delegating to maintenance providers. The **RHA** felt that those with in-house maintenance facilities could gain an advantage over those without, and therefore the facilities should be held to an equal standard as ATFs.

Those who disagreed that ER operators should be able to sub-delegate testing commonly doubted that the standards of maintenance providers would be sufficient. Many felt that it would be difficult for the DVSA to ensure that tests were conducted independently, and therefore information provided on the standards of vehicles would be less reliable. Some **non-ER operators** also believed that delegated testing would pose a conflict of interest for maintenance providers because of their commercial relationship with the ER operator.

Similarly, many other respondents felt that delegated testing would lead to a reduction in testing standards. As one stated, maintenance providers would *"have a vested interest to ensure their vehicles are on the road"*. This was echoed by an **ER-operator**, who expressed concern that delegated testing would remove the opportunity to evaluate the quality of service provided by maintenance providers. They noted that they *"would feel more comfortable having an external DVSA accredited body cross checking the work"* in order to ensure high standards are maintained.

"Of all the options being considered, we feel that this one makes the most sense if implemented properly. It will free up testing availability for DVSA testers on non-ER vehicles and doesn't carry as much risk as extending the period between tests. It also reduces vehicle downtime by making tests more flexible for ER operators and would also eliminate the cost of DVSA test fees". (Non-ER vehicle operator or leaser).

Our experience of maintenance providers are as follows: They are unregulated, they regularly give incorrect advice to operators who trust them. Providers on average use outdated and incorrect manuals, (up to 23 years out of date for both), use many unqualified staff and contribute to some 60% of the Public Inquiry cases that we get involved in. This is irrespective of being a private garage or a 'brand name' dealership". (Transport consultancy and ER AAP).

Where needed sub delegation should form part of the overall testing regime as the Partnership vet and audit their third-party maintenance contractors and carry out a full review once a year. Earned Recognition Operators should be able to demonstrate independence of testing from vehicle maintenance and operation and the Partnership would be able to fully demonstrate this with the expectation of individuals being fully qualified and trained to meet DVSA inspection standards (and in a supervisory capacity) to carry out the testing requirement but working very much independently from the technician carrying out the inspection and MOT preparation. (John Lewis Partnership)

4.2 Methods for earned recognition operators to demonstrate independence of testing

A total of 39 respondents suggested ways that ER operators could demonstrate the independence of maintenance providers and testers. Some suggested that the DVSA or an independent body conduct audits of maintenance providers. A few who were **individuals who maintain vehicles** also recommended that the DVSA introduce random quality inspections and increase the frequency of reporting.

Some respondents suggested that ER operators could take action to ensure their independence. Some **ER-operators**, the **RHA and Logistics UK** believed that the ER operator could introduce a separate role within the organisation for ensuring the standards of testing, who would be independent from the operators. These roles could be audited periodically by the DVSA or an independent body, which one ER operator noted was "*a clear requirement in the latest guide to maintaining roadworthiness anyway*". A few ER-operators also suggested "*designating separate personnel at the maintenance facility*" to undertake the test, which is the case for other statutory testing regimes.

A few respondents also felt that the KPI reporting for ER operators could be modified to collect evidence of independent testing. This included demonstrating that the pre-MOT inspection was conducted by a different individual to the test and to evidence quality assurance.

"A delegated annual test should be completed by a technician that has been trained or audited by a DVSA tester to ensure they keep the same standards. Technicians carrying out delegated annual tests should also be subject to enforcement actions if they are found not to be doing them properly. Similar to how drivers and transport managers are held liable for their actions". (Non-ER vehicle operator or leaser).

"Run as a testing for cars/vans is today, with registered testers only being able to test, and only in ATFs. In other EU countries where this is already done, a quarantine period of 6 hours post test is used when Gov Officials are able to retest vehicles as a quality control measure. It appears to work OK there". (ER operator).

"The only way I would be comfortable with this is if the DVSA audited the workshops and approved and accredited them". (ER operator).

4.3 Advantages and disadvantages for operators of delegated testing

4.3.1 Advantages for operators of delegated testing

A total of 36 respondents provided their views on advantages for operators of delegated testing. The most commonly reported was greater flexibility. Respondents commonly stated that through carrying out delegated testing, ER operators would be in greater control of their testing schedule.

Respondents who were **ER operators** frequently suggested that delegated testing would improve the efficiency of their fleet, since more vehicles would be available to operate. A common reason for this was that operators would not need to spend as much time preparing and transporting their vehicles, with less "*down time while trying to secure slots*". Other reasons were that it could reduce administrative work,

save costs, reduce fuel (and environmental impact), improve flexibility for ER operators, and minimise delays. These advantages were repeated by some respondents who were **non-ER operators**, including trade bodies (**Logistics UK**, **RoSPA**, the **BVRLA**, **Prospect**, and the **RHA**).

A few respondents also stated that the reduced mileage required for testing could bring advantages for the environment, by *"assisting those operator's [sic] in reducing their carbon footprint"*.

On the other hand, one respondent who was an **individual who maintains vehicles** stated that delegated testing would be *"better for large operators only"*. Similarly, a few respondents perceived that the vehicles are *"always going to pass"* or would *"not require to meet minimum standards"*. This suggests that some respondents perceive that delegated tests are more likely to be biased, and this reduced accountability could provide ER operators with an advantage.

"Allowing the ER operator the ability to sub-delegate testing would benefit them as they would have more choice over when, where and how their vehicles are tested. BVRLA members in many cases are already responsible for maintaining ER operators' HGV fleets, allowing the vehicle to be tested whilst the vehicle is being maintained would reduce the amount of time the vehicle is 'off the road' and out of action. Resourcing of DVSA testers has been an issue and means the ER operator and the company doing the maintenance can often face delays when trying to book slots, opening delegated testing up means that there would be a greater choice of slots and would save having to make multiple journeys, therefore, saving on fuel and personnel time too." (Trade body).

"The operational advantages derived from delegated testing are huge. For ER operators, it allows the potential of 24/7 testing and the ability to arrange testing slots as maintenance schedules require. It also enhances the business case for investing in an ATF allowing the operator to realise their return on investment more quickly. Delegated testing also frees up DVSA testers so that they may focus providing their services to non-ER operators who, in turn, benefit from the increased capacity provided by DVSA testers". (RHA).

"All these truck franchised main dealers with ATFs are monitored by their brand manufacturers to ensure a high standard in concert with their vehicle's brand reputation. These main dealers benefit from being totally independent of the operators that they work for and have no vested interests in overlooking safety issues". (NFDA).

4.3.2 Disadvantages for operators of delegated testing

In total, 35 respondents provided their views on disadvantages for operators of delegated testing. The most commonly reported was greater inconsistencies in the standard of testing services. Without the oversight from the DVSA that is provided by the current testing regime, respondents often believed that it would be harder to ensure that delegated tests accurately reflect the vehicle's condition and its level of compliance. As a result, ER operators would wish to find the *"right and trusted provider"*.

To ensure consistent standards are maintained, respondents from all groups believed that *"additional auditing routines"* would be required. A few respondents anticipated an additional cost for operators to cover DVSA audit costs and allocate time and resources in their operations to *"assure the testers were independent"*.

Some who were **ER operators** stated that there would be additional resources and upfront costs required for operators to implement delegated testing. These included *"equipment and staff training ... to operate the test lane"*. Similarly, an **individual who maintains vehicles** anticipated that there would be more *"pressures on staff if in-house testing is allowed"*.

"Most operators use a 3rd party maintenance provider. It is regularly mentioned that these maintenance providers should be governed due to the poor service that the customer receives. We provide them with an independent audit of the providers work at annual test. If annual testing is removed who will be independently checking the work of the maintenance providers that operators say are poor". (Trade union).

"While we understand the desire of ER Operators to conduct their own delegated testing, there exists a risk that the independence of an operator's workshop could be compromised or influenced by its holding/parent company". (NFDA).

4.4 Impacts of delegated testing

4.4.1 The impact of sub-delegating testing for ATFs

Of the 35 respondents that answered this question, most respondents wrote that sub-delegating testing would improve the efficiency of ATFs. When ER operators undertake tests without using an ATF, the increased capacity would *"reduce strain on resources"* for ATFs and lead to *"higher utilisation of these sites if they can use their own resources rather than being reliant on DVSA testers' availability"*.

There was some disagreement among respondents as to whether there would be an increase in slots available at ATFs for non-ER operators. Some respondents who were **ER operators** believed delegated testing would *"free up DVSA testers, allowing for a more flexible service to other ATFs"*. However, one **individual who maintains vehicles** wrote that this measure would reduce the *"number of slots available for non-ER operators as the ATF will be wanting to do more of their own tests to increase their revenue"*.

Some respondents, including a few **individuals who maintain vehicles**, noted that sub-delegating testing would reduce the income of ATFs and could force smaller facilities to close, leading to job losses.

"We strongly believe that, by allowing delegated testing for both ER operators and those scoring green on their OCRS scores, this will free testing capacity for the ATF. This in turn allows for the better utilisation of ATF assets and improved efficiency for operators". (RHA).

4.4.2 The impact of sub-delegating testing on non-ER operators

Respondent had mixed views of the impact of delegated testing on non-ER operators. Of the 34 respondents to this question, most believed that non-ER operators would benefit from the greater availability of tests.

However, some respondents felt that sub-delegating testing would give ER operators an *"unfair disadvantage"* and create a *"two tier system"*. This would be because ER operators would have a competitive advantage of getting contracts as

they will require “less downtime and costs”. **RoSPA** also felt that it would enable garages to apply pressure to non-ER vehicle operators to join ER.

Some respondents who were **ER operators and trade bodies** also believed that the advantages given to ER operators could encourage non-ER operators to join the scheme and would “improve vehicle condition” as a result. However, another organisation reported that this would “not be a fair option as non-ER operators may not necessarily have the funds to sustain ER accreditation”.

“If there are benefits from being an ER operator this may create an even greater encouragement for them to join. It should also free up DVSA tester time to enable non-ER operators to have less friction securing their tests. If ERs are permitted to test via delegated testing and this is proven to be a success, then consideration should be given to extending this to non-ER operators”. (BVRLA).

4.4.3 Impact of sub-delegating testing on other areas

Of the 24 respondents that answered this question, most wrote that there would be “issues with road safety” resulting from potentially dangerous compromised parts failures not being discovered. Alternatively, a few **individuals who maintain vehicles** reported impacts including the possibility that vehicles would be “incorrectly failed due to dual standards” and that time slots for delegated tests would mean that vehicles would continue to be out of use before tests.

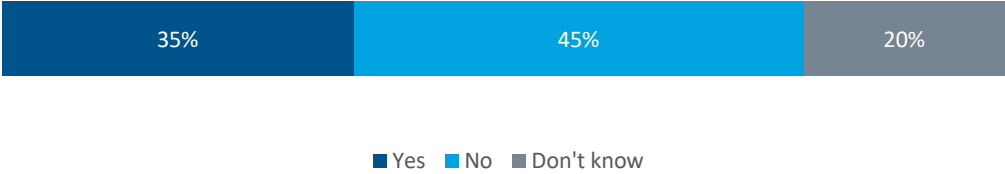
An **ER operator** and **Prospect** believed that delegated testing would reduce the demand for DVSA testers, and therefore there would be less support available for testing.

“Reduction in DVSA testers and reduction money for DVSA to use in support of its services. Additionally, where the portion of the test fee reserved for enforcement is lost, we would expect that this funding is made up by other means external to DVSA. Self-testing could also see the cost of the test increase if there are no rules on the cost. Due to costs in certain areas vehicles will end up being tested in the cheaper areas meaning unfair split of MOTs nationally all down to cost”. (Prospect).

4.5 Risks to road safety of delegated testing

Almost half (45%) of the 40 respondents that answered this question expressed that there would be no risks to road safety if testing was delegated, while 20% were unsure whether there would be risks to road safety if delegated testing was employed. Those who were **ER operators** were most likely to state that there were no risks, while most who were **non-ER operators** believed there would be.

Figure 4.2 Respondent perceptions of whether there are road safety risks of sub-delegating testing (N=40)



Among those who believed that sub-delegating testing would pose risks to road safety, respondents frequently reported risks stemming from the lack of independence of maintenance providers and a lack of oversight on the standard of tests carried out. One respondent noted that there would be a decline in the standard of tests, which would lead to poorly maintained vehicles and *“serious safety-related undiagnosed defects”*.

Some respondents also reported that maintenance providers would risk facing *“undue pressure”* to pass the operator’s vehicle due to their reliance on the operator, either as an employer or customer. One respondent also felt that one of the biggest risks is the lack of *“regulated and trustworthy monitored garages”* to ensure they are providing a suitable service.

To mitigate the risks of sub-delegating testing, some respondents reported that measures should be introduced to prevent ER operators from sub-delegating testing to maintenance providers that are owned or part-owned by the organisation. High standards of testing can be maintained and guaranteed by demonstrating the independence of operators.

Some respondents across **all stakeholder groups** suggested that these standards can be maintained by inspectors carrying out regular checks to operator centres and the DVSA carrying out audits *“to make sure tests are carried out correctly”*. Suggested measures to test standards included indoor roadside checks, eyesight checks, and inspections to premises at more sporadic times.

Another suggestion put forward by the **RHA** was to ensure the correct training and accreditation is in place for testers to mitigate the risks to road safety derived from a decline in testing standards.

“As there is a relationship between operator and maintenance facility, where the maintenance facility relies on the operator for income (or even is owned by the operator) there is a risk of undue pressure being placed upon the maintainer to pass the operator’s vehicles. Mitigation could be by refusing to allow wholly owned or partly owned maintainers from testing vehicles belonging to their owners”. (Non-ER vehicle operator or leaser).

“We believe the most effective way for independence to be demonstrated is for a percentage of tests conducted by ER operators to be subject to a rigorous audit and inspection by DVSA. The percentage of tests should be determined according to the size of fleet. We suggest the bigger the fleet, the greater the percentage of tests that should be subject to DVSA audit and inspection”. (RHA).

4.6 Practical considerations of implementing delegated testing

4.6.1 Approvals required for a person to be deemed as competent for testing vehicles

When considering approvals for people to be deemed as competent for testing vehicles, most of the 33 respondents to this question commonly wrote that testers should “*attend and pass a DVSA accredited vehicle inspection course*” and hold IRTEC accreditation. A few trade bodies, including **Logistics UK**, emphasised the need for a fully qualified engineer to undertake vehicle testing. Some respondents, particularly those who are **non-ER operators**, stated that auditing should be carried out by the DVSA with sanctions enforced if sub-standard tests are shown to be carried out. It was also noted by some respondents that “*refresher training*” would be required to ensure that testers are competent.

A few respondents also reported that “*additional IT systems would be required*” to maintain oversight over approvals. Similarly, another respondent also questioned who would be in charge of providing the training, sign off and regular checks, as well as how oversight will be maintained regarding which operators are tested at self-testing garages.

4.6.2 Transitional measures

In total, 25 respondents provided their views on transitional measures for introducing delegated testing. Most respondents across **all stakeholder groups** wrote that there would need to be “*staff training*” and “*training certification*” before delegating testing is allowed to be carried out. Some respondents reported the practical considerations concerning staffing and the availability of tests as these measures are implemented. One **non-ER operator** wrote that the “*availability of tests will probably be reduced if DVSA testers are required to train, approve and audit technicians*” and a transport consultancy wrote that “*there would be a doubling up of staff whilst bringing up to speed staff members to perform delegated testing*”.

Some respondents across all stakeholder groups also reported on the administration and practicalities required to introduce the scheme. One **ER operator** wrote that there needs to be “*defining processes to facilitate the scheme*” while one **non-ER operator** stated that there needed to be “*sufficient lead time and training resources*”.

A few respondents reiterated that there should be regular audits carried out by an “*overseeing body like the RHA or Logistics UK*”.

4.6.3 Other practical considerations

Of the 23 respondents who responded, several different practical considerations were reported for allowing ER operators to test their own vehicles and trailers by default, or to sub-delegate testing to a maintenance provider. Some respondents across **all stakeholder groups** wrote that there needs to be a “*mechanism for reporting results*” and access to technical specifications for MOT testing. One **non-ER operator** wrote that there needed to be “*a fair framework in place to determine if an operator is at fault if their vehicle has been subject to a sub-standard delegated test*”. Similarly, **RoSPA** also stated that testers must be able to demonstrate independence from maintenance.

Respondents from each stakeholder group also reported concerns regarding developing a booking and payments system, the space required to carry out testing, making changes to insurance liabilities, and ensuring there is calibrated test equipment. A few trade bodies, including **Logistics UK**, stated that delegated testers would require access to a system for recording test results and sharing information.

A **transport consultancy** also noted that if a site was to lose their approval, then *“this would need to be communicated to those who would use them very quickly”*.

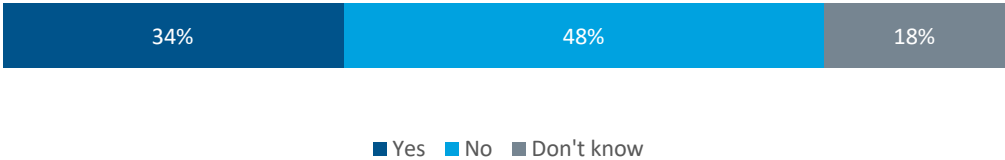
“Consideration will need to be given to independence of testing from maintenance. This could be non-structurally, as it is with the car MOT, where there is a requirement within the guide that those testing vehicles should not be the person who has repaired it, or a more formal separation could be required, for example, some element of structural requirement in how the testing is delivered. This is a fine balance- if this requirement is made too rigid, then the benefits of this option could be lost, but if too light, public confidence and road safety benefits of testing may be undermined”. (RoSPA).

“Development of a fee structure (payment for DVSA) and access to technical details and entering of test results”. (Logistics UK).

4.7 Additional tester capacity

Of the 40 respondents that answered this question, almost half (48%, or 19) thought that it would not be difficult to find an additional tester to implement the testing proposal. However, roughly 20% (or seven) were unsure as to whether there would be challenges in finding additional testers for the testing proposal.

Figure 4.3 Respondent perceptions of whether there would be challenges in finding the additional tester capacity within the industry necessary to implement delegated testing (N=40)



Of the 14 (or, 35%) of respondents who believed there would be challenges of finding additional testing capacity, most who provided a reason believed it would be difficult to find the appropriate staff needed to undertake additional testing requirements. A few **non-ER** respondents anticipated it would be difficult to train new testers since the sector is unattractive.

A few respondents also felt that delegated testing would create inequalities within the industry. **Prospect** stated that capacity challenges would vary across the sector, since the DVSA would *“not be able to compete with the wages offered by industry”*. Potential impacts reported by respondents was that commercial testers would *“poach staff from existing ATFs rather than train their own”*.

4.8 Changes to Option 2

In total, 24 respondents suggested changes to Option 2. The change most suggested was to introduce an “*effective audit system*” with quality checks carried out by the DVSA to ensure facilities are “*suitably equipped with materials, staff, qualifications and equipment*”. Some respondents who were **non-ER operators** also suggested measures to mitigate the risk that delegated tests are carried out to a lower standard, including that delegated tests should be held every four months, and that the DVSA should provide a complimentary test if a delegated test was found to be sub-standard.

A couple of **ER operators** reported concerns regarding compliance and safety, with one respondent suggesting that the Department for Transport and the DVSA should consult with ER operators and trade organisations to develop the final process. Another recommended “*a requirement to still book vehicles in for test on a central register coupled with a requirement for a four hour quarantine period post test, at which point vehicles/trailers could be randomly audited by DVSA*”. One **individual who maintains vehicles** also felt that testing should be “*carried out by a contractor that is not part of the ER operator company*” to ensure tests are carried out robustly and impartially.

A few respondents also reported that if this change were to be implemented then it should be applied across the board to all operators.

“The concept of delegated testing must be run with ER operators in the first instance and could at a later date be opened to other high end compliant operators once the process, safety and auditing have been completely satisfied, however it would be expected that non ER operators would be encouraged to join the scheme to continue to benefit from delegated testing (this is proving they meet the scheme standards and requirements)”. (John Lewis Partnership).

5 Option 3: Reduced test content

This chapter presents respondent views on reducing the content of annual tests for ER operators. It specifically covers:

- Q31. Advantages and disadvantages of less burdensome testing.
- Q32. Impact of less burdensome testing on authorised testing facilities, non-ER operators and other areas.
- Q33. Perceptions of the risk to road safety of less burdensome testing.
- Q34. Potential risks to road safety of reduced test content, and suggested mitigations.
- Q35. Practical considerations of less burdensome testing.
- Q36. Suggested changes to Option 3.

5.1 Advantages and disadvantages of less burdensome testing

5.1.1 Advantages for operators of reduced test content

Overall, 37 respondents identified the advantages of reducing test content. The most commonly reported advantage was reducing costs and increasing efficiency as a result of less vehicle downtime and less maintenance. Some respondents also noted that reducing test content would mean quicker tests, which, as one **non-ER operator** stated, would afford *“the ability to put unroadworthy vehicles into service”*. These advantages were mainly highlighted by those who were **non-ER operators**.

On the other hand, most other respondents (including **Logistics UK** and the **RHA**) felt that there would be little if no advantages to reducing test content. For example, one **ER operator** reported that this option *“could only save minutes over a standard MOT as they are not particularly time consuming in the process of the test itself”*, and that the burden of taking tests *“is more in the process of booking, securing and travelling to test that takes up the time”*. Furthermore, the **RHA** felt the option would compromise *“the rigorous maintenance standards in place”*. Therefore, most respondents felt that there would be minimal advantages to reducing test content for operators.

5.1.2 Disadvantages for operators of reduced test content

Of the 32 respondents that reported disadvantages to reducing test content, the most commonly reported was concern that vehicles would not be checked properly, therefore increasing the *“risk of breakdown”* and posing a *“danger to road safety”*. Overall, there was a consensus that there would be a *“lack of confidence that vehicles are truly roadworthy”*.

Some **ER operators, individuals who maintain vehicles and Logistics UK** were also concerned that reducing test content would introduce more complexity and additional administration. One of the effects of this would be the accumulation of *“missed and costly defaults that need to be remedied anyway”*.

Several industry organisations (including **Prospect and RoSPA**) noted other potential disadvantages for operators. There were concerns that the option did not reap much benefit because *“vehicle operators are more concerned about the*

downtime of their vehicle awaiting an appointment than the time it actually takes to test it". Additionally, the audit provided by the organisation on customers' third-party maintenance provider was seen to protect vehicle operators against poor service which would be taken away by the option.

5.2 Impacts of less burdensome testing

5.2.1 Impact of less burdensome testing on authorised testing facilities

Most of the 33 respondents that answered this question reported that one of the impacts of less burdensome testing on ATFs would be tests being carried out quicker. This would create "*higher throughput*", which would mean "*greater testing capacity*".

However, there was disagreement among respondents **across all stakeholder groups** as to whether this would increase or decrease the workload for ATFs. While some respondents suggested that this would entail less work and less money for ATFs (including some trade bodies), other respondents suggested that this would mean more demand and income as ATFs would be able to perform more tests each day. Accordingly, some respondents noted that the cost of lane fees would have to be agreed on if this change was to be implemented.

Some respondents who are **ER operators** also specified the complexities that would arise as a result of these measures, particularly concerning booking the correct test and managing hours since there "*are no standard times depending on age, model, traction source*".

"Removing items from the test will not change that obligation as those systems and components would still need to be checked, maintained, and kept in satisfactory condition thus little or no gain for an operator". (Prospect).

5.2.2 Impact of less burdensome testing on non-ER operators

Most of the 28 respondents that answered this question, and particularly **non-ER operators**, reported that the biggest impact of less burdensome testing for ER operators' vehicles would be that it would be unfair on non-ER operators. One respondent stated that ER operators would have a "*higher chance of getting contracts due to less downtime and costs*" and pointed out that different prices for tests would entail higher maintenance costs for non-ER operators.

Respondents **across all groups** also felt that safety concerns that would arise from this change, with one **ER operator** commenting that this "*sends the wrong message*" by communicating that ER operators do not have to check their vehicles as rigorously, and therefore raises questions concerning their level of safety and compliance.

Most respondents who are **ER operators**, on the other hand, identified a positive impact in that there would be more available testing slots for non-ER operators. This would help to speed up testing for these vehicles.

"A potential sense of unfairness. ER operators are meant to be the gold standard but how can anyone know if their vehicles are safe if they don't have proper annual

tests carried out and they aren't subject to roadside enforcement". (Non-ER vehicle operator or leaser).

"Consider an ER operator. He buys a new truck, runs it for a year, obtains a reduced content "ER" MOT, and then sells the truck. If another "ER" operator buys it, then the MOT is good. If a "Non ER" operator buys it, then the MOT is invalid (...) The MOT standard needs to be the same for all, regardless of whether the operator has signed up to one scheme or another, as it sets the minimum standard for ALL". (Individual or company or individual who provided a written response).

5.2.3 Impact of less burdensome testing on other areas

Only 14 respondents stated the impact of less burdensome testing for ER operators' vehicles on other areas. Of these, some identified the impacts on road safety as there were concerns regarding the finding of "potentially dangerous compromised parts failures". Prospect also raised the issue of how to maintain oversight over vehicles that require different tests, noting that there runs the risk of vehicles being "incorrectly failed due to dual standards".

"Down time would still be the same as time slots for test would still mean having that vehicle off the road for that day". (Individual that maintains vehicles).

5.3 Risks to road safety of reducing test content

Of the 39 respondents that answered this question, 59% (or 23) stated that there would be risks to road safety if Option 3 (reduced test content) was implemented and only 15% (or six) stated there would not be risks.

Figure 5.1 Respondent perceptions of whether there are risks to road safety of reduced test content (N=39)



Of the 22 respondents that explained their answer, most believed that reducing test content would increase the risk that ER operated vehicles would have critical defects. They believed that current tests were necessary to prevent vehicle components from going unchecked, and reducing test content would therefore undermine the purpose of the test. Some respondents also questioned who would determine the components that no longer needed testing, since "unscrupulous" operators could neglect certain components "to speed up maintenance".

Most respondents felt that the risks would be significant and would involve "poorly maintained vehicles on the road" that could "lead to future danger and expense for the operator" as well as "a higher risk of collisions". Some respondents highlighted that the consequences of not testing vehicles sufficiently will also produce "a lack of intelligence" that is gathered by the DVSA to identify trends in failures and road safety issues, which are used to mitigate issues earlier.

To mitigate the risks posed to road safety resulting from reduced test content, respondents provided various ways in which this could be achieved. Most **ER operators** agreed to “*maintain rigorous testing*” to ensure the minimum standards of vehicle safety are met, and some pointed to other assurance measures that are in place for ER operators.

Some respondents suggested additional measures to mitigate the risks to road safety. Some **non-ER operators** believed that increased roadside checks for ER operators would be necessary to mitigate the risks of road safety. One who was an **ER operator** suggested that tests are randomised so that test content remains the same but “*the tester checks 60% of the items on the list at random*”. This way, if reduced test content is implemented, standards were more likely to be maintained.

“We do not agree with the option of reducing test content. The integrity of the HGV Roadworthiness Test model is dependent on having rigorous maintenance standards in place, which we believe would be compromised if elements are removed through any initiative to reduce test content. For the avoidance of doubt, we believe that the DVSA inspection manual for HGVs and PSVs is a minimum standard which should be enhanced and not diluted”. (RHA).

“By reducing the test content, you are in fact reducing the inherent safety of the truck, as we are aware that faults often occur at unpredictable times, hence the need for daily driver walk-round checks. In-vehicle monitoring systems still rely on human intervention to eradicate the fault”. (NFDA).

5.4 Practical considerations of reducing test content

5.4.1 Operation of vehicles abroad

The 27 respondents to this question had mixed views on the compatibility of reduced test content with operating vehicles abroad. Some **ER** and **non-ER operators** reported that this would “*complicate travel*” and would potentially “*require government to government agreements*”, which would be very “*time consuming*”. A few respondents also questioned which regulatory framework—national, EU, or international—would be responsible for deciding whether this option would be feasible. Suggested solutions included to issue “*exemption certificates*” for vehicles operated abroad.

However, a few respondents stated that less burdensome testing would not be an issue for the operation of vehicles abroad because vehicles “*need to meet the standards of their home country*”.

“Clearly there would be conflict and any ER operator using vehicle abroad would not adopt Option 3 but would request to retain the current testing standard”. (ER operator)

“As is the case with the other options, consideration would need to be given to whether this option is compliant with other countries’ regimes, as many vehicles travel across Europe. If it is not, it is unlikely that operators who have vehicles driving internationally would see any benefit of this option”. (RoSPA)

5.4.2 Transitional measures

Only 16 respondents provided practical considerations on the transitional measures that would be required due to less burdensome testing. Of these, one **individual who maintains vehicles** reported that this should be "*based on vehicle age*" and one respondent who is an **ER operator** noted that this change could be implemented at a vehicle's next MOT.

The other respondents who commented on this question instead identified the risks concerned with the transitional measures, which included increased administration and costs as well as concerns over who will manage the transition and how the success of the transition would be monitored.

5.4.3 Other practical considerations

Only 15 respondents provided any other practical considerations concerning the implementation of less burdensome testing. Of these, some respondents anticipated difficulties in the "*practical application*" of a different testing regime, especially concerning the digital systems required to carry out these changes and the potential administration issues that may be caused as a result. A few respondents also considered how vehicles who have undergone different tests will be monitored and how operators will be able to know what test a vehicle has received. One respondent who is an **individual that maintains vehicles** wrote that the standards of foreign vehicles coming to the UK will also have to be reconsidered.

"If a vehicle has not had certain areas checked when with an ER operator then goes on the used market to a non ER operator when are potential issues going to be picked up? Another 12 months down the line or should there be an immediate pre use MOT when buying an ex ER vehicle?" (Transport consultancy and ER AAP)

"How will DVSA's IT systems manage two different test types, particularly without increasing costs?" (Prospect).

5.5 Changes to Option 3

Of the 27 respondents that suggested changes to Option 3, most reiterated their view that they would prefer not to implement this option. One respondent who was an **ER operator** gave a reason for this, stating that "*there is no practical benefit to the operators*". A few respondents across different stakeholder groups also pointed out that the time saved through reducing testing would be negligible since ER operators would still need to carry out specific testing and administration.

Only a few respondents suggested practical changes. Some recommended changing the frequency of the tests and to "*allow as wide a possible timescale for 'offsite' tests to be done i.e., brake tests etc*". One **non-ER operator** felt that the DVSA should expect higher qualifications from testers, while another felt that ER operators would have to take on more responsibilities to test their vehicles independently.

"In my opinion this option only benefits the DVSA as tests would not take as long. I don't believe road safety is maintained by this change to the test" (ER operator).

“It is difficult to answer any questions in this option as it is unclear what the proposals are. We could see opportunities in this option in ER operators provide evidence of headlamps alignment, emissions and brake testing, which would remove the necessity for those items to be done at test and the benefits this could bring to ER operator in reduced test time - but the administration required of DVSA may negate these benefits, as the vehicle is still required to be presented for test”. (Logistics UK).

6 Option 4: Improved service provision

This chapter presents respondent views on improving the annual testing model for ER operators. It specifically covers:

- Q37. Advantages and disadvantages of improved service provision.
- Q38. Impact of improved service provision on authorised testing facilities, non-ER operators and other areas.
- Q39. Perceptions of the risk to road safety of improved service provision.
- Q40. Potential risks to road safety of improved service provision, and suggested mitigations.
- Q41. Practical considerations of improved service provision.
- Q42. Views on which operators should benefit from service changes, and reasons why.
- Q43. Suggested changes to Option 4.

6.1 Advantages and disadvantages of improved service provision

A total of 35 respondents reported advantages to Option 4. Of these, some (mostly ER-operators) felt it would improve service provision, mainly as it would allow greater flexibility when booking tests. A few added that this would make the process more efficient and suited to business needs.

A high proportion of **non-ER vehicle operators** and **individuals maintaining vehicles** did not report any advantages. The **RHA** disagreed with the concept altogether because the DVSA inspection is a minimum standard. Several trade bodies (including the **RHA** and **Logistics UK**) also highlighted that certain similar initiatives before had either “*diminished*” or were proven “*inefficient*” (see quote below).

“We do not agree with the concept of providing an improved service provision for ER operators and challenge the notion of reducing the “testing burden” for these operators. As stated under question 41, we are clear that the DVSA inspection manual for HGVs and PSVs is a minimum standard which should be enhanced and not diluted. To ensure the integrity of the test is upheld, it is essential that the same levels of service provision by DVSA is provided to all operators”. (RHA).

“[Improved service provision] would be considered very important where the Partnership uses a non-in-house ATF, as the availability of test slots and testers/examiners is paramount to reducing vehicle costs, downtime and emissions, this is also helped by well-trained examiners. The Partnership would not be opposed to DVSA audits/examinations either being carried out at the time of the MOT examination, or after through a roadside stop to check for quality and safety”. (Organisation who provided a written response).

“The options suggested here were built into the original concept of ATFs and the provisions for such built into the original ATF contract. DVSA has had the ability to retract from that over the years, despite the industries resistance, so we fail to see how DfT would hold DVSA to any of these changes, as DVSA have been able to reap the benefits of the ATF strategy (prevention of estate refurbishment and

maintenance and the financial benefits through the sale of their estate) and yet have diminished the original benefits for industry - greater flexibility, through their reduction of test capacity using increased utilisation as base measure". (Logistics UK).

Only 29 respondents reported disadvantages to Option 4. Those that did mainly anticipated difficulty with DVSA recruitment and increased fees (for the DVSA or operators) if more testers are recruited. Other reported disadvantages included challenges in making operational changes legally binding upon the DVSA, that resources would be diverted away from non-compliant operators and managing pressure for testing from non-ER operators.

6.2 Impacts of improved service provision

6.2.1 Impact on ATFs

Overall, 33 respondents stated impacts of improved service provision on ATFs. Most felt these impacts would be negative. The most commonly reported impacts were related to a possibility that ATFs would require more resources to provide a more flexible service. This included increased operating costs, due to longer operating hours and/or a possible need for more staff.

Some felt there would be associated issues with recruiting and retaining staff if shifts were at more irregular times. Similarly, some felt that greater flexibility could mean that there would be more unfilled slots and difficulties completing all tests, while a possibility of more cancellations at short notice could reduce the efficiency of ATFs. **RoSPA** noted that when ATFs would prioritise urgent slots for ER operators, there.

A few respondents reported positive impact (including **Logistics UK**). Of these, some felt that it would streamline delivery and improve efficiency, with less workload and greater return on investment. One respondent also felt there would be greater flexibility in booking DVSA staff.

6.2.2 Impact on non-ER operators

Overall, 32 respondents stated impact on non-ER operators. Of these, most reported negative impacts. This mostly included increased unfairness and difficulty accessing test slots. Respondents believed this would increase costs for non-ER vehicle operators and harm relationships with the DVSA. Several were also concerned that priority given to ER vehicle operators, which would result in lower standards among the non-ER vehicle operator group.

A few **ER operators** and **Logistics UK** did however believe it would positively impact non-ER operators because of greater flexibility and potential for a better service from ATFs.

"If annual test bookings become harder to obtain it will be the least safety-minded operators who will use this as an excuse for delaying tests to be carried out". (NFDA).

6.2.3 Other impacts

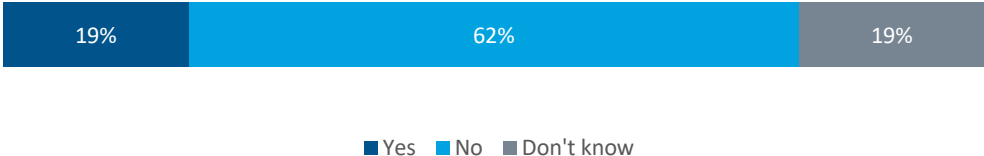
Only 14 respondents answered the question. Of those that did, most reported negative impacts. These included increasingly unsafe roads, more costs incurred for the Department for Transport due to lowered utilisation, and inconvenience for ATF staff who will have to "keep checking to see if an operation is ER". These impacts were stated by all respondent groups.

Only two respondents mentioned positive impacts. One reported a better culture and improved employee relations for the DVSA and another stated that it would consistency.

6.3 Risks to road safety of improved service provision

Of the 37 respondents that answered this question, only 19% (or seven) believed there were risks to road safety if Option 4 was introduced. Most respondents (62%, or 23) reported there would be no risks to road safety.

Figure 6.1 Respondent perceptions of whether there are risks to road safety of improved service provision (N=37)



Only 9 respondents provided suggestions for mitigating the potential risk of using untested vehicles. These respondents provided a range of suggestions, including:

- ER vehicle operators book in advance
- The DVSA/industry provide for additional resources to maintain the current test slot availability for non-ER vehicle operators
- There is increase in roadside stops and penalties for using untested vehicles.

One respondent suggested there were no ways to mitigate against road safety risks.

“Great sense of unfairness if ER operators get to “jump the queue” and delay their tests. They will likely lose faith in the testing system and could even encourage operators to go rogue”. (Non-ER vehicle operator or leaser).

“Longer wait times for test. Potential cancel bookings to accommodate ER operators. Additional costs. All resulting is [sic] higher running costs meaning that when bidding for contracts ER operators will always be cheaper than non-ER operators”. (Prospect).

6.4 Practical considerations of improving service provision

6.4.1 DVSA staffing levels

In total, 32 responded to the question on the practical considerations of improved service provision on DVSA staffing levels. Of these respondents, most reported that

a need for more staffing (and associated costs) was a key practical consideration, particularly if service hours are increased. However, several were uncertain that increasing staff/testers was feasible considering lack of funding and the DVSA's failure to recruit to their current budget, as well as potential challenges with staff retention if testing days are longer and staff are required to travel.

Increasing staff was commonly reported by respondents as being necessary to ensure good availability for testing, to support the new system and ATFs, and to guarantee that non-ER vehicle operators are not disadvantaged.

"It must be to the greater good that the testers move to, or are located near, the point of testing, as it must be cheaper for a tester to travel in a car to the trucks than for trucks to travel to the tester. Surely having the testers privately employed, at the same "level" as car testers, would resolve this, by allowing them to recruit and locate where the work is. It might allow more scope for higher wages and night time work". (Organisation or individual who provided a written response).

6.4.2 Potential adjustments to minimum fee levels currently set in ATF contracts

Of the 27 respondents that answered this question, most felt that fees would rise with improved service provision. They attributed this to increased staffing and administrative costs and to cover the cost of less testing and the potential reduction in productivity. However, this was not a unanimous view, as several respondents, and particularly **individual that maintains vehicles**, believed fee levels should decrease if there is *"improved investment and efficiency"*.

Some respondents (including **trade bodies**) reported the need for a review of the fee levels or for levels to remain the same. One respondent suggested fees should only increase for out of hours service. Several respondents highlighted the need for clarity on potential adjustments to fee levels so that businesses can decide whether potential costs outweigh benefits of granted slot availability.

6.4.3 Transitional measures

Only 20 respondents reported transitional options for introducing the option. These respondents reported that transitional arrangements need to include:

- ATF contract negotiations
- DVSA staff and contractor staff
- Recruitment
- Completion of training
- A development plan.

6.4.4 Other practical considerations

Only 14 respondents responded to the question. These respondents expressed concern around a shortage of staff and highlighted the need for training and competence, timescales for training staff, and identification of future training needs.

"There is already a fee level contained within the ATF contract. This was set to offset DVSA's costs - this may however need to be realigned to today's indicative scheme costs". (Logistics UK).

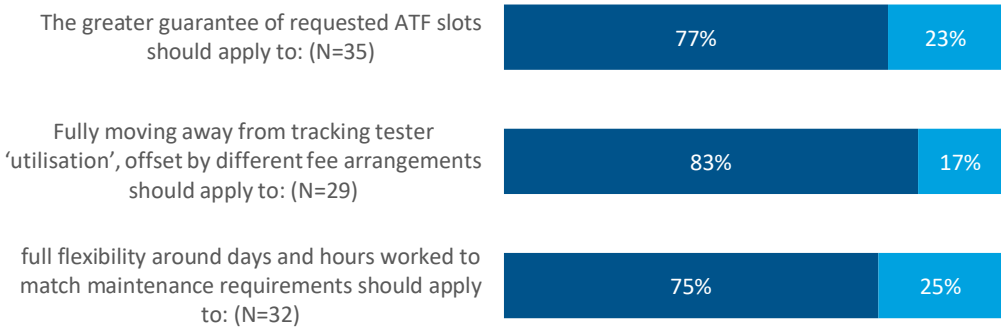
“Full privatization would incur more admin and costs to the industry”. (Individual that maintains vehicles).

6.5 Benefits by operator type

In total, 35 respondents provided their view on the operators who should benefit from the improvements to the annual testing model. For each potential benefit, over two thirds of respondents expressed that the benefits should apply to all operators.

Of these, more than three-quarters of respondents expressed that all testing for all operators should be flexible to match maintenance requirements (75%), provide guarantee of the requested ATF slots (77%), and that they should adopt a different fee arrangement rather than the tracking tester ‘utilisation’ (83%).

Figure 6.2 Respondent perceptions of which operators should benefit from service improvements



Overall, 29 respondents explained their view on which operators should benefit from improved service provision. Of these, most respondents believed that improved service provision should apply to all operators. It was felt that this was the only way to ensure a ‘level playing field’ and fair competition within the industry. Some respondents, including the **RHA**, also highlighted that improved services and test slots should be shared and standard for all, particularly due to widespread dissatisfaction with the current system and the number of non-ER operators who maintain high standards without accreditation.

A few respondents also felt that while there were some areas where ERs should expect a different level of engagement from the DVSA, basic service provision was not one of them, and without application to all operators, there would be little incentive for ATFs to operate to the current requirement and best utilise staff.

A few respondents (mainly those who were **ER operators**) saw improved service provision as a benefit which only applied to ER operators. This was largely due to the high compliance needed to enter the ER scheme which was seen to act as an incentive for operators to increase standards and which was also perceived to afford ER operators more flexibility and reward for the high standards they have achieved. Without benefits afforded through ER status, it was felt by some that ER status became symbolic and onerous. A few respondents however, also highlighted that not all operators would want to be burdened with potential associated fees and

options were creating more barriers for those who could not easily implement standards.

Some respondents disagreed with the scheme altogether. One respondent reported there was little commercial advantage to ER status as FORS is more recognised and thus offers more contract opportunities. Another highlighted the cost of the ER scheme for the DVSA, suggesting removing it altogether to improve the efficiency of the system.

“Many operators can reach ER standards without wanting or needing the accreditation - the audit process is very onerous and is not for every operator. This creates a non-level playing field and could impact business levels”. (Non-ER vehicle operator or leaser).

“If ER operators have to complete annual MOTs then they should see some benefit in being within the scheme, otherwise other than a status it does seem more symbolic than having any practical benefit to the business, it is simply an expensive status to maintain”. (ER operator).

6.6 Changes to Option 4

Only 20 respondents suggested changes be made to Option 4. Of these, a few wanted provision to be available to all operators so that everyone could benefit from availability of tests or increase in qualifications and competence of testers. The other suggestions that individual respondents put forward included:

- DVSA test stations should be brought back
- The DVSA Service Level Agreement to the ATF (with compensation if not met) should be brought back
- The scope should be made as wide as possible to ensure benefits are maximised
- Night MOT tests should be available to allow assets to be on the road faster
- Test fee for ER operators should be reduced alongside an increased fee for those less compliant
- Test fee should be raised for whichever option is chosen.

Logistics UK and an **ER Vehicle Operator** stated that Option 4 should not be an ‘exclusive choice’ and that this should be *“undertaken at the same time as we seek legislative change for our preferred option of delegated testing”*.

7 Wider views on the ER scheme and risks associated with the proposed changes

This chapter presents respondent views on additional changes to be made to the earned recognition scheme and their preferred options for implementing changes to the testing regime for earned recognition operators. It then presents respondent views on the risks that should be considered of implementing the four proposed options, and practical considerations for implementing changes to the testing regime for earned recognition operators.

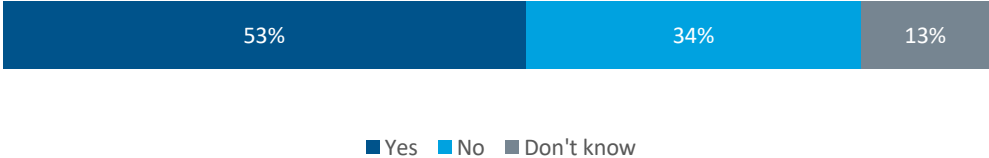
It specifically covers:

- Q44. Perceptions of need for additional changes to the earned recognition scheme.
- Q45. Suggested changes to the earned recognition scheme, and reason why.
- Q46. Preferred number of options to implement.
- Q47. Preferred option of respondents who prefer to implement one option.
- Q48. Preferred options of respondents who prefer to implement two options.
- Q49. Preferred options of respondents who prefer to implement three options.
- Q50/51. Preferred options of respondents who prefer to implement four options.
- Q52. Risks to air quality posed by implementing any of the four options.
- Q53. Perceptions of other risks posed by implementing any of the four options.
- Q54. Potential risks posed by implementing any of the four options.
- Q55. Suggested changes required to ensure public confidence in road safety controls when implementing any of the four options.

7.1 Perceptions of need for additional changes to the earned recognition scheme.

Respondents were asked if they would like other changes to be made to the earned recognition scheme, to which 38 replied. More than half indicated that they would like other changes to be made to the earned recognition scheme (53%, or 20).

Figure 7.1 Respondent perceptions of the need for additional changes to the earned recognition scheme (N=38)



Overall, 38 respondents explained what changes they wanted to the recognition scheme.

Most respondents who wished for changes to be made to the ER scheme suggested that more benefits should be offered. A few respondents who were **ER operators**

suggested introducing more incentives for members of the scheme. In addition, one suggested an increase in the time between audits to five years instead of two, while others suggested accreditation schemes which would *"negate the need to maintain our FORS status"* or demonstrate their maintenance standards to customers.

One who was a **non-ER operator** similarly felt that more benefits could be offered to incentivise uptake of the scheme, including by local authorities. A few suggested that it would be useful to use members' experiences in scheme communications, since this could *"evidence what people have gained from it over and above other schemes"*.

Other respondents wanted improvements to enable the scheme to be accessible to a greater variety of operators. One **non-ER operator** said that smaller operators face barriers to the scheme, since they often lack capacity to undertake the number of *"procedures and audit trails"* required. This was reinforced by another respondent who felt that IT presented a challenge to many operators, since *"[n]ot all garages/mechanics can/want to invest in IT equipment, when they have filled out hard copy inspection sheets for years and its worked fine"*.

Similarly, a few respondents also felt that their workload related to audits had *"become overly burdensome"* and presented high costs to operators (**Logistics UK**). This was reinforced by others who highlighted that cost was a barrier to the scheme. One **individual who maintains vehicles** reported that the cost of audits had increased considerably and was *"becoming unaffordable"*.

On the other hand, one trade body (**RoSPA**) expressed concern around reduced DVSA oversight with most options, which would require *"more robust audits of systems"*.

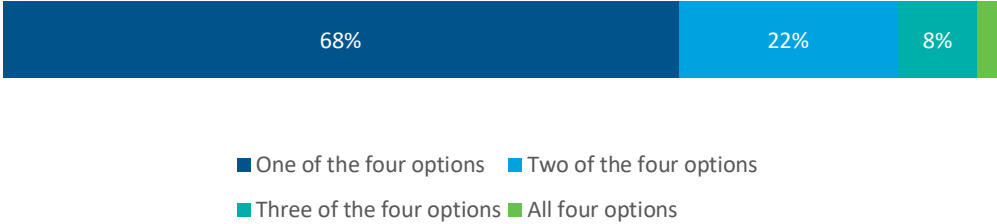
"A proactive challenge to FORS. A scheme for accredited ER supporters / users. 'We Accept ER operators'. Have a Trade Body scheme so that they can take the message to their members. ER should not be the best kept secret, we plug it every day and we are nearly always talking to people who know nothing about it". (Transport Consultancy and ER AAP).

Always open for debate, a continuous review of what membership can offer is essential. Some good initiatives underway (FORS replacement etc), keep moving the scheme forwards. The reporting of service compliance is still an issue and not yet matured". (ER operator).

7.2 Preferred number of options to implement

Respondents were asked how many of the proposed options they wanted to see implemented, of which 37 replied. Respondents most commonly wanted one option to be implemented. This was reported by over two-thirds of respondents (68%, or 25). A further 22% (or eight) of respondents favouring two of the four options.

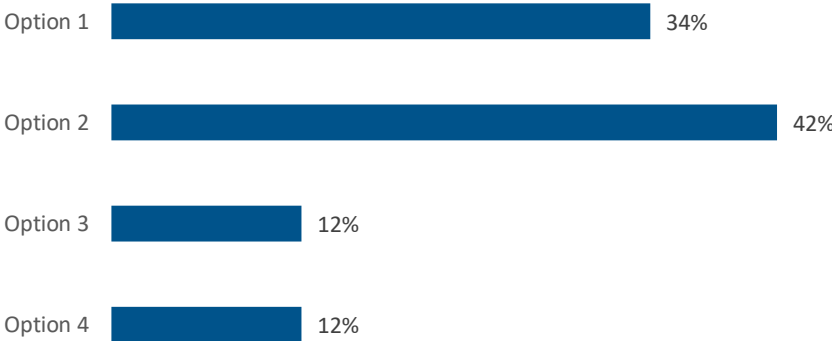
Figure 7.2 Respondent views on the number of proposed options they wanted to be implemented (N=37):



7.3 Preferred order of implementation

Respondents who wanted one option to be implemented most commonly favoured implementing Option 2 (delegated testing for ER operators). This was reported by 42% (or eleven) of the 25 respondents who wanted one option to be implemented. However, a high proportion (34%, or 13) of all respondents also preferred Option 1 (increasing the time between tests for ER operators). Only a few respondents wanted to introduce Option 3 (12%, or three) or Option 4 (12%, or three).

Figure 7.3 Preferred option of respondents who wanted one option to be implemented (N=26)



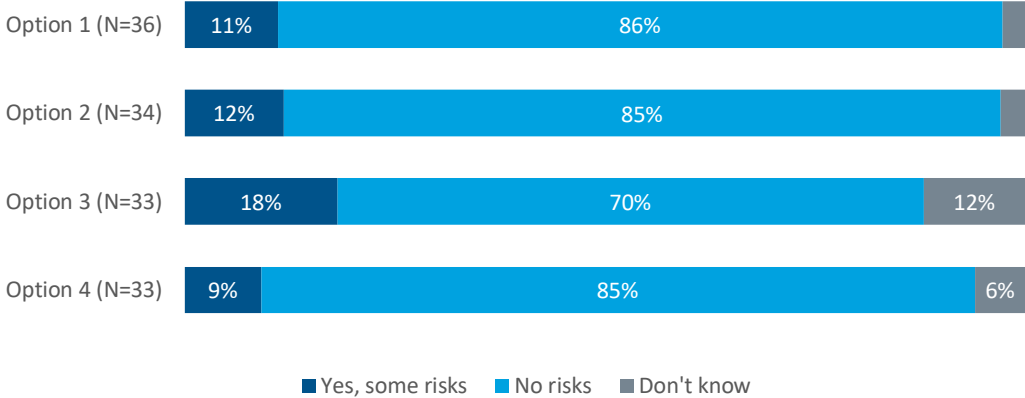
When respondents preferred two options to be implemented, most felt the first option to be implemented should be Option 1 (reported by 71%, or five, of respondents), with Option 2 being preferred as the second option to be implemented. However, only seven respondents answered this question so the results should be viewed with caution.

Of those respondents who preferred three of the four options to be adopted, respondents most commonly wanted Option 2 to be implemented first and Option 4 to be implemented second. However, only four respondents answered this question so the results should be viewed with caution.

7.4 Risks to air quality of all options

Respondents were asked about the risks of the four proposed options to air quality, to which 37 respondents replied. Of these respondents, most reported that none of the options would present air quality risks. However, a higher proportion of respondents felt that Option 3 would present air quality risks compared to the other options.

Figure 7.4 Respondent views on the risks to air quality posed by each option



7.5 Other risks

Respondents were asked about other risks to implementing the four options, to which 41 respondents replied. Of these, 32% (or 13) of respondents believed that there were further risks that needed to be considered, 49% (or 20) thought there were no additional risks, and 20% (or eight) were unsure.

Among those who believed that implementing any of the four options would pose risks, some reiterated the risk that individual operators and/or maintenance providers could lower their standards of maintenance. A few highlighted risks to road safety as a result. Others anticipated that more operators would attempt to manipulate the system in their favour, with a few noting that commercial interests would generate competition between non-ER and ER operators.

An **ER operator** believed that there was *"potential for negative press and public feeling"* if changes were not presented in a way that demonstrated benefits for the *"greater good"*.

7.6 Suggested changes to ensure public confidence in road safety controls

7.6.1 Non-ER operators

Overall, 24 respondents provided their views on changes that need to be made to ensure public confidence in road safety controls if any of the options of vehicle testing were implemented for non-ER operators.

Some respondents reported additional measures could improve public confidence. One respondent stated that *"it will need a sustained PR campaign to explain them to the public and avoid a negative view of the haulage industry"*. The **RHA** stated that a *"comprehensive communications plan"* was needed to assure the public and sector that safety was being upheld by the changes, and **Logistics UK** highlighted need for *"an improvement in and demonstration of compliance"*.

7.6.2 ER operators

Of the 29 respondents who provided their views, some reported that more awareness of the ER scheme was needed in order to ensure public confidence if any of the options were implemented for ER operators. Some who were **ER operators** also suggested campaigns and communications to explain the ER scheme, the activities it involves, and to demonstrate the standards of compliance that operators uphold with *"stats and anecdotal evidence at every opportunity"*.

A few **non-ER operators** suggested that more audits, investigations and penalties should be undertaken to demonstrate that non-compliance was being addressed.

"A robust system of monitoring and training of vehicle testers will ensure public confidence in the scheme[...] If it was found that the vehicles were not being tested to the appropriate standard the operator could lose their repute and ultimately their operator's licence resulting in them having to cease trading. This sanction is far greater than the current MOT programme". (Trade body).

8 Practical considerations for the earned recognition scheme when implementing changes to the testing regime

This chapter presents respondent views on the practical considerations to be made when implementing changes to the testing regime. It specifically covers:

- Q56. Views on supplying earned recognition KPI data electronically only.
- Q57. Reasons for disagreeing with electronic-only data collection.
- Q58. Support for applying changes to all HGV and PSV operators beyond earned recognition operators.
- Q59. Preference for applying changes to all operators for all options, or for selected options only.
- Q60. Preferred options of respondents who support applying selected options beyond earned recognition operators to all HGV and PSV operators.
- Q61. Expectations for the DVSA to determine compliance following changes to the testing regime.
- Q62. Barriers to joining the earned recognition scheme for smaller operators.
- Q63. Practicalities of changes to testing for operators who are no longer members of the earned recognition scheme.
- Q64. Practicalities of identifying the vehicles that are in scope of changes to heavy vehicle testing.
- Q65. Perceptions of the need for separate arrangements for trailers.
- Q66. Reasons for perception of the need for separate arrangements for trailers.
- Q67. Suggestions for mitigating the loss of funding for DVSA enforcement.
- Q68. Views on the suitability of an application fee for membership of the earned recognition scheme.
- Q69. Suggested fee charge for earned recognition membership.

8.1 Supplying data for the ER scheme

Of the 40 respondents that answered this question, 65% (or 26) agreed that ER key performance indicator data should only be supplied to them electronically, while 30% (or 12) disagreed, and 5% (or two) were unsure.

Those that disagreed most commonly explained that it would serve as a barrier to membership for some operators. This is because operators would be required to invest in software and equipment required to supply the data and would need to allocate time and resources to prepare the data. All the three respondents to this question who were **non-ER operators** felt that it was difficult to implement electronic data collection in their operating environments. One reported that *"moving to Online is taking years to implement"*, while another highlighted that *"poor broadband infrastructure"* in more rural areas is an additional challenge. Some respondents, including the **RHA** and **Logistics UK** highlighted the potential barriers posed for smaller operators or those without *"systems capable of meeting the KPI requirements or [without] the necessary interfaces with the operators' system"*.

A few other respondents were also concerned about the risks of implementing electronic systems for data collection. One pointed out that operators would be required to purchase electronic systems approved by the DVSA, which could affect their impartiality, while another anticipated that data could be forged through electronic data collection.

8.2 Changing the testing regime for all HGV and PSV operators

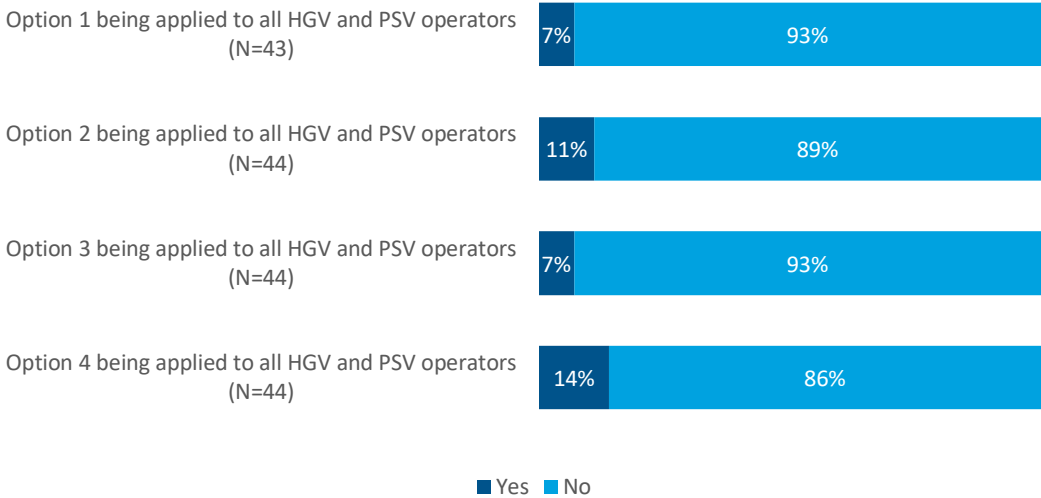
Respondents were asked about their support for applying changes beyond earned recognition operators to all HGV and PSV operators, to which 42 respondents replied. Of these respondents, 38% (or 16) stated they would support the idea to the proposed option alterations applying to all heavy goods vehicles, while the majority disagreed (55%, or 23). Most of those who were either **ER** or **non-ER** operators did not support applying changes to all HGV and PSV operators, while most of those who were **individuals who maintain vehicles** were in favour.

Figure 8.1 Respondent support for the proposed option alterations being applied beyond ER operators (n=42)



Of those that supported the proposed option alterations being applied beyond ER operators, some (76%, or 13) stated that they would support this for some options only, while the remainder (24%, or four) would support it for all proposed options.

Figure 8.2 Respondent support for each option being applied beyond ER operators



8.3 Determining compliance

Among the 37 who provided their view on ways to determine compliance if any of the options were implemented, most suggested additional measures to audit ER operators, delegated testers or maintenance providers. A few respondents who were **ER operators also** noted that re-introducing roadside checks for ER operators would be a viable solution. However, one respondent perceived that *"roadside checks for ER operators would serve as taking steps back"* because it was a benefit of ER membership that less roadside checks would be undertaken.

Some respondents felt that increased reporting and auditing measures could help. However, a few respondents felt it was possible that any additional work and digital equipment required as part of the ER scheme would be costly for members. Similarly, a few respondents stated that any increase in fees would not improve compliance, since *"ER operators have already increased costs in auditing, systems and licencing, staff training"*. For these reasons, **Logistics UK** also felt that any more incurred costs for ER operators would be unfair.

8.4 Barriers to joining the ER scheme for small operators

In total, 36 of the call to evidence respondents stated barriers to joining the ER scheme for small operators. The most commonly reported issue was the procedures required to join, since many operators may not have the capability or equipment required. A few that were **non-ER operators** also highlighted that they often lacked the *"computer comprehension"*, broadband connectivity or cyber- and data-security capabilities they required.

Cost incurred to implement new systems was also a reported barrier **by trade bodies**, along with cost of other aspects of being part of the ER scheme. **Prospect** reported that the *"cost of the repetitive audit"* was a barrier whilst **Logistics UK** highlighted lack of *"tangible financial benefits"* for smaller operators to be on the scheme.

A few reported that the administrative work required to report on KPIs would be labour-intensive for smaller operators, and therefore these demands could outweigh the benefits of membership. The **RHA** highlighted that there was a *"lack of a support function for submitting KPIs and other monitoring requirements"* which would serve as a barrier for smaller operators.

A few **ER operators** noted that the scheme did not present barriers and that there are *"already small operators within the scheme"*.

"It is a great deal of work to prepare for and have absolute confidence in the compliance of your transport operation to take the leap into obtaining ER status. It's not impossible to do, but as it stands, we don't feel that the benefits of gaining ER are really worth the effort for smaller operators with a small team managing and monitoring the transport operation". (Non-ER operator or leaser).

8.5 Practical arrangements relating to changes to testing for operators who leave or are removed from the ER scheme

The 28 respondents to this question had mixed views on arrangements for operators that *leave* the ER scheme. Some reported that there should be a *"transition period"* in which the rules for ER operators would still apply. A **non-ER operator** suggested

that there should be a three-month period after leaving after which the current testing regime would apply. Others however felt that operators should immediately revert to the current testing regime when they leave the scheme. In the case that Option 1 was implemented, a few noted that testing *"would then fall due within the annual cycle"*.

A few respondents noted that there was no need for practical arrangements relating to ER operators who leave the ER scheme; a few respondents who were **ER operators** noted that it *"may offer further benefits to stay"*.

One respondent noted that operators who leave the scheme should *"be able to wait until testing is due on their vehicles"* until they were next expected to test their vehicle.

"RoSPA has some concerns about how to deal with operators leaving or being removed from the ER scheme. In particular, we are unsure what will happen with the extended test interval and certificate if Option 1 is implemented. If the operator is no longer part of the scheme, it seems unfair that this extended certificate would remain valid, especially for those who have not been meeting standards and have been removed from the scheme. However, it is difficult to understand how this can be revoked". (RoSPA).

Respondents generally expressed similar views on arrangements for operators who *are removed* from the ER scheme. However, some felt that ER operators who are removed should be tested again, with one suggesting that this depended on the reason for removal. One **ER operator** expressed that operators should be able to appeal their removal or be allowed a *"way back in after a certain timescale"*. On the other hand, some respondents expressed their belief that removal would be rare and that operators would wish to avoid this outcome: *"for delegated testing, the removal from ER and therefore loss of delegated testing could be too high a cost to bear, so would provide a greater desire to maintain the highest standards"* (**Logistics UK**).

8.6 Tracing eligibility of vehicles for changes to the testing regime

Overall, 26 respondents suggested ways in which vehicles who would be in scope of the changes to the heavy vehicle test could be identified. Some respondents (including **Logistics UK**) wrote that vehicle operator licensing (VOL) could be used but that this system itself requires modernisation. One **ER operator** noted that *"all vehicles associate with the Operator License ought to be in play, with later vehicles having greatest benefit"* to help introduce cleaner emission vehicles. Similarly, one **non-ER operator** wrote that vehicles *"in the ER scheme"* and that are *"less than 4 years old"* should be eligible for changes to the testing regime.

Some respondents wrote that there should be a *"physical mark on the vehicle with a unique identifier"* or to use the *"chassis number"* if there was a problem with the registration number. One **ER operator** wrote that *"an additional document"* should be made available that can be processed by the DVSA's testing team to keep the system up to date and enforce it. Similarly, one **professional register** stated that *"a database or other digital system"* would be effective for keeping track of all vehicles that fall within the scope of the new testing requirements. One **individual who maintains vehicles** wrote that a testing record, roadside checks and fleet checks would be necessary to identify suitable vehicles along with their age.

8.7 Arrangements for trailers

Of the 40 respondents that answered this question, almost half (48%, or 19) felt that different arrangements are needed for trailers that operate separately to heavy goods vehicles, 35% (or 14) said there should be separate identification, and 18% (or seven) were unsure.

Among those who agreed that different arrangements will be needed, some felt that it would be more difficult to trace trailers to the correct operator. This was since trailers *"change hands much more often"* and their registration numbers will change accordingly, especially when operators use and hire third-party trailers. An **individual who maintains vehicles** pointed out that trailers *"will pass from company to company and may be based abroad for several months a year"*, and therefore special consideration may be required for these instances.

However, a few respondents who were **ER operators** reported that trailers could be included in arrangements for heavy vehicles when there is a mechanism in existing ER reporting and audits to provide *"dedicated evidence for trailer compliance"*.

"Even though trailers (mainly through non-compliant operators) have a name for being un-loved and dangerous, if the risks are managed accordingly, drivers are trained continuously, keeping them under the same scrutiny as vehicles, these should also be included as part of the same engagement with dedicated evidence for trailer compliance as with power train vehicles. They already report within the KPI's, ensure a mandatory pre mot inspection is carried out in intervening years as if it was going for test. (ER vehicle operator).

You can only be in ER if you are a Good Vehicle and PSV Operator and there are companies that own assets that require heavy commercial vehicle MOT testing that do not fall within the scope of the O'Licensing scheme, so perhaps DVSA could develop a parallel system for such businesses, this could asset in the practical application for some of the proposed options. (Logistics UK).

8.8 Financing enforcement and membership fees

Overall, 34 respondents provided their views on ways that the loss of funding for DVSA enforcement might be mitigated. Across all groups, respondents most frequently suggested additional fees that could be implemented to raise funds from vehicle operators. Those who were **ER operators** commonly agreed with new fees but had differing views on the organisations that should be subject to these additional costs. One respondent noted that they would *"happily accept a minor cost per HGV to be part of the scheme"* while others noted that fees should be increased for non-ER operators or those found to be non-compliant.

Most respondents who were **non-ER operators** were opposed to an increase in costs for operators. A few respondents felt that operators already contribute a reasonable amount towards the DVSA's enforcement operations through the HGV levy and other taxation. Therefore, the costs of enforcement could be covered by ensuring government spending from these funds are *"ring fenced to the transport sector that pays it"*.

The **RHA** stated that any loss of funding could be mitigated by using revenue streams from existing costs that operators pay, including licensing and testing fees. They suggested that delegated testing could be extended to all operators when high standards of maintenance and testing were assured. Meanwhile, **Logistics UK** stated they *"do not see the necessity for DVSA to lose its source of revenue [...] if DV[S]A applies the same principle for fee collection as it does for the Class 1,2,3,4,5&7 scheme, then there should be no need to apply fees to ER operators"*.

8.9 Views on the suitability of an application fee for membership of the earned recognition scheme.

In total, 40 respondents answered the question on the suitability of an application fee for membership of the earned recognition scheme. Of these, 63% (or 25) believed there should not be an application fee for the earned recognition scheme and 23% (or nine) believed there should be a fee.

Of the respondents that stated a fee would be applied, around half (4 respondents) stated that between £50 and £150 was a reasonable fee charge. The remaining five respondents either expressed a higher fee price or stated that the membership fee should be determined by size of fleet.