

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Fifteenth Delegated Legislation Committee

DRAFT PASSENGER AND GOODS VEHICLES
(TACHOGRAPHS) (AMENDMENT ETC.)
REGULATIONS 2019

Monday 7 October 2019

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Friday 11 October 2019

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The Committee consisted of the following Members:

Chair: PHILIP DAVIES

- | | |
|---|---|
| Ali, Rushanara (<i>Bethnal Green and Bow</i>) (Lab) | † Newton, Sarah (<i>Truro and Falmouth</i>) (Con) |
| Bryant, Chris (<i>Rhondda</i>) (Lab) | † Pursglove, Tom (<i>Corby</i>) (Con) |
| † Burden, Richard (<i>Birmingham, Northfield</i>) (Lab) | † Snell, Gareth (<i>Stoke-on-Trent Central</i>) (Lab/Co-op) |
| † Caulfield, Maria (<i>Lewes</i>) (Con) | † Stephens, Chris (<i>Glasgow South West</i>) (SNP) |
| † Charalambous, Bambos (<i>Enfield, Southgate</i>) (Lab) | † Thomas, Derek (<i>St Ives</i>) (Con) |
| Glindon, Mary (<i>North Tyneside</i>) (Lab) | † Turner, Karl (<i>Kingston upon Hull East</i>) (Lab) |
| † Green, Chris (<i>Bolton West</i>) (Con) | † Vara, Mr Shailesh (<i>North West Cambridgeshire</i>)
(Con) |
| † Heaton-Harris, Chris (<i>Minister of State,
Department for Transport</i>) | Rob Page, <i>Committee Clerk</i> |
| † Hughes, Eddie (<i>Walsall North</i>) (Con) | |
| † Menzies, Mark (<i>Fylde</i>) (Con) | † attended the Committee |

Fifteenth Delegated Legislation Committee

Monday 7 October 2019

[PHILIP DAVIES *in the Chair*]

Draft Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019

6.15 pm

The Minister of State, Department for Transport (Chris Heaton-Harris): I beg to move,

That the Committee has considered the draft Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019.

It is a pleasure to serve under your chairmanship, Mr Davies. It is my first time, so I hope you treat me gently in your rulings.

The draft regulations will ensure that enforcement action can be taken against non-compliance with new tachograph rules that came into force in June 2019. They will update the provisions already in place for older tachographs so that they apply to breaches of the new smart tachograph requirements, which have applied from 15 June. The new smart tachographs are required in most large vehicles used for the carriage of goods or passengers by road that were first registered from 15 June, including most goods vehicles over 3.5 tonnes and passenger vehicles with 10 or more seats. The smart tachograph is intended to reduce fraud, allow easier enforcement and reduce administrative burdens on drivers through increased automation.

For the benefit of hon. Members who may not know the details, tachographs monitor and record the time that a commercial driver has spent driving; the data is then used by the Driver and Vehicle Standards Agency and the police to enforce the rules on drivers' hours. The rules, which set maximum driving times and minimum break and rest times for most commercial drivers of lorries and coaches, mean in practice that a driver must take a 45-minute break after four and a half hours' driving, and that their daily driving time is normally limited to nine hours. The consequences of driving any vehicle when fatigued can, of course, be catastrophic; the potential risks associated with heavy commercial vehicles are particularly severe.

Breaches of drivers' hours requirements by drivers of vehicles fitted with the new smart tachographs are covered by existing enforcement provisions and will not be affected by the draft regulations. There are also existing rules for tachograph equipment relating to the new smart tachographs, which aim to reduce fraud and falsification.

The draft regulations will ensure that those who breach the new tachograph requirements face an unlimited fine in England and Wales and a fine not exceeding

£5,000 in Scotland. Driver and Vehicle Standards Agency enforcement officials also have the option of issuing a fixed penalty of £300 or a prohibition notice.

Changes will be made to the Transport Act 1968 on exit day by the Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019, which the House approved in February. Those regulations were drafted for an exit day of March 2019, so they did not anticipate that the changes in the draft regulations would be made until after the exit day changes had come into force. Consequently, the draft regulations will amend those regulations to ensure that they continue to operate effectively in the light of those changes.

Policy on drivers' hours is devolved to Northern Ireland, where the devolved Administration have prepared equivalent amendments to Northern Irish law.

These rules are at the heart of the road safety regime for commercial vehicles, and I am sure that hon. Members share my desire to ensure that they can be fully enforced as soon as possible. I hope that hon. Members support the draft regulations, which I commend to the Committee.

6.19 pm

Karl Turner (Kingston upon Hull East) (Lab): It is always a pleasure to serve under your chairmanship, Mr Davies. The draft regulations concern tachographs—basically, they just put them into domestic law. The Opposition have absolutely no objection to this instrument; in fact, we support it. However, I had an email from a constituent, Mr Jamie Graves, who is a heavy goods vehicle driver. I think I know the answer, but he has asked me directly to ask the Minister about prosecution powers in the event of breaches of the regulations. Are the prosecution powers the same? I think they are, but my constituent asks the Minister to confirm that.

6.20 pm

Chris Stephens (Glasgow South West) (SNP): It is a pleasure to see you in the Chair, Mr Davies. I, too, will be short and sweet. I understand that the Government's intention is to provide some sort of continuity, and—regardless of people's views on the UK's withdrawal from the European Union—that is what the draft regulations are designed to do. I have one question, which is from Unite the union: will the Minister confirm that in the event of a no-deal Brexit, the regulations will still apply?

6.20 pm

Chris Heaton-Harris: I thank hon. Members for their questions. I have relatively quick and simple affirmative answers to both. In answer to the hon. Member for Kingston upon Hull and his constituent Jamie Graves, prosecution powers will remain the same. To the hon. Member for Glasgow South West, my answer is a simple yes.

I hope that the Committee has found the debate informative and will join me in supporting the regulations.

Question put and agreed to.

6.21 pm

Committee rose.