



Problem solvers

Are you facing a community transport problem? Perhaps you're assessing the implications of recent legislation or considering the specifications of a new vehicle. Whatever your community transport poser, *CTA Journal* can help.

Our problem solver, Amanda Eastwood (pictured), is a member of the CTA's advice and information team. Every day the team members field enquiries from across the UK's community transport sector and have

a wealth of knowledge and experience to draw upon.

If you have a problem that you'd like solved on this page, please write to Problem Solvers at *CTA Journal*, Unit 4, 25a Vyner Street, London E2 9DG.

"We are CTA members and we recently took our Peugeot minibus, purchased in 2005, for an MOT. It failed for not having a speed limiter. Why isn't one fitted?"

Good question. All diesel-engined minibuses first registered on or after 1 January 2005 were required to be fitted with a road speed limiter (RSL). The RSL did not actually need to be activated until 1 January 2008, when it needed to limit the vehicle's speed to 100kph. The RSL is usually included within the engine control unit, so it is not readily visible and its existence can only be checked by a computer (usually a laptop) attached via the vehicle when it's actually working.

Since 1 January 2008, checking the RSL in a minibus is included within the annual MOT. Once the RSL is activated, a calibration plate needs to be fitted in the cab area and it is this that is actually checked at the MOT.

I believe that the following has probably happened in your case. The minibus was based on a Peugeot van, which had a gross vehicle weight of 3,500kg or less. As a van, the vehicle was not required to be fitted with a speed limiter, and as the manufacturer did not know it was later going to be converted to a minibus, they cannot be deemed at fault, although they could have notified their dealers to check in those instances where vans were going to be converted to minibuses.

Whoever was responsible for buying the minibus for your organisation should have determined the vehicle's specification,

such as seat layout, wheelchair access, etc. Should they have verified an RSL was going to be fitted? Probably. However, as the fitting of an RSL was a legal requirement and, as such, the duty of the vehicle supplier, I think the company that sold the minibus is most culpable. It's going to be difficult to pursue a claim against them for the cost of fitting an RSL three years down the line, but if the CTA can help, we will.

The next step in getting the vehicle back on the road will be fitting an RSL. The most cost-effective option may be a bolt-on version, though it's worth checking with Peugeot if anything can be done via the engine control unit first. A list of approved RSL fitters can be downloaded from [www.vosa.gov.uk/vosacorp/repository/Approved%20Speed limiter%20Centres%20&%20Seals.xls](http://www.vosa.gov.uk/vosacorp/repository/Approved%20Speed%20limiter%20Centres%20&%20Seals.xls) ■

"Our minibus was recently stopped by VOSA and a prohibition notice (PG9) issued for worn tyres – scuffed side walls and a tread depth of 1.4mm, although the legal minimum is 1mm. This led to delays for passengers and was extremely concerning for our volunteer driver. How can we appeal against this decision?"

The Vehicle and Operator Services Agency (VOSA) does operate an appeals procedure and operators should contact the local manager in their traffic area. VOSA also

produces a leaflet called *The Service We Give You*, which could be helpful and is available as a PDF from its website (www.vosa.gov.uk).

As VOSA records any evidence of poor maintenance, eg MOT failures, on your file held at the local traffic area office it is worth appealing when you have grounds in order to remove the PG9 from your file.

While 1mm is the legal minimum tread depth for PSV vehicles, and at 1.4mm your tyres were still legal, the CTA recommends that tyres be replaced at 2mm as the wet weather braking performance of a tyre decreases below this and the potential to aquaplane becomes more likely. Drivers should examine tyre treads as part of their

walk-around check before driving the vehicle. A safety inspection should have also picked up that the tyres were becoming worn and advised that they should be monitored and replaced when required.

The scuffing of sidewalls is a common problem when frequently drawing up to the kerbside to pick up and drop off passengers, so drivers need to be aware of how to check them for cuts or severe wear (exposing ply/cord) and when replacement is required. Tyres often need to be replaced because of sidewall damage even when there is plenty of tread left. This is something for you to highlight during driver training and should be monitored from time to time. ■

The CTA Advice and Information Service

Open Monday to Friday from 9am to 5pm, the CTA's advice and information service covers the whole of the UK.

To contact an expert adviser, telephone 0845 130 6195, or email advice@ctauk.org. In Northern Ireland, telephone 028 9040 3535 or email kellie@ctauk.org

NB: CTA Ireland manages its own service for the Republic of Ireland.