



**Community
Transport
Association**

Response to the Department for Transport (Cleaner Fuels and Vehicles Division)

Consultation on Draft Regulations to amend the Road Vehicles (Construction and Use) Regulations 1986

Closing Date: 10 April 2007

The Community Transport Association

The CTA is a rapidly growing national charity giving voice and providing learning and enterprise support to member organisations, which are delivering innovative transport solutions to achieve social change. CTA UK promotes excellence through providing training, publications, advice and information on voluntary, accessible and community transport.

Voluntary and community transport exists to meet the travel and social needs of people to whom these would otherwise be denied, providing accessible and affordable transport to achieve social inclusion.

The CTA is the representative body for non-profit passenger transport operators in the UK. CTA Member organisations are involved in the provision of transport, especially accessible services.

The CTA is the UK's largest provider of training, advice and information on accessible, voluntary and community transport provision. The CTA is part-funded by the Department for Transport, the Scottish Executive, the Welsh Assembly Government and the Department for Regional Development (Northern Ireland).

CTA's Response to Consultation

The CTA welcomes the opportunity to contribute to the Department for Transport's consultation process. After reading through the consultation we have decided to respond on the Speed limiter sealer scheme, as we believe this could have a marked effect on our sector.

Contact Details

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Consultation Questions

Whether you envisage any operational problems with permitting the use of green diodes by testing bodies?

The CTA has no opinion on this matter.

Would you be aware of any compelling environmental, economic or social reasons why pre-1979 Class VI public service vehicles should continue to be subject to metered smoke tests?

The CTA has no opinion on this matter.

Are you aware of any reason why the authorised sealer scheme for speed limiters should not be extended to incorporate the additional categories of vehicles required to be fitted with a speed limiter?

The CTA supports the Department for Transport's policy on the introduction of speed limiters for minibuses and that speed limiters should be calibrated, sealed and subject to MOT testing. The CTA supports the extension of the authorised sealer scheme for speed limiters.

However, the CTA is concerned that this might not be as straightforward as it sounds, for the reasons outlined below:

There will be many in scope minibuses (Euro 3, diesel engine, first registered between October 2001 – December 31st 2005) that have now been fitted with speed limiters to comply with the 1st Jan 2007 deadline for national operations. There are two ways in which a speed limiter will have been fitted to these vehicles.

1. The vehicle's engine control unit (ECU) supports a speed limiter function, which can be enabled by the base vehicle manufacturer. The base vehicle manufacturer will either undertake this, so that when the minibus is first supplied to the operator the speed limiter is functioning, or the speed limiter function will have to be enabled retrospectively by the base vehicle manufacturer's dealer network.
2. On those in scope minibuses where the ECU does not readily support a speed limiter (mainly minibuses based on vans with a GVW of 3500 kg or less that are not required to have speed limiters), an add-on independent system will be needed. These will be required to be fitted, calibrated and sealed by an approved supplier.

In the case of 1 above the base vehicle manufacturer and their dealer network would need to be authorised by VOSA. However, there is one major question: how would the ECU, associated cabling, diagnostics ports, etc. be sealed to prevent tampering, yet also allow subsequent verification that a speed limiter is fitted, functioning and calibrated correctly at MOT? There also needs to be a system that allows for the resealing of an ECU/speed limiter when required, either for repair or replacement.

In the case of 2 above we anticipate that it will be straightforward to approve add-on speed limiters and their suppliers / installers could be easily authorised by VOSA. Presumably, unlike an ECU/speed limiter, it will be simple to seal these devices to ensure that the calibration is not tampered with and allow for visual inspection at MOT.

In both cases a calibration plate will be required, but who will be responsible for calibration and sealing in the case of an ECU/speed limiter?

In the rush to get speed limiters fitted for the 1st Jan 2007 deadline, we believe that there may be large numbers of minibuses fitted with a speed limiter that might not have been calibrated and sealed in the prescribed manner and/or the speed limiter supplier might not have been approved by VOSA. When speed limiters become subject for inspection at MOT, what will happen with such vehicles? The operators have acted in good faith to meet the required installation date, before the DfT and VOSA were in a position to advise on approval and subsequent inspection requirements. The CTA believes that the operators of such minibuses should be advised at MOT if the speed limiter does not meet the required sealer/calibration standard and be allowed to continue to operate the vehicle, with the proviso that the speed limiter is attended to, within a prescribed period and submitted for a free re test. The CTA expect that this problem would only arise when such vehicles were presented for their first MOT, when the speed limiter will be included within the test (we understand that this will be from 1st Jan 2008).

The speed limiter authorised sealer scheme should be listed on the VOSA website as soon as possible so that operators of minibuses, for whom the fitment and use of speed limiters is a new thing, can locate authorised suppliers/sealers in their area.