

# Introduction of a Heavy Goods Vehicles Safety Standard as part of the Direct Vision Standard

Response to issues raised  
June 2018

# Consultation Summary

## Background

Between 16 November 2017 and 24 January 2018, we consulted on proposals to introduce a Heavy Goods Vehicle (HGV) Safety Standard Permit (HSSP) Scheme as part of the Direct Vision Standard (DVS) to reduce road danger. This forms part of the Mayor's commitment to adopt a 'Vision Zero' approach. This document summarises the results of the consultation.

## Conclusion and next steps

We received 2,498 responses from the general public to the consultation through the consultation portal and a number of separate responses from stakeholders which were received via email.

Of the responses received from the general public, 91% of respondents said they agreed or strongly agreed that the amount an HGV driver can see directly through the HGV cab's windows plays a role in collisions with vulnerable road users. 92% of respondents either agreed or strongly agreed that the amount a HGV driver can directly see should be improved to reduce HGV road risk. 79% of respondents either agree or strongly agree with the proposed DVS star rating boundaries for vehicles.

We are now working on the operating model to implement the final DVS and HSSP Scheme. A final statutory consultation will take place in early 2019, subject to Department for Transport and European Commission support.

## Response to issues commonly raised

### DVS scheme – General

#### **DVS and safety**

Research shows that HGV drivers react quicker and are less likely to be involved in a collision when they can see vulnerable road users (VRUs) directly through the cab window. Increased direct vision from HGV cabs therefore has the potential to save lives. More information on the supporting research can be found at: <https://tfl.gov.uk/info-for/deliveries-in-london/delivering-safely/direct-vision-for-hgvs-research-and-tools>

#### **Proposals should consider young people**

In the development of the DVS, the fifth percentile Italian female threshold was used in an attempt to provide a lower limit based on population data. This lower limit did not extend to include the height of children as accident data analysis does not indicate a high proportion of VRU accidents associated with this VRU group.

## **Clarification of scheme components**

Further information on the details of the HGV safe system is available on our DVS webpage: <http://content.tfl.gov.uk/hgv-safety-permit-guidance-for-operators-entering-london.pdf>

## **DVS – timelines**

### **DVS should be implemented sooner**

As a world-first, the DVS and the proposal to ban or restrict the most dangerous, zero star lorries from London by 2020 requires us to consult fully with all stakeholders and design the most effective scheme for reducing collisions and protecting VRUs.

The proposals must ensure issues affecting operators, including timescales for ordering and renewing new HGVs have been considered. We must also notify the relevant regulatory bodies throughout the process, including the European Commission. We have had to factor all of these considerations into the proposed DVS implementation timeline.

### **Phased transition**

The existing proposal is already phased, recognising the need for fleet renewal cycles to be considered. Subject to final consultation, our proposal for delivering the Safety Permit Scheme is that permit issuing would commence in October 2019 when the Scheme goes live. Enforcement of the first phase would then begin in October 2020. The second phase would begin in 2024, where the DVS star rating becomes more stringent, moving from a minimum of one to three star.

## **DVS – Cost**

**Financial assistance** TfL will not be able to give financial assistance to vehicle fleets. Under the new proposals, the costs of mitigation on a per vehicle basis are not excessive; and the scheme encourages adoption of what is existing good practice.

### **Cost to install and enforce/money better spent elsewhere**

We believe the DVS and HSSP Scheme proposals will adopt the principles already applied to other transport sectors. For example, in the rail industry, there is an expectation on “duty holders to reduce the risk of their activities to as low as reasonably practicable (ALARP) taking into account levels of risk, costs of mitigation and good practice”.

The costs of an operator’s HGV colliding with a VRU are likely to be far higher in terms of disruption to the business, including police investigations and coroners’ court attendance, loss of use of the vehicle and driver, and potential reputational damage. Most importantly of all is the very real pain and anguish for all affected by the accident that might have been avoided.

## **DVS – geographic area/boundary**

### **London versus UK**

We believe the DVS should be set at a European and National level within the regulations governing the design and safety of HGVs. However, there is a particular problem in London with HGV and VRU safety and we must take action now. We are confident there are no other cities in the world working on a DVS for HGVs, but to further reduce the risk of competing standards, we have and will continue to involve manufacturers, the DfT and the European Commission and the United Nations Economic Commission for Europe (UNECE) with the aim of influencing the regulations.

## **Ratings**

### **One star rating too low**

The minimum DVS star rating has been set at one star for 2020, however the scheme is progressive and will increase to three star by 2024.

### **DVS rating look up tool**

A number of different options for operators to obtain DVS star ratings was discussed with an expert panel on which vehicle manufacturers, trade associations and other government organisations were represented. Rating a vehicle against the DVS protocol is a technically complex process that uses vehicle Computer Aided Design (CAD) data. For this reason, the DVS rating of a HGV needs to be calculated by the vehicle's Original Equipment Manufacturer. Therefore the use of a look up tool is not currently an option. As the project develops we will be investigating options for part automating this process.

### **Publication of ratings**

Since March 2018, star ratings for Euro VI HGVs have been available via vehicle manufacturers. Work is ongoing on the rating of older vehicles, and these rating will be made available as soon as this work is complete.

### **Responsibility**

Based on the TfL approved technical protocol, manufacturers will be responsible for calculating the DVS star rating of HGVs. VRU groups have been, and continue to be a key stakeholder in the development of the DVS and HSSP Scheme.

### **Methodology**

The DVS has been developed by TfL in consultation with an expert panel group representing Europe's foremost HGV manufacturers, as well as researchers, academics, specialists from Loughborough University's School of Design and the Road Transport Laboratory test house, in partnership with the freight industry, and regulatory bodies.

### **Manufacturers will do minimum to comply**

Vehicle manufacturers have been working with us closely throughout the development of the DVS and have invested significantly in the development of safer urban trucks.

### **Star rating display**

Following stakeholder feedback and meetings with the DVS expert panel, it has been decided that star ratings will not physically be displayed on a vehicle. The preference is for this information to be available electronically.

### **Merging the DVS and safe system approached**

We have given consideration to the operation of both the DVS and Safe System. Rating a vehicle against the DVS protocol is a technically complex process that uses vehicle Computer Aided Design (CAD) data. Therefore the DVS rating needs to be calculated by the vehicle's Original Equipment Manufacturer. Furthermore, having a star rating relating specifically to direct vision will measure and improve the direct vision capabilities of HGVs entering London by:

- Objectively categorising HGVs by direct vision for the first time
- Informing operator purchasing and leasing decisions so they can choose the 'best in class' vehicle model, fit for use in an urban environment
- Encouraging manufacturers to promote higher star rated vehicles to their customers and to guide their future HGV designs
- Enabling client organisations and projects that employ HGV operators to specify the use of vehicles with improved direct vision in procurement contracts
- Implementing and enforcing a scheme to remove the most unsafe HGVs from London's roads

In contrast, the safe system is a set of safety measures which can be applied retrospectively to reduce road danger. Therefore, a decision has been made not to merge the DVS and Safe System to relate to the overall safety of a vehicle.

### **Implementation**

#### **Defining DVS**

Data which reflects the anthropometric variability of the European population was used in the development of the DVS. It is also possible for the specified minimum height requirement (the fifth percentile Italian female) to be compared to any specific national data set.

#### **Technology and driver behaviour**

Whilst increased direct vision from HGV cabs has the potential to save lives, we also recognise the important role that other safety measures, including retrofit equipment can play as part of a wider 'systems' solution to reduce road

danger and increase the number of vehicles fitted with a comprehensive safety package.

As part of the safe system, there will be a permit recommendation that all drivers (including those exempt or not in scope of Driver Certificate of Professional Competence) shall undergo specific training on:

- The safety of vulnerable road users
- The use and limitations of supplementary vehicle safety equipment

### **Information on DVS and safe systems**

Further information on the details of the HGV safe system is available on our DVS webpage at: <http://content.tfl.gov.uk/hgv-safety-permit-guidance-for-operators-entering-london.pdf>

### **Vehicle types**

The DVS will apply to foreign-registered vehicles as well as UK vehicles. TfL has extensive experience of enforcing against these vehicles from operating both the Congestion Charge (CC) and Low Emission Zone, and collection rates have improved significantly over the period since CC began in 2003. Our service provider for recovering penalty charges has established links with many non-UK Vehicle Licensing Agencies.

### **Alignment with other schemes**

The launch of the enforcement for the HSSP has been set to 26 October 2020 to align with the same date heavy vehicles will need to meet even stronger Low Emission Zone standards. Where possible the HSSP scheme aligns with existing regulations.

### **Driver training required**

HGV drivers complete:

- 35 hours of regulated training every 5 years
- Undertake driving assessments periodically
- Vehicle familiarisation training
- Enter annual driving competitions to encourage better driving
- Specific training requirements for certain contracts

### **Improve standard of HGV driving**

HGV driver training involves:

- Skill beyond normal driving – in particular the ability to manoeuvre a large vehicle in demanding environments
- Drivers are monitored on every trip through telematics to help improve driving ability
- Incentive schemes are common to promote better driving

### **HGV drivers should experience travelling as a cyclist**

Safe Urban Driving (SUD) includes a practical cycling module – drivers servicing TfL and a number of construction contracts must complete this training. To date over 60,000 drivers have completed this training.

## **Enforcement**

### **Fines and penalties**

Incorporating the HSSP scheme into the London Lorry Control (LLCS) Traffic Regulation Order would mean two levels of penalty for non-compliance at £550 for operators/ hauliers and £130 for drivers. This is a significantly more effective deterrent than a £50 Fixed Penalty Notice.

### **Ban vehicles that do not meet standards**

HGVs that do not meet the DVS threshold (one star and above 2020 and three star and above by 2024) will be banned from entering Greater London, unless they comply with a comprehensive safe system.

### **Responsibility**

The proposed Traffic Regulation Order means two levels of penalty can be issued, £550 for the operator/haulier and £130 for the driver. However, it is likely that the driver would only be penalised where they are found to be directly at fault, for example by removing or deactivating equipment fitted to the vehicle.

### **Resources, enforcement**

We are currently reviewing enforcement options for the Scheme and final proposals will be consulted on during the statutory consultation. As we have outlined we are exploring using the same traffic order that established the LLCS as it has near London-wide coverage and effective penalties.

### **HGV Safety Permit**

An online system will be provided to make it an easy and user-friendly process to apply for a permit.

Following stakeholder feedback and meetings with the DVS expert panel, it has been decided that star ratings will not be physically displayed on a vehicle. The preference was for an online system. This will provide an easy and user-friendly process to apply for a permit.

### **Considerations need to include frequency of renewal of permit and permit arrangements upon transfer of vehicle ownership.**

The renewal cycle for a permit is being considered as part of the scheme's operating model.

Arrangements for transfer of vehicle ownership will be outlined in the permit application process.

### **Online tool – permitting**

An online system will be provided to make it an easy and user-friendly process to apply for a permit.

### **Online tool – suggestions**

Feedback from this consultation will be considered in the tool's development.

**Need specifications set by Government/TfL**

The specifications will be set by TfL

**Need consistent data across vehicle manufactures**

Our proposal is for an evidence based certification process which will not involve the DVLA.

**Should allow for the reporting of offending vehicles**

We are currently developing enforcement options for the scheme.

**Impact****Impact - general**

The impact on the freight industry has been assessed as part of the Integrated Impact Assessment. This Impact Assessment is being updated as the proposals develop.

**Detrimental to haulage industry**

The HSSP scheme proposal brings in a safe system approach, meaning the freight industry has the opportunity to improve the overall safety of their existing HGV fleet and mitigating premature replacement of HGVs.

**Restrictions will result in negative economic impact – especially on SMEs**

As part of the Integrated Impact Assessment, we interviewed small operators to inform our assessment of potential impacts and issues faced by this group of stakeholders. This information has been used to help the development of the current proposals

**Need time to build into leasing/fleet renewal programme**

The safe system element of the HSSP Scheme allows the natural fleet renewal process to continue.

**Evidence of availability of retrofit equipment for HGVs**

The retrofit equipment required for the safe system is already commercially available on the market.

**General – outside of scope of proposals****Ban/Reduce the number of HGVs**

The LLCS controls the movement of HGVs over 18 tonnes maximum gross weight. It operates at night and at weekends on specific roads in London. More information on the LLCS can be found here:

[www.londoncouncils.gov.uk/services/london-lorry-control/about-llcs](http://www.londoncouncils.gov.uk/services/london-lorry-control/about-llcs)

**Only allow small vehicles into London**

HGVs make essential trips into London, many of which cannot be carried out by vans or smaller vehicles, for example, the delivery of heavy material to construction sites. The DVS and HSSP scheme aims to ensure the HGVs that enter London are the safest they can be.



## **Road safety**

We acknowledge concerns raised about cyclist behaviour, although our research shows that most cyclists ride responsibly, and that cyclists are no more likely to disobey road rules than other road users.

We are adopting Vision Zero in London with the aim that no-one is killed or seriously injured on London's streets and public transport network by 2041. We promote adherence to the Highway Code by all road users and encourage 'responsible cycling' and mutual respect between cyclists and other road users.

We work to eliminate offences such as jumping red lights, cycling on the pavement and cycling at night without lights. We do this using educational programmes, marketing and engagement campaigns, and working closely with the Metropolitan Police Roads and Transport Policing Command and the City of London Police to enforce the law.

## **Wider measures than DVS**

We promote a comprehensive road danger reduction programme designed to look at all sources of road danger and VRU safety including road conditions, infrastructure design and behaviour change. This programme is based around the principles of Vision Zero and adopting a safe system approach to eliminate all deaths and serious injuries.

A specific programme of dedicated HGV safety measures already exists in London based around the following core pillars:

- Safer operations - encouraging, supporting, recognising and enforcing safe and compliant fleets
- Safer people - improving driver and manager knowledge, skills and performance
- Safer vehicles - stimulating innovative HGV design and purchase
- Safer supply chains - using buying power and planning to manage road risk in supply chains

Reducing road danger requires action in all of these areas. A number of HGV related organisations are actively addressing these pillars through existing recognised safety standards, embedded within their procurement practices and through schemes such as the Fleet Operator Recognition Scheme (FORS), the Construction Logistics and Community Safety programme (CLOCS) and Truck Excellence.

The London Freight Enforcement Partnership (LFEP) also tackles unsafe HGVs and takes any non-compliant and unsafe commercial vehicles, drivers and operators off London's streets.

## **Cars and motorcyclists need more training/awareness**

We are currently developing the programme to achieve the Vision Zero ambition of zero deaths and serious injury on London's streets by 2041. The programme will include details of how we will work with the boroughs, police

services, and other road safety partners to achieve Vision Zero. The plan will include safety awareness campaigns aimed at all motorists

Furthermore, we are committed to ensuring motorcyclists stay safe on London's roads. We continue to support motorcyclists through different training programmes. More information on training can be found at:

<https://tfl.gov.uk/travel-information/safety/road-safety-advice/motorcycling-in-london>

### **Cycle facilities**

We are committed to improving conditions for cycling in London, and are investing record amounts over the next five years to make London's streets safer and more attractive places to cycle, in line with the Healthy Streets Approach. This includes investment in new cycle facilities such as segregated lanes, new crossings and filtered streets to make cycling safer and more appealing across London. These facilities are being delivered through a range of projects, including new Cycle Superhighway and Quietway routes in inner and outer London. The Mayor's aim, set out in the Mayor's Transport Strategy, is for 70 per cent of Londoners to live within 400m of the London-wide strategic cycle network by 2041.