

RSA



Bus and Truck Operators'

GUIDE TO MANAGING FOR ROAD SAFETY

Údarás Um Shábháilteacht Ar Bhóithre
Road Safety Authority

DRUNK WITH TIREDNESSZZZZ?

**Fighting sleep at the wheel
is as dangerous as driving
over the legal alcohol limit**

***TO KEEP DRIVING
FOR ANOTHER HOUR:***

- 1. Find a safe place to park***
- 2. Take 2 cups of strong coffee***
- 3. Take a nap for no more than
15 mins - then stretch your legs***



DRIVER FATIGUE
WAKE UP TO IT!

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Section 1:

Introduction



About this guide

The Road Safety Authority has produced this guide to make sure that all vehicles used for carrying goods and passengers are used safely and legally.

The procedures and systems explained in this guide are useful for both new and established users and operators of goods and passenger vehicles.

They are designed to monitor and control drivers' hours, record keeping, speeding and driver licensing.

This guide:

- summarises best practice advice on carrying out various employee duties safely (such as driving and loading);
- summarises general procedures for operators and managers of commercial road transport businesses to make sure they comply with tachograph and drivers hours' rules and licensing regulations and contribute to road safety; and
- explains what operators must do to comply with the law.

Management role in safe driving

The risks associated with certain driver and driving activities can only be reduced with management commitment and appropriate safety control systems. Whether the truck or bus operator is a one-person owner or a large fleet owner, management:

- decides whether the carrier operates safely or not;

- ◉ selects, trains, supervises, disciplines and compensates drivers;
- ◉ decides on equipment purchases and maintenance; and
- ◉ sets the entire safety attitude of the business through formal policies and how it enforces them.

The guidance applies to all goods and passenger vehicles.

New operator

If you are a new operator, you will find this guide useful for advice on the systems and procedures to put in place for your drivers, loaders and other staff.

Experienced operator

If you are an experienced and established operator, you will be able to use this guide as a benchmark to assess whether the systems you already have in place are good enough or whether they need reviewing and improving.

During compliance reviews and premises checks, Road Safety Authority Transport Officers will be auditing the road safety control arrangements implemented by operators against the standards identified in this guide.

Preventing bus and truck accidents

Road traffic accidents caused by buses and trucks occur because of unsafe vehicles and unsafe driving. They are largely predictable and preventable and have a range of consequences.

- ◉ They can have a significant impact on your company costs in terms of insurance, vehicle repairs and staff turnover.
- ◉ Those involving large vehicles, which tend to cause more serious accidents than smaller vehicles, reflect badly on the road haulage and road passenger industry.
- ◉ Most deaths associated with large truck and bus crashes occur to people outside the truck or bus - occupants of other vehicles as well as pedestrians and cyclists.

Using unsafe vehicles, driving carelessly or engaging in other unsafe driving behaviour (such as excessive driving, not taking enough breaks or taking insufficient rest or break periods) increases the likelihood of an incident that can lead to serious or catastrophic consequences for drivers, operators and other road users.

Health and safety

As well as general road safety, your first consideration must be the health, safety and welfare of all your staff. You should build health and safety and risk assessments into all aspects of your transport business.

The Health and Safety Authority can provide guidance on legal requirements relating to safety at work.



Section 2:

Managing tachographs and speed limiters for road safety



Monitoring procedures and systems

This section gives advice on the procedures and systems to put in place to ensure your tachograph monitoring, speed limiter monitoring and record keeping are in line with the law.

As an operator, it is your responsibility to put proper arrangements in place to make sure that, where relevant, each vehicle and driver complies with all the items described in this section

We recommend that each item in the table below has a related **procedure for checking the standard of compliance** and a **system for immediately acting on any non-compliance**.

Operators must put in place systems for immediate action to correct a situation, give training and enforce control measures to prevent non-compliance again.

All monitoring systems should make sure that you or the responsible manager are aware of all critical dates for mandatory and safety checks on vehicles and components.

Items to be monitored	Action to be taken
Tachographs	Check when installed and when last calibrated. Check for any faults and repairs needed.
Drivers	Check driving licences, driver digital tachograph cards, scheduling of duties and shifts, hours of work, record keeping and control measures around non-compliance.
Operator licensing (hire and reward operators only)	Update licence in relation to current vehicles. Ensure that relevant disc is affixed to each vehicle. If vehicle is used for hire and reward on international journeys, ensure that the vehicle is issued with a Community Authorisation.
Record keeping	Issue, return, check, store and file tachograph records, duty rosters and timetables. Download and store digital tachograph data from driver cards and each vehicle unit. Place all documentation in a secure area and keep a back-up of records.
Tax and insurance	Check expiry date for each vehicle.
Vehicle condition and maintenance records	Keep records of safety maintenance and repairs to show that vehicles (including trailers) have been and are kept in a roadworthy condition. Ensure that maintenance is a daily and ongoing activity and not just undertaken when the vehicle is subject to an annual test.
Loads	Check that you stick to weight limits on plating certificates. Do not overload vehicles.
Speed limiters	Check for malfunction.
Testing	Check dates and details for testing of vehicles and keep the certificates on file.

Scheduling and planning duties for drivers

An operator of goods and passenger-carrying vehicles should have a system in place for scheduling drivers' duties to take account of all the relevant drivers' hours and working time regulations.

The planned journey must be practical and must not jeopardise road safety. Therefore, you should allow some time for traffic congestion on routes, especially in places where delays happen regularly. Take roadworks and weather conditions into account when planning schedules.

Allow extra time for inexperienced drivers and for drivers who may be unfamiliar with the route or the vehicle. Relief drivers, who are often the most inexperienced, are sometimes given routes or vehicles the regular drivers don't like. It may be more sensible, in the interests of road safety, for you to use only the more experienced drivers on difficult journeys, especially if unfamiliar vehicles are being used.

Remember to consider driver, load and vehicle security if the vehicle is to be parked overnight. Good forward planning, including time spent on researching safe stopping and parking places, is good for the driver and the company.

TIP: *Plan Driver schedules to comply with the driving time, breaks and rest periods and working time rules.*

Golden rules for planning schedules and work rosters

- Never compromise road safety by putting pressure on drivers to complete journeys when insufficient time has been allowed.
- Do not enter into contracts that include schedules that could compromise your drivers' safety or the safety of other road users.
- Take into account a driver's experience, their familiarity with the type of vehicle and their knowledge of the route.

Monitoring system for tachographs

TIP: *Set up a system for managing and monitoring tachograph performance.*

If you are using vehicles that are subject to the tachograph and EU drivers' hours rules, you need to have a system in place that makes sure the tachograph is working properly.

Make sure that procedures are in place for:

- reporting malfunctions of the tachograph by the driver and that immediate action is taken to resolve the problem; and
- identifying key dates coming up when necessary inspections must be carried out.

The tachograph monitoring system should, at a minimum, include the following:

- the date of the initial calibration and a record of the calibration details (if they are not on the certificate);
- a “bring forward” date for a reminder to book vehicles in for the two-year inspection and the six-year inspection;
- a record of inspection/recalibration (analogue tachographs) and two-year calibration (digital tachographs);
- the Type Approval ‘e’ number of the tachograph and the corresponding record sheet type number (so that correct charts can be issued to drivers);
- a record of the details of all defect reports submitted by drivers and actions taken to solve the problems (including relevant dates);
- details of any minor or major repairs, including any seals broken and replaced;
- a system to check tachographs for any malfunction or tampering (for example, to find any fitted illegal wires, templates, blocking devices and so on) and to record that checks have been carried out; and
- statements or certificates of ‘undownloadability’ for digital tachographs, if relevant.

Monitoring system for speed limiters

Monitoring procedures should be put in place for checking that the speed limiter is functioning correctly at all times, as otherwise road safety may be compromised. The system should check:

- the installation date;
- the position of the speed limiter plate and the accuracy of its details;
- any speed limiter malfunction and a record of any checks that have been carried out, for example check size of tyres fitted against details on plate;
- evidence from tachograph records that the vehicle has not exceeded the regulated speed limits; and
- records of all defect reports submitted by drivers concerning malfunctioning speed limiters and the actions taken to solve the problems (including relevant dates).

Note: if you find any malfunction of the instrument or any evidence of speeding, you should discuss it with the driver concerned as soon as possible and take appropriate action to ensure that speeding does not happen again.



Drivers' hours and tachograph record keeping system

It is essential for road safety reasons that you can show that your drivers are keeping to the drivers' hours regulations. A good monitoring and control system must be put in place. Tachograph records provide a lot of useful information about vehicles and their use so it is vitally important that you understand the information contained on tachograph records.



Digital tachographs require data to be downloaded from driver smart cards and the on-board tachograph system. This will support improved methods of analysis but requires different administrative processes to those used for analogue tachograph records. It is vital that your system works properly and that it covers the following:

- Issuing tachograph record sheets (charts) and print rolls for digital tachographs

A record should be maintained detailing:

- the quantity and type of charts/print rolls issued (that is, the make and Type Approval number); and
- the driver's name and date of issue of the charts or print rolls.

TIP: *Get some training on the reading and interpretation of tachographs records.*

- Returning tachograph record sheets (charts) and printouts from digital tachographs

A record should be maintained detailing:

- the date and time of return of the charts or printouts; and

- any other relevant details, including the number of printouts, the date of each chart/printout, the reasons for the printout and anything unusual (for example, damaged or defaced charts, missing charts and so on).

Special Digital Tachograph Requirements

• Checking and downloading digital tachograph driver smart cards

The transport manager (or other nominated person) should ensure that the downloading of data from driver cards is carried out at least every three weeks and often enough to ensure that no data is lost. This will enable the operator to get a full record of the drivers' activities. Driver smart cards will, for most types of operation, hold up to 28 days of data. Once it's full, the card will overwrite the oldest records.

Routine checking and downloading of smart cards should be conducted, particularly for part-time and agency drivers, to confirm that the card is valid and that drivers have adequate time to complete the duties assigned to them.

TIP: *Download the Driver Card at least every three weeks and the vehicle unit every three months, inspect and retain the data.*

• Downloading digital data from digital tachographs (vehicle unit)

The transport manager (or nominated person) should ensure that downloading data from digital tachographs is routinely undertaken at least every three months using a company card. This will ensure that no data is lost.

Downloading will also help the operator to ensure the completeness and accuracy of the data captured from driver smart cards and



to take prompt remedial action to resolve any problems. The tachograph will have a record of all driving and will identify all driver cards used as well as journeys where no card has been used.

In addition to driver activity, the tachograph vehicle unit data will include information such as the record of 'events' and 'faults' recorded by the tachograph. These should be taken into account as part of the routine analysis of the records.

- **Lock-in and lock-out of digital tachographs using a company card**

Company cards are provided to assist operators in managing digital data. They are the 'key' that enables operators to identify data recorded on digital tachographs generated while the vehicle is in their care, and to prevent downloading by unauthorised people.

- **Storing digital data**

You must store data downloaded from digital tachographs and from driver smart cards for at least one year.

To confirm the authenticity of data, it must be stored in its **downloaded format** and operators must ensure that the equipment they, or any contracted third-party agencies, use is able to fulfil this requirement. The digital signature of the downloaded data must be intact.

You may store data away from the business centre, for example on the server at an Analysis Bureau, providing it can be made readily available (for example by email).

You will need a secure data storage system that includes back-up and disaster recovery features.

- **Analysis of digital data**

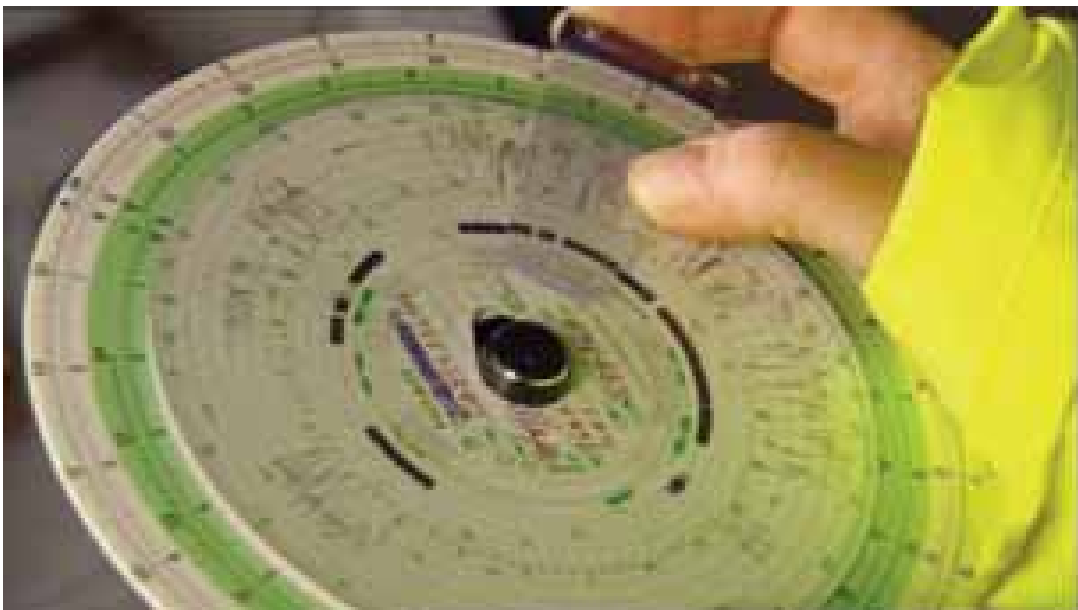
Digital data downloaded from digital tachographs and driver smart cards requires IT equipment and software to enable analysis. This equipment can be installed at the operator's premises for analysis by the operator or their staff.

Alternatively, analysis can be conducted off site by a third party. Analysis of the data follows the same rules for inspecting tachograph record sheets (charts) used with analogue tachographs. Digital data must, however, be available to anyone from the business centre who is authorised to inspect it. The original data must also be made available to an Enforcement Officer upon request.

Analysis of Analogue Data

- **Inspecting tachograph record sheets (charts)**

You should nominate a competent person to be responsible for checking or analysing the record sheets (charts). This person may be the transport manager, another employee or an independent contractor. Record sheets (or charts) should be checked for obvious errors immediately on their return and analysed as soon as possible. Particular items that should be checked for omissions or errors include:



On the centrefield

Check for:

- driver's surname and first name;
- date(s);
- start/finish places and odometer readings; and
- vehicle registration mark (including any required change of vehicle information on the reverse of the charts).

Recordings

- Check correct use of the mode switch mechanism.
- Look for any interference with the recordings, such as bent styli, interference in the electrical supply, opening of the tachograph head and missing kilometres (including any discrepancies in the odometer readings/distance trace totals or in the distances recorded between towns).

Charts

Check the charts to ensure that the recordings (or manual entries) show the time the driver started their duty and that they stuck to all rest, break and driving periods, as well as to the speed limiter settings. Charts should also be scrutinised for drivers exceeding speed limits. The information on the charts can and should be compared with other relevant documents, such as time sheets (or job/journey sheets), to check any discrepancies in the time that duty starts and ends, times and places of picking up or dropping off (especially for passenger carrying vehicles) or loading and delivery (especially for goods carrying vehicles), and overnight stops and distances travelled.

TIP: *Get some training on reading and interpreting tachograph charts.*

Analogue and Digital Records - Common Themes

● Records of analysis of driver records

You should keep a record of the analysis and the results of both analogue and digital tachograph records. This can include reasons why particular journeys have not been completed as originally scheduled (for example, unforeseen breakdowns or weather or traffic problems) and whether or not the driver has signed the back of the chart or printout in such a case.

● Listing faults and offences (both serious and minor)

You should list all drivers' hours and records of offences relating to each driver and vehicle (including speeding and tachograph faults) that you find during the analysis.

You should have a procedure in place for quickly bringing this list to the attention of whoever is responsible for the running of the transport business (the Certificate of Professional Competence holder, the operator or the controlling director).

● Monitoring and training drivers

In the interest of road safety, you should put a system in place to interview drivers when problems and infringements are discovered, so that you can discuss them and arrange to provide suitable information and training and, where necessary, impose penalties.

Make sure that:

- each driver is dealt with in a just, fair and unprejudiced way;
- any information supplied is relevant to the particular problem;
- any agreed training is relevant to the offences or problems discovered;
- a disciplinary procedure is in place to deal with drivers committing repeated offences; and
- a record is kept of any action taken or training programme begun concerning the driver.

Remember: Operators are obliged under the drivers hours and tachograph rules to address non-compliance with the rules and to make sure that non-compliance does not happen again.

- **Repairing tachographs**

You should put a procedure in place for acting on the information gained from the analysis of the charts so that you can correct any tachograph malfunctions found. The law says it is an offence to use a vehicle with a defective tachograph.

- **Storing record sheets and printouts**

The law says that you must keep the tachograph record sheets (charts) and printouts for **at least one year** from the date of their use. You should file them and store them in a safe and accessible place. There are various methods of storing the charts (for example on pegs, in envelopes, in folders and so on). However, both the charts and the printouts must be kept in date order under the name of each driver.

Remember: Records must be stored for each driver and in chronological (date) order for each driver.



Keeping and filing Working Time Directive records

The law says that you must keep a record of the hours worked by all employees, including mobile workers. This can be in a very simple form, such as through the normal payroll system.

These records should be kept for **at least two years** after the end of the period covered.

You must be able to give employed drivers and other workers copies of the records of hours worked if you are asked. RSA guidance material on the working time requirements is available from the RSA website at www.rsa.ie



Section 3:

Monitoring and supervising bus and truck drivers



Drivers

This section concentrates on drivers and gives best practice advice on recruitment, licensing and training. It also offers best practice advice on using agency drivers and sub-contracted operators, while clearly stating your legal position.

TIP: Give careful consideration to recruiting drivers.

Recruiting drivers

The driver is the face of the transport business to the general public. Therefore careful selection of drivers is crucial to your business. Improve and regularly review your driver selection and recruitment procedure so that you do not hire a problem driver or one who becomes a liability for your fleet.

Carefully review and verify all of the information on the driver's application. In relation to road safety, it is important when recruiting a new driver that you pay attention to their driving style, their mental approach and their accident history. You should make it very clear in the written job description and at the interview stage that you attach great importance to a safe, defensive driving style and to road safety in general.

Always include a test drive as part of the recruitment process. The test should include the pre-trip inspection of the vehicle and should assess skills in relation to vehicle manoeuvring, steering, stopping and reversing. Courtesy to other road users should also be observed.

Consider the results of any test drive carefully.

Benefits of careful driver selection

Putting in place a proper driver selection process has a number of potential benefits including:

- reduced accidents and incidents;
- reduced driver turnover;
- increased driver satisfaction;
- improved customer satisfaction; and
- increased profitability.



Driver licensing

It is your responsibility as an operator to make sure that the drivers you employ hold valid licences for the bus or trucks they will be driving so that they avoid committing a driving offence and possibly invalidating the vehicle's insurance.

A rigorous system should be put in place to enable each driver's licence to be thoroughly and frequently checked to avoid infringements of the licensing laws. This is something that can be written into a driver's contract of employment so that once the driver is employed, there is no problem asking them to produce their licence for inspection and copying. You should always check the validity of any self-employed driver's licence (for example, a driver supplied by an agency). Employers can, subject to a written agreement from the driver, check a driver's licensing status with the Motor Tax Office.

It has been known for drivers to continue driving despite being disqualified by the courts. You should check the original driving licence(s) and not a photocopy (which could have been altered).

Check all the details, especially the name, address, issue number, entitlement (categories of vehicles covered), expiry date and endorsements. The RSA recommends that you keep a photocopy of a licence for the office file each time you check it.

TIP: Check Drivers' Driving Licences Frequently.

It is up to you how often you make checks on a driver's licence, but you should certainly make a thorough check when a driver is first employed and before they drive any vehicle. We recommend that you then make regular checks on the licence (about every six months or so) so that the ongoing situation can be closely monitored. If there is any stalling by the driver about producing their licence, their excuses may indicate a possible problem.

Driver smart cards

A driver smart card does not provide proof of an entitlement to drive.



Without a driver smart card, however, a driver cannot legally drive a vehicle that falls within the scope of EU Drivers' Hours Regulations if the vehicle is fitted with a digital tachograph. Routine checking and downloading of smart cards must be conducted to comply with the law.

TIP: *Beware of the expiry date of your driver's driver cards.*

Driver Certificate of Professional Competence

A new qualification for professional bus, coach and lorry drivers – the Driver Certificate of Professional Competence (CPC) – is being introduced across the EU. In future, drivers will be required to hold a Driver CPC in addition to their driving licence. This new requirement was introduced in September 2008 for bus and coach drivers and will be introduced in September 2009 for lorry drivers. In Ireland, the Road Safety Authority is managing the roll out of the Driver CPC.

New drivers acquiring a driving licence after the relevant implementation date (and intending to work as a driver) must obtain an initial Driver CPC qualification. Drivers already holding a driving licence on the implementation date will automatically be deemed to hold a Driver CPC.

All drivers must complete 35 hours of training every five years to keep their Driver CPC valid.

Further details can be found on the RSA website at www.rsa.ie.

Benefits of Driver training

A driver who has received proper training should be able to:

- drive more safely than a driver who has not received proper training;
- work more efficiently than a driver who has not received proper training;
- contribute to your overall profitability;
- make risk assessments and understand risk management;
- provide good customer service; and
- contribute to the positive image of your transport business.

As a transport operator, paying attention to traffic safety from the start of the training period will help your drivers understand that safety and reliability are the priorities.

What sort of training is needed?

Training should cover all aspects of drivers' work and you should put a system in place for each separate duty carried out.

RSA recommend that you set out each system and procedure in an instruction manual so that everybody, from driver and trainer through to top management, knows exactly what procedure needs to be carried out for each task and can refer to it at any time.

TIP: *Prepare a training manual for your employees.*

The operations instruction manual should cover the following areas:

- handling the specific vehicles used by the operator;
- drivers' hours and record keeping (including relevant legislation);
- vehicle maintenance procedures and systems;
- safety precautions (before, during and after driving), such as walk-round checks;

- ◉ the correct control of speed;
- ◉ safe, secure and legal loading;
- ◉ safe and secure parking (both at your company's base and away from it);
- ◉ refuelling safely;
- ◉ driver behaviour;
- ◉ company procedures and administration;
- ◉ route knowledge; and
- ◉ completing cross-border formalities.

You may also wish to include the correct procedures to follow:

- ◉ in sudden emergencies;
- ◉ when stopped and checked by enforcement staff;
- ◉ for overnight stops; and
- ◉ when travelling abroad.

Note: Training programmes are not just for new drivers. You should organise refresher courses for each driver, ideally every year. You should also arrange special training for drivers who change vehicle type or who are given a different type of transport operation.

Driver handbook (or manual)

We recommend that you produce a driver handbook (or manual) which should:

- ◉ explain clearly and in detail how a driver is expected to carry out all duties;
- ◉ be easy to use; and
- ◉ give clear, practical work instructions, with special attention given to safety procedures.

TIP: *Set out your operating instructions in a handbook for Drivers.*

It is good practice to involve your drivers in the preparation of the handbook so that they are happy to use it. You should update the handbook regularly to make sure it stays relevant and does not become so out-of-date that drivers ignore it

Contents of the driver handbook (manual)

RSA recommend that the driver handbook includes information on the following:

- **the vehicle** – daily inspection and general use of the vehicle, use of vehicle documents and advice on reporting defects;
- **the tachograph**– use of the instrument, keeping records and returning record sheets, downloading driver smart cards;
- **the driver** – maintaining customer satisfaction and how the driver is expected to act in various situations (for example at a roadside enforcement or roadworthiness check);
- **driving** – instructions on safe and reliable driving techniques, driving hours and breaks, plus advice on complying with maximum speed limits relevant to the type of vehicle and road, and driving at low speeds in adverse weather or road conditions; and
- **management** – procedures to follow when specific incidents occur (for example accidents), form filling, record book completion and general administration (reporting illness and so on).

You should make sure that all new recruits receive a personal copy of the handbook and that they are made familiar with it during initial training. To encourage your drivers to read and use the handbook, we recommend that you include a test on the contents as part of your training programme. You could also arrange quarterly meetings to discuss specific subjects taken from the handbook.

We recommend that you ask your drivers to sign for receipt of their handbook and to state that they are familiar with its contents and will act according to its instructions. This way, if a driver regularly disobeys the instructions, you could discuss the handbook during that driver's performance evaluation.

Driver performance evaluations

It is important to monitor the performance of your drivers because it helps maintain a good working relationship. This should help to improve the road safety performance of the drivers and lower the accident rate of your company's vehicles.

Performance evaluations should take place at the end of a driver's probationary period to decide whether or not a permanent position should be confirmed. But you should also carry out a performance evaluation for all drivers at least once a year.

Sanctions and rewards

The management of your company might consider setting up a system to acknowledge performance that is above the expected standard or introduce sanctions for poor performance.

A record of any sanction or reward should be kept in a driver's personnel file. The aim of sanctions and rewards is to motivate and improve morale by showing that the employer cares about and notices good and bad performance. However, financial rewards should never mean that a driver can earn more money by breaking the law.

Remember:

- Any sanction or reward system should be explained to all staff **before** it is introduced.
- Rewards to staff can be given either collectively or individually, but sanctions (or penalties) should only be imposed **individually**.
- Payments relating to distances travelled and/or the amount of goods carried must not be made if they could endanger road safety or encourage infringement of the drivers' hours rules.

Using agency drivers

When you need to use an agency to supply drivers, it is important to list all the conditions of the drivers' temporary employment in a binding contract with the agency.

These conditions should cover:

- issuing instructions to the driver;
- using the vehicle and any equipment or property; and
- returning tachograph record sheets.

You should also make sure you are happy that proper arrangements are in place at the agency for checking drivers' licences and for you to personally check the supplied drivers' current driving licences and driver smart card (including access to the card to ensure that the driver has adequate driving time available and taken the necessary breaks and rest to conduct the duties you wish to assign to the driver).

TIP: *Check driving licences and records of driving times, breaks and rests of agency drivers before using them in your fleet.*

Operators are responsible for securing the return of charts when agency drivers have been employed for driving duties. Digital data should be downloaded from driver's tachograph card.

A contract should be in place to secure the return of the record sheets and any printouts of data within the required period. Even with that arrangement, a situation might arise where the original tachograph record sheets are not returned to the operator within the required time.

Therefore, we recommend that:

- you (the operator) make a photocopy of the chart(s) of agency drivers and/or take a download record of the driver smart card;
- the driver keeps the original(s) to comply with Article 15(7) of EC Regulation 3821/85 dealing with the production of records to an Enforcement Officer upon request; and
- you (the operator) then seek to obtain the return of the chart from the driver or agency within the required period.

Using sub-contracted operators

It is part of any transport business's responsibility to make sure that all subcontracted operators are fully licensed to operate their own vehicles and drivers.

Before subcontracting work to another operator, you should make adequate enquiries about the subcontracted operator's legality, suitability and reliability. You can do this by requesting that the subcontracted operator sends you relevant references and details of their Operator's Licence. We also recommend that you draw up and sign a suitable contract with them.

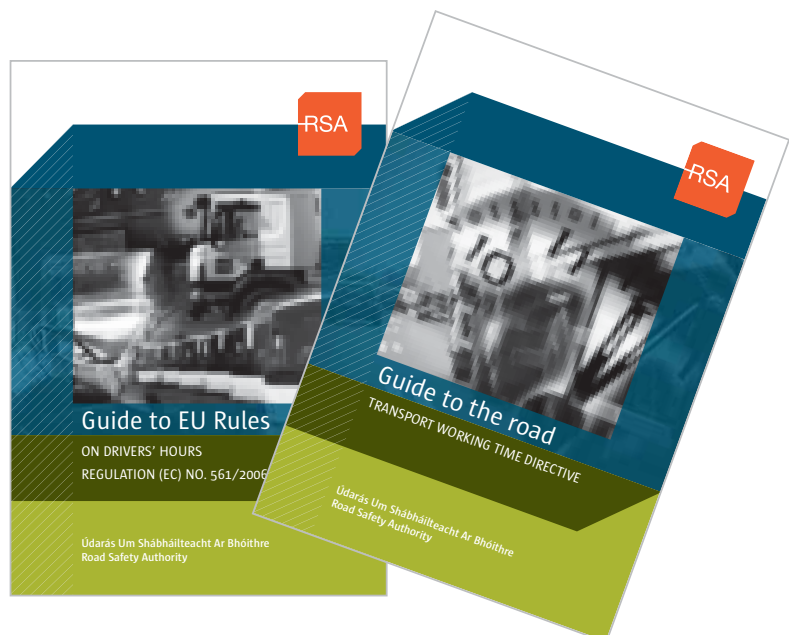
How do the Road Transport Working Time Regulations affect me as an employer?

The RSA has published a separate guide concerning the requirements of the Road Transport Working Time Directive and its application to drivers subject to the drivers' hours rules. Under those rules, operators must keep records of working time for all 'mobile workers'. A copy of this guide is available from the Road Safety Authority at www.rsa.ie.

TIP: Use the booklet on the road transport working time directive available from the RSA website at www.rsa.ie.

Employees working in transport activities who are **not** subject to the EU drivers' hours rules and the Road Transport Working Time Directive are subject to the provisions of the Organisation of Working Time Act.

Employees should consult their employer about



which particular working time rules apply to them. Employers need to keep appropriate records for their employees in terms of their working time, holidays and so on.

Further information concerning the Organisation of Working Time Act can be obtained from the National Employment Rights Authority Lo-call 1890 80 80 90.

Safety first

Road users and pedestrians expect a lot from a professional driver. Safety is vital. Therefore, you should pay specific attention to defensive and anticipatory driving.

Drivers should be supplied with or have available to them all the equipment as well as personal protection equipment they need for their journey. All drivers should have access to a hi-visibility jacket that should be worn while working and driving. Check with the Health and Safety Authority about workplace safety requirements.

Alcohol and drugs

You may think that it is obvious to all staff that consuming alcohol or taking drugs before driving could have a catastrophic effect on the whole transport business. Nevertheless, it is very important for management to set out in clear terms to all employees the consequences of such actions and the sanctions (including possible dismissal) that will be imposed on anybody found to be using these substances.

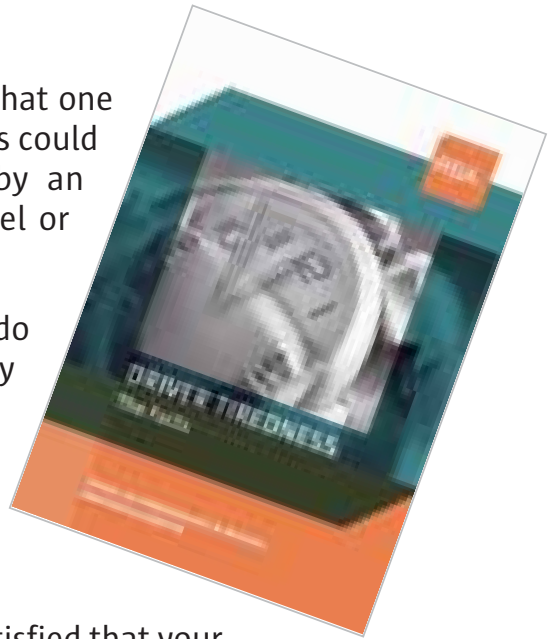
Drivers who start work early in the day are particularly at risk of having alcohol in their system from the night before.

Driver fatigue

It is a concern of all responsible operators that one of their goods or passenger carrying vehicles could be involved in a fatal accident caused by an employed driver falling asleep at the wheel or being too tired for driving.

Of course, sensible operators will do everything they can to avoid such disasters by monitoring drivers' hours and record keeping, using the systems in this guide. Companies often have more control over their schedules than they recognise or use.

Your responsibility as an operator is to be satisfied that your drivers are properly rested when they start work and that they do not become tired in the course of their driving duties. This applies also to non-employee drivers. Several factors that may affect why drivers become too tired to drive safely: inadequate rest, both before and during a trip, long hours, night driving, loading and unloading vehicles, afternoon driving, having to rest away from home, truck vibration, uncomfortable cab conditions and so on.



The basic principles for dealing with driver fatigue include:

- planning schedules so that drivers are most likely to sleep and rest when they most need to and when they will get the most out of it (for example at night);
- building time into schedules for typical delays and disruption;
- compensating drivers for the regular lack of night sleep with breaks between schedules;
- balancing long shifts on one day by giving more rest at the end of the shift and scheduling a shorter shift for the next day; and
- understanding that schedules need to take into account the requirements of daily living, for example eating, breaks, getting to and from base, family life and so on.

The RSA has published a booklet on driver fatigue, which can be downloaded from www.rsa.ie.



Section 4:

Keeping vehicle records



Vehicles

This section offers best practice advice on keeping vehicle records. Keeping your paperwork in order is essential for efficiently running any transport business.

Vehicle monitoring

We recommend that it is good practice to set up a filing system with a folder for each individual vehicle.

The folder should contain all documents related to that vehicle, such as plating and test certificates, registration document, tachograph calibration or two-year inspection certificates, and so on.

We also recommend that you set up a forward planning system (manual or electronic) to store bring-forward dates about tests, tachograph inspection, vehicle servicing and so on.

You should also make sure that Operator's Licence discs on vehicles are being used correctly. Discs should always be displayed on the windscreen of vehicles.

TIP: *Set up a file for each vehicle.*

Driver defect reports

We recommend that you put a robust system in place to allow drivers to report immediately (both verbally and in writing) any defects relating to the vehicle, including problems relating to the functioning of the tachograph or speed limiter.

Your system should include a procedure to prioritise action on these reports, depending on the seriousness of the defect. For example if there is a danger to road safety, your procedure should enable the defect to be corrected as a matter of urgency. It also follows that, when a very urgent repair or component replacement is needed, there should be a procedure to allow the vehicle to be taken off the road immediately – preferably without disrupting the business (for example with the facility to hire in a similar vehicle at short notice). This would allow the repair or replacement of the vehicle to be carried out as quickly as possible.

TIP: *Oblige drivers to complete walk around inspections of the vehicle daily.*

You must write a report of the fault and of the correction made and keep this report with the other documents relating to that vehicle. We suggest you keep these records for at least 15 months. You might also want to consider asking drivers when they carry out their pre-driving checks to complete and sign a written report, or make out a nil report as appropriate.

Load details

There are some types of journey (for example international) and some types of load (for example Hazchem) that, by regulation, require the driver to carry a considerable amount of information about the load. However, even when it is not mandatory, it is advisable for some details to be carried by the driver, especially details relating to the type and weight of the load, the name(s) and address(es) of consignor(s) (the person or company sending the goods), passenger lists, pick-up points and delivery places.

Carrying these details will save valuable time if an incident happens during a journey or if the vehicle is subject to an enforcement check.

We recommend that you keep all the relevant details described above either in a register, either as loose sheets or in electronic form, and that you have a system in place to keep that information safe and easily available for inspection.

Load safety

It is important that you make sure your vehicles are loaded properly and that drivers and all other staff involved in the loading of vehicles are fully trained.

Insecure loads are an obvious danger to the general public, and overloading may make the vehicle difficult to control and therefore dangerous to road safety. Overloaded vehicles may also damage road surfaces, buildings, bridges and other structures.

Irish law (SI 190 of 1963 Article 96) specifically provides:

- “96. (1) Every vehicle while used in a public place shall be such, and so maintained and used, that no danger is likely to be caused to any person.
- (2) The wheels of a vehicle, while it is in use on a public road, and any part of the vehicle in contact with the ground, shall be such that no damage is likely to be caused to the road.



- (3) (a) Every load carried by a vehicle in a public place shall be of such a weight and size and so distributed, packed, adjusted and attached to the vehicle that, so far as can reasonably be foreseen, no danger is liable to be caused and that there is no interference with the stability of vehicle.

(b) In the case of mechanically propelled vehicles and trailers, no load carried shall exceed a reasonable weight, having regard to the engine capacity, brakes, tyres and general construction of the vehicle.
- (4) A load shall not be carried on a vehicle on a public road in such a manner that part of the load is liable to fall on the road, or drags on the surface of the road, so as to cause damage to the road or to be liable to cause danger.
- (5) The number of passengers carried by a vehicle in a public place shall be such that no danger is caused or is likely to be caused.
- (6) A mechanically propelled vehicle or trailer shall not be used in a public place for any purpose for which it is so unsuitable as to be likely to cause danger”.

Useful codes of practice about loading vehicles safely are also available from the Health and Safety Authority. The RSA recommends that you follow the advice in the code of practice on Safety of Loads on Vehicles (Third Edition) published by the UK Department for Transport. The code can be downloaded from the website of the Health and Safety Authority.

As a responsible operator, you should, at the least, give your drivers and anybody else involved in loading vehicles the following advice from the Code:

- check the weight of the load to be carried;
- make sure that the vehicle is capable of carrying the size and type of load;
- remember that the size, type and weight of the load will affect the handling of the vehicle;
- check the load before moving off and whenever items are added or removed;
- remember that loads can settle and shift during a journey causing lashings (tie-downs, ratchet downs etc) to slacken or loosen;
- check the load at regular intervals and after heavy braking or sudden changes in direction; and
- make sure safe systems of work are devised and followed when loading and unloading vehicles.

Do not:

- overload the vehicle or axles
- load the vehicle too high
- reduce the load on the steered axles by positioning the load too far back
- move the vehicle with any part of the load not restrained
- climb on the vehicle or its load unless it is essential and there is a safe means of access
- take any risks.

Drivers should be aware of the risk of the load or part of the load moving when the vehicle is being driven. Drivers (and operators) are responsible for the load carried on their vehicle, whether or not they were involved in securing the load.

The European Commission has published the “European Best Practice Guidelines on Cargo Security for Road Transport”, which can be downloaded from the European Commission website. The following is an extract from those best practice guidelines ¹.



1 Extract from European Commission Best Practice Guidelines on Cargo Securing for Road Transport available on www.ec.europa.eu/transport/roadsafety/vehicles/guidelines_cargo_securing_eh.htm

“Quick reference: the ten most important commandments for cargo securing

The following is a short list of important basic rules which are always valid whatever the cargo transported and which should be remembered or respected when performing a transport operation. This list is not self standing. It must be complemented by the more detailed explanations that can be found in the bulk of the document.

Remember that if a cargo is not secured adequately, it can be a danger to others and yourself. Inadequately secured cargo could fall off the vehicle, cause traffic congestion and others could be hurt or killed. Inadequately secured cargo could hurt or kill you during strong braking or a crash. The steering of a vehicle can be affected by how the cargo is distributed and/or secured on the vehicle, making it more difficult to control the vehicle.

Some of the following ten commandments are primarily targeted at the driver, because he is the one physically transporting the cargo to its destination and therefore directly exposed to the hazards involved in the transport operation:

- Before the vehicle is loaded, check that its load platform, bodywork and any load securing equipment are in sound and serviceable condition.*
- Secure the cargo in such a way that it cannot shove away, roll-over, wander because of vibrations, fall off the vehicle or make the vehicle tip over.*
- Determine the securing method(s) best adapted to the characteristics of the cargo (locking, blocking, direct lashing, top-over lashing or combinations of these).*
- Check that the vehicle and blocking equipment manufacturers' recommendations are adhered to.*
- Check the cargo securing equipment is commensurate with the constraints it will encounter during the journey. Emergency braking, strong cornering to avoid an obstacle, bad road or weather conditions have to be considered as normal circumstances likely to happen during a journey. The securing equipment must be able to withstand these conditions.*
- Each time cargo has been (un)loaded or redistributed, inspect the cargo and check for overload and/or poorly balanced weight distribution before starting. Ensure that the cargo is distributed in such a way that the centre of gravity of the total cargo lies as close as possible to the longitudinal*

axis and is kept as low as possible: heavier goods under, lighter goods above.

- *Check the cargo securing regularly, wherever possible, during the journey. The first check should preferably be done after a few kilometres drive at a safe place to stop. In addition the securing should also be checked after heavy braking or another abnormal situation during driving.*
- *Wherever possible, use equipment which supports the cargo securing such friction mats, walking boards, straps, edge beams, etc.*
- *Ensure that the securing arrangements do not damage the goods transported.*
- *Drive smoothly, i.e. adapt your speed to the circumstances so as to avoid brisk change of direction and heavy breaking. If you follow this advice, the forces exerted by the cargo will remain low and you should not encounter any problems. ”*

Severe weather warnings

Large vehicles are at risk of being blown over when they are operating in conditions beyond their capability. This can cause severe road accidents, resulting in serious injuries and death to, not only the crew of your vehicle, but also to other road users. With the possibility that climate change may make such severe weather conditions more common in the future, operators should be aware of any warnings of high winds and so on, and act accordingly.

These warnings are usually given well in advance by the Met Office, weather forecasters, RSA and others.

To avoid any imminent danger, suggested measures include delaying vehicles before they leave base or if they are already on the road, informing the driver of the problem so that the vehicle can be sheltered in a safe place.

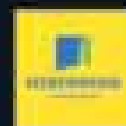
Disclaimer: This booklet is a guide to best practice and is not interpretation of any legal requirements.



THE FASTER THE SPEED
THE BIGGER THE MESS



SPEEDSHAME



Working To Save Lives



Plain English
Approved by NALA

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