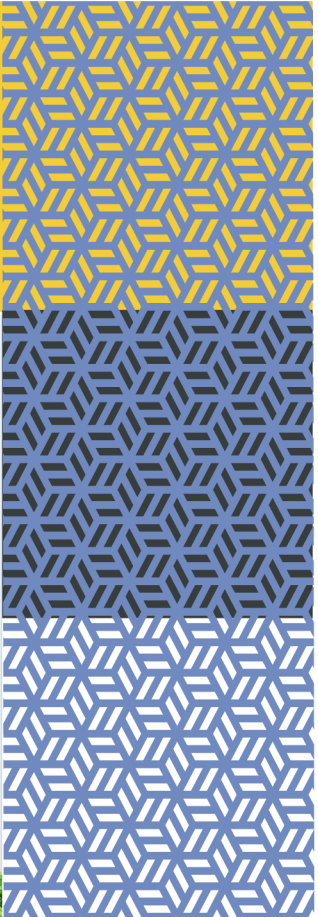
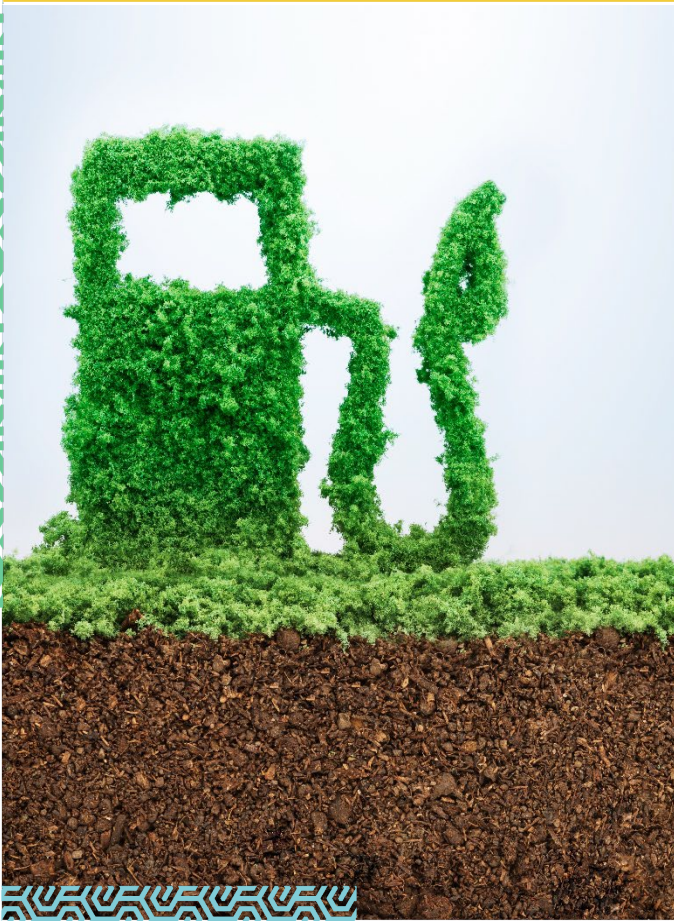
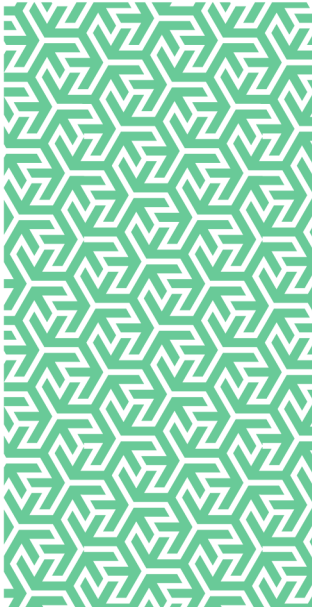


rmp

**Risk control**  
Alternatively Fuelled  
Vehicles



In partnership with



# Alternatively Fuelled Vehicles

## Introduction

In 2018 a small and quiet change occurred to UK legislation around driving licences. The amendment to the Motor Vehicles (Driving Licences) Regulations 2018 allowed for those who drive on a category B driving licence, currently up to 3.5 tonnes, to increase this to 4.25 tonnes provided it is in an alternatively fuelled vehicle (AFV) and only applies to vans. This includes those powered by electricity, natural gas, biogas, or hydrogen. It is however only more recently that companies have been seen to be aware of these changes with training providers offering their services to clients. The 2018 regulations were under a temporary EU derogation issued for 5 years with the government having no plans to remove this from May 2023 <sup>1</sup>.

Currently a driver who wishes to drive a vehicle with a weight over 3.5 tonnes would normally require a C1 category on their licence. The 'C1' provision was previously given automatically to those who passed their test prior to the 1st January 1997 and was known as 'grandfather rights' or 'acquired rights'. Since that date if you want to drive a heavier vehicle, you are required to go through the process of licence acquisition and pass a driving test in the relevant size vehicle. This is currently under government consultation <sup>2</sup> as they are considering removing this restriction and giving Category 'B' or car licence holders the automatic entitlement once again without the need for testing.

The changes to the current system have been introduced by the UK Government to help tackle the emissions problem. Vans are a significant contributor to climate change and form a large proportion of the vehicles on the UK roads, so the government are keen to provide alternatives that still keep the sector moving.

Businesses who want to adopt AFV's have to, in many cases, compromise on payload due to the heavier weight of these vehicles or employ drivers with the relevant licence leading to higher staffing costs.

## Current Shortages

The last few years have seen a number of headline articles warning of a persistent HGV driver shortage with some estimates putting this at around 100,000 <sup>3</sup>. This was attributed to a number of factors with the pandemic being the first. Many drivers have returned to their home countries and subsequently decided not to return. Complications around Brexit and gaining settled status have only added to this. Furthermore, changes in 'acquired rights' in 1997 means that those who are now around 43 years old or younger do not hold the larger vehicle categories on their licence and due to the high cost of acquiring the relevant

licence are not entering the transport sector. Government initiatives however are starting to create cautious optimism that the trend in driver numbers is now moving in a positive direction. It is not a case of businesses choosing their new 4.25 tonne AFV and handing the keys to the driver. Businesses and drivers who wish to take advantage of this legislation must meet strict training criteria before being authorised to drive.

Drivers must complete a minimum of 5 hours training on the driving of an AFV which follows the DVSA syllabus and is delivered by Trainers recognised by members of only two LGV training registers – National Register of LGV Instructors and The National Vocational Driving Instructors Register.

## Implications

Operator licencing would normally apply to all goods vehicles over 3.5 tonnes which carry goods for hire or reward, or which relate to a trade or business. However, there is an exemption for those light goods vehicles entirely run on alternative fuel with a total mass not exceeding 4.25 tonnes.

The vehicle will need to be fitted however with a tachograph and would fall under the complicated EU drivers' hours rules (Regulations) EC 561/2006 unless it is operated within 100km of the base and does not exceed 7.5 tonnes but would fall in scope of GB domestic rules.

Further an AFV needs to be fitted with a speed limiter if weighing over 3.5 tonnes limiting a goods vehicle to 90km/h or 56mph and a passenger carrying vehicle to 100 km/h or 62mph.

## Training

Training <sup>4</sup> is a mix of theory and practice and covers aspects such as road safety benefits, fuel saving driving techniques, energy saving and safe driving techniques, refuelling and safety around AFV's, safe loading, load handling and vehicle handling techniques, alongside legislative requirements. Focus is on client – centred learning and delivered by private providers and Instructors registered through the approved bodies.

## Compliance

Once a driver has completed the required training they will be issued with a certificate, through the training provider. Details are added to the national register with the certificate being used to evidence training for any third parties who may require confirmation. This may include Insurance

companies, employers or the enforcement agencies such as the Police or DVSA. Anyone who is found to be driving one of these vehicles without having received the relevant training would be guilty of an offence under the Road Traffic Act (1988) – driving otherwise than in accordance with their licence.

Drivers will not be required to physically carry the certificate but may be asked to produce it at a later date.

## References

1. <https://www.fleetnews.co.uk/news/latest-fleet-news/electric-fleet-news/2023/07/21/responses-to-425-tonne-electric-van-derogation-consultation-published>
2. <https://www.gov.uk/government/consultations/driving-licensing-review-call-for-evidence-on-opportunities-for-changes-to-the-driver-licensing-regime>
3. <https://www.rha.uk.net/news/news-blogs-and-press-releases/press-releases/detail/driver-shortage-plans-lack-short-term-fixes>
4. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/871591/guidance-category-b-licence-requirements-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/871591/guidance-category-b-licence-requirements-1.pdf)

## Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

## Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

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