



Commercial Vehicle Operator Licensing

Operators' Guide

AUGUST 2022

DVS

Contents

Introduction	4
• Purpose of operator licensing	
• Role of Driver and Vehicle Standards Department (DVS)	
Section	
1. Overview of operator licensing	6
2. The application process	8
3. How to comply with your licence	14
4. Driver training	16
5. Vehicle checks and maintenance	18
6. Transport managers (TMs)	21
7. Good repute	24
8. The compliance process	26
9. Fees	32
Appendices	
1. Further information: contact details, publications, legislation	36
2. Weight thresholds	37
3. Standard Licence Conditions	38

Introduction

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This guide has been produced by Driver and Vehicle Standards, with the support of the industry, to explain how the Vehicle Operator Licensing Scheme will work when it is introduced, and the responsibilities and systems involved in maintaining vehicles in a roadworthy condition, regardless of operating conditions, fleet size or vehicle type.

Any business (referred to as an operator) operating a goods vehicle or trailer (set out on page 6 of this guide) for a trade, profession or business will need an operator's licence.

You will need an operator's licence even if you use a vehicle for as little as one day on a one-off hire.

The procedures and systems in this guide can be used by the owners, operators, drivers, transport managers or anyone responsible for operating, maintaining or providing commercial vehicles and trailers in Jersey.

Purpose of operator licensing

The licensing scheme is designed to:

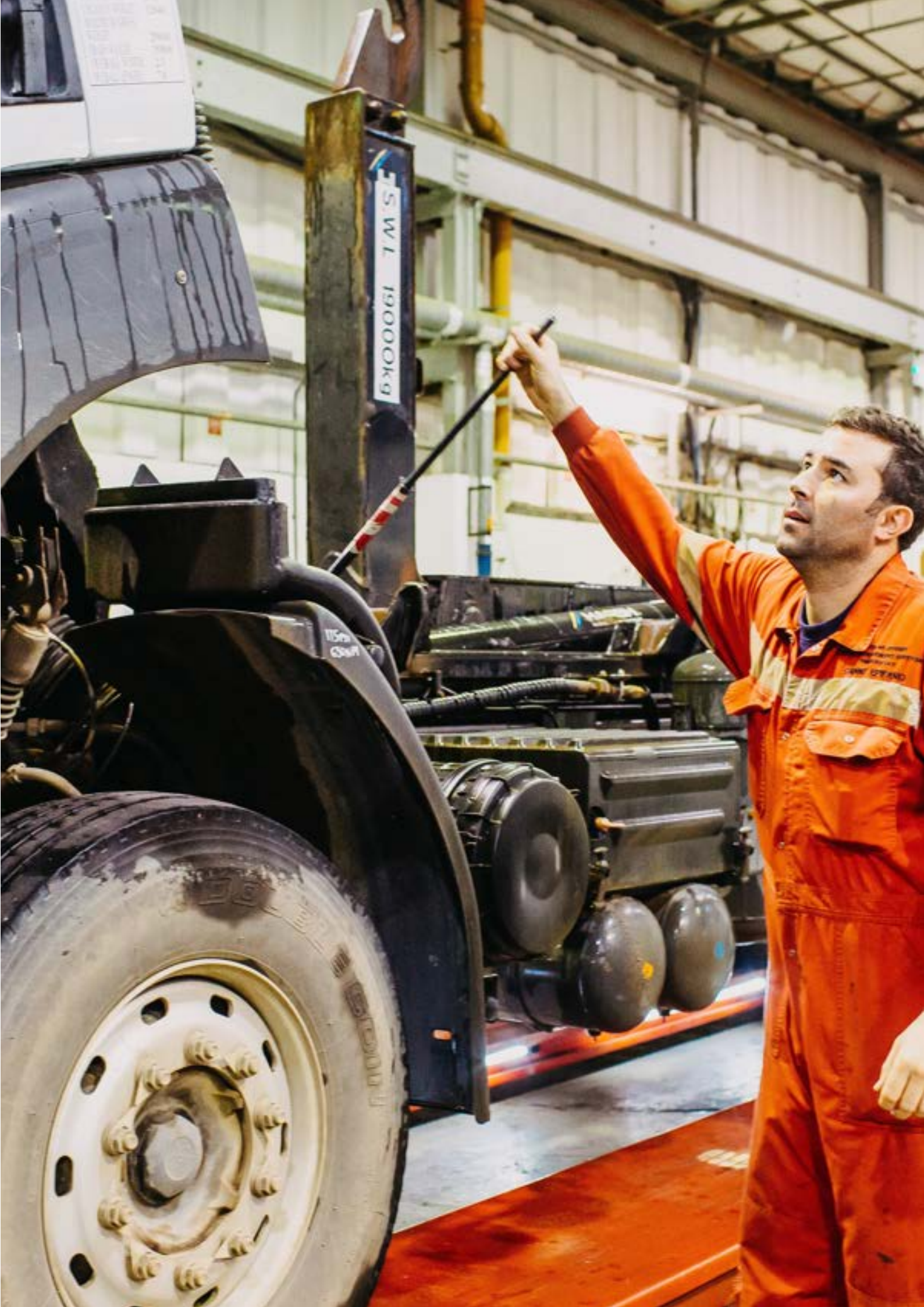
- improve and promote vehicle road safety in line with best practice to the benefit of all Islanders;
- ensure that all commercially operated goods vehicles and trailers being used in Jersey are maintained and operated to a set of recognised standards for use on Jersey's roads;
- improve the environmental credentials of commercial vehicles in Jersey;
- ensure that industry best practice becomes the benchmark for local operators, creating a level playing field within the industry.

Careful consideration has been given to ensuring that the licensing scheme is appropriate and proportionate to the unique character of Jersey's roads and industry.

Role of Driver and Vehicle Standards (DVS)

As the authority for vehicle road safety legislation in Jersey, DVS continues to strive to improve and promote vehicle road safety in line with best practice to the benefit of all Islanders.

An important way this can be achieved is by helping commercial operators to keep their vehicles safe to drive. DVS will focus on assisting operators to meet the terms of the operator licence in order to ensure consistent standards are maintained within the local industry.



Overview of operator licensing

1.1 A licensing scheme for Jersey

Operator licences will be issued by the Inspector of Motor Traffic (IOMT) and administered by DVS officers.

They apply only to operators whilst they are operating commercial vehicles in the Island; those operating vehicles in other jurisdictions must ensure they comply with the rules and regulations of that area.

1.2 Who does the scheme apply to?

If you operate any of the following 3 classes of commercial vehicles on public roads in connection with a trade, profession or business you will need an operator's Licence

- **goods vehicles with a gross vehicle weight (GVW) greater than 3,500kg (but not passenger-carrying vehicles)**
- **semi-trailers**
- **draw bar trailers (with an unladen weight greater than 1,020kg)**

A goods vehicle is defined as a motor vehicle or trailer constructed or adapted for the carriage or haulage of goods or burden of any description.

Licences will generally last for five years but in some circumstances (for example, if it is believed the operator requires time to address certain issues) the IOMT may issue a licence for a shorter period.

This scheme does **not** extend to **agricultural**:

- **motor vehicles;**
- **tractors,**
- **trailers; or**
- **trailed appliances.**



The application process

2.1 When should I apply for a licence?

You should apply for a licence at least ten weeks before the date you need it, to allow time for the necessary checks to be made.

Take note: it is illegal to operate your vehicle before a licence is issued, you could be liable to prosecution

2.2 Applying for a licence

Application forms and guidance notes are available from gov.je/dvsinspections and from the DVS office at La Collette.

If you are applying for a licence, you must satisfy the Inspector of Motor Traffic that you:

- are of good repute and fit to hold a licence;
- have appointed a Transport Manager;
- have appropriate arrangements for the maintenance of your vehicles; and
- you have the appropriate systems and training in place to enable you to run a safe and legal operation.

2.3 The application procedure

Submit the completed application form with the application fee and the following supporting information:

- Details of the operating business, including the owners
- Correspondence address
- Address of the operation (the operating centre)
- Each vehicle and trailer's vehicle identity (registration mark/trailer number)
- The number of weeks between regular safety inspections for each vehicle and trailer
- Details of the Transport Manager, including job description, qualifications or details of relevant experience and contract of employment
- Past relevant convictions of the owner or company and the Transport Manager

You will also be asked to make a declaration that you are a bona fide operation and you will comply with the terms and conditions of the licensing scheme.

DVS may ask for further information before a licence is issued. You may simply be

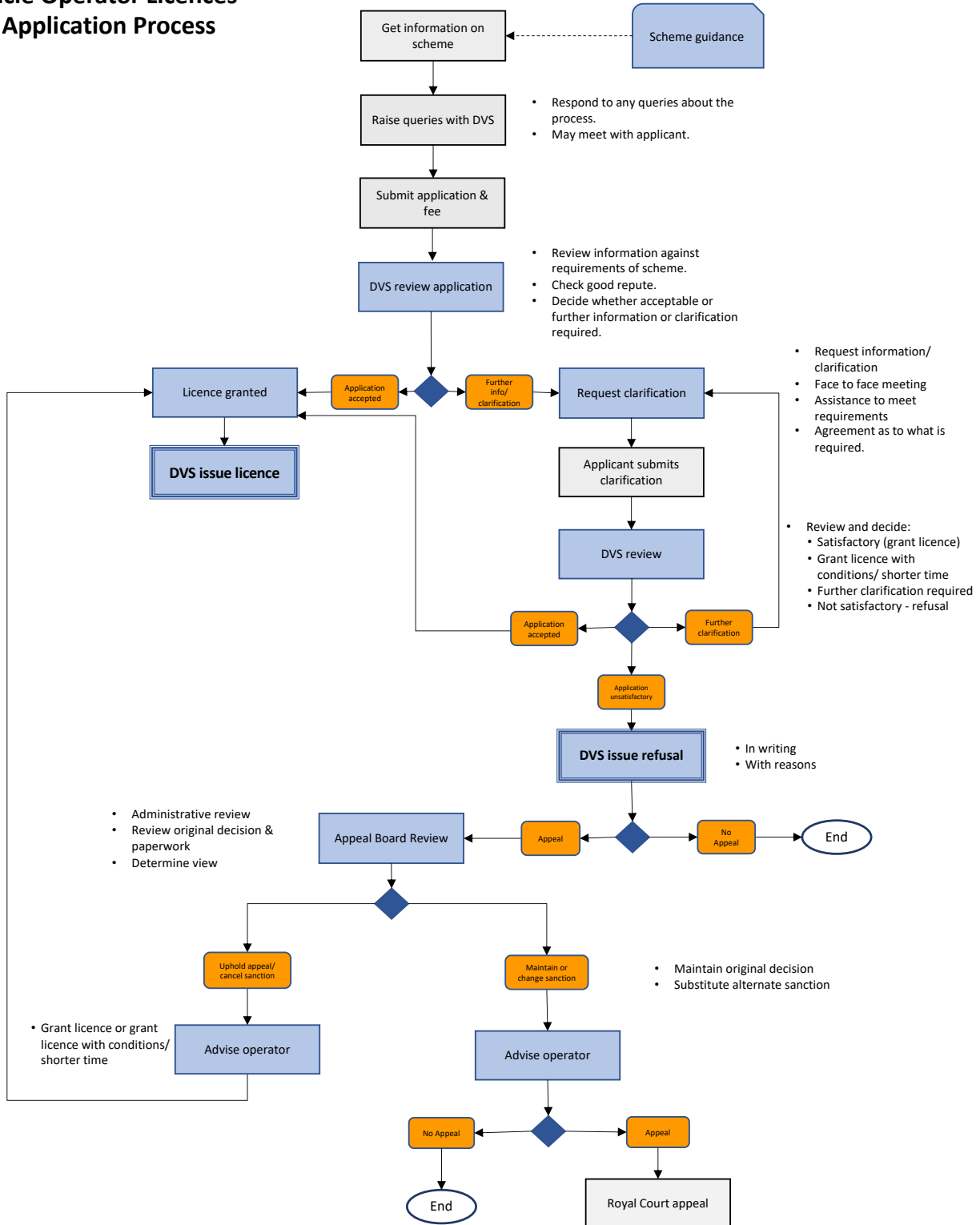
asked to provide additional information, or to meet the Inspector of Motor Traffic to discuss what might be required for a licence to be issued.

If the IOMT refuses your application, you will be notified in writing along with the reasons for the refusal. In this circumstance you will have the right of appeal within 21 days.

SECTION 2

2.4 Application process flow chart

Vehicle Operator Licences The Application Process



2.5 Existing operators – transitional provisions

When the licensing scheme is introduced, there will be a transitional period during which existing operators will be expected to join the licensing scheme while continuing to operate. This transitional application process will seek to ensure you can continue to operate.

The dates for the start and end of the transition (initial) period will be published on gov.je/dvsinspections. If you are operating goods vehicles or trailers on or before the start date, you will be regarded as an existing operator. More detailed guidance will be given to existing operators, but during the transitional period the following process will be established:

- The new legislation will come into force establishing the scheme.
- Existing operators will be required to make an application within a three month period after this date. During this period, the requirements of the law will not apply to operators.
- As long as an application is made within the initial period, the requirements of the law will not apply to operators until such time as the application has been determined.
- The period of the licence will start once the application has been approved and the licence issued.
- Existing operators who fail to make an application within the initial period will be regarded as new applicants and will not be able to operate until a licence has been issued.

Any business not operating a goods vehicle or trailer before or on the start date of the transition period will be regarded as a new operator.

2.6 The number of vehicles you can operate

When applying, you must list the vehicles which will be operated under the licence. This number will naturally change as your business changes but if the number of vehicles on the licence increases significantly, the Inspector of Motor Traffic may ask for assurances that you can maintain a safe level of compliance.

2.7 Facilities (or arrangements) for maintaining your vehicles

You can find full advice about the requirements for maintenance arrangements in *The Jersey Guide to Maintaining Roadworthiness*, which is available to download from gov.je/dvsinspections.

You must satisfy the Inspector of Motor Traffic that your vehicles will be kept in a fit and serviceable condition at all times.

Periodic technical inspections and repair and maintenance can be carried out either in house or by an external contractor.

If you have your own safety inspection and maintenance facilities, they must be adequate. DVS may inspect them as part of the compliance process in order to validate maintenance records, or to check them if particular issues have arisen which suggest a problem with maintenance work.

If you use an external contractor, it is recommended that you have a contract between you and the contractor outlining the frequency and type of inspections to be undertaken, along with details of the vehicles to be inspected.

External maintenance contractors must document all work carried out and all maintenance documentation must be available.

2.8 Operating Premises

You will be asked to provide the addresses of the places from which you operate, which may be more than one address.

This must include your designated premises for correspondence, where you keep operational records, undertake maintenance or where you normally park vehicles when not in use.

While the suitability of the premises will not be assessed, as a condition of your operators licence you will be required to confirm that all your identified operating premises have necessary permissions and comply with all relevant domestic legislation.

2.9 When your licence is granted

You will be informed in writing if your application has been successful and a licence granted and issued. Operator licences will generally be valid for five years from the date of issue.

2.10 Application refusals and rights to appeal

If the Inspector of Motor Traffic decides to refuse your application, you will be notified in writing along with the reasons for the refusal. You have the right of appeal within 21 days.

If you need further help with applying for a licence or with any other aspect of the operator licensing system, our staff are here to help – just phone DVS on 448600. You can also download copies of all the guides at gov.je/dvsinspections



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How to comply with your licence

As the licence holder, you are ultimately responsible for all aspects of your operation.

3.1 Licence requirements

The licence will show as a minimum:

- The operator's name and address;
- Any trading names used by the operator;
- The address of all the locations from which you operate.
- The list of authorised vehicles and trailers;
- The conditions relevant to the granting of the licence;
- The date the licence or registration was granted;
- The expiry date; and
- The name of the Transport Manager.

3.2 A system of record keeping

You must ensure that you keep records which prove your entire fleet is kept in a roadworthy condition, as outlined in *The Jersey Guide to Maintaining Roadworthiness*. Your records must also report and record vehicle defects, your drivers' licences and training, and any disciplinary action taken against employees (criminal or otherwise) that may affect your licence.

3.3 Licence Conditions

You will be required to sign a declaration to provide an undertaking to abide by the conditions on your licence. The standard set of conditions are set out in Appendix 3.

The Inspector of Motor Traffic may decide to impose specific conditions to your Licence at time of application or as a result of compliance action.

3.4 Making changes to your licence

If your operation changes in any of the following ways, you will be required to update the details on your licence within seven days:

- Adding new vehicles to the fleet;
- Removing vehicles sold or scrapped;
- Changes to the timings of periodic safety inspections for vehicles;
- Temporarily removing vehicles taken off the road in advance of a periodic safety inspection or annual roadworthiness inspection;
- Temporarily adding vehicles, for example those hired for more than five working days;
- Changes to the TM arrangements;
- Changes to the business, including ownership, directors and address;
- If the business has closed or been declared bankrupt or en desastre;
- Any new relevant convictions.

Some changes, such as a large increase in vehicles, may be subject to further investigation and may be subject to refusal or additional licence conditions.

You can make changes to your licence using the form available at gov.je/dvsinspections or from the DVS offices at La Collette.

3.5 The renewal process

You will be able to apply to have your licence renewed up to six months before it expires, but applications for renewal must be made not less than 10 weeks before it expires. You will be required to pay a renewal fee.

If you have continued to comply with the operator scheme and the relevant documentation has been submitted, the renewal process should be quick and easy. If, however, during the term of your licence, compliance has raised significant issues or you have attracted the attention of the enforcement authorities, the renewal process may be subject to further investigation, and may be subject to refusal or additional licence conditions.

Driver training

4.1 Training overview

It is your responsibility to ensure that all of your drivers have the appropriate training in the safe driving and operation of any attachments, loads or towed equipment.

The appropriate training of drivers will be a condition of your Licence. Some work activities such as loading, sheeting and securing of loads must follow the relevant code of practice and may require detailed formal training.

For everyday activities involving vehicle operations, adequate training can be delivered in-house.

It is up to operators to determine what training is required and ensure that adequate training is provided so that drivers are competent in their work activities.

4.2 Determining adequate training

Adequate training means that an individual has been appropriately trained to undertake their duties. This will vary according to:

- The job or activity to be undertaken;
- The existing competence of the employee;
- The circumstances of the work (e.g. degree of supervision);
- The equipment to be used; and
- The load being carried.

4.3 Training records

You must keep a record of all training received for all drivers. You are free to determine the format of training records.



Vehicle checks and maintenance

5.1 Guide to Maintaining Roadworthiness

You can find the full requirements for maintenance arrangements in *The Jersey Guide to Maintaining Roadworthiness*, which is available on gov.je/dvsinspections.

5.2 Record keeping

You must ensure that your entire fleet of vehicles is kept in a roadworthy condition and keep records for each vehicle to prove it.

If a vehicle is off the road, there should be a formal record kept. You must report to DVS any vehicle taken off the road in advance of a periodic safety inspection or annual roadworthiness inspection.

You must undertake maintenance which aims to prevent the development of serious defects and ensure that your vehicles are always in a safe and reliable condition.

It is the user's responsibility to ensure that a vehicle/trailer is kept in a roadworthy condition at all times. The user of a vehicle applies to both the driver and the owner, who is paying the driver. It is an offence to use an un-roadworthy vehicle on the road.

The following maintenance system checks are essential:

- Drivers daily walk around checks
- Regular safety inspections

The driver's daily check must be undertaken by the driver, prior to taking a vehicle out on the road, and the driver must be suitably trained to carry it out.

5.3 Annual roadworthiness inspections (ARIs)

Annual roadworthiness inspections (ARIs) will be undertaken by DVS at its test station at La Collette to confirm that vehicles and trailers covered by the licence scheme are maintained in a safe and roadworthy condition.

All vehicles must have a valid certificate of compliance before being added to a licence and annually be inspected and thereafter to the standards laid out in *The DVS Goods Vehicle Inspection Manual*. If the vehicle has met those standards, it will be issued with a Certificate of Compliance which will remain valid for 12 months.

If a vehicle does not meet the standards, it will be subject to remedial action and be re-presented for inspection before a certificate can be issued.

As part of an ARI, the Inspector of Motor Traffic may ask for the vehicle's records (e.g. maintenance records), either in advance or after the inspection has taken place, to ensure records are being kept up to date.



Transport Managers

6.1 The Transport Manager (TM)

You must have a nominated TM who is able to demonstrate continuous and effective responsibility for the management of the transport operation. This person can be you, if you meet the requirements, or you can employ one or more persons who are competent. The TM must also be of good repute.

If the TM is changed or ceases to have responsibility for a business for which you are the licence holder, you must inform the IOMT with seven days.

6.2 Key responsibilities of a Transport Manager

The TM is responsible for ensuring that:

- The laws relating to the driving and operation of vehicles used under the licence are observed.
- Licence conditions are complied with.
- Drivers hold the correct licence for the vehicles that they are required to drive.
- Drivers are appropriately trained for their role and the vehicles/equipment they operate.
- Drivers comply with speed limits.
- Drivers comply with road traffic rules.
- Vehicles and trailers are not overloaded.
- Vehicles and trailers, including hired vehicles and trailers, are kept in a fit and serviceable condition and are inspected at regular intervals.
- Drivers report promptly any defects or symptoms of defects that could prevent the safe operation of vehicles and/or trailers, and that any defects are recorded in writing.
- Records are kept of all driver reports which record defects, all safety inspections, routine maintenance and repairs to vehicles, and that these are made available on request.
- DVS is notified in writing of all prosecutions and convictions incurred by the operator, drivers and the TM within seven days of charges being made by the police.
- DVS is notified within seven days of any other changes, for example a change to the proposed maintenance arrangements; a change in the status of the licence holder (e.g. if declared en désastre), or a change to limited company or partnership status, that might affect the licence.

It is important that the TM ensures drivers are aware of the overall vehicle dimensions, including trailer and load. High vehicles should display an in-cab overall height indicator. It is also important to consider route planning before starting journeys if narrow and/or busy lanes need avoiding.

6.3 Internal or external TM

There will be two types of transport manager: internal and external.

6.3.1 Internal TMs

Internal TMs are closely connected with the operator. To qualify, they must:

- Be of good repute;
- Effectively and continuously perform their transport manager role for the operator in question;
- Have a genuine link to the operator, such as being a full-time or part-time employee, director or owner; and
- Be able to demonstrate that they have relevant experience in the transport operations industry and can evidence this if required or have a recognised TM's CPC qualification.

When the number of vehicles under the control of a single manager exceeds 30, the Inspector of Motor Traffic may ask for more details on how the effective and continuous control of the TM can be maintained.

6.3.2 External TM

You may contract in an external TM – for example a consultant transport manager under contract to an operator on a full or part-time basis. The contractor must have effective and continuous management responsibility for the transport activities of the operator and:

- Be of good repute;
- Be able to demonstrate that they have relevant experience in the transport operations industry and can evidence this if required or have a recognised TM's CPC qualification.
- Have a contract with the operator that specifies the tasks they perform as TM;
- Only work for a maximum of 4 operators with a combined maximum total fleet of 50 vehicles – meaning that across all four operators, they cannot have responsibility for more than 50 vehicles;
- Each TM must act solely in the interests of the operator and independently of transport customers.

The IOMT can take regulatory action against both internal and external TMs, independently of any action they may decide to take against the licence holder.



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Good repute

Good repute is a mandatory requirement for commercial vehicle operator licences. The basis for good repute is assessed on factors such as criminal convictions and the general fitness to hold an operator licence.

7.1 Criminal Convictions

The IOMT can consider relevant convictions when deciding whether an individual or company can meet the requirement of good repute. Relevant convictions will be the subject of detailed guidance, but may include:

- Serious offences (a fine exceeding Level 2 on the standard scale or more than three months' imprisonment);
- Offences relating to or involving the use of a commercial vehicle under:
 - the Road Traffic (Jersey) Law 1956
 - the Waste Management (Jersey) Law 2005
 - the Customs and Excise (Jersey) Law 1999
 - Equivalent offences under the law of any country or territory outside Jersey.

Applicants for and holders of licences can be held to account for the convictions of their directors, partners, employees and agents. If there has been a conviction, then the IOMT will consider whether it affects the operator's ability to continue to hold a licence.

7.2 General fitness to hold an operator licence

Good repute allows the IOMT to consider any other information which may affect the ability of the licence holder to operate safe vehicles. This may include evidence of failure to pay taxes, health and safety breaches and other acts or omissions which allow a licence or registration holder to compete unfairly with other operators. This could also include the company being declared bankrupt or en désastre. Multiple failures to abide by the discretionary requirements may also be considered under the requirement of good repute.



The compliance process

As a licence holder, it is your responsibility to maintain the commitments you made to the Inspector of Motor Traffic (IOMT) and operate at all times within the terms and conditions of your licence.

The IOMT's primary focus will be to help you meet the terms of your licence, in order to ensure consistent standards are maintained. Operators who consistently fail to meet the standards or implement recommended actions will be subject to action.

8.1 Complying with your licence

Compliance activity will be focused on issues identified or information received indicating that your licence terms are not being met. Examples of information that may be acted on include:

- Evidence of maintenance problems, for example through poor annual roadworthiness inspection results;
- Prohibition notices or defects found during roadside checks;
- A review of records identifying issues to be addressed;
- An audit identifying areas of concern;
- Complaints received by the IOMT;
- An incident or issue coming to light, which in the opinion of the IOMT requires further investigation.

As part of their compliance activities, traffic officers will have the power to inspect records and to enter business premises during normal business hours with or without notice.

8.2 Considering action

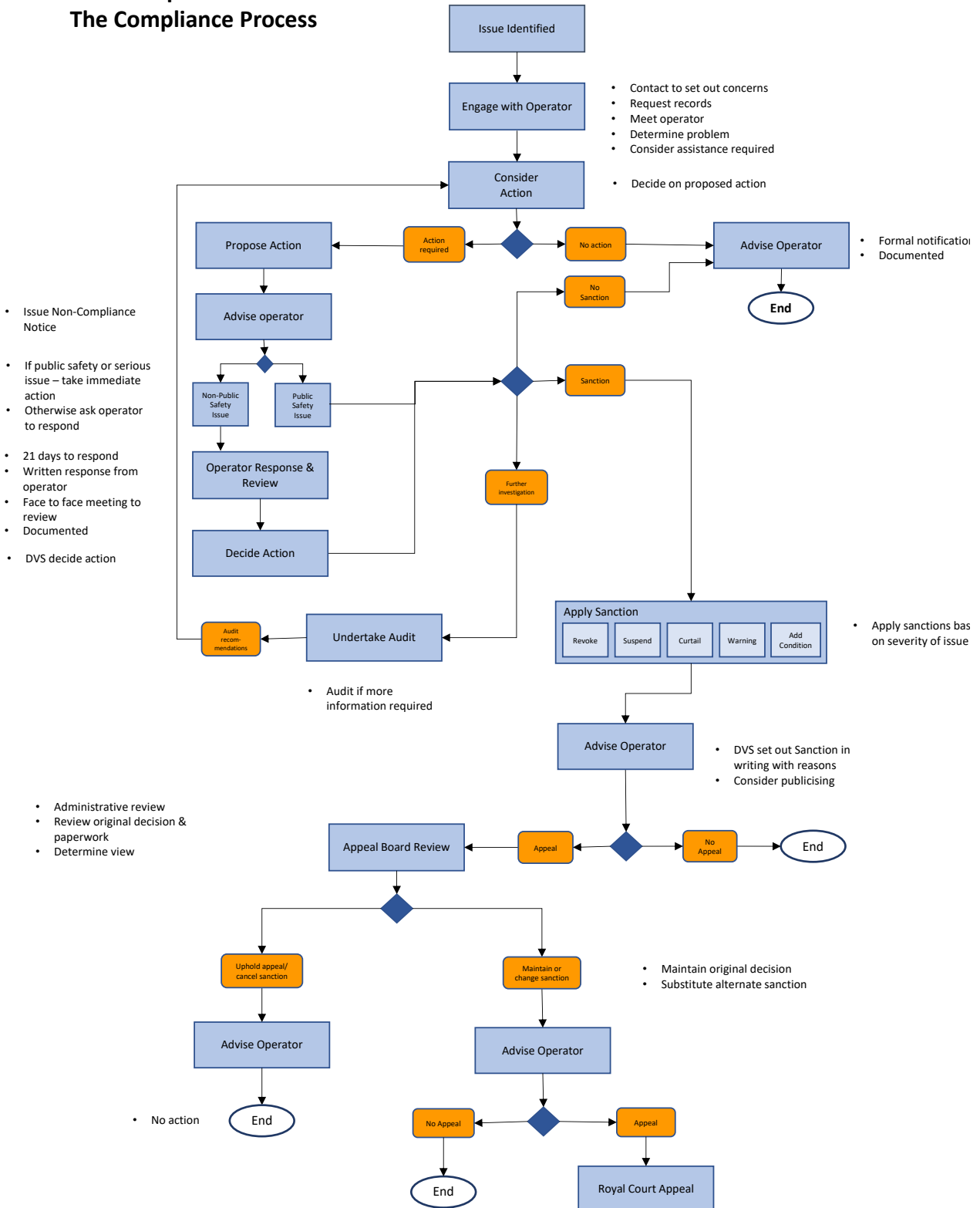
When the IOMT identifies evidence that causes concern, they will initially contact the holder of the licence and set out the concerns identified.

As the IOMT's primary focus will be to assist you in meeting the terms of your licence, they will engage with you to understand the nature of the problem before deciding whether to take action. This may involve a request to see your maintenance records or a private meeting to determine what the problem is and see if assistance can be provided.

The outcome of this will determine the proposed action to be taken. The IOMT may take no action at this point or, if a satisfactory way forward has not been established or the actions of the operator are deemed serious enough, further action will be taken.

8.3 Compliance Process Flow Chart

Vehicle Operator Licences The Compliance Process



8.4 Taking action

If the IOMT decides to take action, you will be contacted via a non-compliance notice and the issues set out, along with the proposed course of action.

You will normally be given 21 days to respond in writing and given the opportunity to meet with the IOMT to discuss the response. This meeting will be documented.

After this meeting, a decision will be taken, which may include:

1. No action;
2. Applying sanctions to your licence; or
3. A full audit of your operator to establish more information.

If you do not respond to the non-compliance notice, the IOMT will take the proposed action without further engagement.

If the issue is very serious or is regarded as an issue of public safety, the decision may be taken to take immediate action without giving you the opportunity to respond.

8.5 Sanctions

The IOMT will have flexibility with regard to the actions that can be taken in response to an issue which may require disciplinary action. The IOMT can introduce sanctions such as reducing the number of vehicles you can operate, suspend or revoke your licence.

This process seeks to balance the negative points which caused the concern in the first place together with any positive steps which you have taken to address these concerns.

The IOMT may impose the following sanctions:

- Issue you a warning.
- Change or add any condition attached to your licence.
- Curtail your licence - reducing the number of goods vehicles and trailers that a business can use
- Suspend your licence - stopping the business from operating goods vehicles and trailers for as specified period of time.
- Revoke your licence - stopping the business from operating goods vehicles and trailers altogether.

Disqualification

The IOMT has the power to disqualify anyone whose licence has been revoked from holding an operator's licence indefinitely or for a specified period of time. A disqualification may also stop you operating in a partnership or being a director or major shareholder in a company that operates goods vehicles.

As a result of the loss of good repute, the IOMT also has the power to disqualify a TM from holding that position on a licence, indefinitely or for a specified period of time.

When deciding to impose sanctions, the IOMT will write to the operator, giving reasons.

The IOMT may decide to publicise a decision and the reasons for it, if it is thought to be in the public interest to do so.

8.6 When action may be appropriate

Disciplinary action may be taken against you if non-compliance is discovered either through an audit or other means. A non-compliance notice may be issued for the following types of non-compliance that could lead to disciplinary action:

- The owner or persons connected with the business being convicted of relevant road traffic or other offences;
- Finding out false statements have been made to get a licence, or not keeping to an agreement made when the licence was applied for;
- An undertaking or condition on the licence has been broken;
- DVS traffic officers or the police issuing a defect notice on a goods vehicle, or there being a conviction either resulting from the defect notice or a failure to comply with it;
- The owner persistently failing to maintain the vehicles used under the licence in a good and serviceable condition;
- The licence holder being made bankrupt or en désastre;
- There has been a material change in any of the circumstances of the licence holder relevant to the licence.

8.7 Audits

Audits of a licence will normally take place in the following circumstances:

- As a result of the IOMT wishing further information and evidence relating to an issue or proposal to take action;
- When a specific incident or issue comes to light which requires further investigation;
- As a result of a first audit, a follow-up may be scheduled;
- As a result of a request to vary a licence.

If for any reason DVS officers are not able to carry out an audit, an external organisation may be appointed to undertake the audit on their behalf. You may be required to pay the costs of this external audit.

8.8 Conducting the audit

The audit will usually be conducted at the Operating Premises and will cover key aspects of the operation including:

- Systems and record keeping;
- Drivers, driver licensing and training;
- Vehicles and maintenance processes;
- Transport management;
- Operator information;
- Actions required from any previous audit.

The audit will mainly comprise a review of documentation against licence conditions. There may also be a requirement to carry out walkaround checks of some vehicles in order to verify documentation (e.g. nil defect walkaround records). In some cases a specific vehicle may be required to be presented at the DVS facility for additional inspection.

When completed, DVS will issue you with a report on the outcome of the audit which will identify recommendations and actions that you may be required to address.

If an audit identifies non-compliance with the terms of your licence, the IOMT will consider action as part of the compliance process.

8.9 Appeals

Within the Commercial Vehicle Operator Licensing Scheme, there will be rights of appeal against decisions to refuse, impose conditions on, or revoke/suspend or vary a licence.

Operators will have 21 days to appeal against action taken.

The appeals process will be detailed in specific guidance issued by the IOMT and, where the appeal is from the IOMT's decision, it will, in brief, comprise:

1. A first appeal to an appointed Appeals Body for the purposes of the specific appeal, where you will have the opportunity to make representations as part of the process. This Body may decide to vary or substitute, uphold, or rescind the decision and will notify you of its decision.
2. You have the right to appeal to the Royal Court if you do not accept the outcome or the Appeals Body review
3. The Royal Court will have power to confirm, reverse or modify the original decision, as it thinks appropriate.



Fees

Fees will be set in order to recover the costs of operating the licensing scheme and compliance activity.

9.1 Licensing

- An operator's licence application fee (first application and renewal)
- An annual licence fee per vehicle (This fee will be raised at the time of the ARI).

9.2 Roadworthiness

- Annual roadworthiness inspection fee (if a vehicle / trailer fails the inspection and needs to be retested using the test station, half of the inspection fee will be charged for the retest).

APPENDICES

**All enquiries for
the Mechanical
and Vehicle
Workshops**



Offices

Further information

For further information, please visit: gov.je/dvsinspections

If you need any more help or advice, please contact Driver and Vehicle Standards, who process applications.

Driver and Vehicle Standards
La Rue de Veulle
La Collette
St Helier
JE1 3UE

Tel: 01534 448600

Email: dsvol@gov.je

The Jersey Guide to Maintaining Roadworthiness

The Jersey Guide to Maintaining Roadworthiness explains the responsibilities and systems involved in maintaining vehicles in safe and roadworthy condition.

Available free of charge from: gov.je/dvsinspections

Code of Practice on Safety of Loads on Vehicles

Code of Practice on Safety of Loads on Vehicles (Department for Transport) is available free of charge from: dft.gov.uk

It is important that all operators are aware of the contents of this code, which gives detailed advice on how most types of loads should best be secured. If you have an insecure load, you could be charged with dangerous driving and this can lead to imprisonment.

Safe Operation of Skip and Hook Loaders Jersey Health and Safety Inspectorate – is available free of charge: www.gov.je/Industry/HealthSafetyWork/

Other Relevant legislation

All of Jersey's legislation can be viewed or downloaded from the Jersey Legal Information Board: jerseylaw.je

Commercial Vehicle (Licensing of Operators) (Jersey) Law 2022

Road Traffic (Jersey) Law 1956

Motor Vehicles (Construction and Use) (Jersey) Order 1998

Road Traffic (Lighting) (Jersey) Order 1998

Weight thresholds

Unladen weight

For the purposes of legislation relating to the use of vehicles and trailers on roads, the unladen weight shall be taken to be the weight of the vehicle or trailer:

- inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle or trailer when working on a road; but
- exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle or, as the case may be, of any vehicle by which the trailer is drawn, and of loose tools and loose equipment.

Total permitted weight

The total permitted weight of a loaded vehicle is called the gross vehicle weight.

To confirm this weight, check the department plate (sometimes called the legislation plate). If there is no department plate, check the manufacturer's plate.

Goods vehicle department plates

Goods vehicle department plates are fitted from the date of registration on every goods vehicle and trailer which has a maximum authorised mass exceeding 3,500kg.

The plates are displayed in a visible position on the nearside of the vehicle

If a vehicle is not fitted with a department plate and you do not know the unladen weight, you should take the unladen vehicle to a weighbridge.

Overriding weight restrictions

Your vehicle's maximum permitted weight is displayed on your manufacturer's and department plate. Neither can exceed the weights stated below.

2 axle rigid	3 axle rigid	Tractor & semi-trailer
17000kg ¹	26000kg ¹	38000kg ¹

The maximum axle weight of any vehicle must not exceed 10500kg.

¹All weights stated are maximum legal weights. Vehicle design can affect their weights, which in many cases are lower.

Draft Standard Licence Conditions

The following sets out the standard conditions that will appear on an operator's licence under the Commercial Vehicles (Licensing of Operators) (Jersey) Law 2022. These will be included in the Application Form and operators will be required to make an undertaking that they will comply with these conditions as part of the application process.

The standard conditions will be approved by the Minister for Infrastructure in advance of being formally issued.

Licence conditions:

1. All the Jersey Laws relating to the driving and operation of vehicles used under this licence will be observed, in particular:
 - a. the Road Traffic (Jersey) Law 1956;
 - b. the Waste Management (Jersey) Law 2005;
 - c. the Customs and Excise (Jersey) Law 1999.
2. The Inspector of Motor Traffic will be informed of all vehicles to be operated under the licence and these details will be updated by the operator within 7 days to reflect changes in the fleet.
3. All vehicles and trailers under the licence, including hired vehicles and trailers, will be regularly maintained and kept in a roadworthy condition at all times.
4. Each goods vehicle and trailer operated will receive regular Periodic Safety Inspections, as identified in the 'Vehicle Safety Inspections' section of the Jersey Guide to Road Worthiness, at the intervals agreed by the Inspector of Motor Traffic.
5. All maintenance, including Periodic Safety Inspections, will be undertaken by technically competent persons, trained in the techniques of vehicle examination and operationally aware of the safety standards of the vehicles they examine.
6. Periodic Safety Inspections will include all the items covered by the Driver and Vehicle Standard's Annual Roadworthiness Inspection manual and will make reference to manufacturers' recommended criteria to ensure that each item covered is inspected properly.
7. Where maintenance and/or Periodic Safety Inspections are undertaken within the business, maintenance facilities will be appropriate for the job and will comply with all the requirements identified in the 'Periodic Safety Inspection Facilities' section of the Jersey Guide to Maintaining Roadworthiness.
8. Where maintenance and/or safety inspections are undertaken by an external provider, the provider will have adequate facilities and the work will be undertaken by technically competent persons.
9. Drivers will undertake daily walk around checks prior to the vehicle and/or trailer being taken on the road, to include all items identified in the 'Daily Walkaround Checks' section of the Jersey Guide to Maintaining Roadworthiness.
10. Drivers will report promptly in writing to a responsible person any defects or symptoms of defects identified that could prevent the safe operation of vehicles and/or trailers, this reporting will be in line with 'A system of

reporting and recording defects' section of the Jersey Guide to Maintaining Roadworthiness.

11. All defects likely to affect the safe operation of vehicles or trailers will be recorded in writing and repaired before a vehicle or trailer is used.
12. Records will be kept of all daily walkabout checks, periodic safety inspections, defect and rectification forms and routine maintenance and these records will be kept for a minimum of 15 months.
13. When vehicles are hired, leased or borrowed by the operator, records will exist which demonstrate that appropriate maintenance and safety inspections have been taking place and drivers checks have been undertaken.
14. Routine maintenance will not be undertaken in a public place.
15. All vehicles and trailers listed on the licence will have a current and valid Annual Roadworthiness Inspection Certificate of Compliance.
16. No vehicle or trailer will be overloaded in excess of its permitted maximum gross weight in accordance with Article 86 of the Motor Vehicle (Construction in Use) (Jersey) Order 1998
17. A record will be kept of when a vehicle is taken off the road and if the vehicle is to miss a Periodic Safety Inspection or Annual Roadworthiness Inspection as a result of being off the road, this will be reported to DVS in advance.
18. A Transport Manager will be appointed at all times who is of good repute, is professionally competent to discharge the role and has continuous and effective responsibility for the management of the operation, including the 'key responsibilities' identified in the Operators Guide to Commercial Vehicle Operator Licensing.
19. Where an internal Transport Manager is responsible for more than 30 vehicles, supporting management arrangements will be in place to ensure the continuous and effective control of the fleet.
20. Where an external Transport Manager is contracted in, a written contract will be put in place for this and this will be provided to the Inspector of Motor Traffic.
21. Where an external Transport Manager is contracted in, the external Transport Manager will not work for more than 4 operators or be responsible for a combined total of more than 50 vehicles.
22. All drivers will be made aware of their responsibilities under the Commercial Vehicles (Licensing of Operators) (Jersey) Law 2022.
23. Vehicles will be driven and operated by competent drivers with appropriate licences and records will be maintained to demonstrate this.
24. Any reasonable request by the Inspector of Motor Traffic to undertake an audit or inspection of the operation and any of the operational premises, whether by DVS or an external agency, will be complied with.
25. Any reasonable request by the Inspector of Motor Traffic to provide records regarding the operation will be complied with.
26. There will be at least one identified 'operating premises' in Jersey which is under the control of the operator and in which core business documents/ records are kept, vehicles are parked when they are not in use or where activities such as safety inspections and routine maintenance are undertaken. Where these activities take place in separate locations each address will be provided to the Inspector of Motor Traffic.

27. The operator will ensure that operational premises complies with relevant legislation, including:
 - a. Planning and Building (Jersey) Law 2002.
 - b. Building Bye-laws (Jersey) 2007
 - c. Health and Safety at Work (Jersey) Law 1989.
 - d. Statutory Nuisances (Jersey) Law 1999.
 - e. Waste Management (Jersey) Law 2005.
28. The Inspector of Motor Traffic will be notified in writing within 7 days, of any convictions relating to relevant offences of the holder of a goods vehicle licence for an offence committed in the course of the transport operation.
29. The Inspector of Motor Traffic will be notified in writing within 7 days and, where appropriate, will be required to provide approval of the following:
 - a. Any insolvency action (bankruptcy, liquidation, administration, voluntary arrangements, etc.) taken against the holder of a goods vehicle licence.
 - b. The death or mental incapacity of the registered operator.
 - c. Any change in the Transport Manager.
 - d. Changes of Director or Partners (where applicable).
 - e. Changes to operating premises.
 - f. Adding or removing vehicles.
 - g. Notifying vehicles those taken off the road.
 - h. Changes to vehicle periodic safety inspection periods.

