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NORTH WEST

MERSEYSIDE & WARRINGTON GROUP

What you need to know about your drivers

The Group met at Travis Perkins' premises in Warrington to hear a presentation by Andrew Drewary FCILT covering aspects of legal responsibility of drivers and their employers. Paul Mountford, Drink and Drug Lead, Merseyside Police, helped with input from his experience.

Andrew Drewary has spent many years doing benefits and insurance investigations, specialising in road traffic collisions. He has been working with a number of organisations, including FORS, CILT, FTA, Brake, Think Road Safety and Merseyside Road Safety.

In 2017, there were 1,710 fatalities on British roads, and 1,800 catastrophic collisions involving HGV or PCV vehicles. Motorway hard shoulders are dangerous places to have to stop, as there is fast-moving traffic and there are many collisions. Compensation for traffic accidents is laid out in a table format called the Ogden Rules.

The most important start to the day for a driver is the first use check to identify any possible visible problems, especially wheel nuts and tyres. Drivers would be held responsible if stopped by police or Highways Agency. According to the HSE, driving is not a work activity.

It is recognised that everybody makes mistakes, and with 37 million registered vehicles, there is plenty of scope. There are 44 million driving licences issued, and a large number of notifiable medical conditions, 170 for vocational drivers and 150 for other drivers. It is estimated that 10% of drivers fail to inform DVLA of such conditions, and there is no responsibility for



doctors to pass on the information. This was highlighted in the case of the bin lorry crash in Glasgow, where the driver should have notified his employer and the DVLA, but failed to do so.

Driving under the influence of drink or drugs is a worrying challenge for everybody. In 2017, there were about 9,000 accidents causing death or injury in which alcohol was a factor. The limit for alcohol in breath is 35 micrograms/100ml. As machines to analyse breath for alcohol are now available, many companies now have random breath tests when drivers report for duty.

Some of the delegates mused on how to estimate the safe level of drink to pass a breath test. One

Due to the number of accidents caused by alcohol abuse, many companies now have random breath tests when drivers report for duty

person at the meeting, related their experience at a conference at a hotel that had breath test machines. As he was not driving, during the evening he indulged in some beer, wine with dinner and a nightcap, which everybody thought would be well over the limit. He then used the machine and was surprised to find that he was below the limit, although he did not feel safe to drive. This demonstrates the problem in trying to estimate a 'safe' drink level. Drug testing is more problematic, as there are many substances to identify.

There was plenty of participation by the delegates, who all enjoyed the event.

Mike McDonnell CMLT
Chairman,
Merseyside & Warrington Group. ■

UPCOMING EVENT

**BACKHOUSE JONES
LEGAL UPDATE AND
POTENTIAL BREXIT
IMPLICATIONS**

4th April 2019

Flex, Langford Way,
Warrington WA4 4TQ

A session offering free legal advice on the latest changes in regulatory compliance and the employment issues that are in the pipeline.