

January 2008

Welcome to this new edition of *Update*. It is the first of 2008 and also the first for me in my new role as ADI Registrar. May I take this opportunity to wish you all a happy and prosperous New Year and hope that 2008 will be a safe one for all. This edition provides you with an update on a number of issues including my responsibilities within the Agency, the recent meeting between representatives from the ADI industry and the Minister, Access NI, the motorcycle manoeuvres test, and a range of other issues.

I hope that you find the contents of this edition of *Update* both interesting and informative.

NEW AGENCY DIRECTORATE

On 20 August 2007, I was appointed to the post of Director of Driver Policy & Standards Directorate within the Agency. This post includes the position and responsibilities of the ADI Registrar. I have responsibility for the ADI Register, Policy & Legislation, Driving Test Standards, Research & Development and the Theory Test. This new Directorate brings together under one unit the entire range of driving related functions and I hope that it results in a more cohesive and sensible approach to service delivery and policy development. You can be the judge of that in the fullness of time.

I have already attended very useful meetings with representatives of the NIADIA and the DIANI instructor groups and I am hopeful that the Agency will be soon be meeting with the heads of the other regional instructor associations. I hope that in due course I will meet as many of you as possible and look forward to working alongside you in what I believe will be exciting and challenging times ahead for the driving test, road safety and instructors.

I will be assisted in what promises to be a huge body of work by Deirdre Walsh (ADI Scheme), Brian Morrison (Driving Standards) and Ian Murphy (Theory Test).

ADI's MEETING WITH MINISTER

On 18 October 2007, the Minister for the Environment (NI), Arlene Foster MLA met with several representatives from the ADI industry.

The meeting proved to be a useful opportunity for the industry to discuss various topics of interest with the Minister including the way in which they would like to see improvements to the driving test and road safety generally, changes to the 'R' plate

scheme, graduated driver licensing, and compulsory pre-test training. There was also some discussion about CPC for LGV and PCV licence holders and the new motorcycle manoeuvres test. I have included further information on these issues later in this *Update*.

ACCESS NI- CRIMINAL RECORDS CHECKS

As you know the ADI Section carries out a criminal record check on all applicant instructors and on new registration and renewal of registration for ADIs. The task is currently undertaken by the PSNI Criminal Records Office but from 1 April 2008 this function will be taken over by Access Northern Ireland (ANI). ANI was established by a joint programme between the Northern Ireland Office, the Department of Health, Social Services and Public Safety, the Department of Education and the Police Service of Northern Ireland. ANI will allow organisations to make more informed decisions by providing criminal history information about anyone seeking paid or unpaid work in certain defined areas, such as working with children or vulnerable adults.

There are 3 types of checks that can be carried out; a basic, standard and enhanced check. Because of the nature of an ADIs work, an enhanced check will be carried out for ADIs and those wishing to become ADIs. More comprehensive information will be obtained under this system but the Agency's decision making process on 'fit and proper' status will remain the same. The introduction of ANI checks will mean process changes for the ADI section and the Agency will be charged a fee for every application made. At this point we are not proposing to increase fees to recover these costs, but we may have to do so in due course. Further information will be provided to ADIs in a detailed letter and trainers of new instructors will be contacted separately to explore the issues for trainee instructors (given that the process may take longer than currently). In the meantime more information can be found at www.accessni.gov.uk.

REQUEST FOR INFORMATION FROM HER MAJESTY'S REVENUE AND CUSTOMS (HMRC)

HMRC has made a request to the Agency for information in relation to all registered driving instructors in respect of the year ending 5 April 2007. In addition to names, addresses and registration numbers, HMRC also wish to know how many tests have been presented by each ADI at test centres. Whilst it would seem that HMRC may have the right to access to this information under provisions included in the Taxes Management Act 1970, DVA has sought its own legal advice on the data protection implications before submitting this information to HMRC.

INTRODUCTION OF OFF-ROAD MOTORCYCLE MANOEUVRES (MCM)

The DVA is required by EU Directive 56/2000/EC, adopted by the European Commission in September 2000 to introduce new manoeuvres to be assessed as part of the practical motorcycle driving test. The Directive specifies that the changes must be implemented by the end of September 2008. DVA had hoped to introduce the manoeuvres prior to this date. However, after further consideration it has been agreed that we will introduce the new manoeuvres from September 2008 in line with GB. Some

frequently asked questions about the motorcycle manoeuvres (MCM) are included in the attached Appendix A.

CERTIFICATE OF PROFESSIONAL COMPETENCE FOR LGV/PCV DRIVERS

The Consultation on Further Implementation Arrangements for the Certificate of Professional Competence (CPC) closed on 15 December. There was a positive reaction to the majority of proposals. Within CPC there will be an introduction of four modules, two 'theory' (module 1 & module 2) and two 'practical' (module 3 and module 4) compared to current PCV and LGV tests which contains one of each. The consultation contained further details of how these four tests would be taken. In addition it also discussed the issue of a Driver Qualification Card (DQC) which marks the completion of CPC, and the periodic training aspect which enables a driver to continually increase their knowledge of their driving profession. The Agency is continuing to work with DSA on the development of the modules and on getting the necessary legislation in place to meet the requirement of the Directive.

OVERUSE OF DRIVING TEST ROUTES

The Agency has received complaints from concerned residents regarding the overuse of driving test routes for carrying out driving lessons and we have provided information below about particular 'trouble spots'.

The Agency designs its' test routes to minimise inconvenience to residents as far as possible and we expect ADIs to stay off the approved test routes until the latter stages of training. It is fair to say that we all have a responsibility to try and resolve such problems and we would ask you to respond positively to the concerns raised by the residents.

Omagh

A complaint has been received from concerned residents of Beltany Grove in Omagh about the overuse of the area by driving instructors with learner drivers.

Newtownards

The PSNI recently advised the Agency that they had received a letter from Alderman Jim Shannon MLA, together with a resident's petition, complaining about the constant use of Saratoga Avenue and Pascali Drive in Newtownards.

Lisburn

The Rt Hon Jeffrey Donaldson, MP MLA has written to the Agency on behalf of his constituents, complaining about the increased use of Innisfayle Road and Hillside Gardens, Lisburn by driving instructors.

Portadown

A complaint has been made about overuse of Windsor Avenue in Portadown. It is claimed that ADIs block the road for some time with no movement before they decide to carry out a manoeuvre. This is frustrating for local residents.

Londonderry

A letter of complaint has been received on behalf of concerned residents from the Democratic Unionist Party in Londonderry about the use of Cherryburn Gardens by driving instructors.

We are now looking at revising some of these test routes and we would appreciate if ADIs would try to avoid overuse of these areas.

RULES RELATING TO COMPENSATION FOR CANCELLATION OF DRIVING TESTS

Our Customer Services section has asked me to reiterate the rules relating to driving test candidates claiming compensation for tests cancelled by the Agency.

Compensation claims from customers who have had tests cancelled at short notice for any reason within the Agency's control will be considered if the period of notification given by the Agency is less than the accepted period, ie 3 days.

Customers will automatically receive 50% refund of their fee in instances where the Agency did not give the accepted period of notification and the cancellation was within the Agency's control. Where liability is accepted, expenses that arise as a direct result of a cancelled test may also be paid. However, this will not include pre-test lesson expenses. Claims for the cost of vehicle hire will be considered when accompanied with a receipt from the ADI confirming that payment was made by the candidate.

Please note these expenses can only be claimed by the candidate. ADIs cannot claim for loss of earnings, cost of hire of vehicle or other expenses in relation to their pupil's driving test.

If you have any queries regarding this matter please contact Geraldine Campbell, Customer Services Manager on 028 9054 7919.

ILLEGAL INSTRUCTION

A case of illegal instruction which the Agency referred to PSNI has resulted in a woman being convicted of obtaining monies by deception. It is rewarding for all those who work tirelessly on such cases when a positive result is achieved as it sends out a clear message that the Agency and PSNI will take whatever action is necessary with prolific offenders and it assures our own staff and hopefully legal instructors that we take such cases extremely seriously. It also underlines the credibility and professionalism of ADIs who do abide by the law.

NIADIA AGM

NIADIA has asked the Agency to include reference to its conference this year. Details are below:

NIADIA will be holding their conference and AGM on the 25 February 2008 in the Royal Hotel Cookstown. This year NIADIA has decided to run a half-day

conference along with the AGM. The conference will start with registration at 1.15pm, followed at 2pm by a workshop in which a DVA Supervising Examiner will give a presentation on 'how to pass your check test'. Representatives of the DOE Road Safety Division have agreed to hold an open discussion about how to stop the carnage on the roads and DVA, DIA, and PSNI are hoping to attend this. The DIA will also present a workshop after this discussion on advanced and eco driving techniques or something similar. NIADIA aim to have a packed afternoon in store and one that they hope will be very constructive for all those who attend. They hope to start the AGM at 7.15pm sharp and all those who are members are encouraged to stay for this and elect the new Officers and Committee for 2008.

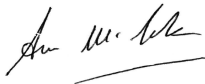
ROADWISE

Attached at Appendix B is a letter from the Institute of Advanced Motorists about the re-launch of the Roadwise initiative. The scheme is supported by DOE, DVA and the Police Service of Northern Ireland. A contact email for enquiries is included in the body of the letter.

DRIVER'S RECORD FOR INSTRUCTORS AND PUPILS

The Agency is encouraging all ADIs at first registration and renewal to make use of 'the Driver's Record' (log –book) which has been adapted for use in Northern Ireland. "The Driver's Record" is based on the recommended syllabus for learning to drive and lists all the competencies necessary to safe driving. It will help a learner driver to see what progress they have made and identify the competencies yet to be covered. Once the record is fully completed it will show that all the skills linked to safe driving have been covered to a satisfactory level and that the pupil is ready to take the test. A recent study showed that those pupils who used the Driving Standards Agency voluntary logbook achieved a higher pass rate than those who did not.

The driver's record has two separate parts. The first part is designed for the instructor to record detailed progress on a lesson-by-lesson basis. The second part is designed for the pupil to keep, to show progress toward each of the key competencies. The 'Driver's Record' can be found at www.dvtani.gov.uk/adi/driverrecordinstructors.asp.



ANN McCABE
ADI Registrar

APPENDIX A

FREQUENTLY ASKED QUESTIONS - MCM

When will the off-road motorcycle manoeuvres test be introduced?

DVA are required by EU Directive 56/2000/EC, adopted by the European Commission in September 2000 to introduce new manoeuvres to be assessed as part of the practical motorcycle driving test. The Directive specifies that the changes must be implemented by the end of September 2008. DVA had hoped to introduce the manoeuvres prior to this date. However, after further consideration it has been agreed that we will introduce the new manoeuvres from September 2008 in line with GB.

Where will the tests be conducted?

There are 6 DVA sites from which MCM will take place: Mallusk, Omagh, Downpatrick, Ballymena, Londonderry and Craigavon. The on-road practical test will continue to be delivered at all the current 15 locations.

Will MCM disadvantage heavy riders on 125cc bikes?

DVA have carried out trials using heavy riders (>17stone) and with a pillion passenger (combined weight 26 stone). In both these cases the rider was able to exceed the designated speed of 50 kmh.

Will the off-road facility have sufficient overall stopping distance in wet weather?

The stopping distance from the speedoscope device to the rear of the stop box is 51.5 metres which equates to over twice the wet weather stopping distance at 30mph.

Has the overall grip on the test surface been tested in wet conditions?

When designing the track the DVA worked closely with engineers who advised on the surfaces: friction, drainage and lighting criteria and the Agency is content that they are safe. Trials were conducted in wet cold and windy conditions. No problems were experienced or incidents recorded with the track design or surface friction quality.

Will the examiner have the final say on whether the test will go ahead in bad weather even if the Instructor thinks it is unsafe?

Examiners will take the views of instructors into consideration but the ultimate decision will be with the examiner.

Do Bikes have to be “thrashed” to make the speed?

Doubts have been expressed about the longevity of engines. However, these are motorcycle engines which are designed to rev at higher speeds than car engines. There

is no doubt that the engine will be worked harder than during on road riding, but proper maintenance, which is necessary for the maintenance of all vehicles will minimize the risk of any issues associated with the exercise.

Some candidates may change gear when coming out of the bend

There is always the possibility this could happen; it happens during the on road test at present. However, it did not happen during trials with novice riders. Again, this is a training issue.

Pupils may look down at the speedometer to ensure they meet the speed required

This issue was not evident during our trials with competent novice riders all of whom concentrated on where they were riding and achieved the minimum speed. The speed requirement is part of the EU Directive and cannot be relaxed.

What happen if there is moss and mould on the testing surface?

The DVA will carry out an inspection of the surface before a test starts and the maintenance programme will ensure that surfaces are safe.

Are candidates expected to leave things to the last moment during the avoidance exercise?

The avoidance and controlled stop exercise is carried out in a safe off road environment; the rider is fully briefed on the exercise and knows where the obstacle is located. Therefore the rider can plan ahead to complete the exercise according to test requirements and in safety.

Teaching people to ride bigger bikes at national speed limits would give them better experience of braking and stopping distances. Why not bring in direct access?

Current legislation restricts learner riders to smaller bikes and a maximum speed of 45 mph so it will not be possible at this time to consider this proposal. However, the third directive on driver licences, planned for 2013 will bring in graduated licensing and tests on bigger bikes.

Are candidates expected to wear proper clothing to be worn?

It has also been decided that the requirement for the wearing of protective clothing by trainees and test candidates during the off-road motorcycle manoeuvres test will be the same as on the on-road practical motorcycle test. However, DVA will continue to highly recommend that all motorcyclists, both trainee and qualified, wear suitable protective clothing whilst riding on-road or during the off-road test.

Can the Government do more to encourage further training?

Currently there is no requirement for the regulation or quality assurance of advanced training for motorcyclists. However, riders returning to motorcycling after a layoff period

do take refresher training and the Agency would advise taking further training or an assessment of current skills under the bike safe scheme.

Is there a safety issue for pupils riding to and from the test centre?

Riders can currently ride on roads in between lessons without an instructor being present, even in the very early stages of learning. The arrangement to have candidates travel to test centres is not seen as adding any additional road safety issues.

Where will instructors train candidates in preparation for the off road manoeuvres?

DVA understands that a number of instructors already have agreements with some car park owners, school playgrounds, supermarket car parks and the yard used for a farmers market to allow them to use these facilities to practice. We are also aware that some motorcycle instructors have already started to investigate building test tracks to accommodate practice for learner drivers.

Why introduce off-road motorcycle manoeuvres before Compulsory Basic Training?

The introduction of off-road motorcycle manoeuvres to the practical driving test is a requirement of EU Directive 56/2000/EC adopted by the European Commission in September 2000. The implementation date is September 2008. The Department is committed to taking forward Compulsory Basic Training (CBT) but given the timetable for the introduction of the off-road manoeuvres it will not be legally possible to introduce CBT prior to or at the same time as the new manoeuvres.

Will the Department cover the candidates' insurance during the off-road manoeuvres?

Insurance of vehicles and their drivers is a matter for the individual. The Department is currently not responsible for insuring anyone at any time whilst undergoing any part of a vehicle or driving test and this will not change with the introduction of MCM.

APPENDIX B

Institute of Advanced Motorists
IAM House
510 Chiswick High Road
LONDON
W4 5RG

Dear Instructor

The Institute of Advanced Motorists is looking for instructors who are interested in becoming part of the team that delivers the Roadwise course.

Roadwise is a one day, post L Test, training course. It comprises a workshop in the morning and on-road practical coaching in the afternoon. It is aimed at 17 to 25 year olds.

Roadwise is supported by the DOE, PSNI, NI Fire & Rescue Service, AXA Insurance, Adelaide Insurance Services and Western Investing for Health Partnership. Substantial discounts from AXA are available for young drivers through the Roadwise course.

We need instructors who are interested in delivering the on-road coaching session. This would commit you to a three and a half hour coaching session (1300 to 1630). You would be expected to use your own vehicle.

A full induction and training programme is provided for successful applicants.

This is an excellent opportunity for any ADI who wants to help develop safer young drivers for the future in N Ireland.

For an application form and full details please contact:

Natasha.peters@iamfleet.com

Yours faithfully

Simon Elstow
Manager Roadwise