

Changes to operator licensing rules for vehicles under 3.5 tonnes towing small trailers

The rules are only changing for users of vehicles working for Hire or Reward. Note: the following does not apply to dual purpose vehicles when towing trailers (see below*).

From 4 December 2011, if you are using a vehicle with a Gross Vehicle Weight of less than 3,500kg (3.5 tonnes) and are towing a small trailer with an unladen weight of less than 1,020kg the following will apply in respect of the requirement to obtain a Standard Operators Licence:

- You will be exempt from operator licensing **unless you are operating for hire or reward** (see description below). This is referred to as operating on your own account.
- You will require a Standard Goods Vehicle Operators Licence where you are carrying other people's goods for **hire or reward** (e.g. working as a courier, removal firm or other freight transport business) when the vehicle and trailer combination exceeds 3500kgs (3.5 tonnes) Maximum Authorised Mass. The reason is that from the 4 December the weight calculation must include **any** trailer attached (irrespective of the trailer's weight).

For those operating such vehicles towing heavier trailers (than 1020kg unladen weight) or goods vehicles with Maximum Authorised Mass greater than 3500kgs the scope of requirements for needing an operator's licence remain as before the 4th December 2011.

* **"Dual purpose" vehicles**

Under Schedule 3 (2) of the goods Vehicles (Licensing of Operators) Regulations 1995 "a dual purpose vehicle and **any** trailer drawn by it" is identified as exempt from goods vehicle operator licensing.

The dual purpose category generally includes cars, estates, pickups (with a second row of seats (crew cab) only), and domestic 4x4 vehicles such as Land Rovers, Jeeps, and other similar vehicles below 2040kgs unladen weight.

What is not Hire or Reward

You are NOT usually operating for Hire or Reward when you carry goods you own or goods you have used or will use in the course of your business.

Operating for Hire or Reward - Next Steps

If you are operating for hire or reward, you will need to apply for a goods vehicle operator's licence. The forms required can be obtained from:

<http://www.dft.gov.uk/vosa/forms/lorryoperatorlicensingforms/lorryoperatorlicensingforms.htm>

If you have further queries you should contact:

VOSA enquiries: E-mail: enquiries@vosa.gov.uk

National Number: 0300 123 9000 (Monday to Friday - 7.30am until 6.00pm)

A guide explaining the requirements of operator licensing and how to apply for a goods vehicle operator's licence (document GV74) is available online in pdf form at:

<http://www.dft.gov.uk/vosa/publications/manualsandguides/operatorlicensingguides.htm>

Although the rule change that requires small trailers operated for hire or reward to obtain an operator's licence came into force on 4 December, the Department for Transport has advised that they would not expect this new requirement to be actively enforced by VOSA until June 2012 to allow appropriate time for those affected to apply for an operator's licence.

Examples

In each of the following examples a Van below 3,500 kgs (3.5t) and a small trailer is used to transport a mini-digger from a depot to a work site. The gross plated weights of vehicle and trailer when combined exceed 3.5t. These examples cover most circumstances, however there are more than these simple examples so if you are in any doubt please contact VOSA enquiries.

Example 1 - The digger is owned by you, the user of the vehicle. You use the digger on the site. This transport is done on your own account and you do not need an operator's licence.

Example 2 - The digger is rented by you, the user of the vehicle. You use the digger on the site. This transport is done on your own account and you do not need an operator's licence.

Example 3 - The digger is rented by you, the owner of the digger is the user of the vehicle (they deliver to site for you to use). You use the digger on the site. This transport is done on the "own account" of the digger renting company and they do not need an operator's licence.

Example 4 - The digger is owned by the building company, you collect it from building company's depot and bring to site. You use the digger on the site. This transport is done on your own account and you do not need an operator's licence.

Example 5 - The digger is owned by the building company, having used the digger you take it from one site to another site (where the digger is stored). This transport is done on your own account and you do not need an operator's licence.

Example 6 - The digger is not owned by you, you collect it from a depot and deposit it at a site where another company uses it. If you are rewarded for this work in any way (payment or in kind) this is hire or reward, you have not undertaken this work on your own account, you have made a pure freight journey – and you will therefore need an operator's licence.