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To: All Branches

Dear Colleagues,

Ban on Tyres over 10 years old for Heavy Goods Vehicles, Buses, Coaches and Minibuses – Change In Law Comes Into Force February 2021 to Improve Road Safety – Motion 17 (2018) - CWU Supporting the Successful “Tyred” Campaign:

This is an update for Regions, Branches and Safety Reps further to LTB 530/19 ‘CWU response to the Government/DOT Consultation on Tyre Safety and Banning Tyres Aged 10 Years and Older – Supporting the ‘Tyred Campaign’ (Motion 17 – 2018)’, LTB 78/20 ‘RM/CWU Tyre Safety Campaign/Road Safety Week, LTB 382/20 Banning Tyres 10 Years and Older – ‘Tyred’ Campaign Victory (Motion 17 – 2018) and LTB 053/2021_Royal Mail Fleet Safety Notification (Red TSB -Technical Service Bulletin) – New HGV Tyre Legislation Banning the Use of Tyres Over 10 Years Old (Applicable to All HGVs, Trailers, Coaches and Minibuses).

As previously reported, from 1 February 2021 the ‘Construction and Use Regulations’ will no longer allow tyres aged over 10 years old to be used on the front steered axles of HGVs, buses, coaches or all single wheels fitted to a minibus (9 to 16 passenger seats). So, if used it will mean a dangerous fail at the annual MOT test and an immediate prohibition notice if DVSA inspectors carry out roadside enforcement checks and tyres aged over 10 years old are found on a vehicle in these positions.

In summary:

- Tyres aged 10 years and older will be banned from the front wheels of lorries, buses, coaches and all wheels of minibuses, on roads in a boost to road safety.
- A clearly visible date of manufacture must be visible on each tyre, ensuring older tyres are easy to spot.
- This also applies to re-treaded tyres – with the date of re-treading to be marked on the tyre – making the age of the tyre clearly visible.

The ban follows the determined efforts of the “Tyred” campaign, fully supported by the CWU (see attached messages to the CWU Health, Safety & Environment Department from the “Tyred” campaign leaders and ‘Bestival’ coach crash victims’ family members which led to the campaign). Subsequently, following the ‘Bestival’ coach crash, extensive investigations and research was commissioned and carried out by the Department for Transport, which indicated that ageing tyres suffer corrosion which could cause them to fail as occurred in the ‘Bestival’ coach crash.

In a statement the Government Minister said that "In the same way that people wouldn't drive a car with faulty brakes, ensuring tyres are fit for purpose is crucial in making every journey safer. Taking this step in changing the law, it will give drivers across the country confidence that tyres on HGV lorries, buses and coaches are truly fit for use – an important safety boost for road users everywhere."

Drivers, owners and fleet operators/employers are responsible for the safety of their fleet of vehicles. This new law will also now include ensuring vehicle tyres meet the new requirements. The Government will also be asking DVSA to continue checking tyre age as part of their routine roadside enforcement activities and adding an additional assessment to the annual test scheme (MOT test).

It is the responsibility of Fleet Operators to make sure they have an adequate tyre management system in place and that they regularly consider the risks associated with using older tyres, even if the law permits. Where tyres which are more than 10 years old are legally used on other wheel positions, their age should be recorded and a specific risk assessment should be completed that considers the distance, speed and loading conditions that the vehicle will operate under (for example, operating only in urban areas).

In recent years the safety of older tyres on heavy goods vehicles, buses and coaches has become a matter of increasing concern following a series of fatal accidents on UK roads.

This important law change is in no small way the result of years of campaigning, particularly from Frances Molloy, leader of the "Tyred" Campaign. Frances Molloy's son Michael died in a coach crash in 2012 which led to the loss of three lives (known as the 'Bestival Coach Crash'). The large coach her son was travelling in had a 19-year-old tyre fitted to the front steering axle. In September 2017, a similar crash occurred when a truck travelling on the M5 suffered a tyre blow-out of an 18-year-old tyre. The truck collided with oncoming traffic and five lives were lost in that accident. The accident investigations in both cases concluded that the tyre failure was as a direct result of tyre age – both tyres were nearly 20 years old. Francis Molloy campaigned tirelessly to see the law changed. Motion 17 calling on the CWU to support the campaign was carried in 2017 at CWU Annual Conference and the CWU Health, Safety & Environment Department along with CWU Reps and Branches, particularly across Merseyside and the North West have actively engaged and supported the "Tyred" campaign.

Some Tyre Facts:

- 40% of fatal or serious RTCs are caused by defective tyres.
- In a nine-month period, Royal Mail breakdown providers removed over 1,700 illegal tyres from Royal Mail and Parcelforce vehicles.
- The above figure does not include illegal tyres removed by RMG Fleet Workshops.
- The legal limit for tyre tread is 1.6mm, or 1.0mm for 3.5t and above. **Royal Mail's policy is to change tyres at 2mm.**
- The maximum penalty for a driver caught driving with illegal tyres is a **£2,500 fine and 3 penalty points per tyre.**
- In wet conditions at 50mph, tyres with only 1mm of tread can travel 23% further before stopping, than tyres with 2mm tread.
- Driving with under or over-inflated tyres can 'dangerously' affect the braking distance and steering of the vehicle.

Things To Check:

- Air pressure: Is it at the recommended setting?
- Condition: Lumps or bulges, or cuts and cracks may mean the tyre needs replacing.
- Tread depth: This should be checked to ensure it is above the minimum limit.

Attachments:

- Royal Mail Technical Service Bulletin 02/21 – New Tyre Age Law.
- Tyre Age Marking on Tyre Sidewall – Image.
- Letters of Thanks from The “Tyred” Campaign Leader, Victims’ family members and campaigners.

Yours sincerely



Dave Joyce
National Health, Safety & Environment Officer