

# Vehicle Overloading Explained

**Exceeding a vehicle's maximum permissible weight is not only a danger to the driver and other road users; it is an illegal offence which carries with it a range of risks and penalties, from fixed fines to prison sentences.**

With prohibition notices on the increase, we explore the issue of overloading and how to avoid it.

## Overloading: A false economy

For any business, maximising efficiency is key to reducing operating costs and improving profit margins. When transporting goods, the temptation to overload a vehicle in a bid to maximise payload and reduce overall fuel costs can be a costly mistake.

### Fines and court action:

During August 2013, The Department for Transport announced that fixed penalty notices for offences against roadworthiness, loading and drivers' hours rules will result in higher penalties at the roadside. For overloading in particular, the fines are as follows:

Exceeded by	Fixed Penalty Fine
0 – 9.99%	£100
10% - 14.99%	£200
15% and over	£300
Serious overloading, 30% and over – or loads that may have a significant effect on road safety	Court summons

## Further implications:

**Increased running costs:** Overloading vehicles significantly increases fuel consumption. Tyres are more prone to wear, steering becomes more difficult to control and vehicles take longer to react to braking. This can dramatically affect vehicle handling, increase daily wear and tear and increase the likelihood of a costly – and potentially fatal - accident.

**Downtime:** The number of overloaded vehicles being stopped and checked is on the increase. If a fixed penalty notice is issued, the examiner will also prohibit the driving of the vehicle on a road. Not only does this take your vehicles off the road, but those found to be overloaded must reduce their load before being allowed to continue – a move which would require another vehicle to be dispatched to share the load.



*Above: Axle weighers can be used to ensure compliance*

**Invalid insurance:** The act of overloading a vehicle is illegal and can potentially invalidate any insurance cover – leaving you with a costly bill if the vehicle is involved in a crash.

**Loss of licence:** Whilst most offences are dealt with using a Fixed Penalty Notice, overloading convictions can affect the decision of the Traffic Commissioner to suspend, revoke or renew both a driver's and/or an operator's licence.

**Increased likelihood of accidents:** Overloaded vehicles are harder to control and more unstable and more difficult to stop in an emergency. Drivers and operators alike should be aware of the possibility of prosecutions for Dangerous Driving, Health and Safety offences and Corporate Manslaughter.

**Damage to roads:** Overloaded goods vehicles damage our roads, bridges and underground services producing a massive reduction in predicted road life expectancy and dramatically increasing maintenance costs.

## How are overloads detected?

**Increased prohibition, the role of technology:** Figures published in the latest Vehicle and Operator Services Agency (VOSA) Report serve as a warning to fleet operators that there is a greater risk of overloaded vehicles being detected on UK roads.

The prohibition rate in 2011/12 was 71% - an increase on 69.5% in 2010/11. In fact, a report published by VOSA in 2013 highlighted that 93% of LGV vans were found to be overloaded.



VOSA has been investing in technology to pinpoint non-compliant vehicles much more precisely. VOSA uses a combination of high-speed in-motion weighing, automatic number plate recognition and the Operator Compliance Risk Score (OCRS) system to decide which vehicles should be inspected.

**What is the OCRS?** OCRS is a scoring system used to calculate the risk of an operator not following guidelines. Scores are based on data such as vehicle tests and inspections at premises, which have been collected by VOSA over a 3-year rolling period.

By cross-referencing an operator's OCRS with information captured when an overloaded vehicle is detected via an ANPR camera, specific operators can be targeted more effectively for roadside checks – one reason for the increase in prohibition rate.

## A Criminal Offence: Who is responsible?

Legislation relating to overloading – including the *Health and Safety at Work Act*, the *Road Traffic Act* and the *Road Vehicles (Construction and Use) Regulations* – put the onus on both the driver of the vehicle and the operator. Furthermore, anyone else who “causes or permits” overloading is also committing an offence. The Road Traffic Act in particular highlights the fact that the driver can be prosecuted for dangerous driving – a conviction which carries a maximum sentence of two years in jail.

## How to avoid overloading:

**Know your vehicle's weight limits:** Drivers should refer to their vehicle's identification plate, which is usually located in the cabin, under the bonnet or on the chassis. The plate usually shows a manufacturer and serial number, but also shows details of maximum permissible axle weight and maximum permissible gross vehicle weight (GVW).

**Ensure even distribution of loads:** The risks of overloading on gross vehicle weight are well-known, while the importance of axle weights is often overlooked. In some instances the gross vehicle weight is not exceeded, but the load may still exceed the maximum permissible axle weight. Uneven loading of a vehicle makes it far harder to handle, putting undue pressure on tyres, steering and braking.

**Check vehicle/axle weight before setting out:** It is important to remember that the GVW is the weight of the vehicle plus overall load; taking into account weight of goods, driver, passengers and fuel, for example. Treat weight declarations on invoices and delivery notes with some caution, they may be “guesstimates” only. The only way to ensure that the vehicle's maximum permissible weights are not exceeded is to weigh it – either using a weighbridge or an axle weigher.

Portable, static axle weighers provide a solution for spot checking, while dynamic fixed or portable solutions can weigh in motion, speeding up the process and providing a solution for those with larger and mixed fleets.

**Familiarisation:** If you haven't already, familiarise yourself with your obligations under the Health and Safety at Work Act, the Road Traffic Act, the Road Vehicles (Construction and Use) Regulations and the Road Vehicles (Authorised Weight) Regulations. All of these documents are available online or by contacting Her Majesty's Stationary Offices (HMSO).

## In conclusion

Business owners, transport managers and drivers all need to be aware of the risks of overloading and the penalties that can result. The potential cost of having an operator licence revoked is far greater than any relatively minimal savings that might be made by avoiding weighing a vehicle.

Investment in vehicle weighing technology, such as Weigh In Motion axle weighing equipment, makes sound financial sense as well as being important for protecting drivers and other road users.

## Further information

- For more information on our axle weighing solutions, or to read some customer case studies, visit [www.averyweigh-tronix.com/axle-weighing](http://www.averyweigh-tronix.com/axle-weighing)
- For information, advice or to see if you qualify for a no obligation audit of your company's vehicle weighing requirements, please contact us or call us on 0845 307 0314.
- Visit the DVSA website (previously VOSA)