

2019.02.12

**10 Deputy K.G. Pamplin of the Minister for Infrastructure regarding the laws and policies in place in relation to the covering of lorries transporting loose loads from building sites: [OQ.38/2019]**

Further to engagement I have had with some concerned Islanders, will the Minister confirm what law and policies, if any, are in place in relation to the covering of lorries transporting loose loads from building sites?

**Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):**

I can confirm that, yes, there is legislation in place that prevents unsafe loads from being carried on our roads. Article 106(2): "Maintenance and use of vehicle so as not to be a danger" of the Motor Vehicle (Construction and Use) (Jersey) Order 1998 under section F: "Avoidance of danger" states that: "The load carried by a motor vehicle or trailer shall at all times be so secured, if necessary by physical restraint other than its own weight, and be in such a position, that neither danger nor nuisance is likely to be caused to any person or property by reason of the load or any part thereof falling or being blown from the vehicle or by reason of any other movement of the load or any part thereof in relation to the vehicle."

**3.10.1 Deputy K.G. Pamplin:**

I thank the Minister for his answer. If that is the case, then following my engagement with the concerned Islanders, I spent some time going around the Island and noticing that this obviously was not in place in certain sites, where I witnessed large loads of dust-contaminated vehicles not covered up. In the instance of a former question earlier today about the environment and air pollution, will the Minister advise how this could be followed up and regulated further?

**Deputy K.C. Lewis:**

The Driver and Vehicle Standards, in association with both the Honorary and States Police, I believe organise approximately 30 road checks per year. Any vehicles stopped will be immediately impounded if the load is unsafe or unsecured until such time as that can be remedied. People carrying an unsafe load or causing any severe damage or even injury to another person would be liable, I believe, to a fine up to £5,000, so when these vehicles are caught, if they are in a dangerous condition or carrying a dangerous load, they are pulled over.

**3.10.2 Deputy K.F. Morel:**

Road checks are one thing, but there is a certain random nature to road checks. It strikes me that if the department wanted to police lorries and their loads more effectively, visiting construction sites or similar would be more effective. Does the Minister agree with this and would the Minister take that forward to see whether his department would in fact start targeting construction sites for such observation?

**Deputy K.C. Lewis:**

That is being carried out and there are leaflets that are given to lorry drivers explaining the law to them and the dangers they are in of having an unsecured or unsafe load. As I say, many vehicles are pulled over. There are regular checks. I was at a road check just the other day and vehicles are indeed pulled over.