

# STATES OF JERSEY



## **ENVIRONMENT AND PUBLIC SERVICES: ESTABLISHMENT OF MINISTERS AND DEPARTMENTS (P.120/2005) – AMENDMENT (P.120/2005 AMD.) – COMMENTS**

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**Presented to the States on 5th July 2005  
by the Home Affairs Committee**

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**STATES GREFFE**

## COMMENTS

The Home Affairs Committee opposes this amendment. At its meeting on 16th June, the Home Affairs Committee discussed the future of the Driver and Vehicle Standards Department. Whilst it agreed with the transfer of certain responsibilities to a new Transport and Technical Services Ministry, it did not agree with the transfer of the whole department.

The Committee agreed that as part of the integrated transport policy for the Island, Environmental and Public Services should take on the responsibility of all administration for the taxi-cab industry forthwith. They also agreed that some parts of current legislation could be transferred. This would be entirely consistent with a responsibility for transport policy since it would put the administration of all public service vehicles under one Ministry. However, these responsibilities are quite different from the regulatory functions performed by Driver and Vehicle Standards.

The following points summarise what the Home Affairs Committee sees as the case against the wholesale transfer of the Driver and Vehicle Standards Department to another Ministry –

1. The Driver and Vehicle Standards Department, as the name implies, is responsible for the licensing, registration, condition and standards of drivers and their vehicles, not for traffic management and planning, i.e. the Department is responsible for regulating motor vehicles and drivers which use the roads, not the use of the roads themselves.
2. The Public Services Department is responsible for the formulation and administration of the Island's transport strategy into which other departments, such as Housing, Education, Sport and Culture, Policy and Resources as well as the Driver and Vehicle Standards Department, have an input. The Public Services Department also manages traffic volumes, flows, parking and systems.
3. The technical and administrative expertise for traffic engineering available at the Public Services Department is different to the legislative and enforcement expertise relating to Driver and Vehicle Standards. The latter is very closely aligned to a police responsibility as it is in most countries.
4. The Home Affairs Committee, and before it the Defence Committee, in connection with its other associated enforcement duties has, since 1935, been regarded as the appropriate Committee to administer policies relating to the enforcement of legislation on driver licensing, vehicle registration and vehicles standards.
5. The Public Services Department has the responsibility for advising on the policy for public transport, bus routes, fares, etc. whilst the Driver and Vehicle Standards Department is responsible for ensuring public service vehicles and their drivers meet the prescribed standards of fitness and safety. It is noteworthy that the Isle of Man, Northern Ireland and Gibraltar split the responsibility for the taxi industry, where one committee is responsible for the administration and policy, whilst the fitness of both drivers and vehicles is dealt with by a separate committee.
6. The working relationships of staff at the Driver and Vehicle Standards Department is predominantly with police forces, registration bodies and licensing authorities, most of which do not have any connection with Public Services. The close cohesion and liaison that has taken many years to establish with the Police, both States and Honorary, foreign registration and licensing authorities, has been aided considerably by the link with Home Affairs. The Driver and Vehicle Standards Department acts autonomously and may be less effective if its regulatory functions were absorbed within various divisions of another ministry.
7. If the Driver and Vehicle Standards Department becomes subsumed within the Transport and Technical Services Ministry, there may no longer be an independent and autonomous department for the investigation, examination and reporting of defective or accident damaged vehicles for the police and other agencies.
8. Generally, the Jersey public respects Driver and Vehicle Standards. This respect has been built up over the past 70 years through its forerunner, the Motor Traffic Office. That perception may not be sustained if the

Driver and Vehicle Standards Department functions were seen to be administered and possibly absorbed within a new department.

The most irregular aspect of this amendment is that the Environment and Public Services Committee has never sought any dialogue with the Home Affairs Committee over what amounts to a 'take-over bid' for one of its departments. This is not the way that government business should be managed. Members are therefore urged to support the report and proposition which would allow time for a considered view to be taken on the appropriate political administration of the Driver and Vehicle Standards Department, a consensus to be reached and a sensible recommendation made to the States once ministerial government is in force.