

**WRITTEN QUESTION TO THE MINISTER FOR INFRASTRUCTURE
BY DEPUTY M. TADIER OF ST. BRELADE
QUESTION SUBMITTED ON MONDAY 26th FEBRUARY 2024
ANSWER TO BE TABLED ON MONDAY 4th MARCH 2024**

Question

“Is the Minister aware that some fast food businesses operating in Jersey are employing delivery drivers with only provisional moped licences, and if so, what action, if any, does he propose to take?”

Answer

To ride a moped or light motorcycle legally, article 20 of the Road Traffic (Jersey) Law 1956 requires that the rider shall have attained 16 years of age in the case of a moped and 17 years of age in the case of a light motorcycle. Article 4 of the same law requires that a person shall not drive a motor vehicle of any class or description on a road unless they are the holder of a licence authorising them to do so.

Article 1 of the same law provides that the interpretation of the licence means a licence to drive a motor vehicle granted under article 4 and includes a “Provisional licence”. Additionally, in the case of a moped or light motorcycle, article 35 of the Motor Vehicles (Driving Licences) (Jersey) Order 2003 states that it is a condition that they have successfully passed a Basic Training course referred to as Compulsory Basic Training (CBT).

From speaking to local companies, it is understood it is common practice for fast food businesses operating in Jersey (and the UK) to employ delivery drivers who have a provisional licence, CBT, are 18 years or more of age, and are suitably insured to carry out deliveries.

Under the Road Traffic Law (Jersey) 1956, the Minister for Infrastructure’s duty is to set standards for training for driving licences for the categories of vehicles permitted to circulate on the Island’s roads.

The operation of businesses and conditions of employment are governed by Jersey’s employment laws, including the Health and Safety at Work (Jersey) Law 1989.

Context

Motorcyclists are not permitted to circulate on the Island’s roads without being the holder of a driving licence for the relevant category of vehicle and passed their Compulsory Basic Training (CBT). Motorcycle provisional licence holders are permitted to ride unaccompanied whilst displaying L-plates.

It is understood some companies supply company motorcycles and with insurance. Where the company owns the motorcycle, it is understood nationally that it is common industry practice to put an L-plate on every motorcycle as this is not an offence, whereas riding without, if required to do so, is. This enables all employees to ride all motorcycles.

Companies would be expected to carry out a “risk assessment” in line with their employer’s duties under the Health and Safety at Work (Jersey) Law 1989; this may include task-specific training ahead of allowing riders to carry out their deliveries.