

FTA Ireland ENews

Friday 10th
March February
2023

Issue #14

Latest news and information update for members

FTA Ireland Council Meeting - 9th March 2023



FTA Ireland Council Meeting
09 March 2023
Held at: Online & FTA Ireland HQ (Hybrid)



The first council meeting of 2023 took place on Thursday the 9th of March. Topics discussed at the meeting included the information on the first meeting of the freight forum, Driver CPC, Ukrainian Driving Licence recognition; RSA Commercial Vehicle advisory panel, Apprenticeships, Logistics and Supply Chain Skills Week (from 27th March) Climate Action Plan; EU Legislation (Tracker).

Following the meeting presentations were made to the following members who attained the TruckSafe Standard



We were delighted to be joined by the following speakers for a member briefing:

Guest Speakers

Siobhán Kelly - EU and International Division
– Department of Transport

Lorna Kelly, Senior Manager, BDO
Customs & International Trade Services

Please see a link to a recording of the presentations – https://fta365-my.sharepoint.com/:v:/g/personal/aflynn_ftai.ie/EXZHsSJfEPZKp8Ymy5DM2EABIFS26tcglun5iZbl6RHXA?e=HUQha0



The FTA Ireland TruckSafe Standard was developed by our members for our members. The aim of the standard is to recognise, encourage and promote good practice in the operation of goods vehicles. You our members wanted to develop a graduated standard system in order to encourage improvement in the sector and recognise those organisations operating at the highest levels. It is available in the following levels:



At the ILTA awards held on Thursday the 9th of March we were delighted to win (on behalf of our members) the Safety Award. This comes on the back of being recognised by the Road Safety Authority in December 2022 as a Leading Light in Road Safety.



More information on TruckSafe can be found here:

<https://www.ftai.ie/trucksafe>

The Logistics Associate Apprenticeship was nominated in the Communications Award Category and beat stiff competition to win! Congratulations to Anna Gorecka agorecka@laa.ie who has ensured that this apprenticeship is going from strength to strength. This apprenticeship and Anna's work is generating considerable recognition for highlighting the vibrant and diverse careers in the freight distribution and logistics sector through engagement with employers and students looking for a career in logistics. Currently there are over 100 employers signed up and approved to train apprentices for this programme. Well done, Anna! www.laa.ie



Congratulations to FTAI Members on winning awards at this event including:

- BWG
- South Coast Logistics
- Clare Distribution Services
- Bus Eireann
- Iarnrod Eireann



The first Logistics & Supply Chain Skills Week is taking place from the 27th of March. The week will consist of a mix of in-person and online events at both national and regional level.

Logistics Week is an initiative of the Logistics and Supply Chain Skills Group (LSCSG), which was founded in 2019 to address the skills needs of the logistics and supply chain sector. Currently chaired by the Department of Transport, the group's membership includes haulage and logistics sector representatives, education and training providers and all relevant Government Departments.

A gov.ie campaign page gov.ie - [Logistics and Supply Chain Skills Week \(www.gov.ie\)](http://www.gov.ie) has been created to promote Logistics Week and to highlight a number of events available during #LogisticsWeek

1. **Monday 27th March 4pm** (online)- Transport Operations & Commercial Driving Apprenticeship
 - a. Book Here: <https://us02web.zoom.us/j/91011234567>
2. **Tuesday 28th March (Online)** - Supply chain apprenticeships and traineeships
 - a. Book Here: <https://us02web.zoom.us/j/91011234567>
3. **Wednesday 29th March (Online)** - Logistics & Supply Chain Skills Information Session
 - a. Book Here: <https://www.eventbrite.ie/e/logistics-supply-chain-skills-information-session-tickets-569843606567>
4. **Thursday 30th March (In Person)** **Athlone ETB, 10am to 3pm**- Transport and Mobility Careers Expo
 - a. <https://www.eventbrite.ie/e/transport-and-mobility-careers-expo-tickets-577057012057>
5. **Thursday 30th March (In Person)** **Limerick Strand Hotel** - National Logistics & Supply Chain Skills Week Business Briefing
 - a. <https://www.eventbrite.ie/e/national-logistics-supply-chain-skills-week-tickets-530423008497>
6. **Wednesday 29th & Thursday 30th March (In Person)** Royal Marine Hotel, Dun Laoghaire - The Mobility and Supply Chain Summit
 - a. <https://www.ciltconference.com/>

Alternative Fuels Working Group



NEXT MEETING 18th April 2023

This will be a Hybrid meeting (in Person and online) starting at 13:30

Our next Alternative Fuels meeting of 2023 will take place on the 18th of April 2023 at 13:30.

Agenda for 18th April meeting

- Light Lunch from 13:00 in our office
- 1330hrs Soft start
- Matter arising – members issues & announcements.
- Climate Action of the month – member feature
- 1400hrs
- Guest Speaker – Volvo Trucks – Richard Riley
- Q&A with Guest Speaker (s)
- 1500hrs Close

If you are interested in attending the alternative fuels meeting, please email aflynn@ftai.ie

Meetings take place on the Last Tuesday of the month, most months of the year 1300-1500hrs

Presentations from Bus Eireann and Ciaran Cuffe at our last meeting can be accessed here: <https://youtu.be/s8wzT6YsEyK>

2023 Council Meeting Dates

- Tuesday 30th May 2023 (AGM)
- Thursday 31st August 2023
- Thursday 21st November 2023



Passenger Safe Membership

www.passengersafe.ie

- Dedicated website for PSV members www.passengersafe.ie
- Recognised audit for PSV fleet operators.
- Driver Handbook
- Bespoke training services for PSV fleet operators

FTA Ireland Training Prospectus can Be Downloaded here: https://fta365-my.sharepoint.com/:b/g/person/aflynn_ftai_ie/E/ZQK146vKqhIuJIQcslnmcBvph5n42x2LoBaBx36wMvDA?e=cGfhIC



Holders of driver's licences from other countries

Briefing note

Transport operators have a responsibility to ensure that drivers employed by them are compliant with the regulations; this includes carrying out regular checks on drivers' licences, CPC module status and obtaining an annual declaration from the driver in relation to their status to drive.

Drivers from outside the state

Any driver taking up residence in Ireland whether for work or personal reasons is **not authorised** to drive on a non-EU/EEA driving licence, they must exchange a recognised licence or take out a learner permit for drivers from non-recognised countries.

Ireland has driving licence exchange agreements (work permits are a separate issue) with a list of recognised states (see annex 1), exchange can be done through the NDLS. <https://www.ndls.ie/licensed-driver/exchange-my-foreign-driving-licence.html>

EU Professional Drivers

Where Code 95 CPC is noted on an EU driving licence, this will not be transferred to the Irish driving licence, and drivers must apply for a separate CPC card to the RSA. See www.rsa.ie

Exchanging a Non-EU/EEA driving licence for an Irish licence

Drivers can only exchange a licence issued by another EU member state or other country/territory if the licence **originated** within the EU or that recognised state.

If a driver is in possession of an EC/EEA licence received by exchanging their licence from a country that is **not a recognised state**, it will only be valid for 12 months.

This type of licence cannot be exchanged for an Irish licence.

Once a driver qualifies as a resident, he/she must apply for an Irish driving licence as they cannot exchange their foreign licence. The applicant must:

- Pass a driver theory test.
- Apply for a learner permit.

- Complete a reduced course of Essential Driver Training (EDT) and
- Pass a driving test in Ireland.
- Complete all CPC training and apply for a driver card.

A driver cannot be employed as a professional driver for hire or reward until this is completed.

It is essential that transport managers familiarise themselves with the NDLS codes which are noted in section 12 of the driver's licence.

Code 70 'Exchange of recognised driving licence' will appear on the reverse of the licence followed by the country code of the state the driving test was originally passed, ie, 70RO (Romania)

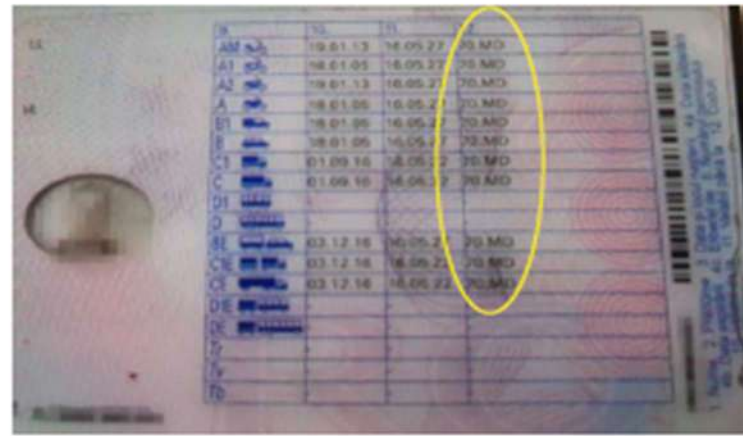
Example

This Romanian licence belonged to a driver who had obtained their licence in Moldova (*not a recognised state*). **Please be aware this is a very common issue and transport managers, and HR departments should be made aware of this.**

Note section 3 on the front giving the place the licence was originally obtained and section 12 on the reverse noting **70MD** denoting that it was exchanged from a Moldovan issued licence (see overleaf).

The driver took his test in Moldova (indicated by the 70MD code on the rear) then exchanged it for a Romania licence. This driving licence remains valid in Ireland for only a year from point of entry, as the test was taken in a country other than in a designated country (non-EU).

*This licence **cannot** be exchanged for an Irish licence as Moldova is not a recognised state and the driver must apply for and sit an Irish driving test once he has taken up residence in Ireland.*



Ukraine Drivers

Ukrainian drivers holding a B licence can continue to drive vehicles in that category until March 2025. If this category driver wants to drive an HGV, they must fulfil the following conditions:

- Hold a verified Ukrainian driving licence.
- Be in possession of a letter of temporary residence.
- Complete a medical, driver theory test and driving test.

<https://www.ndls.ie/licensed-driver/ukraine-drivers.html#apply-for-learner-permit-for-truck-or-bus-when-i-hold-a-category-b-ukraine-driving-licence>

Ukrainian drivers with HGV licences are **not** currently recognised as professional drivers in Ireland, legislation is awaited that will require additional training and certification; further information will be issued as it becomes available.

A driver has an EU truck/bus licence and Driver CPC. Can they drive professionally in Ireland?

Yes, until the expiry date of the EU licence or CPC card (whichever expires first). After that time, they are not allowed to drive professionally.

Can a driver renew an EU licence and CPC qualification in Ireland?

- If they have an EU licence which they originally exchanged from a Ukrainian licence, this **cannot** be renewed in Ireland.
- If they hold an original EU licence (obtained the qualification within the EU) this licence can be renewed in Ireland. A driver can also complete training here to renew their driver CPC qualification.

More information on CPC training and qualification is available on: www.rsa.ie/services/professional-drivers/cpc

A driver holds an EU licence and completed their CPC training in an EU country. Will they get credit for this in Ireland?

- If they completed all CPC training in another EU country, they need to apply for a CPC card from that country.
- If they completed some training in an EU country, the RSA will need to see evidence of this and will review your documents.

For more information please visit: www.rsa.ie/services/professional-drivers/cpc/foreign-cpc-drivers

Annex 1

List of recognised states for licence exchange (a work permit may still be required)

- Australia
- Gibraltar
- Guernsey
- Isle Of Man
- Japan
- Jersey
- South Africa
- Republic of Korea
- Switzerland
- New Zealand
- Taiwan
- Ontario Province of Canada
- Manitoba Province of Canada
- Newfoundland & Labrador Province of Canada
- British Columbia Province of Canada
- Saskatchewan State in Canada.
- Alberta Province of Canada
- New Brunswick Province of Canada
- Northern Ireland
- United Kingdom

T: 01 8447516
www.ftai.ie



FTA Ireland CLG (a company limited by guarantee)
Unit 1 DHL Building, Airport Business Park, Cloghran, Co Dublin, K67 A0F4
Registered in Ireland Number 487041

*Calls may be recorded for training purposes.
Correct at time of going to press but
subject to change.
© FTAI. All rights reserved
24.02.23/PM

Update from Revenue on Road Haulier Drivers (Employees) – Subsistence Rates

Briefing note

In December 2022 the Revenue Commissioners issued an updated Part 05-02-10 of the Tax and Duty Manual in relation to Road Haulier Drivers (Employees) – Subsistence Rates – <https://www.revenue.ie/en/tax-professionals/tdm/income-tax-capital-gains-tax-corporation-tax/part-05/05-02-10.pdf>

The Manual sets out the conditions under which the reimbursement of subsistence expenses may be made free of tax by road haulier firms (employers) to road haulier drivers (employees).

As an employer you have three alternative options for reimbursing your drivers in relation to operating expenses:

- The agreed rates outlined and subject to the conditions set out in the manual; or
- The Civil Service Rates; or

- Reimbursement by the employer for actual receipted expenditure incurred.

Where the amounts reimbursed by an employer are in excess of the amounts referred to above, the excess will be regarded as emoluments and chargeable to Income Tax, Pay Related Social Insurance (PRSI) and Universal Social Charge (USC) in the normal way.

Where an employee's allowable expenses are reimbursed free of tax by an employer, the question of an income tax claim by the employee for those expenses does not, of course, arise.

Employers are not required to be members of trade representative bodies to operate the road haulier driver subsistence rates.

The agreed rates with effect from 1 September 2022 are:

With effect from 1 September 2022	Subsistence payable to employees with gross weekly wage of up to €378	Subsistence payable to employees with gross weekly wage of between €378-€442	Subsistence payable to employees with gross weekly wage of €442 & upwards
Travel more than 8km & absence of between 5 and 10 hours	€14.94	€14.94	€16.29
Travel more than 8km & absence of greater than 10 hours	€28.86	€28.28	€39.08
Travel more than 100km in the State – 24 hours absence	€53.77	€65.76	€76.21
Overnight in Britain and N Ireland – 24 hours absence	€84.67	€104.85	€116.93
Europe & Elsewhere – 24 hours absence	€100.81	€114.92	€141.15

Section 3 of the Manual sets out the conditions that must be met to claim subsistence. These conditions highlight a number of pitfalls and/or points to note in the subsistence regime for employers.

Under section 3 (i) of the Manual appropriate books and records must be maintained by the employer for a period of six years after the end of the tax year to which the records refer. The records must indicate:

- Details of journey.
- Departure time.
- Destination.
- Invoice relating to the journey or delivery docket.

Under section 3 (ii) all tachograph recordings must now be maintained and made available to Revenue and retained for a period of six years.

Secondly condition 3 (iv) reinforces that Time spent on board long-distance ferries from Ireland direct to Europe (excluding the UK) does not count for the overnight rate. No subsistence is to be paid for the 2 days of the trip where a return is applicable. However, where a driver has commenced work or started their return trip ten hours or more

prior to boarding the ferry and is more than 8km from their base then the 10 hour rate applies.

Thirdly under condition 3 (v) the overnight allowance is inclusive of the 10 hour subsistence rate. It is important therefore for members to note that only one subsistence amount can be paid ie if claiming an overnight allowance, you cannot get paid a separate daily allowance as well.

Notably the original 1996 agreement made express reference to drivers claiming the rates while sleeping in cabs. This therefore covered the situation where for example a driver lives in Cork and drives to Dublin and sleeps in the cab of his truck for 4/5 nights a week in the company Dublin depot. Under the original agreement the driver was still able to receive overnight subsistence payment if it could be shown this was necessary for the performance of his duties. The wording that drivers are able to claim the rates while sleeping in cabs is not replicated in section 3 of the manual. Whilst the above example is seemingly still within the conditions, the absence of this wording possibly suggests there might be greater scrutiny on whether the subsistence payment is for expenses "wholly, exclusively and necessarily incurred in the performance of the driver's duties."