



October 19th 2018

Ms Moyagh Murdock
CEO, Road Safety Authority
Moy Valley Business Park
Primrose Hill
Ballina
Co. Mayo

Dear Ms Murdock,

Thank you for your response. I very much appreciate the role played by the RSA in monitoring the road worthiness of all vehicles. My role as insurance and risk manager for over 6,000 vehicles transporting passengers in Ireland also demands an equally high level of monitoring, my record in risk management goes back to 1980, almost 40 years. This will show my insistence, indeed a condition of our insurance package for buses and coaches since 1980, on the production of an "engineers report", then the only such condition applied by any agency of state or other contract, you can therefore most assuredly count on my support for any role that promotes safety and that records and rates risk.

In also undertaking the role of protecting the interests of the bus and coach operators through the representative body, The Federation of Transport Operators, I must ensure the accurate and impartial reporting of these risk and monitoring processes where the reputations and the businesses of these mainly small to medium bus and coach operators are at risk. You state that the RSA has no comment on the competition issues between the State and private bus operators, however, in only mentioning private bus and coach operators in relation to your roadside checks, the obvious assumption is that the State company vehicles are fully compliant and therefore again, obvious, that one would be safer travelling with this State company. It will be important to publish your findings, including the number of premises inspections carried out on these State properties to date as I am fearful that legal action is imminent where actual loss of business has occurred.

With regard to your response to my query on the calculation of the operators risk rating please understand that I am acting on information from our recent survey, you define this as "erroneous" and unless my members are deliberately misleading me with their written responses I would ask you to retract this and further I suggest you treat this seriously. I can assure you that quite a number of our members pointed up the Major Fault categories, I have listed these in my previous correspondence and I wish to know if

these were used to inform your compliance rating and following on this, your major faults numbers.

I am most concerned at what you term “most at risk of non-compliance” and surely it is in all of our interests that these operators are taken off of the roads, immediately. I will appreciate a listing of these operators so that we can take the necessary action from the insurance perspective, which we must and will do immediately.

I will also appreciate the names and the vehicles involved in the “Dangerous Defect” report as these too must be addressed immediately if we are to protect lives.

It is essential to the good order and management of a national bus and coach insurance product that risk management is carried out across the full range of operations, the drivers, the managers, the environment the passengers and the commercial pressures brought to bear on the business through overly competitive forces, unrealistic targets and ambitions, to name a few. We have brought our own skill sets and expertise to this process from our proven track record that has provided a constant and high level of insurance contract and protection. We put at risk the sometimes very difficult placement and re-insurance treaties presented by bus and coach exposures if pronouncements continue to be broad brushed and that can be misinterpreted. This is a further competitive issue in regard to the State companies who are not so exposed and enjoy the protection and security of the State. Again here I expect you to remind me that this is of no concern to you, however, please be aware of this aspect and understand that it is naïve to think that these pronouncements and interpretations are not far reaching and with grave consequence for a continued orderly, competitive and secure insurance market for buses and coaches in Ireland.

A further competitive issue arises where the State companies have unlimited resources to comply with overly zealous monitoring as arises with bus and coach operations sub-contracted to these State companies. These State companies have employed a further “monitoring” agency which is known to have found upwards of 15 faults on a new vehicle! Of course this is not of your concern and no doubt you will point this out to me, but, I think you will agree that this level of monitoring becomes unsustainable and creates a negative factor in this most important safety issue. I strongly suggest that the RSA take complete control of the monitoring process and all matters relating to the roadworthiness of the vehicles for the carriage of passengers, including the Public Service Vehicle inspectorate role of An Garda Síochána. I would also propose that an independent appeals board is established to hear any and all complaints around the monitoring process especially where there are multiple centres with multiple interpretations.

Please know we are happy to help you in any way we can, I have offered such cooperation. I am confident that we can bring 100% of our members into full compliance through our joint efforts where these are coordinated and logical.

Bus and coach operators in the vast majority are most diligent as previously stated. They appreciate your role and indeed have embraced every condition and every effort by both you and us to improve safety, I can honestly state this. I would urge the RSA to equally embrace these small to medium hard-working, honest self-employed bus and coach operators and to treat them with respect. They are not criminals. They are not dis-honest or trying in some way to cheat the system. The vast majority have never had a single accident in the almost 40 years of insurance with us, never mind a fatality and it is my duty and their right to have this record noted and appreciated by the RSA. In defence and deference to these small to medium self-employed bus and coach operators we must not allow any of our figures to be misinterpreted, misused or merely used to create headlines. It will be important too that the present users, indeed the future users, are not lost to these important public services through these pronouncements or interpretations on these pronouncements.

In conclusion and for clarity and before all else, we must immediately attach our full attention to those operators you have identified as “most at risk of non-compliance” and those where it is found are using vehicles with “dangerous faults”. I will expect the information requested around this to allow us to take the appropriate action from the insurance perspective and where the contract of insurance is at risk through these actions by the operator.

Yours Sincerely



John Dunne
Director
Federation of Transport Operators