

## Employment E-Brief No 63

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### THE IMPORTANCE OF CHECKING EMPLOYEE'S DRIVING LICENCES

Everyone is now aware of the new rules relating to the prohibition against using mobile telephones whilst driving. In addition to that, industry experts consider that employers have a responsibility to ensure employees are driving legally and are properly licensed if their job involves having to drive.

Employers should therefore take steps to check, on a regular basis, that their employees have valid driving licences. Failure to do so leads to the risk of prosecution and fines. If an employer allows an employee to drive without a valid licence, then he could be held responsible. It is obviously preferential, where individuals are required to drive for work, to have a right in the contract to check the driving licence and an obligation on individuals to notify employers of any penalties, etc.

This advice applies to employees who drive as their primary task, as well as those who only drive for part of their job.

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This update is for guidance purposes only and should not be regarded as a substitute for taking specific legal advice from your usual Metcalfes' contact.