



Unite Mechanics Submission to RSA Consultation

1. What, in your opinion, should Ireland's road safety priorities be for the next 10 years?

In a briefing paper on the Regulation of the Vehicle Repair Industry for the Oireachtas Library & Research Service, authors Michael O'Sullivan and Daniel Hurley found that in 14% of fatal road collisions between 2008 and 2012, vehicle factors were identified as the primary contributory factor to the collision.

Approximately 10% of fatal collisions were caused by mechanical failure of tyres (7.7%), brakes (1.6%), steering (0.3%) and suspension (0.3%).

These figures speak to a central problem in the motor mechanic trade in the Republic of Ireland - a lack of regulation.

There is no specific legislation requiring those involved in the automotive repair industry to possess particular qualifications. Whilst a majority of mechanics go through the proper channels of Solas to learn their trade and serve as apprentices before becoming fully qualified mechanics, there is no legal obligation on them to do so. Unlike other trades where public safety is concerned, such as electrician, anybody can open a garage and refer to themselves as a 'mechanic' whether they are qualified or not.

There is a large degree of self-regulation within the vehicle repair industry, with voluntary certification. There is no requirement in Irish law that a mechanic receives any formal training or possesses any specific qualification.

The Mechanics Branch of Unite the Union believe strongly that legislation must be passed in the Oireachtas to ensure a legal obligation on all mechanics to be fully trained and certified. Training and qualification should be obligatory for all mechanics across the industry to ensure road safety for drivers with a national trade certificate required for those wishing to work on vehicles.

Furthermore despite the greater prevalence of electric cars on the road, there are no formal rules on who can work with EV's. This is of great concern as EV's are more complicated to maintain and repair than a petrol or diesel car. There needs to be specific licensing for mechanics to work on EV's with the full training and certification to do so provided by Solas.

The RSA has a particular responsibility when it comes to HGV's and commercial test centres. The RSA must ensure that all inspections are carried out by qualified and competent mechanics.

2. Thinking about the priorities you have mentioned, how do you think these should be addressed?

New legislation introducing more stringent regulation on the motor industry. This regulation should refer to those who carry out repairs of vehicles and how repairs should be carried out.

In order to operate as a car mechanic there must be a legal obligation on mechanics to have gone through training and to have fully qualified with a national craft certificate. An independent body comprised of representatives from the industry, from Solas and health and safety bodies such as the RSA should be established to monitor the new legislation and ensure compliance.

Similar legislation has been introduced in recent years in the electrical contractor and gas fitter fields. If you want an electrician to work on your house he or she must be fully qualified and registered with RECI in order to do so, however if you own an electric vehicle, anybody who calls his or her self a mechanic can work on that vehicle. Legislation is required to change this with specific rules on electric and hybrid vehicles.

This legislation should not work to exclude those currently working in the industry who have not fully qualified in the past. There should be a process of 'grandfathering' in current mechanics with a recognition of industry and experience and prior learning with a phasing in period for this cohort.

Legislation should also provide a provision for Continued Professional Development as exist with other industries. Motor vehicles are developing new technology and there must be a capacity for mechanics to maintain their skills and develop new skills if and when required. Road safety requires that competent and qualified mechanics work on vehicles, at the moment this is not necessarily the case, however with new legislation for the regulation of the industry, this can become the norm.

4. What can we learn from others? i.e. are there any examples of policies or approaches taken internationally which you feel should be considered for Ireland's next Government Road Safety Strategy?

Several European countries regulate entry into the profession of car mechanic.

The German Craft Code ('Handwerksordnung) designates a "Kraftfahrzeugtechnikermeister", which the European Commission translate as a car mechanic (master certificate), as a trade qualification that is subject to licensing. Vocational training can be provided in this area only by people who hold comparable qualifications. This qualification ensures that activities such as fitting out, servicing, retrofitting and repairing vehicles are carried out in accordance with health law, environmental law, road-traffic law, and vehicle-registration law. Restrictions apply only to the core duties of the occupation, not to what are defined as simple tasks,

such as tasks that can be mastered after up to three months of training. The qualification is obtained through post-secondary education in a training programme lasting three years.

According to the EC RPD there are two similar professions which are regulated in Croatia:

- “Autoserviser” which is translated as ‘car mechatronic’; and
- “Automehaničar” which is translated as ‘car mechanic’.

They are both provided for under the Zakon o obrtu (NN 143/13).

In Italy the EC RPD notes that certain activities in the field of vehicle repair can be carried out only by an “autoriparatore”. These activities include modification, replacement or restoration of any component in motor vehicles, as well as the installation of fixed systems. The legal basis for this is Legge 122/1992 as amended by Legge 224/2012. The EC RPD notes there are four paths to reaching this qualification through both general post-secondary level education and vocational post-secondary level education.

There are 9 different pathways to becoming a “Kraftfahrzeugtechnik” under Austrian law. These involve various combinations of state exams, traineeships and practical experience in the industry. The EC RPD does not specify the law under which these requirements are set out. However, it does note that registration with a professional body is a mandatory requirement.

Iceland does not merely provide for the reservation of designated activities but the term “Bifvélavirkjun”, which is translated by the European Commission as a ‘car mechanic’, is also a protected title. The law governing this is The Industrial Act no. 42/1978 and Regulation no. 940/1999 on Regulated Industrial Professions. Their reserved activities are described as:

“Car mechanics work in auto repair shops, inspection stations or related places of work. They inspect, repair and/or service all types of motor vehicles. They can also work as clerks in spare parts shops.”

To work as car mechanic, a person must complete a general post-secondary level course, which takes three and half years to complete. This includes a mandatory traineeship and state exams.

5. Finally, please provide any other comments which you feel may be of relevance to the development of the Government Road Safety Strategy 2021-2030

Regulation, regulation, regulation. It is imperative that drivers and other road users have full confidence in the motor mechanic sector. The only way to achieve this is for full regulation of the industry, supported by the constituent bodies and enshrined through legislation.

ENDS