

Significant Dishonesty

Press release

In a pair of complex cases, Traffic Commissioner for Scotland, Claire Gilmore disqualified Duncan McKee from holding a vocational driving entitlement for five years and refused his application for a standard international operator's licence.



The commissioner found evidence of significant wrongdoing and dishonesty. Mr McKee had been a driver at the business run by his parents. Duncan McKee Sr and Mary McKee's licence was revoked due to significant numbers of serious infringements on the part of drivers going unnoticed. That had, in turn, impacted on fair competition and given rise to a significant risk to road safety.

Evidence gained from roadside stops indicated that Mr McKee had committed at least 57 driver's hours offences in the period April 2018 – August 2019. Another 21 offences were alleged to have been committed by Mr McKee between September – November 2018 and January and March 2020. These included pulling out driver cards just before the legal drive time limit and then carrying on driving, sometimes for several hours.

It was also heard that Mr McKee used his father's driver card on days where it had been confirmed with the authorities that Mr McKee Sr was in Spain.

The commissioner said "I did not believe Mr McKee's denial that he had falsified records. His evidence was that if his card was found to be in use then it must have been him driving. He did not lend his card to others. Notwithstanding that, he could offer no credible explanation for the occasions when his card was withdrawn and the lorry continued to be driven, or for the quick changeovers with his father's card, including on occasions when his father was out of the country."

In the application for the standard international operator's licence, the commissioner concluded that Mr McKee was unfit to join this industry as an operator.

What is striking in this case is that most of the evidence had to be collected by hard-working and diligent DVSA teams at the roadside due to the uncooperative nature of the McKee family.

The driver conduct decision has been appealed to the Sheriff's Court.

Further details can be found [here](#) and [here](#).

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