

Position Statement

With regard to the new Framework Regulation on European type approval for two and three wheels vehicles

Approved by FEMA Committee Members without dissenting vote March 1, 2010

FEMA position statement with regard to the assessed measures by the European Commission

http://circa.europa.eu/Public/irc/enterprise/automotive/library?l=/mcwg_motorcycle/meeting_deceember/category_vehicles/ EN 1.0 &a=d

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1. Introduction

FEMA believes that EU policies and directives need to follow a comprehensive approach and address ALL needs from all ALL citizens. The focus should lie on policy measures that are fully compatible with the real needs of European citizens. This should take into account the variety of socio-economic situations throughout Europe, apply realistic and economically viable principles, take account of everyone's real share to develop a sustainable transport system ensuring mobility for ALL, in which PTWs have a clear role to play in providing affordable mobility.

2. The safety of riders of Powered Two-Wheelers (PTWs)

Improving road safety is a common objective, and motorcycle safety is an important issue for all motorcyclists. FEMA and its members are therefore working to ensure a holistic approach to road safety, taking into account all road users. The motorcycling community has extensive experience-based knowledge of why accidents happen. FEMA intends to contribute to the road safety debate, providing stakeholders with the motorcyclists' expertise and real needs.

Motorcycle research overwhelmingly recognises that human behaviour is the most common cause of crashes. However, very little information about crashes is drawn from post accident studies through accident causation data, casualty statistics and ad hoc research on post accident analysis.

The design of motorcycles has made them increasingly more proficient and specialised and generally reflects a greater emphasis on safety. Current motorcycles have better brakes, greater stability, more responsive steering, more effective controls, improved ergonomics for reduced fatigue, and improved reliability in all systems, when compared to those of even a decade ago. Today, motorcycles represent the least harmful means of motorized transport for third parties.

Braking systems:

FEMA supports the progressive introduction of affordable advanced braking systems (anti-lock braking systems and/or combined braking systems) on all new motorcycles and scooters through voluntary commitment and respecting consumer choice.

FEMA considers that the performance of many ABS systems still requires further improvements. The introduction of ABS therefore has to remain voluntary otherwise competition for innovation (resulting in improved performance and decreasing costs) in the sector is likely to come to an end. Currently, high installation and maintenance costs for ABS discourage users. Additionally, mandatory ABS can have devastating economic consequences, especially for small-batch producers of motorcycles and side-cars, since costs for adjustment and adaptation of the single components are extremely high.

Anti-tampering measures

It would be a mistake to limit the scope for riders to modify their motorcycles because of concerns that some riders may break their licence conditions. It is the responsibility of the rider to ensure they are using a machine that is appropriate to their licence status. Preventing or controlling the freedom to make modifications will disadvantage many qualified riders who choose to ride small and medium sized bikes.

From a rational point of view, modification (investment of time and financial resources) leads to improvement: to suit personal height, weight, driving style, and taste. Within the motorcycle community there is a well established and long-lasting culture of modification, and conducting maintenance and servicing on one's own. FEMA aims to protect this freedom.

FEMA is convinced that the "optimum balance between fuel consumption, engine performance (power and torque) and pollutant emission performance" the manufacturer seeks to provide, can always be further optimized (similar to the way computer software is continuously updated). Tuners constantly find ways to improve the performance of OEM configurations, including all three pillars (fuel consumption, power, and emissions).

FEMA believes that the industry's commitment to anti-tampering measures is motivated not only by safety arguments, but also by commercial impulses to keep or gain control over the market for replacement parts, aftermarket equipment or maintenance facilities. This will lead to more expensive maintenance costs and potential new safety problems with motorcycle owners trying to find alternative and less expensive solutions.

It is up to the Member State level to deal with modifications that lead to a change in driving licence conditions. A Member State should respect the rules of other Member States regarding modifications leading to a change in driving licence conditions in order to allow free movement of citizens.

Power Limits

For a number of reasons FEMA firmly objects to power limits for PTWs. The main argument in favour of such a restriction is safety. However, the power limit introduced in France disproves the hypothesized positive correlation between engine power and accident rate. Without having an effect on the safety of users of PTWs, FEMA considers power limits pointless. Additionally, FEMA believes that motorcyclists do not represent a danger for other road users. Consequently the question has to be raised why a power limit is not discussed for vehicles other than PTWs, especially since heavier vehicles represent significantly more danger for third parties.

FEMA notes that top speed and acceleration can be enhanced by light weight constructions as well, and that a power limit is likely to encourage unprofessional engine tampering. Should this happen, the introduction of a power limit could even have an adverse effect on motorcyclists' safety.

On-Board Diagnostics (OBD)

FEMA supports the voluntary introduction of On-board Diagnostic systems (OBD) under the condition that whatever information provided or recorded by an OBD device is freely accessible (see RMI).

Repair and Maintenance Information (RMI)

FEMA is strongly in favour of RMI since it allows parties other than motorcycle manufacturers to maintain and repair motorcycles. Without RMI the consumer would have to face a manufacturers' monopoly resulting in high costs. Access to RMI has to be granted in order to preserve a long-lasting motorcycle culture of modifying, maintaining and improving bikes.

FEMA does not share concerns of unprofessional repairs or easy access to vehicle-theft caused by access to RMI, since there are no statistical data available indicating that such dangers do exist or motorcyclists expressing their concerns about these issues.

Periodical Technical Inspection/Road Worthiness Testing

PTWs are not included in Road Worthiness Testing (RWT) regimes (mandatory Periodical Technical Inspections) in many Member States¹ of the European Union. There are no data that clearly demonstrate that motorcycle accidents are significantly less likely in Member States that have included PTWs in RWT regimes. Therefore, FEMA sees no justification for including PTWs in RWT.

Besides inspection institutions like TÜV or CITA², which apparently have a vital economic interest in testing, no scientifically rigorous studies have been published showing that RWT has a beneficial effect on the accident figures of PTWs. FEMA fears that the economic and administrative burden placed on riders and testing stations created by harmonized RWT at EU level would by far outweigh the positive aspects.

Customizing

FEMA strongly supports the individual riders and business engaged in the well established tradition of customizers and producers of small batch series of motorcycles for whom Type Approval processes are inappropriate. Single Vehicle Approval schemes should continue to be available to allow such vehicles to enter service in Member States. Due to very low numbers of these vehicles, FEMA also considers less strict emission standards as justifiable.

Warranty Period

FEMA calls for warranty periods of at least 3 years or 50.000 km for PTWs. Users of PTWs should have the same warranty periods as users of cars. Extended warranty periods would encourage manufacturers to build more reliable vehicles and at the same time incentivize regular voluntary inspections of the vehicle at official garages.

3. Environmental aspects

The members of FEMA unanimously recognize that anthropogenic climate change is an issue of utmost importance, and that the volume of emitted greenhouse gases has to be reduced drastically. PTWs are the most sustainable means of motorized personal transport, not only due to their efficient power-to-weight ratio, but also due to efficient space occupancy on and off the road.

¹ Member States excluding PTWs from RWT: Belgium, Denmark, Finland, France, Greece, Malta, the Netherlands, and Portugal.

² CITA published the AUTOFORE Report "Study on the Future Options for Roadworthiness Enforcement in the European Union" lacking any kind of impact assessments or economic analysis to support its demand of including PTWs into RWT.

The green potential of PTWs in terms of fuel saving and affordable zero emissions mobility is enormous. The use of and access to PTWs has to have as few restrictions as possible in order to tap its full potential, which is what FEMA stands for.

Emission Limits

Motorcycles only contribute a small proportion of transport-based emissions. When compared, a single PTW produces fewer of some emissions, especially CO₂, than a car. Although motorcycles currently only make a small contribution to transport-based emissions, FEMA believes that this is an area in which progress can be made. FEMA agrees that newly built bikes should be low in emissions. It is not up to users to ensure this, but up to the motorcycle industry, which is what FEMA understands as In-Use compliance.

CO₂/fuel consumption labelling

FEMA believes that CO₂ and fuel consumption labelling is a positive measure as it will enhance consumer awareness about his/her carbon footprint, as well as supporting the industry's effort in providing greener PTWs. FEMA recognises that such labelling implies higher costs which will have to be borne by the consumer. However, FEMA strongly favours CO₂/fuel consumption labelling for PTWs since the benefits of such a measure outweigh its costs.

In-Use Compliance

In-Use Compliance (IUC) represents an adequate instrument to control whether a product is functioning correctly. FEMA is aware of the fact that additional costs will be passed to the consumer in general. However, FEMA believes that IUC is the most direct instrument to incentivize manufacturers to ensure that their products comply with emission standards over the longest time span possible.

If, for example, fleet case studies indicate that manufacturer's information on emissions becomes invalid after 12.000 km of driving, then regulations could force manufacturers to carry out product recalls and rework. This could make IUC a potential tool to ensure that the industry develops PTW's that have stable emissions over time. Emission levels should stay close to type-approved levels for at least 10 years, or 50.000 km, as consumers have the right to expect that their PTW will remain both 'green' and safe through ordinary maintenance for a considerable period of time.

4. Re-categorisation

Electric bi- and tricycles

FEMA firmly supports innovation and development in the field of electric PTWs. As long as innovation is not affected negatively, FEMA sees no point in excluding electric PTWs from a common categorization for regulation.

Offroad quads (ATVs)

FEMA supports the exclusion of ATVs from regulations concerning PTWs. Driving and handling characteristics of four-wheelers differ considerably from those of two- and three-wheelers, therefore ATVs should be regulated under a different regime.

Alternatively fueled PTWs

The same holds for alternatively fueled PTWs as for electric PTWs.