

TRANSLATION OF ORIGINAL LETTER IN DUTCH



KONINKLIJKE
NEDERLANDSE
MOTORRIJDERS
VERENIGING



Directie RDW
t.a.v. de heer drs. A. van Ravestein
Postbus 777
2700 AT Zoetermeer

Brussels, 14th of October 2016,

Dear Mr. Van Ravestein,

The Federation of European Motorcyclists' Associations (FEMA), the Koninklijke Nederlandse Motorrijders Vereniging (KNMV) and the Motorrijders Actie Groep Nederland (MAG NL) have taken note of a number of accidents and near-accidents with Teslas driving with engaged "Autopilot" system. Earlier (on March 10, 2016) FEMA has raised questions via e-mail to the RDW on issuing permits to test more or less autonomous vehicles without making clear whether these were tested with systems that were tested with motorcycles. We never received a concrete answer to these questions.

The immediate reason for this letter is an accident on July 27, 2016 on the E18 to Drammen in Norway. A motorcycle rider was hit from behind by a Tesla with Autopilot turned on and she became thereby seriously injured. We also took notice of an article in Der Spiegel of the 7th of October 2016 that reported tests of the Tesla by the German organisation BASt. These test revealed that having Tesla on the public roads is irresponsible. Literally in the article it is stated that "mit dem Wissen um die Gefahr des Tesla-Systems hätte er (*de minister van Verkeer Dobrindt*) handeln und das Model S aus dem Verkehr ziehen müssen, so wie es ihm seine Beamten nahelegen" (with the knowledge of the danger of the Tesla system, he would have to act (*de minister of Transport Dobrindt*) and have to pull the Model S out of circulation, as his officials suggest). The reason we approach you is the fact that the European whole vehicle type approval for the Tesla was issued by the RDW.

We are deeply concerned about the fact that for this type of vehicle, in which it is possible to give critical control operations to proven faulty equipment European whole vehicle type-approval has been issued by the RDW. This brings us to the following questions:

1. Is software part of the admission requirements?
2. Is software part of the standing requirements?
3. What are the consequences for th existing type approval of changes in software?
4. How and by whom is the software tested?
5. Is the Tesla tested with the original software?

6. Is the Tesla tested with the update?
7. Are motorcycles and other two-wheelers included in the testing of the sensors?
8. Why has the Tesla ever been admitted to the public road, even though the vehicle is equipped with demonstrably not or not sufficiently tested elements?

Another concern is that an American study by John F. Lenkeit of Dynamic Research, Inc., USA (Preliminary investigation of the response to motorcycles or forward collision warning systems), presented on October 3, 2016 in Cologne at the 11th International Motorcycle Conference organized by the Institute for Zweiradsicherheit, showed that motorcycles were not adequately detected in 41% of tested cases, compared with 3.6% of the passenger cars.

With regards to the present situation we formulate a number of demands:

1. ADAS (advanced driver assistant systems) should always be tested with powered two-wheelers, including motorcycles.
2. The RDW must check this when issuing a European whole vehicle type approval and in issuing an approval for components, and not issuing approval if they are not tested on motorcycles and other two-wheelers or if it is not clear whether it has been tested with motorcycles and other two-wheelers .
3. The RDW must check when issuing permissions to do test on the public roads of ADAs or with vehicles that are equipped with this whether these systems are tested with motorcycles and other two-wheelers and not issue a license when they are not tested with motorcycles and other two-wheelers or if it is not clear if they have been tested with motorcycles and other two-wheelers.
4. Vehicles equipped with ADAS that is updated are to be re-tested to see if they still meet the European whole vehicle type approval. Here again the RDW should, if applicable, check whether these updates are tested with motorcycles and other two-wheelers.

We give consideration to RDW suspend the European whole vehicle type approval for all Tesla models as long as the safety of the other road users cannot be guaranteed.

We look forward to your reply to this letter within two weeks. Our contact address is Mr. Dolf Willigers, Motorrijders Actie Groep, Postbus 46, 8900 AA Leeuwarden, email address: secretary.general@fema-online.eu. A copy of this letter will also be sent to the Ministry of Infrastructure and the Environment and to the Vaste commissie voor Infrastructuur en Milieu van de Tweede Kamer der Staten-Generaal (Standing Committee for Infrastructure and Environment of the House of Representatives).

Yours sincerely,

Federation of European
Motorcyclists' Associations
FEMA

(signed)

Dolf Willigers,
General Secretary

Koninklijke Nederlandse
Motorrijders Vereniging
KNMV

(signed)

Arjan Everink,
Hoofd Verkeer
en Opleidingen

Motorrijders Actie
Groep MAG

(signed)

Wim Taal,
Bestuurslid