

Basingstoke M.A.G.

Minutes

04/08/2011



Rep Keith:

E-mails:

URGENT: Changes to Belgian law on motorcycles -confirmation sought:

Dear all,

I just spotted this while proof-reading pages from the forthcoming edition of TheROAD.

I've checked the situation with Theo Beeldens (MAG(B) President) who confirms it is accurate.

It seems mostly positive news but I draw your attention to the imminent 'ATGATT' law - ATGATT means, All The Gear All The Time, ie; gloves, long sleeve jacket, trousers and ankle protecting shoes/boots.

This is something that is likely to gain momentum - the UK roads minister Mike Penning is very unhappy about seeing people without protective gear on UK roads, the DSA have beefed-up their requirements for clothing worn by riders on test.

I'm not saying we will face a similar law in the UK anytime soon, but it is a possibility that there will be more pressure on this subject.

The obvious options for you to consider are...

1. Do nothing (at least until the nature of the threat becomes more clear)
2. Condemn the Belgian approach, vow to campaign against any such move in the UK, raise the temperature by linking it to the new DSA policy, link it to the current Day-Glo campaign
3. Condemn compulsion, champion informed freedom of choice, backed-up by information to riders about what's sensible to wear (possibly through theMAG Foundation)
4. Endorse the Belgian approach / call for compulsory head-to-toe PPE meeting the CE standards for professional riders - hey, it's an option:)

These are just the most obvious options to get some debate going before the next NC meeting.

Nich
MAG UK

Though Belgium currently has no legitimate government, it seems that laws affecting transport can be made by the reigning monarch who is a keen motorcyclist. In a Royal decree several laws have been passed, some of which actually favour motorcycle riders though it's not all good news.

* Traffic filtering

This will be allowed as long as the motorcycle does not exceed 50 kph and the speed difference between the cars and the motorcycle is not higher than 20kph. Filtering will only be allowed in between the two left most lanes.

* Pavement parking

Motorcycles within the city will be allowed to park their motorcycles on the pavement as

long as they do not hinder pedestrians, and leave at least 1.5 meters free for the pedestrians.

* Children

Children aged eight years or older will be allowed to ride as 'normal' pillion riders. Children aged between three and eight will only be allowed to ride as passengers on motorcycles with an engine capacity not exceeding 125cc, and only if sitting in special kids' seats. Children under the age of three are not allowed on a motorcycle.

* ATGATT

In addition to wearing a helmet, bikers will need to be ATGATT (All The Gear, All The Time) meaning you always wear all your safety gear. by law. Gloves, long sleeve jacket, trousers and ankle protecting shoes/boots.

* Bus Lanes

Motorcycles will be allowed to use the bus lanes.

All the above will be effective as of September the 1st, 2011.

mag-uk-nc-list mailing list

mag-uk-nc-list@mag-uk.org

<http://mailman.mag-uk.org/mailman/listinfo/mag-uk-nc-list>

Documents considered by the House of Commons European Scrutiny Committee on 19 July 2011 - Thirty-Eighth Report:

Our political monitoring service have sent this extract from the report by MPs of the House of Commons European Scrutiny Committee - responsible for scrutinising what goes on in the EU.

The first part is an overview of the purpose of the Type Approval Framework Regulation and its progress through negotiations. The second part is an Annexe containing the UK Dept for Transport's assessment of the costs/benefits of the proposals - they conclude the benefits do not justify all of the proposed measures the Commission is asking for.

Nich

MAG UK

House of Commons - Commons Select Committee Reports

28.07.11

*Extract: *...existing EU regulatory structure for type approval for motorcycles, tricycles and quadricycles has evolved over many years and currently consists of a framework Directive, Directive 2002/24/EC, 13 separate technical Directives and their amending Directives. This means that the industry and regulators must currently be aware of a mass of legislation and ensure that it is correctly transposed into national law or applied as appropriate - this is considered to be a costly, burdensome process. 3.4 This draft Regulation aims to simplify the approval process for motorcycles*, * tricycles and quadricycles, while improving safety and limiting the emission of exhaust pollutants. Simplification would be achieved by repealing the current framework Directive and the technical Directives and replacing them with: this draft framework Regulation, containing the fundamental requirements of the type approval system; and technical requirements contained in three Commission Regulations referring, where possible, to harmonised international standards adopted by the UN-ECE. The three Commission Regulations envisaged, to be made on the advice of a technical committee, are on: environmental and propulsion performance requirements; vehicle functional safety requirements and related subjects; and vehicle construction requirements. There would also be a Commission implementing act to set out administrative provisions. 3.5 When we considered this proposal, in November 2010, we said that, whilst the simplification this draft Regulation would achieve was to be welcomed, we noted that there were a number of issues the Government was addressing in the negotiation of the proposal and that it was producing its own impact assessment. Before considering the document further we asked to hear about progress in the negotiation and to see the impact assessment. Meanwhile the document remained under scrutiny.[14] The Minister's letter 3.6 The Parliamentary Under-Secretary of State, Department for Transport (Mike Penning) encloses a copy of the Government's negotiating stage impact assessment and a summary of the key results, the latter of which we annex. 3.7 The Minister tells us that the Commission's text of the draft Regulation has been discussed at a number of Council working group meetings and reports that: there has been general support for the proposal from Member States; discussions so far have considered elements common with a parallel proposal on agricultural tractors, [15] to ensure a consistent regulatory approach for both where possible; discussions also covered general requirements for EU type approval, provisions for market surveillance, acceptance of UN-ECE Regulations (in place of EU Directives) and obligations on manufacturers and distributors; the Government and other Member States have expressed concern that the proposal gives the Commission powers to introduce new measures without

sufficient scrutiny; there has been support for the Government's view that, to minimise the burdens on individuals and very low volume manufacturers, Member States should retain the powers to set the requirements for vehicles built and approved singly, for example, amateur self builds; there is general agreement that the timetable for the changes is too ambitious and should be delayed by at least one year to allow time for Member States to implement the new provisions; the Government has concerns with many of the emissions elements of the Commission's proposal; and the Government's impact assessment suggests that the costs substantially outweigh the benefits and the benefits are not focussed on the air quality problems that exist throughout the EU - these issues will be discussed in future meetings.

3.8 The Minister continues that the European Parliament is also considering the proposal and is expected to vote on its first reading position in October 2011. Its Committee on the Internal Market and Consumer Protection (IMCO) has made a number of recommendations in its draft report, which is likely to be the basis for the European Parliament's position.[16] On the views of the IMCO the Minister tells us that it: is concerned that the proposed timetable is too ambitious and suggests that the proposed introduction date of 1 January 2013 be put back by one year to 2014; considers that the subsequent dates for the introduction of the various provisions, for example advanced braking, tail pipe emission limits, etc. are too complex and could be simplified, which supports views made by UK industry; supports, in the draft report, the introduction of tighter limits on tail pipe emissions; suggests, however, in the draft report, deleting the first stage and moving straight to the second stage, while keeping the proposed introduction dates - this view is at odds with the Government's impact assessment, which suggests that only the first stage will be cost effective for the UK; endorses, in the draft report, the introduction of advanced braking system and other safety provisions; supports the introduction of small series and individual vehicle approval to benefit smaller manufacturers; and recognises that the proposed limits on the numbers of vehicles that can be approved through these routes is too low and should be increased.

Conclusion 3.9 We are grateful to the Minister for his account of where matters stand on this draft Regulation. Whilst we recognise that there is general support for the measure, we note that the Government has some concerns, some shared by other Member States, about the proposal. So before considering the document again we should like to hear about progress in the negotiation

- particularly in relation to powers to be delegated to the Commission, minimising the burdens on individuals and very low volume manufacturers, the timetable for changes and the possible disbenefits of the emissions elements of the proposal. Meanwhile the document remains under scrutiny

Annex: Summary of the Department for Transport's Impact Assessment Advanced Braking When fitted to all motorcycles advanced braking systems could prevent up to 72 fatal accidents and 493 serious accidents each year saving £220 million annually, rising to £234 million when slight injuries are also considered. There is uncertainty over the level of fitment that could be achieved without this measure, it might be as low as 24% but could reach 85% depending on the level of commitment by manufacturers. The cost of fitting ABS to a motorcycle is estimated between £90 and £180 giving an annual total cost of nearly £16 million if fitted to all new vehicles. Overall the cumulative net benefit by 2026 is estimated to be £387 million. Tailpipe Emissions Considering the three emission stages only the first is likely to deliver worthwhile benefits, the cost of the subsequent stages is unlikely to be justified by the benefits, the third stage in particular looks very costly and may not be achievable with current technology. Evaporative Emissions Controls on evaporative emissions are not expected to result in benefits for the UK but, if included in the Regulation, costs to manufacturers are likely to be minimised if the Commission chooses to align the test procedure with the current Californian motorcycle test. If a procedure based on the European test for cars is used then costs will be higher.

Durability of Emission control equipment No test procedure has been proposed for assessing the durability of emission controls making it difficult to assess the impact of this measure. There are not expected to be additional technology costs but a lengthy test procedure is likely to have a significant cost and impact on development cycle.

Onboard Diagnostics Many current motorcycles already meet the first stage on-board diagnostic requirements, and its costs are therefore negligible, however the second stage is technically very demanding and is likely to require costly sensors which are only at the prototype stage at present. The net cost of both OBD stages up to 2025 is estimated at £8,159,794.

Repair and maintenance info Provision of non-discriminatory access to repair and maintenance information is likely to deliver substantial net benefits to small and medium sized enterprises in the repair sector and to consumers through reduced servicing costs. However, costs to set up on-line access to the information is likely to be significant, particularly for small manufacturers.

Fuel consumption The proposal requires the measurement of CO2 and fuel consumption. These measurements can be made as part of the procedure for measuring tailpipe emissions so the additional costs are expected to minimum. There is no obligation at this stage to publish the information however it is likely that this will be the next step, bringing a benefit for consumers who will be able to compare the fuel economy of different vehicles

Anti-tampering There is insufficient information to determine the

costs and benefits of anti tampering measures. This is due in part to the lack of information on the current level of tampering and its impact on safety and the environment. The Commission's proposal does not contain any technical details, these will be contained in the delegated acts which will be drafted separately and adopted as a delegated act. The Commission has recognised there is a lack of information and a study is underway to investigate this further.

For the draft report see

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-464.815+01+DOC+PDF+V0//EN&language=EN>

<<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-464.815+01+DOC+PDF+V0//EN&language=EN>> ,

for proposed amendments to it see

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-467.203+02+DOC+PDF+V0//EN&language=EN>

<<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-467.203+02+DOC+PDF+V0//EN&language=EN>> .

The IMCO's final report is due in October 2011.

Mandatory High-Viz in Ireland: The Background:

Released yesterday by MAG Ireland:

<http://www.magireland.org/2011/campaigns/hiviz/hivizbackground/>

DSA requirements for protective clothing on test:

Below are the edited highlights from DSA answers to a series of questions we put to them about their new requirements for test candidates to wear suitable clothing....

Why has the Agency decided to introduce an additional level of complexity at this time, what cost benefit analysis has been conducted and what were the findings of their impact assessment(s)?

1. Whilst the injury incident rate is quite low at under 0.5% of tests conducted, some incident reports have identified a lack of protective clothing as a contributory factor to the **injuries** the candidate sustained. The importance of wearing the right clothing has been part of the Safe and Responsible Riding Syllabus and the CBT syllabus for many years. And examiners turning candidates away from test for wearing inappropriate clothing is not new. Only those candidates who are wearing wholly inappropriate clothing should have their tests cancelled. Our aim is to reinforce the message that learner motorcyclists should take their safety seriously while riding, including during the practical test.

2. One of the principle objections is that new riders are to be denied access to a driving licence purely on the grounds that officials believe they are failing to comply with guidelines on good-practice.

Candidates are not being denied access to a driving licence -- all they need to do is present for test in accordance with the guidance on clothing, just as they should ride during the test in accordance with the relevant guidance and good practice. Both the Second and the Third Driving Licence Directives point towards wearing certain protective garments, which is what DSA wants to remind riders about. Annex II to those Directives (Minimum Requirements for Driving Tests) requires an applicant for a driving licence to demonstrate that they possess the knowledge and skills, and exhibit the behaviour required, for driving a motor vehicle. In this regard, point 3.1.1 of the Annex requires the theory test (for categories A1, A2 and A) to include a compulsory check of general knowledge on the use of protective outfit such as gloves, boots, clothes and safety helmet. Point 6.1.1 requires an applicant, in the test of skills and behaviour, to demonstrate that they are capable of preparing to ride safely by adjusting the protective outfit, such as gloves, boots, clothes and safety helmet. Whilst only safety helmets are required by law, DSA is keen to ensure that riders taking their test should not be exposing themselves to unacceptable avoidable risks by wearing wholly inappropriate clothing.

3. There appears to be very little clarity on what will or will not satisfy an individual examiner on any given day, especially since the indicative lists leave a great deal of room for interpretation and inconsistency. What dispute procedure is in place to ensure

consistency between test examiners and whether an appeals process has been set-up to resolve disputes as to whether the clothing a rider presents in should be considered compliant.

The guidance and information given to trainers and examiners is based on the required elements that should already be taught during CBT. Examiners will use their experience and expertise to make an informed decision about the type of clothing the candidate is wearing, and whether it offers so little protection as to create an unacceptable risk of injury if a candidate fell from their machine. They will bear in mind that some new riders cannot afford expensive clothing and may have tried their best to ensure they are adequately protected. If candidates wish to appeal against a decision not to conduct their test, they should contact DSA using the usual channels.

4. I have been asked what legal requirement there is for riders to wear specific items of protective equipment on test. As far as I can see, neither the Driving Licence Directive nor the Road Traffic Act requires anything other than a helmet / eye protection. To what extent is the Agency relying on Health and Safety legislation to justify the new requirements?

Only safety helmets are required by law. The provisions of the Second and Third Driving Licence Directives relating to protective outfits are set out above. The DSA is not relying on health and safety legislation and is not suggesting that there is any new legal requirement to wear specific items of protective clothing on test. The point is that the DSA is seeking to remind riders taking their test that they should not expose themselves to avoidable risks of injury by wearing wholly inappropriate clothing.

5. One common perception is that this change is a precursor to changing the law so that all riders will be required to wear approved clothing, moreover that this is a policy the Agency is sponsoring. What is the Agency's view on the need for further regulation on the wearing of personal protective equipment?

The Government has no plans to change the law regarding approved protective clothing. We will continue to work with riders and trainers so that riders can make informed choices themselves about precautions they should take when riding on the road. DSA, along with the motorcycle training industry, wants to ensure that the risks faced by new riders are as low as possible, both when they take their motorcycle test and afterwards.

Euro-Watchdog backs MAG members complaints over EU interference in biking:

MAG member Jon Strong has had yet more success in his highly detailed challenge to some of the EU Commission's most lazy assertions about what's good for you and me as riders.

Now you can do something very simple that will help Jon press his case and shine a spotlight on attempts to steam-roller further restrictions on bike design, modification and use.

The European Ombudsman (responsible for checking whether the EU is playing the game fairly) recently found that the European Commission unjustifiably refused to answer Jon's queries or to supply official documents relating to a range of issues that will have a big impact on biking, eg; the changes to EU Type Approval, the potential for a Europe-wide Super-MoT test, EU spending on aspects of road safety and development of safety technologies that could threaten biking as we know it. Jon has also asked to be shown the evidence in favour of EU proposals for random/regular roadside inspections of motorcycles and for the Commission to show whether it has properly considered the liberty issues.

ACTION: All that is needed to show the authorities that there is genuine public concern about this, is for enough people reading this article to contact the Ombudsman asking for copies of Jon's original complaint and the supporting documents. That will make sure the complaint won't get buried.

Please quote '**Ref 0875/2011/jf**' in your request just asking for it will have sent the message. Use the contact form on the Ombudsman's website www.ombudsman.europa.eu/shortcuts/contacts.faces Alternatively, send a letter or fax...

Médiateur européen

1 avenue du Président Robert Schuman
CS 30403
F-67001 Strasbourg Cedex
France

Fax: +33 3 88 17 90 62

Why are we asking you to do this..?

There are signs that the Ombudsman isn't yet fully convinced or supportive of Jon's efforts in trying to hold the Commission to account. The Ombudsman did not agree that Jon had tried hard enough to get the Commission to rethink the proposal that motorcycles should be subject to roadside emission spot-checks in future - this seems odd given that it was the Commission who wouldn't respond to Jon's ques

HA demo against Euro:

Following MAG's demos in Leeds and Birmingham, here's a report from the Medway Messenger 29 July describing a demo in Kent apparently organised by/with the HA.



HA demo against
Euro crap.pdf

Some potentially interesting reports:

Survey into the quality of road safety markings on Britain's roads:/Road Safety Markings Association (RSMA) (3/11) This year's survey is the ninth national investigation conducted by the RSMA into the quality of road safety markings.

[_http://www.roadsafetyknowledgecentre.org.uk/knowledge/484.html](http://www.roadsafetyknowledgecentre.org.uk/knowledge/484.html)

Public attitudes towards motorcyclists' safety: a qualitative study from the United Kingdom: Centre for Transport & Society, University of West England (7/11) The aim of the reported research was to examine the perceptions of roaduser safety amongst different road users and examine the link between attitudes, empathy and skill in motorcycle safety behaviour.

[_http://www.roadsafetyknowledgecentre.org.uk/knowledge/607.html](http://www.roadsafetyknowledgecentre.org.uk/knowledge/607.html)

RAC Report on Motoring 2011: RAC (7/11) The annual RAC Report on Motoring provides a snapshot of drivers' attitudes and behaviours with regard to motoring, including road safety related issues. The 2011 report touches on drink driving, mobile phone usage and roads policing.

[_http://www.roadsafetyknowledgecentre.org.uk/knowledge/606.html](http://www.roadsafetyknowledgecentre.org.uk/knowledge/606.html)

Helping to raise money for the MAG Foundation:

Dear All,

I hope you don't mind me emailing you, but I am just giving you a nudge in case you had forgotten that it's nearly Ganton Gathering time! The Ganton Gathering is the *only* annual event that is set up to specifically raise money for the MAG Foundation (Regd Charity: 1100274).

This event is *PRE-BOOK ONLY* and tickets go off sale at *1**2 midday on Monday 8th August*, so don't delay and book today!

Ticket prices have been held at 2008 prices and are *£15.00* per person.

(Children under 16 are free providing they are accompanied by an adult and transported in on a bike).

Ganton Gathering is a traditional chilled rally with marquee, trade stalls and bands & disco both nights. Custom show sponsored by: DW Motorcycles of Scarborough. Good Food available & Quality beers on site at pub prices - please support the Bar as they support our event.

To purchase tickets by Debit/Credit card, please call, during office hours: 0844 248 0191 (£1.50 per ticket booking fee).

Location: Ganton Wold Farm, Ganton YO12 4PG

NO CARS, NO VANS, NO PEDESTRIANS, NO EXCUSES.

NO COLOURS TO BE WORN ON SITE PLEASE.

Support the MAG Foundation and have fun at the same time - we can't say fairer than that!

I hope that you can help to make this event a resounding success.

Many thanks & best regards,
Louisa,

Correct link to the Police targeting Motorcyclists item is

<http://www.visordown.com/motorcycle-news--general-news/cumbria-and-yorkshire-police-target-bikers/18552.html>

It had lost the end bit when it dropped to the next line.

THANKS ANDY.

2011 Events:

August:

The Bull Dog Bash. 11th -14th August.

MOTTS OPEN DAY. We are having the MAG stand there.

Popham Bike Show. 21st August.

Brackley Bike Festival 21st August www.bfom.co.uk 10am-5pm.

September:

Basingstoke MAG Golf & Food Day.3rd September. Golf then Food at The Royal Oak.2pm.

Rog and Lyn Charity Run: Sunday 25th September.

25th **KEEP THIS DAY OPEN FOR OUR PEACEFUL PROTEST... time and place to come.**

October:

Basingstoke Beer festival: 14/15/16 October. We are going on sat 15th. Time to be set.

November:

Southern Region AGM .12th November 7pm. Held at the New Queens Head Stanmore Lane, Winchester SO22 4AJ

Basingstoke MAG Beer Train Trip: 26th November. ALL BOOKED.

2012.

Basingstoke MAG 2012 AGM. 22nd March, 8pm at The Royal Oak.