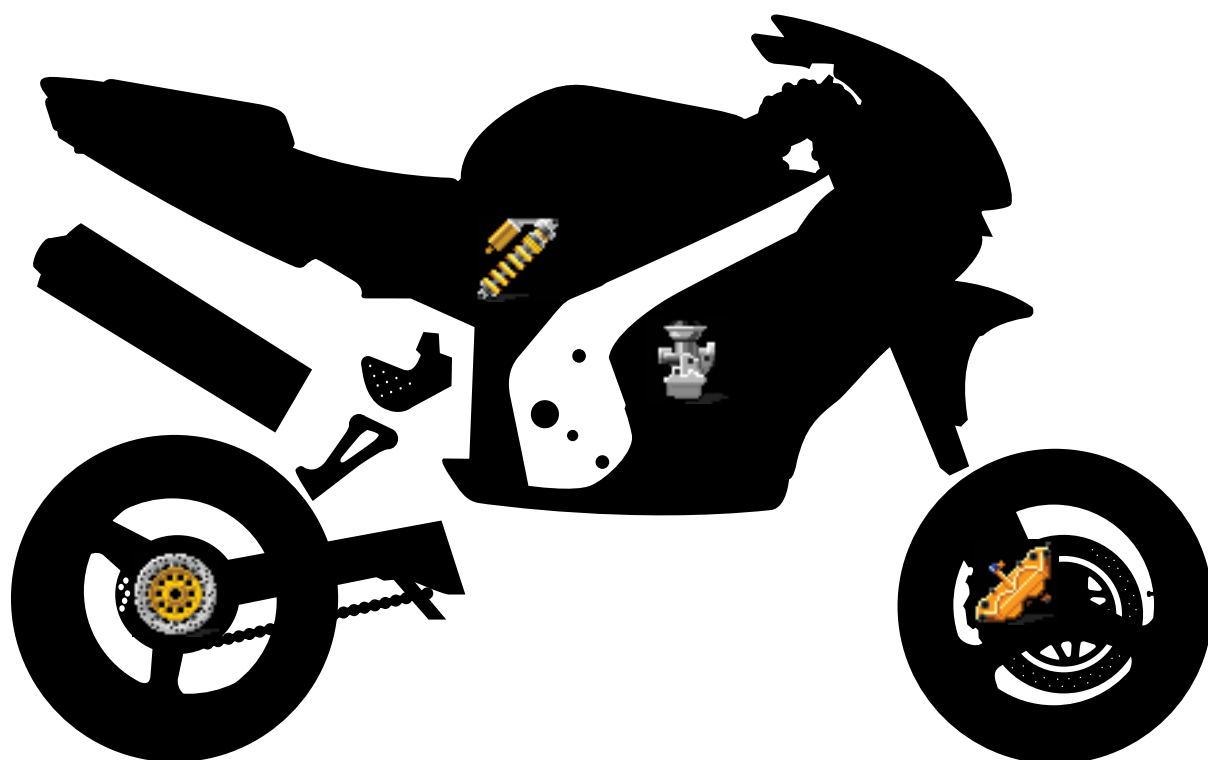


Comments to the European Commission



Consultation relating on Periodic Technical Inspections (PTI) for motor vehicles and their trailers

24th September 2010

Right To Ride

Right To Ride - Relating to Periodic Technical Inspections (PTI) for motor vehicles and their trailers

This document from Right To Ride is in response to the European Commission's internet consultation relating to Periodic Technical Inspections (PTI) for motor vehicles and their trailers.

The Commission invites further opinions to the consultation on their website. Accordingly this document contains separate comments regarding the internet consultation and takes into consideration that the main analysis of this internet consultation will be based on the responses to the questions raised in the survey.

We consider it necessary to submit this document separately from the perspective of road users and specifically motorcyclists in Northern Ireland because we already have a system of Periodic Technical Inspections (PTI) and road side enforcement in place, which differ from the rest of the UK (Great Britain).

Right To Ride

Right To Ride Ltd which is a Non Government Organisation (NGO) registered as a non profit company limited by guarantee (Registered Number N1073799) based in Northern Ireland.

Right To Ride's objectives are: To carry on activities, in particular (without limitation) to promote awareness and understanding of training, environmental road safety and security issues relating to the use of those vehicles classed in law as motorcycles, scooters, mopeds, motorcycle combinations and tricycles and to research and investigate solutions to these topics. To do all such other lawful things as may be incidental or conducive to the attainment of the above objects.

MoT (Road Worthiness Testing/Periodical Technical Inspection)

We consider that Periodical Technical Inspection or the rather the system in place to carry out Periodical Technical Inspection (MoT) in Northern Ireland is one of the most comprehensive in Europe for motorcycles which are four years old and over requiring an annual inspection and issued with a certificate when the inspection is successfully completed.

Legislation is in place which states that is an offence to use a vehicle of testable age that does not have a current test certificate on a public road. This may lead to prosecution and insurance may not be valid if a vehicle does not have a valid test certificate; a current MoT certificate is required to purchase VED (Vehicle Excise Duty – road tax) on those vehicles which are four years old or over.

Northern Ireland has a system of MoT (Road Worthiness Testing/Periodical Technical Inspection) in place, which is operated by a government agency – Driver & Vehicle Agency (DVA) – and carries out 900,000 roadworthiness checks a year on cars and motorcycles, light goods vehicles, trailers, large passenger carrying vehicles, heavy goods vehicles, buses and taxis.

All vehicles in Northern Ireland from 1 May 2008 with a current MOT must display part two of the vehicle test certificate. This is a paper disc and for motorcycles the disc should be displayed on the nearside of the motorcycle in a weatherproof container.

The DVA also carry out roadside inspections/checks by their Enforcement Officers regularly on Northern Ireland's roads. This is to ensure that vehicles are roadworthy and comply with relevant Construction & Use requirements. Generally vehicles are stopped and directed into a check site or area designated safe to conduct mechanical inspections. Enforcement Officers can exercise powers to direct vehicles up to 10 miles for such purposes to a "check site" where the vehicle is examined by a Vehicle Examiner.

The proper identity of a vehicle is checked by examining its Vehicle Identity Number (VIN) and any other identity features.

The DVA on their website explain why the DVTA (Driver and Vehicle Testing Agency) carry out roadside vehicle checks when vehicles are annually MOT tested.

"An MOT Vehicle Test Certificate does not mean that your vehicle is roadworthy for a year. Studies have shown that most vehicles develop defects shortly after an MOT Test Certificate is issued. By carrying out roadside vehicle checks, DVA are seeking to encourage vehicle owners to carry out regular maintenance on their vehicles to ensure that they are roadworthy every time they are used on the road."

Also regarding roadside enforcement if a vehicle is examined and a defect/s are identified there are two means by which these are dealt with:

A defect (Form VT5), a legal document, issued by a Vehicle Examiner lists any defects identified on the vehicle at the time it was inspected. The document requires you to have the listed defects remedied, and the vehicle presented for inspection at a DVA Vehicle Testing Centre within 14 days for further inspection. A special test appointment is required and an appropriate fee must be paid.

A prohibition notice (Form V1/V2) can also be issued by a Vehicle Examiner when the severity of one or more defects discovered on a vehicle is considered to be a significant road safety concern. The vehicle operator must comply immediately with all specified conditions set out on the notice regarding continued use of your vehicle and the rectification of any stated defects.

Northern Ireland also operates two schemes The Motorcycle Single Vehicle Approval (MSVA) scheme and the Partial Motorcycle Single Vehicle Approval (PMSVA).

The Motorcycle Single Vehicle Approval (MSVA)

Across the European Community, it is a requirement for motorcycles and associated vehicles to be type approved prior to registration. Type approval is a set of harmonised design, construction and environmental standards that allows manufactures to build to one set of requirements for the European market - ECWVTA (European Community Whole Vehicle Type Approval).

Prior to the introduction of ECWVTA the government ran a consultation on how type approval would affect the motorcycle market in Northern Ireland. On the basis of a consultation prior to the introduction of ECWVTA the government decided that the nature of the NI- motorcycle market warranted a single vehicle type approval scheme to run along side ECWVTA.

MSVA applies to certain types of vehicles that are unregistered, under 10 years old and don't have ECWVTA.

MSVA is also a DVA requirement for certain vehicles that have been radically altered or built using a mixture of components from previously registered vehicles:

vehicles rebuilt using a second hand frame

vehicles converted to a different wheelplan

Partial Motorcycle Single Vehicle Approval (PMSVA)

Vehicles that have ECWVTA are issued with a Certificate of Conformity (CoC). This is a declaration by the manufacturer that the vehicle, identified by its vehicle identification number (VIN), is the same in all respects as the type that gained approval. This document is usually sufficient evidence that the vehicle can be licensed and registered by DVA for use on the road in NI. The CoC will contain a statement indicating which rule of the road and which speedometer units the vehicle is approved for. Some type approved vehicles may not be equipped for use in NI. If this is the case DVA can conduct a Partial MSVA check to confirm that any modifications required have been carried out correctly. The items checked are:

- headlamp dipped beam pattern (this checks that the headlamp is suitable for driving on the left)
- speedometer (checked to ensure the speed is shown in miles per hour or that the speedometer has dual mph and km/h markings)
- mirror location, this only applies to mopeds fitted with a single mirror (the check ensures a single mirror is fitted to offside (right) of the vehicle).

In a recent Road Safety consultation in Northern Ireland *"ROAD SAFETY STRATEGY for Northern Ireland 2010-2020 20/20 Vision: Driving Forward Road Safety"* conducted by the DOE (Department Of the Environment) the proposed measures included:

- The introduction of continuous MoT requirements.
- The development of additional measures, including more random enforcement and roadside vehicle checks, to encourage continuous vehicle maintenance to ensure roadworthiness.

- We will introduce a statutory requirement for vehicles over testable age to hold a valid test certificate at all times unless excused under limited exemptions.
- We will increase enforcement of roadworthiness standards.
- We will integrate our approach to the detection and enforcement of vehicle testing, insurance and licensing requirements with conjoined prosecution procedures.
- We will continue to pursue the seizure of untaxed and uninsured vehicles and seek to introduce the power to seize a vehicle being driven without a valid MoT certificate where one is required.

These proposed measures appear to go beyond what even the European Commission's intent is regarding EU legislation for a standard EU-wide system for PTI.

Therefore Northern Ireland has a strict system of PTI and approval schemes to ensure that motorcycles are roadworthy and safe to use on our roads.

Content of Proposed System of PTI

Right To Ride is aware that a "stakeholder" meeting has taken place recently gathering influential organisations for a dialogue with the European Commission including private testing organisations.

At the same time various representatives of the industry, of the consumers and of the national administrations were invited to attend workshops where the content of the new regulation was discussed, as well as a European Conference on Vehicle Inspection and Mileage Fraud – 17th – 18th November 2010 (Cars 2010) which will include the following topics:

Should the 2-wheelers be included in the inspection schemes as they are over represented in accident statistics?

Inspection of motorcycles and mopeds

- History at European level – Isabelle Kardacz – European Commission – DG MOVE
- The motorcycle industry's perspective – Antonio Perlot – ACEM
- Roadworthiness test for motorcycles and mopeds: an example from a member state

It is apparent that the EU Commission is still in a consultation phase, however, what has evolved from the online consultation itself, and the (lack of) information available is chaos. The Commission has simply stated its intent to extend PTI to 2 wheeled vehicles (mopeds, scooters and motorcycles) across Europe through a harmonised system.

However what the Commission has failed to communicate is exactly what type of inspection it aims to "harmonise". The result of this has been consternation, anger, frustration, with concerns of further restrictions and cost which has cause considerable uncertainty amongst European motorcyclists. The inability of the Commission to publicise its aims and objectives for the extension of PTI to motorcycles and other two wheeled vehicles has not been helped by the "vague" consultation put out to the European public.

As responsible citizens, we would like to be able to contribute to the debate on the harmonisation of PTI for 2 wheeled vehicles however, before we can answer any consultation on this topic, at the very least, we would require more details on the content of the proposed system.

The state of confusion caused by the Commission's inability to provide specific information must be rectified as quickly as possible in order for stakeholders to provide comments and expert opinion.

Therefore we are unable to support the introduction of a harmonized mandatory PTI for 2 wheeled vehicles simply because we have no knowledge of what the Commission aims to propose.

Trevor Baird

Right To Ride

Sources of information: Driver & Vehicle Agency - www.dvtani.gov.uk NI Direct Government Services - www.nidirect.gov.uk