



The Fédération Internationale des Véhicules Anciens (FIVA) was founded in 1966 as the international federation of historic vehicle clubs. FIVA member clubs currently count for over one million members in 60 countries. ([www.fiva.org](http://www.fiva.org)).

FIVA's principal objective is to further the preservation and use of historic vehicles, which by their nature, are owned by enthusiasts and preserved in historically correct condition. Historic vehicles are kept for their technical, cultural and historical contribution to our common heritage and those which are in road-use are well maintained and not generally used as everyday transport. Within the EU the most commonly accepted age threshold for historic vehicles is 30 years.

The comments in this paper supplement FIVA's online response to the Roadworthiness Testing Consultation. As noted in the comments made online, FIVA is unable to provide responses to many of the questions in the online consultation because they are not applicable to historic vehicles - notably because the current Roadworthiness Testing Directive (2009/40/EC) makes special provision for historic vehicles in Recital 20, Article 4.2 and Article 4.3 and as a result, many Member States impose separate testing conditions for historic vehicles.

The relevant provisions state:

Recital 20: Member States may, if appropriate, exclude from the scope of this Directive certain vehicles that are considered to be of historic interest. They may also establish their own testing standards for such vehicles. However, such a right must not lead to the application of stricter standards than those which the vehicles concerned were originally designed to meet.

Article 4.2: Member States may, after consulting the Commission, exclude from the scope of this Directive, or subject to special provisions, certain vehicles operated or used in exceptional conditions and vehicles which are never, or hardly ever, used on public highways, including vehicles of historic interest which were manufactured before 1 January 1960 or which are temporarily withdrawn from circulation.

Article 4.3 Member States may, after consulting the Commission, set their own testing standards for vehicles considered to be of historic interest.

FIVA welcomes the inclusion of the distinction for historic vehicles in the Directive and the recognition in Recital 20 that "such a right must not lead to the application of stricter standards than those which the vehicles concerned were originally designed to meet". FIVA also welcomes the fact that many Member States use these provisions to allow for a different testing regime for historic vehicles recognising that their characteristics and use patterns are different to other vehicles and therefore merit different testing regimes.

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FIVA does not have a strong view as to the need for a broad changes to the Directive because the current Directive already makes specific provision for all historic vehicles. However, FIVA does suggest that the description in Article 4.2 of a historic vehicle should be revised to reflect the passage of time since the adoption of the original Directive and the fact that historic vehicles are not static – i.e. a car which is new today may one day in the future be a historic vehicle . It is for this reason that FIVA's definition of a historic vehicle is:

“a mechanically propelled road vehicle which is at least 30 years old; which is preserved and maintained in a historically correct condition; which is not used as a means of daily transport; and which is therefore a part of our technical and cultural heritage”.

This definition clearly encapsulates the criteria which differentiate a historic vehicle from any other, these are: age, condition and use and therefore encompasses all historic vehicles within the definition. FIVA therefore suggests that if the Directive is to be amended, that the historic vehicle provisions remain whilst the description of a historic vehicle be amended to reflect all the conditions of the FIVA definition.

Moreover, there is an increased need for a distinct testing regime for historic vehicles and for the definition of historic vehicles in the Directive to mirror the FIVA definition notably because modern testing equipment is becoming increasingly sophisticated and therefore also increasingly sensitive – moreover, the testing may also become increasingly automated. Modern testing equipments is designed to work with modern vehicles and therefore anticipates modern standards of engineering. Because of all these facts, technological advancement in vehicle testing may well unfairly - and unnecessarily - have a negative impact on the historic vehicle movement , for example:

- The highly sensitive modern testing equipment may detect low-level vibrations which would be expected in a historic vehicle and which does not impact the safety of the vehicle but which might result in the vehicle failing the test
- The human perspective in the testing process will be lost if automated testing machines are increasingly used. A machine can only determine whether a vehicle passes or fails whereas human intervention in the testing process allows broader factors to also be considered – for example the vehicle's overall dynamics, actual design and specific characteristics which might allow a vehicle to pass a test which would have been failed by an automated machine.

Additionally, given that historic vehicles are used rarely and that owners generally devote disproportionate time to care and maintenance, it follows that testing of historic vehicles could be less frequent than for other vehicles. However, FIVA accepts that this is a decision which may best be delegated down to the Member State level.

Therefore, the technological advancement in vehicle testing and the clear difference between historic vehicles and other vehicles reinforce the need for the Directive to allow member states to set their own separate testing regimes for historic vehicles and for the Directive to give member states a clear steer as to the definition of a historic vehicle by amending the current definition so that it mirrors the FIVA definition.

Further to all the above, FIVA also feels that roadside inspections cannot be effectively conducted on historic vehicles because of the need for specific knowledge of the vehicles concerned – FIVA suggests that this be reflected in any future EU and Member State legislation.

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