

## **SMC, The Swedish Motorcyclist's Association Response**

*Public consultation on a proposal for a Framework Regulation of the European Parliament and of the Council on type-approval of two- and three wheel motor vehicles and quadricycles.*

The Swedish Motorcyclist's Association was founded 1963. Today SMC has more than 66 000 members and is a respected partner in all topics concerning motorcycles in Sweden. A new frame directive for motorcycles is of great importance to us.

### **Question 1: What do you think of the use of one basic EU Regulation and the split level approach for the revision of the legislation on two- and three-wheelers? Why?**

There are more than 50 EU Directives covering vehicle safety and environmental issues and about 100 amending Directives. Some are old and many duplicate UNECE Regulations.

SMC support the simplification of regulations and the replacement of the framework Directive and its separate Directives by a single Framework Regulation.

### **Question 2: Do you agree with the approach to increase the use of references to UNECE Regulations? Why?**

SMC is positive to the increase use of references to UNECE Regulations. Many Swedish motorcyclists travel and live around the globe. When they want to bring a motorcycle back home to Sweden, this is often impossible, due to different regulations.

But, SMC is concerned that by combining what appears to be two different objectives (simplification of the legislation and reference to UNECE), this may result in creating unnecessarily complex regulations.

### **Question 3: Which administrative measures introduced for motor vehicles (Directive 2007/46/EC) should not be included in the legislation on two- and three-wheelers? Why?**

It is important to have a framework that allows national regulation. In Sweden we have a national regulation that allows modifications, rebuilding and amateur-built motorcycles. This is of major importance to the Swedish motorcycle community. This could be kept for cars when the new framework directive for vehicles was implemented. But, it has to be made clear to all member states that this is possible.

### **Question 4: Do you support the introduction of new emission limits for motorcycles equivalent to Euro 5 limits for petrol cars? Why?**

Yes. There is no reason why motorcycles should get a special treatment and not have the same emission limits as cars.



**Sveriges MotorCyklister**

Adress: Forskargatan 3, 781 70 Borlänge

Tel: 0243-669 70, fax: 0243-822 87

E-post: smc@svmc.se, web: www.svmc.se

**Question 5: Do you think that additional emission measures should be introduced in the legislation? Why? What is your opinion on the introduction of additional measures such as CO2 measurement, fuel consumption, etc.?**

SMC believes that there should be an EU standard for CO2 emissions and fuel consumption on bikes. Without such a figure appearing in the Certificate of Conformity it is becoming harder and harder to sell bikes as less contributing to global warming than cars. If motorcycles are accepted as equal to car standard, bikes should be tested using the WMTC.

**Question 6: What is your view on the mandatory fitting of ABS on all motorcycles? Why?**

The Swedish in depth studies of fatal motorcycle accidents 2000-2007 shows that there are many accidents where wrong use of the brake system is apparent. Better brakes and/or better education to use the brakes could make a contribution to fatal and severe accidents with motorcycles.

Still, SMC, believes that there should be no change to the current situation, ABS should not be made mandatory. There are motorcycles where ABS is not relevant, for example enduro, trial etcetera. Motorcycles which are used both on- and off-road should be equipped with an ABS system that could be disconnected and become an "ordinary" brake system.

SMC supports the introduction of affordable advanced braking systems (anti-lock braking systems and/or combined braking systems) on new motorcycles and scooters through voluntary commitment and respecting consumer choice. The development of brakes on new motorcycles is fast at the moment and ACEM, the producers, have an ambitious target. The extra cost for an ABS system must also be taken into account, especially for small motorcycles.

**Question 7: In your opinion, are there other/supplementary solutions better suited for certain categories (i.e. coupled braking, stability control systems, etc.) that would produce the same/better effect at better costs?**

Manufacturers should continue to develop and introduce advanced (better) braking systems and other/supplementary solutions, such as combined brake system and anti-lock-brake systems. But these systems should not be made mandatory, comments see above.

**Question 8: Do you think that the additional measures proposed by the TÜV study and the one proposed in the Motorcycle working group mentioned above? Why?**

Sweden has a long history and tradition for modifying, rebuilding, building and restoring motorcycles and cars. Since 2000 SMC, the Ministry of Enterprise, the National Road Administration, Bilprovingen and SFRO (The builders association) has worked together in this issue. We've been able to maintain and develop the national regulation that deals with modifications, rebuilding and building motorcycles.

Modifications on motorcycles that don't compromise safety and impact on the environment should be allowed in the future.



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The quality and safety of aftermarket components are in some cases, superior to equivalent standard components. Builders in Sweden build unique motorcycles that have won 1<sup>st</sup> prize in the world. This is something to be proud of, to encourage and to make possible.

Accident research from Sweden shows that modified motorcycles, "choppers", are under-represented in accident statistics. Sidecar accidents with a person injured hasn't occurred in 20 years.

SMC can see no road safety benefit from restricting our Swedish historic tradition of modifying motorcycles.

**Question 9: Do you think other solutions should be preferred? Which one?**

SMC supports the application of Type-Approval regulations which help to remove barriers to trade, but opposes such regulations where restrictions are placed on an individual's ability to modify motorcycles.

We support national single vehicle approval which allows the approval of one-off specials, vehicles from limited production and those built for non-EU markets. All these kind of motorcycles are of great interest to Swedish citizens and motorcyclists.

**Question 10: Do you think that the option given to Member States to limit the maximum power of motorcycles to 74 kW should be maintained? Why?**

SMC can't see any point in an introduction of power limits for motorcycles. We strongly oppose that there should be an option for the Member States. There is no indication of a relationship between accident risk and motorcycle engine size/effect. Banning or restricting the use of the most powerful motorcycles will probably not make any effect upon safety. In "Motorcycle safety – a literature review and meta-analysis, 2003, Ulleborg" it is stated:

*"There is no evidence for a relationship between accident risk and motorcycle engine size/effect. On this basis, it is concluded that banning or restricting the use of the most powerful motorcycles will probably not any effect upon safety."*

In the 80-ies there was a voluntary limit of 100 hhp in Sweden, which did not have any effect on less killed or/and injured motorcyclists in Sweden.

The TNO 1997 report<sup>1</sup> also demonstrates that restrictive legislation based on engine capacity, power output or high power-to weight ratio would not reduce motorcycle casualties. SMC has not heard of any new research or studies that would demand the possibility for the Member States to limit motorcycles to 74 kW.

The TNO study does not just concentrate on the BHP/kW issue and the relation to accidents; it also reports that,

*"The riders' age, experience, annual mileage and attitude, but also the situation at the accident site, the weather, etc., are some of the many other factors which influence the occurrence of motorcycle accidents. When measures are taken to reduce the maximum power of motorcycles, this will not result in a change of the riders' attitudes and driving behavior, for example. The riders' attitudes and driving behavior have a major influence on the occurrence of accidents."*



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Riders attitudes and riding behavior cannot be solved with a 74 kW limit. These are issues that must be dealt with in training, both at basic level to get a drivers license, and at an advanced level with voluntary courses like the ones SMC has arranged since mid 70-ies. With our advanced courses for the supersport-riders, SMC has shown that it is possible to reduce accidents and change attitudes in this group.

The extreme "high risk takers" do not necessarily have the most powerful engines or the highest power-to-weight ratio. Therefore, restrictive legislation based on engine capacity, power output or high power-to weight ratio would not solve the problem at all. The possibility for Member States to have a 74 kW limit is also an obstacle to the free trade in Europe. We have members who've moved to France where this limit exists. Their motorcycles are impossible to register in France, without a significant amount of money, • 1500. When a new framework is introduced, this kind of national exemptions should be made impossible.

There are discussions about introducing alco locks on all vehicles in Sweden from 2012 and registration plates in front of all Swedish motorcycles. These are also examples of National exemptions that must be taken into consideration when a new framework is discussed.

***Question 11: Do you think that alternative criteria could be used (i.e. Power-to mass ratio, acceleration potential) to limit the accident occurrence of motorcycles?***

As outlined above, SMC rejects all other criteria (i.e. Power-to mass ratio, acceleration potential), as there is no correlation between them and accident occurrence.

**Question 12: Given their localized markets, do you think that EU legislation on these vehicles is justified? Why?**

**Question 13: Do you think that these vehicles should have a stricter mass/passenger limitation to justify that they do not have to meet the safety requirements applying to cars or do you think that such vehicles should comply as much as possible with car requirements? Why?**

**Question 14: Should these vehicles be in the scope of type-approval whereas they are not designed to be used on the road?**

**Question 15: Do you think that at present the category in which these vehicles are type-approved is adapted to the design of such vehicles? Why?**

**Question 16: Should new specific requirements be added to improve the safety of such vehicles? Why?**

**(Questions 12 – 16)** SMC represents the users of motorcycles (PTW's – Powered Two Wheelers – Motorcycles – Scooters and Mopeds). Therefore SMC does not have a position on the issues regarding Mini-cars (L6 & L7 quadricycles) and Off-road Quadricycles, as they are not viewed as motorcycles. Some of these vehicles in their design and appearance are mistaken by the general public as being classed as cars.

However SMC is concerned regarding the inclusion of the quads in accident statistics in the Swedish motorcycle statistics. There are riders/drivers being killed every year and we would like to see them registered as something else than motorcycles.



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**Question 17: Do you think that EU legislation on hydrogen vehicles is needed? Why?**  
SMC does not have an answer to this question.

**Question 18: What do you think will be the impact of the range of measures that are outlined above on the competitiveness of the EU industry, and in particular SME's?**  
As an organization of users, SMC does not have an answer to this question.

**Question 19: What will be the impact of the measures on employment in the EU?**  
As an organization of users, SMC does not have an answer to this question.

**Question 20: Do you think that the measures proposed could have a significant impact on the final price of the vehicles? If yes, which ones?**  
If new technology such as advanced braking system are made mandatory, this will probably show in the final price of the motorcycle, especially the small ones. This is something that the Commission must look into.

On behalf of SMC

Maria Nordqvist  
International secretary  
Phone: + 46 243 669 79  
E-mail: [maria.nordqvist@svmc.se](mailto:maria.nordqvist@svmc.se)



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