

Borlänge den 24 juni 2014

To the European Ombudsman

## **Our views on the Commission expert groups**

This is a reply on behalf of the Swedish Motorcyclists Association, SMC, and our views on the Commission expert group that deals with drivers licenses.

### **1. Which specific Commission expert groups do you consider to lack a balanced representation of relevant areas of expertise and interest in their membership? What, according to you, is the root cause of the unbalanced composition of the Commission expert groups identified by you?**

The expert group dealing with drivers licenses.

There are no input from users. There is no interest in consultations with users before decisions are being made. The experience from riding a motorcycle among the experts is probably limited. There are no analysis and evaluation of the outcome of the decisions being made. This effect motorcyclists in Sweden and all over Europe, especially women.

### **2. The Commission's horizontal rules on expert groups allow for the Commission to appoint individual experts in their personal capacity. In your experience, does this possibility give rise to concern in terms of the balanced composition of expert groups and/or conflicts of interest?**

There is no balanced composition in the expert group since there are no interest in involving users or/and to ask for an opinion from the users. This mean a conflict of interest since the European motorcyclists have a totally different view on drivers license issues, compared to the Commission and also the experts.

### **3. Do you consider that the current level of transparency regarding the composition of Commission expert groups, in particular through the Register of Commission Expert Groups and Other Similar Entities, is sufficient? In particular, does the information made available by the Commission allow you to ascertain which interests are represented by the members of Commission expert groups? If not, where do you see room for improvement? Do you consider that the current level of transparency regarding the work of expert groups, in particular through the publication of agendas and minutes, is sufficient?**

I tried to find the expert group for drivers license without success on the website. It is impossible if you don't know the name of the group. Which means that there is no transparency.

The agendas and minutes are not published in a way so I can find it. The current level of transparency is not sufficient. I have asked for one certain document to be published from the expert group in order to clarify the view of the Commission about test vehicles according to the 3rd DLD. The document will not be published according to the person in charge. Which means problems for riders around Europe. The view of the riders is neglected.

### **4. Where the Commission publishes calls for application for membership in expert groups, do you consider that these calls provide for selection criteria which sufficiently take into account the need for a balanced composition of expert groups? If not, where do you see room for improvement? In your view, could the Commission do more to raise awareness about these calls, with a view to encouraging applications? If so, what concrete steps could it take in this regard?**

SMC is a 51 year old organisation which has worked with motorcycle safety since 1963. We have never seen a call for application in the drivers license expert group. A concrete step would be to ask for participation from the users and/or to ask for consultation before decisions are being proposed and made.



**5. Do you have any experience in applying for membership in a Commission expert group? If so, did you face any problems in the application process? If not, are you aware of any such problems faced by civil society organisations? Based on your experience, do the costs inherent in participation/the lack of comprehensive reimbursement schemes discourage civil society organisations from applying for membership?**

No, see above. SMC is a member of FEMA, Federation of European Motorcyclists Association. This means that we have an office with staff in Brussels that could either attend meetings or send delegates from NO's in the EU/EES-countries. SMC has never been invited to the expert group dealing with drivers licenses.

**6. Please give us your views on which measures could contribute to a more balanced composition of Commission expert groups.**

Ask for input from users, as members in expert groups or through consultation before proposals and decisions. I get verbal information through a Swedish delegate, participating in the expert group.

**7. Do you have any other comments?**

Training is seen as the most important factor for increased safety for motorcyclists. This is a fact that SMC and all other motorcycle organisations support.

But, 35 % of those who are killed in motorcycle accidents in Sweden does not have a valid A-license. Increasing the demands of more tests, stricter rules for test vehicles and higher ages through stepped access does not solve this problem. The share of non-licenseholders among the fatal MC accidents increases instead. MC-organisations want the Commission and expert group to look at the content of the education instead of focusing on tests, ages and test vehicles.

Women fail more often in the riding test, especially in the manouever part in Sweden and other EU-countries. Even before the 3rd DLD was implemented the Commission Expert group asked for stricter regulation and higher demands on the test vehicles. There was no consequence analysis before the proposal was on the table. There was no consultation with users and the rest of the motorcycle community. There is no research showing the need for higher demands on test vehicles. There is no evaluation of the demand of a test between A2 and A from a safety and gender perspective. No one has bothered to find out the effect of the proposal from the expert group leading to a decision in the parliament. Since the proposal was kept a secret from the expert group it was impossible for us to change the outcome. This will effect especially female riders in Europe in a negative way (2012/36/EU). Statistics from Sweden and other EU/EES-countries show that women fail riding test more often than men, especially in the manouever parts. One obvious reason is the demand for test vehicles.

In a Swedish study, done by VTI, the Commission replies that no discussions have been held in this issue. This reply clearly show that input is needed from the users since this is a fact in several countries. Our concerns that's been raised and brought forward to the Commission and the expert group the last years are not taken into account by the expert group. A question was raised from a Swedish MEP, Mikael Gustavsson, last year. The commission replied that the technical demands for test vehicles are objective and gender neutral (P-010766/2013).

The VTI study will be published this autumn and show the difference between women and men in the riding test.

Kind regards

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