

Considerations from the User regarding Future motorcycle Global Technical Regulation priorities

Transmitted by the Federation of European Motorcyclists' Associations (FEMA)

1. Introduction

FEMA comes to the process of the Global Harmonisation of Vehicle Technical Regulations representing motorcycle riders beyond the European parameter contained in our title in that we are part of an international coalition. This includes North American riders' organisations, and the international federation of motorcycling (FIM).

We also have what we believe is an experience that is relevant through representing our interests within the European Union's type approval harmonisation process. We recognise that our experience, and the expertise that comes from it, is not that of the technical expert. It comes from understanding the objectives and consequences of the harmonisation process from the point of view and the interests of the user, the consumer.

The establishment of a harmonised type approval system within the European Union was, for FEMA, a particularly steep learning curve. We quickly realised that the process was not simply a technical exercise but, in reality, a highly political one.

The European harmonisation process seems to be different from the global process in two important aspects. Firstly Non-Governmental Organisations representing citizens were given far greater opportunities to participate in and contribute to the European Union process. Secondly there was direct democratic scrutiny of the European Union process, through the European Parliament and this, in turn, gave to users' organisations such as FEMA a further opportunity to influence the outcome.

To date our experience of the workings of WP.29 and its Committees of Experts, lead us to believe that the interests of the user/consumer will not be recognised or to the same extent as they were within the European process. To insist that WP.29 is a body of technical experts, who develop technical regulations uninfluenced by wider considerations, will, we believe, result in consumer interest not being fully considered.

It is our opinion that the commitment to "transparency" contained in the Preamble and Article 1.1.4 of the 1998 Agreement will only be meaningful if the Contracting Parties accept that the deliberations of WP.29 encompass, indeed encourage, contributions beyond the technical. We would ask that this point be accepted and promoted.

2. Global harmonisation - identifying the priorities

Our experience of the European Union harmonisation process is also relevant in identifying the priorities for Candidate Global Technical Regulations.

The 1998 Agreement says in Article 1.1.5 "that actions . . . will not result in, a lowering of these (high) levels within the jurisdiction of Contracting Parties . . ."

It could be argued that this does not mean that GTRs must be established at the highest or strictest level established by a Contracting Party. It is clear, however, that the objective of using the highest or strictest established regulation as the basis for a GTR is one that is widely supported by the Contracting Parties.

In Europe the harmonisation process took place within 15 broadly similar, economically and culturally, countries. Even with this commonality of approach and attitude, finding a consensus on a number of issues proved to be very difficult.

Given the widely differing circumstances of the Contracting Parties to the 1998 Agreement, the prospects of reaching consensus are likely to be correspondingly lower.

Even more importantly, from the motorcycle riders' point of view, are the consequences of establishing GTRs on the basis of the highest or strictest becoming the GTR. This is likely to result in motorcycles being manufactured to standards that are inappropriate, even resented in one or another of the markets in which they are sold. We could see inappropriately over sophisticated machines in developing markets and over restricted machines in developed markets.

3. Riders' recommendations

FEMA believes therefore, that priority should firstly be given to Candidate GTRs that seek to establish the procedures and arrangements for measuring and testing the performance of motorcycles and mopeds and their component parts.

Secondly, priority should be given to Candidate GTRs where the national standards are the same or where the range of variation is relatively narrow. This will ensure that the establishment of a GTR will not result in significant changes in any of the Contracting Parties countries when a GTR is incorporated into national law.

This approach, which seeks to emphasise common interest and establish consensus, is also important in light of the need to present globalisation as being to the benefit of all. In the specific circumstances of vehicle technical regulations for motorcycles this is of particular significance to riders.

We do not simply accept that the highest or strictest standards are automatically beneficial to the user or to society in general. Importantly the relationship between cost and benefit must be balanced to ensure that powered two-wheelers remain within the reach of many citizens who choose them as an affordable means of personal transport, or as a means of reducing the debilitating effects of urban congestion and overstretched public transport facilities.

We would therefore recommend that in the first instance Candidate GTRs that establish the procedures and arrangements by which limit or performance values for exhaust emissions and brakes are measured should be included in WP.29's priority programme.

We would also recommend that discussions be held with the International Standards Organisation with the objective of WP.29 being recognised as the appropriate regulatory body for motorcycle noise.

When and if WP.29's jurisdiction on motorcycle noise were confirmed, we would further recommend that a Candidate GTR, which would establish the procedures and arrangements for measuring the noise emissions of motorcycles and mopeds be included in WP.29's priority programme.

We would further suggest that all other issues relating to motorcycles and mopeds, which could be considered as Candidate GTRs, should be left until GTRs covering the procedures and arrangements for measuring motorcycle and moped exhaust and noise emissions and braking performance have been established.

4. Concluding remarks

In submitting FEMA's first informal document to WP.29, we would ask that consideration be given to it in recognition of it being the views of the representative organisations representing road-riding motorcyclists.

We would also ask that our relative inexperience within the workings of WP.29 be recognised and that any unwitting transgression of WP.29's rules of proceedings and protocols be allowed for.
