

RIGHT TO REPLY: MAG

Your editorial in which you lambast MAG for scaremongering warrants a response and MAG is most grateful for the opportunity to reply.

There is no total right and wrong here but there is a great deal of semantic play which has led to confusion.

What often seems apparent not only from your article but from much of the negative comment on line is that statements MAG made in the past, and which were relevant at the time, are taken in the present and used to demonstrate inaccuracies. The interesting thing about politics and campaigning, is that it is dynamic, so it changes continually as negotiations are underway.

If for example, I look at the Am V article, the underlying premise is that facts should be ascertained before rushing to print/speak, and yet Am V chose not to contact MAG to verify anything.

The e-petition to which you refer was driven by a particularly obsessive individual and regular correspondent of Right to Ride (R to R) who felt MAG needed an on-line petition. He refused to acknowledge that there was no immediate threat of compulsory dayglo in the UK and that it was an EU and other member state issue. There is evidence of much communication to that end, but he was adamant MAG should launch a petition. We also explained that hosting something on a UK governmental site would be of limited value but we did it anyway albeit with reservation. It was one of those damned if you do and damned if you don't situations. He was not, however, the individual who did eventually launch the one in question.

Am V says that 'one thing we know is that the EU are not debating hi-viz'. If this is a reference to a debate in the Euro Parliament in Strasbourg then yes, that's correct. It ignores however the report that the EU Parliamentary Committee for Transport and Tourism wrote for the EU Commission and publicised July 17th 2011 which recommended the Commission introduced compulsory carrying of 'warning jackets' for all vehicle occupants, the wearing of hi viz by cyclists and pedestrians after dark and innumerable other initiatives. Campaigning has reduced the severity of this threat, but it has not gone away. As you can see, one could say that the EU is debating hi-viz, and the debate itself has so far lessened the original request that Parliament made to the Commission. I'm sure you know that the legislative system in Europe is not as the UK and as such it is the Commission which acts as originator of legislation.

Further into the article Am V mentions sealing power trains and acknowledges that it is on the table and says things are shaping up differently. This is exactly because of the campaign work, as I reiterate, this is dynamic. Am V is quite incorrect however when they state it 'will be limited to bikes already subject to restrictions'. As we've said many times, anti-tampering (AT) is currently in existence for bikes up to 125cc, though the type of AT measures will be changing. Initially the AT proposal was for all bikes and the reasoning was twofold: Emissions control and functional safety.

Arguments with politicians and more importantly within the Council of Ministers have managed to reduce that threat to now only include bikes under 47bhp. There are currently no laws restricting bikes to 47bhp. What there are, are future licencing categories for riders (as will be introduced with the 3rd EU Driving Licence Directive) and there is some desire to harmonise this with the construction of machines. The new A2 category of bike will fall into this, but will not apply to those on restricted licences, merely the machine, which means those with a full licence who choose to ride a lower powered machine will not be permitted to make any modifications to it, which is something with no justification. MAG does not believe that any category of bike should be sacrificed to this legislation when the Commission continues to fail to provide any evidence to justify its policy.

Perhaps most revealing though, is that this development, which happened in early June 2012 with another redraft of article 18, completely undermined the argument the Commission have been using for justification to date (emissions and safety) and at the same time, the new paragraph 5 shifted all the onus onto manufacturers and away from riders.

This somewhat undermines the next part of the Am V article, which uses a very old quote from Mr Van de Camp about national testing/inspection authorities. A third of EU countries do not have an inspection system, so that would be irrelevant and the quote is old because over a year ago, there was a different discussion ongoing about policing the Regulation at ground level, to which this refers. No doubt you'll have realised how it is easy to create confusion when you pick and choose 'facts' over time. The new para 5 of article 18 now removes the issue of policing through inspectorates, as the onus is on manufacturers at creation stage to utilise best engineering

practise to minimise tampering/ modification possibilities.

What has happened in the last two weeks, at time of writing (July 25) is that the Commission has launched its proposal for an EU wide equivalent of an MoT for bikes and have stated that one reason is an attempt to ensure rider compliance with construction standards. You may have seen that Right to Ride dispute that too.

Am V go on to discuss the semantics surrounding the word 'substantial' which is no longer of relevance as this is something that was used in the version of article 18 as proposed by IMCO, the Internal and Market and Consumer Protection Committee of Parliament who have been examining this regulation and which is headed by Mr Van de Camp. Every element of this version of art 18 has now been thrown out and wouldn't be entertained by the national governments, an argument led by the UK and in no small part because of the almost weekly contact MAG has with the DfT. The fact that the UK Government support almost all of our calls for change is very gratifying and we are achieving much. Some who wish to rob MAG of any shred of gratitude for work done may consider the support we have from MEPs, the questions they have asked in the European Parliament, the questions asked in the UK Parliament, the findings of the EU Ombudsman etc etc. all of this shows that we are in fact not alone and that much of what we are doing is very relevant.

Those utterly determined to separate all MAG's efforts from evolution on the political landscape as if they are unrelated may never be persuaded but we have faith in Am V's editorial objectivity to recognise such connection which is why we have written this.

Latest developments are that the UK will be able to keep its SVA system for one off builds and small manufacturers. This is another success which has been achieved through negotiation, but which was to be lost had the original proposal gone through. Should we be penalised for campaign successes?

Ironically however, the Am V article then says the ABS case has been lost, with only an addendum added so that manufacturers can fit a switch. This is quite incorrect. An addendum is exactly what we are calling for and will continue to call for, even though RTR believe this foolish. We believe, that unless we can get it in writing, there is no guarantee a switch will be permissible. The UK Gov are with us on this and we hope to achieve it, but it has not been achieved yet.

Further down the article Am V reiterate this error by saying 'that it has passed through into law..' this has not happened. The Regulation is currently tabled for Plenary vote on 25th Oct 2012, but there is no guarantee this will happen either. There is no absolute agreement within Council, so things could yet head for what is called a second reading. As stated, everything is dynamic and the fat lady hasn't sung yet.

All the more surprising then that Am V encourages readers to 'listen and think', it is unfortunate you didn't take your own advice and notice the number of attacks MAG has suffered from RTR without a single public retaliation. We feel it more important to get on with the job of lobbying those who matter than engaging in time-wasting spats over semantics with the two individuals on RTR who will use any forum they can in their feverish attempt to undermine us. The latest of these is a completely unfounded attack on an MP which frankly makes them look fantastical. Agendas? 'Listen and think' comes to mind.

As your article concludes, 'Find out what they stand for by talking to someone at the top'. It's such a shame Am V didn't do that before passing judgement on MAG. And it's a shame people use FB in a similar manner for such negative reasons when it really could be a source for good activism. The motorcycle community is really not very big, so spending time arguing internally on wordplay and issues designed only to score personal points is really counter-productive when there is a bigger battle. It's why you don't see retaliatory attacks coming from MAG on either BMF or RTR.

MAG seeks a healthy relationship with the media and we would very much value the help of American V in combating the threats motorcycling faces. Can we please move in that direction?

Largely written by Paddy Tyson MAG's Campaigns Manager with contribution from MAG President Ian Mutch

With profuse apologies, there's another wall of words in the form of a response overleaf: