

Network

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I guess, like most people, I'm perplexed over how 'Vehicle' Excise Duty, or Road Tax to you and me, has suddenly been deemed by the Government as belonging to the owner of the vehicle and not the vehicle itself. We're told that, once the paper road tax disc disappears, when a vehicle is sold any excise duty remaining on that vehicle - ooops, sorry ex owner - then disappears and the new owner must purchase vehicle excise duty from the first day of new ownership. Or should that be 'owner' excise duty. Confused?

Ever the sceptic, I'm assuming that's why the paper tax disc is disappearing. That, however, is purely a personal viewpoint.

Having seen a couple of articles on 'filtering' recently I was hoping to include something in the way of legislation for guidance in this edition. However, having exhausted my sources all I can find are articles citing past court cases, which appear to come out in favour of the rider. If anyone finds anything more definitive, can you let me know.

Brilliant news from North East MAG on the bikes in bus lanes issue, more news on this from Regional Rep Dave Wigham further on.

Really bad news to hear that motorcycle tests were down by a quarter in 2013 - I've reproduced two articles on this. Maybe MAG has a place in the encouragement of new riders - but where to begin with that one I have no idea. Its really uplifting that my local Group - Bristol - has an influx of new, younger members. Sadly, it seems, not a national trend

Please don't forget, let me have anything relevant to network and sharing what you're doing which may be helpful to other Groups/Regions.
AnneGaleMAG@aol.com .

Ride free, A

[Acknowledgments: George Legg. Dave Wigham. Rowan Publications and anyone else I've forgotten]

MAG News releases

MAG Dispels the great Vehicle Excise Duty myth

On 22nd January MAG learned – via sources at the DVLA and an MP – that the Government is using the scrapping of the tax disc to pretend that Vehicle Excise Duty belongs to the owner and not the vehicle. Despite what you may have heard elsewhere, this is not the case – the VED currently belongs to the vehicle.

According to our contact, the changes to the VED system (which will take place in October) are all to do with the Finance Bill 2014, which states how the Government raises its revenue for the coming year. There is currently a Government consultation in place – everyone has the right of reply, until the 4th of February.

More information can be found on the Government website here:

<https://www.gov.uk/government/publications/finance-bill-2014-draft-legislation-overview-documents>

John Mitchell, MAG National Chairman is not pleased with the blatant misinformation that is being given out over the internet: "Getting any future owner of a vehicle to tax it immediately on purchasing – rendering any existing VED invalid – will generate a large sum of cash for the Government; no doubt it will pay for the rebrand of the DVLA for the merger with the Driving Standards Agency (which becomes the DVSA in April). It is now time for a proper debate on the future of VED for all vehicles – especially for motorcycles. MAG is committed to campaigning for the exemption of motorcycles/PTWs from VED. Questions are also to be asked in Parliament."

The Brighton Speed Trials will be going ahead this year.

Lembit Öpik, MAG's Director of Communications and Public Affairs visited Brighton in January, with National Chairman John Mitchell (who's also the South East Region Rep) to see the area for himself.

Brighton MAG also communicated directly with the council to good effect, through Political Officer Joe Greening (using the relationship they'd built up with the bikes in bus lanes campaign); this brought up the wider issue of Brighton's crumbling Victorian infrastructure, which came to light as one of the reasons behind the cancellation of last year's event, and the council couldn't hide behind a safety issue any longer.

This was picked up by the local news, and at a meeting today, the council has seen sense, especially after a petition signed by over 12,000 people on the council's website.

Hopefully, Madeira Drive's road surface will be fixed up for this year.

Helmet laws: not a question of safety, but a question of liberty

Lembit Öpik, the Motorcycle Action Group's (MAG) Director of Communications & Public Affairs, has spoken out against the implied imposition of a mandatory helmet law for

cyclists. The threat has arisen as a result of the Advertising Standards Agency's (ASA) directive to Cycling Scotland, requiring them to feature cyclists wearing helmets, and refusing to authorise a television advertisement which showed a rider without a helmet – claiming that to do so would be 'socially irresponsible.'

Lembit says 'in 1973, British motorcyclists suffered a hammer blow to their liberty with the introduction of a mandatory helmet law. Over the last four decades we have never wavered from our principled position of opposing this authoritarian regulation. It's not because we're against safety; rather it's because we're pro-choice. At the heart of any truly free society, citizens have the right to make personal decisions about their welfare and the level of risk they're willing to entertain. No government has the moral authority to forcibly impose its opinion about what's best for citizens, because such a move is counter to the very freedoms which democracy exists to uphold. As such, we offer our full support to Britain's cyclists in opposing the mandatory wearing of helmets. This is a symbolic test of the liberty. A defeat on this would be a catastrophic failure of politicians to respect the personal liberty of the people.'

MAG Chairman John Mitchell adds 'I have instructed MAG's Reps to provide whatever support is necessary to assist the British cycling community to successfully resist this ominous legislative menace. The ASA has effectively used its position to censor Cycling Scotland's right to illustrate cyclists' liberty to ride without a helmet. They have evidently not got the right to veto the portrayal of a legal activity, but the precedent is extremely dangerous. Their action has reignited an issue which has been quietly smouldering for some time as far as motorcyclists are concerned. Make no mistake, we're ready, willing and able to take this issue to the politicians, and I have no doubt that this debate will now extend to bikers as well as cyclists. The Cycle Touring Club, which represents cyclists is firmly against compulsory helmet use, as it feels that mandatory helmet use will reduce the numbers of those people who take up cycling. What unites us all is our belief in personal choice. The very last thing elected politicians who ignore this can expect is an easy ride.'

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John Mitchell, National Chairman

NORTH EAST MAG

Bus Lanes – Blyth MAG

Following on from the work Andy from Durham MAG has done for bikers entering or riding in County Durham, Tony Reay up at Blyth MAG has been making significant inroads on Tyneside. (excuse the pun) Not a lot of people will know this, as most motorcyclists don't get involved in the riders rights issues or even in trying to improve things for two wheel users. Tyneside bus lanes have had changes coming in for a long time due to mix of lane types in use e.g no car, no bus, bus & tax etc.

The no car lanes were not considered to be what the authority wanted for instance many Powerful arguments are put forward for exclusive bus only lanes and that is what the bus companies want. Bus only lanes are super easy to police and set up, not only that but the bus companies are very powerful and they want, or demand bus only lanes. There

are other arguments that go on about competition between rival transport providers like taxis and bus companies, but you don't need to know all that.

It actually costs tens or hundreds of thousands of pounds just to change signage and road markings, then there's all the legal stuff to alter. Now I won't bore you with what's gone on behind the scenes but it would have been very easy for the authority to move to a very simple, easy to police bus only lane system and there is always a lot of big money pressure to do that.

During talks Tony was having with various authorities he was made aware of why these changes were coming. So well done Mr Reay and Blyth MAG for keeping bikes on the agenda during these changes and making sure bikes were allowed into those bus lanes. Oh, and read the last sentence about parking.

Dave Wigham. NE MAG Regional Rep.

From Visordown - Motorcycle tests down a quarter

The number of people taking the motorcycle test has fallen dramatically according to new figures from the Driving Standards Agency.

Practical motorcycle tests were down 24% in July to September last year compared to the same period in 2012.

The number of module one 'manoeuvres' tests fell to 15,349 and the number of on-road tests to 14,406, both representing a 24% decline.

The DSA said it was the knock-on effect of a surge in test bookings before new EU rules were introduced at the beginning of last year.

The new rules mean 17-year-olds face a minimum four-year wait and up to three rounds of practical tests to get an unrestricted licence, instead of two years and two rounds of tests.

They now face two years restricted to 125cc and 15hp, whether or not they take a test. At 19, they can take a test for up to 48hp. They then face another two-year wait and a further round of tests to get an unrestricted licence. Alternatively, they can take the single 'Direct Access' test for an unrestricted licence at age 24, up from 21.

The DSA said: 'The number of motorcycle tests, both theory and practical, was around 25 per cent lower in July–September 2013 compared with the same period of the previous year. This reflects the continuing effects of the rush to pass the practical test before new restrictions on young motorcyclists were introduced in January 2013.'

And on the same subject:

Demand for motorcycles falls behind in 2013

'The motorcycle market fell 1.9% in 2013 with 1,757 less units being sold than in 2012', said Sue Robinson, Director of the National Motorcycle Dealers Association (NMDA) which represents motorcycle retailers across the UK.

Overall, we anticipated the 125cc market to revive the sales, but after a positive start to the year, sales declined by 3.5%. Other sectors including the 50cc and 651-1000cc machines also saw a fall in sales in 2013.

The only sectors which saw an upturn in sales were 126-650cc bikes at 16.1% - up almost 2000 units. Models of over 1000cc saw an a greater uplift in sales - 6% and 918 more units sold, indicating the established riders are upgrading their machines as the market seems less affected by recessionary pressures.

Robinson continued, "Whilst the car market saw a 10.2% increase in 2013, it is disappointing to see motorcycle sales fall behind 2012. The reason behind increased demand for the car industry is partly down to the innovative way of buying a car or van through different finance packages promoted and offered by a number of the manufacturers.

"The car market offers standard low-rate or 0% HP offerings, and also personal-leasing deals where the customer only pays the depreciation and interest over 2 or 3 years and then hands the vehicle back after the agreed term.

"This brings the customer payments down substantially and therefore generates demand for vehicles that would otherwise appear to be too expensive for customers - possibly something for motorcycle dealers to look at this year in order to see the market strengthen in 2014".

House of Commons Transport Committee

Transport Committee invites ideas for future inquiries

The Transport Committee invites the public to suggest subjects for inquiries to take place later in the year.

Topics should relate to the work of the Department for Transport or one of its related bodies, such as the Highways Agency, Maritime and Coastguard Agency or Network Rail.

The Committee Chair, Louise Ellman MP, has said: "If you have an issue which you think we should look at we would like to hear from you. Please write to us, email, or submit your suggestion using our website or Twitter.

"Your suggestions will be important in shaping our future work programme. Once we have decided on which inquiries to hold we will publish all of the suggestions we received and what we decided in relation to each of them".

"That said, I must also emphasise that the Committee does not take up individual cases and will not look at local transport issues or specific transport projects unless they raise issues of national significance."

The Committee last invited the public to suggest inquiry ideas in March 2013. The suggestions received and the Committee's decisions about its programme were

published in June 2013.

F E M A

ITS: Can powered two wheelers benefit from new technologies deployment?

Assistive and cooperative systems (ITS) are expected to have a significant impact on the safety of Vulnerable Road Users (VRU), by influencing all road users' behaviour (Source: European Commission). The current state-of-the-art of ITS for transport has not undergone any specific impact assessment with regard to positive or negative consequences for the specific mode of transport on powered two wheels (PTWs).

Motorcyclists (PTW users), as VRU, need to be carefully integrated into ITS innovation and deployment policies to guarantee that they also "benefit" from new technologies and not just "pay a tribute" for it.

The 3rd European Motorcyclists' Forum invites you to join the discussions on these essential road safety issues, with leading safety and ITS experts, in one of the most prominent location of Europe decision making locations: the European Parliament.

- [Check the updated programme here](#)
- [Add the date to your calendar](#)
- [Check here how to get there](#)
- [Register here \(seats are limited\)](#)

The event, kindly hosted by [MEP Bernd Lange](#) will open in the European Parliament premises on March 5th 2014 (from 3 to 6pm). Discussions will continue on March 6th, all day, at the Thon Hotel EU.

[Follow the preparation of the event on the website :www.europeanmotorcyclistsforum.eu](http://www.europeanmotorcyclistsforum.eu)

AND

RIDERSCAN launches new survey on Intelligent Transport Systems and Motorcycling

The RIDERSCAN project is launching the 3rd and last survey targeting European motorcyclists. Focusing on new technologies and powered two wheelers, the survey will feed the RIDERSCAN report on Traffic Management, providing a unique opportunity to European riders to express their views on coming intelligent transport technologies.

Today, transporting people, goods, and information in the most efficient way has become critical for Europe to remain competitive globally. Technological development is often intended to provide people with more freedom and the time to perform other activities in a better way and is seen by all major stakeholders as an essential component of tomorrow's transport system.

Motorcycling is about freedom and powered two wheeler (PTW) users are regular market consumers using new technology to "gain time" and "freedom", to improve their riding experience or to increase their safety.

However, the riding activity, particularly complex, differs greatly from the driving one and has, up to now been poorly studied. As a result, most of discussed technologies are coming from the car industry, designed with little understanding of the riding constraints, and have led to poor acceptance by the riders. Moreover, motorcycle accident causation and risk factors are not fully known and the current state-of-the art of ITS for transport has not undergone any impact assessment with regard to positive or negative consequences for motorcycling. More specifically, no research has been done taking into consideration the variety of riding models and the specificities of the riding tasks. Hence, motorcycling needs to be carefully understood and integrated into ITS innovation and deployment today to guarantee that motorcyclists can also "benefit" from technological improvement, and not simply "pay a tribute" for it.

In this context, the RIDERSCAN project is launching a new survey on ITS and motorcycling safety. The ITS - Intelligent Transport Systems - User Survey is the 3rd and last survey launched in the context of the project and will feed the report on Traffic Management and new technologies.

With the objective to draw a European map of rider awareness and acceptance of new technologies applied to the transport systems, the survey is asking riders to evaluate willingness to test, use, and buy systems, which are, for a wide majority of them, far from being introduced in the market.

The survey is divided in 2 main sections:

1. **About yourself and your mobility habits:** to gather information about your experience and road habits in general (1 page - 18 questions) => 2 minutes
2. **About ITS applications/systems for PTW safety:** to have your opinion on applications discussed among ITS experts => between 15 and 20 minutes depending on how familiar you are with the topic.

[Answer the Intelligent Transport Systems & Motorcycling Safety survey](#)

With the objective to collect the views of those first impacted by the development of new technologies on bikes, RIDERSCAN aims at bridging the gap between road safety authorities, researchers, and industry stakeholders by setting up a detailed survey over ITS systems in relation with motorcycling and riding activities.

The survey will last for 3 months and preliminary results will be presented at the next European Motorcyclists Forum on March 5th, 2014 in the European Parliament, Brussels. More information on www.europeanmotorcyclistsforum.eu

House of Commons Transport Committee Oral Evidence – Passenger transport in isolated communities – held on 13 Jan (extract)

"Q30 Jason McCartney: I went to meet my local **motorcycle action group** last Thursday night. A young lad who has just got an apprenticeship talked about poor bus services. He has just invested in a moped to connect him with the six miles to work. What are your thoughts about companies or educational establishments investing in **motorcycles**, mopeds or cycles as a way to connect? A lot of focus in this session seems to be on rural bus services and local train services.

Stephen Joseph: I just referred to a project in the Chairman's constituency which is being funded by the local sustainable transport fund. There are others, and you may hear about more of them in subsequent sessions. There is the **Wheels to Work** project, which started as quite a rural thing, but there is a very good programme in south Yorkshire run by the community transport organisation there, again funded through the local sustainable transport fund. That has been very successful in providing loans and funding for motorcycling, cycling and so on.

The point I would make about this is that transport interventions have not traditionally been seen as part of the array of measures to get people off welfare and into work, to help reduce disadvantage, and actually, what we are seeing from the local sustainable transport fund is that they can be. It was not what the fund was specifically designed to address but it seems to have produced a number of projects. We are starting to collate them together in some areas just to see what is happening out there. We think there are opportunities for providing this kind of targeted intervention. **Wheels to Work** projects are one way of doing that.

Janice Banks: We are huge supporters of the **Wheels to Work** scheme. We have lots of case studies of people who have been able to take up employment specifically because that scheme has helped them to get to the place where they have been offered work. We are supportive of that. However, it is not the solution to all things, because, while it might help you get to and from work, you cannot really do your weekly shopping on a moped."

For full transcript go to:

<http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/5285>

MPs debated dangerous driving in a debate, secured by Chris Skidmore (Con, Kingswood).

He used the debate to focus on the law on death by dangerous driving, and noted concerns that "too many drivers have been prosecuted for careless driving when dangerous driving was at play".

As a result, he suggested their sentences were more lenient than they would have been if they had been prosecuted under dangerous driving.

MPs were reminded the government was committed to reviewing the law surrounding offences of dangerous driving.

In August 2013, it had been announced that the Sentencing Council would review sentencing guidelines for the recently introduced offences of causing death by careless driving; causing serious injury by dangerous driving; and causing death by dangerous driving. This debate was seeking to feed into subsequent government decisions, he said.

After outlining tragic cases from his constituency, he went on to say he agreed with suggestions there should be stiffer sentence for repeat offenders.

Skidmore said a "manslaughter charge could and should be considered as a way of toughening the law on dangerous driving and increasing sentences".

"We and the Sentencing Council need to give the courts more tools to deal with these cases" the House heard.

Concluding, he asked when the review would finally produce its report and urged the minister to look closely at introducing a change in the law to create a new offence of death or injury being caused by dangerous disqualified drivers, with a far tougher penalty than those currently imposed under the dangerous driving laws.

Labour's Ian Austin (Dudley North) urged the government to "look into what many people feel are the derisory sentences received by those who kill or injure cyclists."

"All too often, incidents in which people are seriously injured are downgraded from dangerous driving to careless driving because that makes it easier to secure a conviction" he feared.

There needed to be a comprehensive review of how the police investigated such incidents and of how the justice system operated when people were hurt or killed on the roads.

He urged the government to look at the British Cycling recommendations when published on Monday 10 February, to be launched at a parliamentary event.

Charles Hendry (Con, Wealden) spoke of a local school's experience of school crossings and suggested that it seemed "a school can highlight a serious risk in its risk register, propose actions to mitigate those risks, but then not implement them, and when that results in the death of a child, as far as the HSE is concerned, that does not warrant prosecution".

Susan Elan Jones (Lab, Clwyd South) reminded the House she had presented a ten-minute rule Bill on driving penalties earlier this year.

She said a specific case had shown clearly "how the laws on driving offences are not in proportion to the crime. The driver hit Robert, killed him and drove away".

MPs were reminded that "in cases when death is caused by a weapon rather than a vehicle, sentences are much longer even when the act is not premeditated".

Greg Mulholland (Lib Dem, Leeds North West) said "one of the weaknesses in the system is the confusion in both the sentencing framework and the sentencing guidelines as to whether particular forms of criminal driving should be regarded as particularly serious".

Rehman Chishti (Con, Gillingham and Rainham) commented that laws on drink-driving and sentencing were "completely inadequate" and referred to his private members' Bill which sought to introduce harsher sentences on repeat offenders.

Mulholland referred to the Jamie Still campaign, supported by Brake, which sought to impose a bail condition in cases in which someone was charged with death by dangerous or careless driving that automatically suspended their driving licence.

James Duddridge (Con, Rochford and Southend East) referred to the graduated driving licence systems in place in several states in the US, and in Canada, Australia, New Zealand, Sweden, Norway, Finland, France and Northern Ireland.

He called on the government to introduce a simple three-year system, and in different areas, features of systems include compulsory logging of the initial 120 hours of driving experience, a minimum period of driving on certain types of roads or a two-stage probationary period, which in some places is recognised by the use of P1 and P2 plates.

Shadow justice minister, Andy Slaughter (Hammersmith) noted that, since the North report 25 years ago, the offences of dangerous driving now included a maximum two-year sentence, causing serious injury by dangerous driving had a maximum five-year sentence, and causing death by dangerous driving had a maximum 14-year sentence.

He said there was a question of the degree to which the driving had fallen below the standard of competent driving, a judgment that needed to be made by the Crown Prosecution Service.

Once the level of offence to charge had been decided, there was the issue of seriousness regarding the quality of driving, and that of aggravating or mitigating factors, particularly relating to the individual accused.

He also noted the Road Safety Act 2006 introduced new offences of causing death by careless driving or by driving illegally, which attracted lower sentences of five years.

The offence of causing serious injury by dangerous driving had a maximum five-year sentence, as set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Speaking on prevention, Slaughter said "numbers of driving offences and the use of the motor car as a weapon of destruction are increasing elsewhere, and there are particular problems in this country that we have not fully addressed".

He also argued that more could be done on road safety, particularly for cyclists.

Justice minister, Jeremy Wright, commenting on sentencing said: "In deciding what sentence to impose, the courts must take account of all the details of the offence and the offender, including both aggravating and mitigating factors, and give consideration to the culpability of the offender and the harm caused".

On suggestions about restricting the types of vehicles that people of different ages can drive, and the need for a compulsory probationary period for drivers, he said the points would be considered carefully.

He also noted that the charges considered by courts were dependent on the charges that the Crown Prosecution Service choose to bring which would be based on its assessment of the quality of a defendant's driving preceding and at the time of impact.

Responding to calls for the offence of causing death by careless driving to be abolished, the minister said "the offence was created because in many cases the choices available to a prosecutor were either to bring a charge of causing death by dangerous driving, or a simple charge of careless driving where a death had resulted".

He argued that the consequences of removing it from the statute book needed to be weighed carefully.

Wright also referred to the new offence in the Crime and Courts Act 2013 of driving a motor vehicle while under the influence of certain controlled drugs in excess of specified limits.

"The new drug-driving offence will improve the law available for tackling the problem of drug-driving, which presents a significant road safety risk," the minister said.

He also clarified the distinction between the Sentencing Council's guidelines and maximum sentences, stating that the Sentencing Council set guidelines for how courts ought to approach sentencing within those maximums, and had developed guidelines for the courts when dealing with that type of offence.

The question that the House had considered the law on dangerous driving was agreed to.

For full transcript go to:

http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm140127/debtext/140127-0002.htm#ordayhd_1
