

ECF European Cyclists' Federation

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Council of the European Union
Competitiveness Commission
Technical Harmonisation (Motor Vehicles)
Transport Attaché
Permanent Representation of the
Republic of Poland to the EU
President of the Working Group
Mrs. Anna KRUKOWSKA
Rue Stevin 139
B- 1000 Brussels

Brussels, 19 January 2012

Re: IMCO Decision on the proposal on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (COM 2010 542)

Dear Mrs Krukowska,

The European Cyclists' Federation brings together 60 member groups from 36 countries, the consumers and users of bicycles and ≤ 0.25 kW Pedelects. Our aim is to ensure that bicycle use is safe and that it achieves its fullest potential so as to bring about sustainable mobility and public well-being.

I would like to take contact with you again concerning the proposal on the approval and market surveillance of two and three wheel vehicles and quadricycles (COM 2010 542). Amendments 107 and 110 [Article 2 – paragraph 2 – points (h) and (ja new)] call for ≤ 25 kph but unlimited power Pedelects and unlimited power eBikes to be exempt from the Regulation. I would like to reiterate our very grave concerns over the amendments and, if passed into law, the definitions of the exemptions to the Regulation.

As representatives of the consumers and users of the bicycle and pedelec one of our major concerns is with safety, with the bicycle itself and also with the infrastructure and environment that our members move on. We believe that exempting Pedelects/electric scooters *without a power limit* from the legislation would have very serious consequences for cyclists, and indeed for all road users.

Allow us to express some of our major concerns

- There will be a high increase in the relative speed on hills
 - Going uphill an eBike will be able to achieve a speed of 25kmh while the rest of the cycle traffic has considerably slowed. Increased divergence of speeds means a greater risk of accident
 - Once the eBike has reached 25 kmh the engine will cut out, and re-engage with a greater 'jolt' than bikes with much higher wattage. This could have significant consequences uphill.
 - They will come down the hill much quicker with a greater weight after building up speed uphill

- Despite some maintaining that speed should be the only factor determining vehicle safety, a more powerful eBike will have much higher levels of torque and acceleration from a standing start, and will cause accidents at junctions where 75% of cycling accidents already occur
- However we also think that speed will be greater with more powerful motors
 - The average speed over the whole journey will be higher
 - The extra jolt will propel a higher powered eBike faster before the 25 kmh cut off than the lower powered bike
- There is a big difference in controlling the propulsion of a bike with human muscle power and using an electric motor; one is to be *ridden* the other is to be *driven* as such there should be a difference in regulation such as a driving licenses/helmets etc for motorised vehicles that are not in line with muscle powered, or progressively motor assisted lower powered, bikes/Pedelecs
- These bikes are, as readily admitted by the eBike industry, to be marketed at elderly and disabled users, the very users who are at most risk
- Similarly a child could just as easily obtain such a bike and then be in control of 1000 Watts of power
- We would be very concerned about the possibility of an influx of cheap, poorly made bikes from Asia being dumped into the EU market, the EU market has successfully regulated itself for bikes of under 0.25 kW through CEN standard EN 15194, however this is a voluntary standard. Is the CEN standard placed to regulate powerful eBikes coming from an over supplied Asian market?
- This brings us to tampering. How easy is it to get around the 25 kmh speed limits of these eBikes? This is something that has not been researched nearly enough.

We are very concerned that the IMCO Committee of the European Parliament did not take advice from industry technicians on the technical issues that relaxing the regulation would entail and most of the advice the Committee received came from the retail sector representative. In contrast the TRAN Committee withdrew the same amendments, perhaps with an eye on the road safety issues that would ensue.

We sincerely hope that you will be able to consider our concerns when looking at the above mentioned amendments during the Technical Harmonisation: Motor Vehicles meeting on the 26th January. Again we would like to reiterate our support for the European Commission's original proposal, which also chimes with that of the European Parliament TRAN Committee and that of the European bicycle and bicycle parts Industry (COLIBI/COLIPED).

Yours Sincerely
Dr Bernhard Ensink
Secretary General, European Cyclists' Federation

