

# Testing Times



**Looking at the motorcycle test  
in  
Northern Ireland**

## Testing Times

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The motorcycle test to gain a motorcycle licence or to ride a motorcycle – scooter – moped on Northern Ireland roads has seen major changes in recent months and will see further changes within the next couple of years.

These changes include the introduction of CBT (Compulsory Basic Training) and an Approved Motorcycle Instructor (AMI) Register in February this year, the recent introduction of “Independent Driving” in the motorcycle practical riding test, the introduction of “European” based motorcycle test in 2008 and the upcoming implementation in 2012 of a 3rd European Driving Licence Directive.

Some of these changes have been years behind the motorcycle test in the rest of the UK, some have been in advance of changes in the UK and have been “improved” on, or are slightly different in their implementation.

Therefore we decided to look at and review these changes and ask the question - Will the motorcycle test in Northern Ireland ever be the same as the rest of the UK?

The Driver & Vehicle Agency took the opportunity to comment to the issues that we raised and on the current position on motorcycle licensing and training in Northern Ireland.

Our thanks to Brian Morrison, Chief Driving Examiner from the Driver & Vehicle Agency for his comments.

Trevor Baird

Right To Ride

### **CBT (Compulsory Basic Training) - Approved Motorcycle Instructor (AMI) Register**

Ever since we can remember the motorcycle test in Northern Ireland has had some sort of difference in how it is applied compared to the rest of the UK and in more recent years, the major difference was our lack of CBT (Compulsory Basic Training) and Direct Access.

The CBT was introduced in Great Britain (GB) in 1990 to reduce the number of young and inexperienced riders who were being injured and killed on the roads and as the title of the training says, it is compulsory for those wishing to ride a motorcycle as a learner rider on public roads.

It took over 20 years for the introduction of CBT in Northern Ireland - in February 2011.

The introduction of CBT can be seen as being in line with the requirements in the planned introduction of a 3rd European Driving Licence Directive, that a theory test or practical test must be completed before riding on the road.

The DVA say that both the AMI and CBT schemes were future proofed to ensure that we would fit very nicely with the changes being introduced through the directive.

Although we at Right To Ride were involved in the consultation process and welcomed its introduction for new riders, at present the Northern Ireland CBT courses for riders is not recognised by the Driving Standards Agency (DSA) in GB.

The DVA are liaising at present with the DSA and advise that currently there is no legislation in place to allow recognition in GB for the Northern Ireland CBT, however, once a legislation opportunity arises the DSA will amend the legislation accordingly to recognise the Northern Ireland CBT.

Apart from that, riders who have been riding for many years on a provisional licence are not happy with the introduction of CBT.

While a new Approved Motorcycle Instructor (AMI) Register was introduced in order to regulate this training, motorcycle trainers with long and relevant experience have received certain exemptions to become an AMI (known as Grandfather rights), if they can prove that they had relevant experience and/or qualification in providing motorcycle training.

On the other hand, riders who have been riding on a provisional licence, if they meet certain criteria regarding their car licence, can retain a full moped licence, but will have to complete the CBT or take their full test before February 2012 for a motorcycle or scooter above 50cc, up to and including a 125cc machine. Those riding the latter categories may continue to ride legally on the road up to February 2012.

Riders' comments we have received are:

- "I have been riding 125 bikes for 30 years and have a full car licence since 1989, I think it is disgusting I have to do a CBT when I hold a clean licence for both."
- "I use my bike for travelling to and from work, which is a 'greener' mode of transport, I care about the environment.....I'll use my car instead, I was doing my bit to cut CO2 emissions but they are forcing myself and others like me to take this action."
- "I know a lot of older riders who have enjoyed riding bikes as a way of life, who will now be forced off the road. The MPs and MLAs in Stormont have just taken a huge step backwards in my opinion."
- "17 years experience in cars, 3 weeks training and 2 HGV tests, 12 years truck experience and still can't drive a 125cc?"

The DVA should now retrospectively review this situation to allow these people to continue riding, after all the DVA has given "Grandfather rights" to trainers, so there is no reason why this should not apply to motorcyclists as well.

Other riders have faced difficulties in renewing their insurance as insurance companies are requiring a CBT certificate for renewals within the introduction period even though none is required. One rider confirmed, "I'm now 36, have been riding 125cc legally since I was 17 and last week my insurance company refuses to renew without a CBT certificate."

We could understand why an insurance company would not renew an insurance policy from February 2012, when a rider should either have completed a CBT or passed their motorcycle test. This is because if the rider hasn't then their insurance would be "null and void" within that year's cover. However refusing a policy now for somebody who is on a provisional licence, is an easy option for insurance companies who effectively want their cake and eat it too. Our opinion is that insurance companies should allow riders who are legally entitled to ride on the road to be insured.

The DVA say that initially there were some issues which was followed up within the stakeholders group, that was involved in the introduction of CBT and that initially insurance was a problem.

Companies would not issue cover unless a valid CBT certificate was held, the DVA say that this changed shortly after the introduction of CBT with various insurers now issuing cover, covering the policy holder while training with an AMI and kicking in proper when CBT has been completed.

However we are still unsure if a provisional licence holder is entitled get insurance cover before February 2012 if they do not have a CBT Certificate, which according to the DVA, is not required until then. This needs to be clarified.

## **Independent Driving**

An example of what is introduced in GB by the DSA can follow in Northern Ireland.

At the end of June 2011 the DVA introduced to the driving and riding test, "Independent Driving", where the test candidate has to take responsibility for route.

The idea behind "Independent Driving", which was introduced in GB in 2010, is to help make the driving test more representative of real driving to allow test candidates to demonstrate their ability to drive safely in realistic driving situations, rather than memorising a particular test route.

Riders who are riding on a provisional licence or who have completed CBT (Compulsory Basic Training) already have a sense of independence and individual decision-making. However we welcome the introduction of "Independent Driving" if only to check that motorcycle test candidates have confidence in their own capabilities."

We also welcome the Driver & Vehicle Agency's (DVA) comment that "Independent Driving" is not a test of how test candidates follow directions. The DVA have said that it doesn't matter if a test candidate doesn't remember every direction or if they go the wrong way, it won't affect the result of the test, unless a driving fault is committed. Also, if a test candidate does not have detailed knowledge of the test area or there are poor or obscured traffic signs, directions will be given by the examiner.

Last but not least there has been no increase in test fees or in the time taken to complete the test.

## **European Testing**

A "European" based motorcycle test (2nd European Driving Licence Directive) was introduced in Northern Ireland in December 2008 and in April 2009 in the rest of the UK. The aim was to improve road safety and this test included an "off road" section of manoeuvres designed to assess the rider's ability to control the machine safely (including a swerve and brake manoeuvre), to be carried out at a specified speed on a designated "off road" site.

In GB this "off road" site is designated as a Multi Purpose Test Centres (MPTCs) and there had been issues in GB of the amount and location of these MPTCs that were built leading to long distances required to travel and injuries sustained when completing some of the test manoeuvres.

In Northern Ireland the DVA had to ensure the design cost of the tracks was kept to a minimum to ensure the test was reasonable priced, to this end they have utilised, where possible, existing sites.

Previously we reported that an initial review of these manoeuvres was being completed in GB, however in Northern Ireland the test regime here was not included in the review. We stated at the time that "we can only hope that the agencies responsible here will examine the results of the DfT review with interest and evaluate the possible impacts on Northern Ireland accordingly."

The DVA say that Northern Ireland did not see a need to carry out a review as the scheme is working well with little or no complaints or incidents.

The initial review has now been completed by the DSA in GB with requirements relaxed so that test candidates no longer have to reach at least 31mph (50kph) while performing the swerve around cones. A new 5% margin for error means they can do it at 30mph.

In addition, failing to reach the minimum speed no longer results in an instant failure but counts as a riding fault, of which five are permissible.

In other words, trainee riders would no longer fail because they didn't thrash a 125 enough to reach 50kph (31mph) nor would they fail for "only" getting to 49kph and doing everything else faultlessly.

However any riding faults committed during the GB manoeuvres test are carried forward to the practical on road test.

The DVA have taken a different and perhaps more pragmatic approach in that both our tests are stand alone events.

This means that if you pass the manoeuvres test the result is valid for 2 years, in GB both events must be passed within 6 months.

### **Review In GB**

The DfT (Department for Transport) Minister in GB Mike Penning, previously said, "That is why I decided to carry out a full review of the motorcycle test." He said the first changes were "applying common-sense measures which will see the off-road section of test made safer, fairer and more realistic." "The changes are an interim measure ahead of the off-road section being scrapped and the manoeuvres incorporated into the on-road part of the exam."

In January 2013, another European Directive on driving licences (3rd European Driving Licence directive) is due for implementation which is designed to harmonize motorcycle licences across Europe.

In 2010, the Department of the Environment (DOE) issued a consultation and subsequently a response in January 2011. This should see the introduction of "Direct Access" in Northern Ireland, which was introduced in GB in 1997, for riders who are over a certain age to take training and testing directly for access to a larger cc machine.

### **Review In NI**

The DVA (Driver and Vehicle Agency) has reported that it is proceeding with the drafting of the necessary legislation, with a project team working closely with their counterparts (DSA – Driving Standards Agency & DVLA – Driver and Vehicle Licensing Agency) through working groups and project boards in GB to oversee the implementation of this 3rd Directive.

We are assured by the agencies in Northern Ireland that where possible (the get out clause), there is a consistent approach throughout the UK and that the changes will be fully explained to keep stakeholders and interested parties informed of the changes being made.

At Right To Ride we do not want "where possible" as this seems to be an inconsistent approach.

To our knowledge there has been no communication to stakeholders or interested parties to date on what is happening in GB, or further information regarding the Department of the Environment (DOE) document, which contains the Summary of Consultation Responses, the Department's Response, and Next Steps regarding the implementation of the 3rd EC Directive On Driving Licences.

The "filtering" out of the worst of legislation from GB and Europe may take place by our authorities here. Equally we simply want parity with riders in GB, so that no matter where riders in GB or Northern Ireland do their training or take their test, every rider in the UK is treated the same.

As riders we want to be included, informed and listened to regarding the proposed changes and introduction of legislation, which should be delivered in a transparent manner that will most certainly affect the future of motorcycling.

The Department of the Environment and the Driver and Vehicle Agency (DVA) have responded in full to our initial concerns and our planned editorial.

## Department of the Environment and the Driver and Vehicle Agency (DVA)

The Department of the Environment and the Driver and Vehicle Agency (DVA) invest much time and resource into identifying ways and means of communicating with key stakeholder groups when developing policy. We are always grateful for opportunities to communicate, and welcome Right To Ride's invitation to respond to their editorial, and to comment on the current position on motorcycle licensing and training in Northern Ireland.

It may be useful to set out the framework within which policy work is carried out. The Northern Ireland Road Safety Strategy, published in 2002, included a number of action measures relating to motorcycling; for example, action measure 43 was a commitment to review the existing voluntary motorcycle training arrangements and consider introducing Compulsory Basic Training for motorcyclists.

The consideration of any new compulsory system of training requires careful coordination of many different streams of activity. For instance, any existing schemes of a similar nature must be examined critically, to identify best (and worst) practice. The legislative background must be researched, to ensure that the Department would have sufficient legal power to introduce such a scheme. The costs, benefits and impacts on all varieties of motorcyclists must be weighed up and balanced. Although the existing CBT system in Great Britain provided a useful start point, it was soon clear that there were some shortfalls in that system which were already identified by the Department for Transport.

Once the decision was taken to introduce CBT, the Agency was tasked with developing an implementation plan and bringing the new system into operation. One of the first things the Agency did was to establish a stakeholder group made up of representatives from the motorcycle industry which included Right To Ride. This was a long and, of necessity, detailed project, given that a prerequisite to CBT was the introduction of a statutory Approved Motorcycle Instructor Register. The stakeholder group was actively involved and made a significant contribution throughout the development of both schemes.

Whilst the Department and DVA would have much preferred to establish CBT earlier we are pleased that we now have a well designed statutory process which ensures that the public can rely upon an acceptable standard of tuition from registered instructors. However, we are not complacent and will continue to look at ways of improving the scheme. We have already actively sought feedback from the stakeholder group on a number of issues including insurance. Feedback would suggest that although there were some initial problems around the issuing insurance to riders who did not have a valid CBT, in the main they appear to have been resolved. However, a recommendation from the stakeholders to clarify the NI CBT scheme to insurance companies will be taken forward and we intend writing to the Association of British Insurers.

During the development of the scheme road safety was foremost in our minds but we also were very aware of the potential impact on individual groups of riders. For example we considered those riders who use motorcycles below 125cc capacity on a provisional licence as a matter of course, many of whom rely on their motorcycles for daily commuting and other essential travel. It is accepted that many of these riders may be skilled and experienced, but it was also possible that many may have dangerously poor riding skills. In the interests of road safety and equality it was decided that all riders should be required to undergo CBT, if they wished to continue riding on their provisional licences. This would ensure that all motorcyclists had the same basic knowledge and skills and ultimately make the roads a safer place for all road users.

It may be worthwhile pointing out that while a car driver may have years of experience driving cars, the skills required to control a motorcycle safely are in many respects different and unique. Experience on one type of vehicle does not necessarily transfer automatically to another. To put this into perspective, research commissioned by the Department in 2009 identified that over a ten year period, 21% of accidents where motorcyclists were killed or seriously injured involved learner riders.

The GB government is working with motorcycle groups, training organisations and others to review the motorcycle test in GB. They are considering various options around content, delivery and training and intend to carry out a full review of the motorcycle test. However, in advance of the review they identified and introduced some minor changes which they believe will benefit the test in GB. Whilst there will be

some changes to the order in which the exercises are taken the exercises remain the same. However, DSA has introduced a 5% tolerance to the speed required (2 km/h below 50 km/h).

Generally the GB format is slightly different from NI's as they carry over riding faults from the off-road manoeuvres to the on-road practical test, whereas in Northern Ireland both tests are stand alone. In GB one must pass the practical test within 6 months of passing the manoeuvres test whereas in Northern Ireland a manoeuvres pass is valid for 2 years. The layout and dimensions of the tracks in Northern Ireland are also different and little or no concerns in relation to the test content or delivery including any issues with attaining the 50 km/h speed requirement has been raised by the industry. Therefore at this stage it is not our intention to make any changes to the way we deliver the test but will keep a watching brief on the outcome of the GB review and if specific areas are identified which will further improve the NI format we will consider these.

Looking forward, the progress towards standardised motorcycle licensing across the European Community will continue: with the implementation of the 3rd Driving Licence Directive, the contents of which were negotiated by representatives of Member States and agreed by the European Parliament.

The 3rd EC Directive on Driving Licences will harmonise definitions of vehicle sub-categories and rules on the duration of the validity of a licence. It also introduces minimum standards for driving examiners and attempts to ensure that no-one can at any time possess more than one driving licence issued by an EEA Member State.

The most significant changes required by the 3rd Directive to current UK practice are:

- changes to the size categories of motorcycles, including a new medium-sized category;
- a new route for younger motorcyclists wishing to progress in stages to the larger and more powerful machines (currently, unlimited access to all motorcycles is gained automatically after two years' experience on less powerful machines);
- Direct access to larger bikes
- the minimum age for motorcyclists gaining direct access to the most powerful motorbikes will be 24;
- drivers of medium and large buses and lorries must renew their licences and demonstrate continuing medical fitness every five years (the present UK requirement is five-yearly renewal only after age 45);
- a formal test for car and light van drivers wishing to tow a medium-sized trailer.

In order to ensure the industry is kept informed of progress relating to the forthcoming 3rd Directive and how it may impact on them we will be talking to those who responded to the Consultation and other interest groups with a view to setting up a stakeholder group in the autumn.

Brian Morrison, Chief Driving Examiner, Driver & Vehicle Agency.