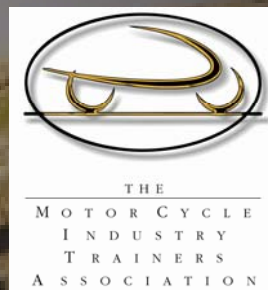







Let's make a difference together



3DLD Extra Notes

The MCITA have created a set of Guidance Notes which may help you to understand the views of the MCITA Committee and the majority of our members. As we have previously stated, the Guidance Notes focus purely on the questions related to motorcycles, although within the Consultation response there are questions on other areas such as cars. If you wish to answer these, please feel free to do so.

However, if your interests are purely about the motorcycle element of 3DLD, we would ask you to consider answering a number of more general questions at the end of the Consultation. These are related to:

-  General comments about Consultation
-  Issues related to the costs laid out in the Consultation's Impact Assessment
-  Comments about the Impact Assessment (Annex H)
-  Consultation Criteria
-  Likes/Dislikes about the consultation



Things you may like to consider about the impact assessments:

Vague - any reference to costs which will have to be met by the trainer are very vague. They do make it clear however that the figure would change depending on how many trainers were interested in taking on licence upgrade training.

Cost Recovery - it is assumed in the Consultation that any costs met by the trainer would be passed on to the trainees. Some trainers have told us that they would not be able to put their prices up as they have already had to do that for the changes from 2DLD. The potential costs stated are high at £800-£1,300 per annum.

Gold plating - the Consultation proposes training and testing, the Directive requires only one of these to be implemented.

General comments about the consultation

This allows you to include some general information about the Consultation. It is sometimes difficult to find the right place to raise objections or constructive criticism. This is likely to be the best place to include information that is not specific to a particular question.

Likes/Dislikes

The very last question on the Consultation is about anything that you particularly liked or disliked about the Consultation. Did you find it easy to understand? Was it well laid out?

Consultation Criteria

Government have to issue Consultations in accordance with a Code of Practice on Consultations. There is a set of criteria that they must meet. The criteria are provided overleaf. Please read these and comment, if like us, you do not think that this Consultation meets all the criteria.

CONSULTATION CRITERIA

The Better Regulation Executive, part of the Department for Business, Enterprise and Regulatory Reform, issue a Code of Practice for Consultation. This document describes a list of criteria which must be met:

Criterion	Issue		Description
Criterion 1	When to consult	✓	Formal consultation should take place at a stage where there is scope to influence the policy outcome.
Criterion 2	Duration of consultation exercises	✓	Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
Criterion 3	Clarity of scope and impact	X	Consultation documents should be <u>clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.</u>
Criterion 4	Accessibility of consultation exercises	✓	Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
Criterion 5	The burden of consultation	X	<u>Keeping the burden of consultation to a minimum</u> is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
Criterion 6	Responsiveness of consultation exercises	?	Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
Criterion 7	Capacity to consult	?	Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The Motor Cycle Industry Association has written to the Department for Transport and raised concerns that the Consultation falls short, specifically on Criterion 3 and we have asked for the Consultation to be withdrawn.

In the view of the MCITA Committee and the majority of members, the Consultation is certainly not clear. There are a number of areas within the Consultation which are confusing and have been misinterpreted by a number of stakeholders. This includes the proposals for *moped licensing* and *provisional licensing under the progressive access route*.

Trainers who are in membership of MCITA have been made aware of these issues however, there are many stakeholders who unlike MCITA, are not in a position where they can clarify points with the DSA at Stakeholder meetings; they are therefore unlikely to gain a full understanding of the issues that are raised by the Consultation. Our concerns are based around the fact that the consultation is misleading, and thus not fit for purpose, therefore likely to generate inappropriate responses.

The Consultation identifies motorcyclists as the '**group most affected by the training/testing changes in the new Directive**'. Bearing this in mind, trainers should be able to understand from the consultation document how the changes would affect their business and further, how much this would cost. In our opinion these issues have not been made clear in this Consultation.

If you feel that the Consultation does not meet the criteria, **please comment on this** in the space provided on the response form. It is important that we make it clear how many stakeholders have struggled to understand the proposals within this Consultation.