



Brussels, 26 January 2010

**ACEM REPORT ON NON COMPLIANCES FOUND  
IN SAMPLE MOTORCYCLES MANUFACTURED  
IN THE CHINESE PEOPLES REPUBLIC**





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### 1. Executive summary

The members of ACEM (the Motorcycle Industry in Europe) welcomed the harmonisation of the construction standards that started with Directive 92/61/EC on the type approval of two and three wheeled motor vehicles, now superseded by Directive 2002/24/EC. The process did achieve a reduction in the overall extent of type approval testing, compared to compliance with the previous national regulations. Nonetheless the resultant EU Type Approval process is complex and expensive, and if manufacturers or importers can avoid compliance, deliberately or otherwise, they can gain an unfair competitive advantage.

This report presents strong evidence that, over a period of several years motorcycles, scooters and mopeds imported from manufacturers based in the Chinese Peoples Republic (CPR) have failed to maintain the performance standards required by the conformity of production obligations in the Directive 2002/24/EC. This assertion is based on the testing of 4 samples from the UK market, 3 from Spain and 4 from Italy. In particular, the results indicate that CPR manufacturers are having great difficulty in meeting the limits for complying with the limits for carbon monoxide (CO). In tests carried out in the UK during 2007 by the Department for Transport, 4 different types failed the emission test by 13, 23 and 110% respectively. The fourth a moped, delivered with its restrictor removed, failed by 150%. Tests on four CPR made machines in Spain also showed problems with emission controls, and finally tests carried in Italy in autumn 2009 confirmed that the situation with all the samples test exhibiting serious non conformities, again including braking and emission control systems.

Perhaps more seriously, the braking performance of two of the samples tested in the UK were deficient, one taking 35% longer to stop than is permitted in the test, the other 18%. Three braking deficiencies in the machines tested during 2009 tests in Italy indicated that this problem persisted, and indeed were aggravated by mistakes in final assembly.

The report gives consideration to the measures in the Directive (Article 10) for ensuring that production vehicles comply with their type approval and concludes that they are at best ineffective. This puts the EU's buying public at risk of buying potentially unsafe products, failure to protect the environment and the manufacturers who abide by the Directive at a commercial disadvantage.

The preparation of the new Framework Regulation creates an opportunity to review the compliance arrangements, and recommendations have been made for improvements. A failure to address these deficiencies carries the risk that the type approval process will be devalued, and simply become a costly bureaucratic exercise burdening the those willing to "play by the rules", and avoidable for those less scrupulous.

A second problem faced by the European industry in regard to the enforcement of EU Type Approval, is the importation of ACEM members own products, prepared to national



standards outside the European Union (such as the United States), by commercial companies. ACEM has evidence that this is being carried out with forged Certificates of Conformity. At least one administration has taken the view that a major manufacturer's products (whatever regulations it conforms to) will be safe for use on its roads and indeed this is true. However if EU Type Approval is not to be enforced the next question must be of "why not have mutual recognition" among the major legislative systems. A further, separate report on this topic is under preparation.

## 2. Introduction

The 1980s saw a remarkable growth in the number of companies manufacturing Powered Two Wheelers (PTWs)<sup>1</sup> in the Chinese People's Republic. European entrepreneurs attending trade fairs in China at this time noted the extraordinarily low trade prices at which the vehicles were being offered and some negotiated the purchase of container loads to sell into the EU markets. These vehicles were often in Chinese domestic market specification and approved through national Single Vehicle Approval (SVA) schemes where this was possible.

However, by the mid 2000s, those importers' using the SVA schemes found themselves at a disadvantage to those buying fully EU type approved models. This resulted in the vast majority of both the CPR manufacturers and their EU importers arranging for their models for sale in the EU being approved to the Directive 2002/24/EC. First registrations of CPR models in the EU are indicated in the table below.

*Table: First registrations of mopeds and motorcycles manufactured in the CPR in France, Germany, Greece, Italy, Spain and UK, 2002-2008*

Year	PTW type	France	Germany	Greece	Italy	Spain	UK
2002	Moped	2874	22007	Unknown	16352	9462	5956
	Motorcycle	3,977	7,280	6,784	11,222	2,075	12,858
2003	Moped	2993	21741	Unknown	6650	9598	11111
	Motorcycle	5,983	15,728	7,749	8,404	2,037	12,978
2004	Moped	6165	20626	Unknown	8960	14675	9281
	Motorcycle	10,747	21,759	13,447	29,863	4,099	10,303
2005	Moped	13800	47286	Unknown	14223	9114	9520
	Motorcycle	13,881	13,100	29,260	36,434	29,900	11,782
2006	Moped	4555	61284	20542	1288	33487	10404
	Motorcycle	22,837	15,659	38,411	36,884	43,348	16,416
2007	Moped	59500	45459	Unknown	16861	23074	10332
	Motorcycle	26,470	14,522	29,969	45,284	39,116	14,961
2008	Moped	59838	21866	Unknown	27851	26233	13626
	Motorcycle	28,520	20,741	30,467	54,485	25,818	15,866

Source: ACEM market statistics

<sup>1</sup> PTWs: mopeds and motorcycles, both include scooter style vehicles

It must be noted that the number of imported PTWs from the Chinese People's Republic has reached significant volumes, far above 300,000 units since 2007, representing a market share in the range of 15%.

This paper will show how a lack of enforcement of the Directive on European Whole Vehicle Type Approval (EUWVTA) has led to a situation where non compliant products are being marketed in the EU. This has resulted in vehicles being sold that are possibly unsafe and environmentally unsatisfactory.

Further, EU manufacturers are facing unfair competition from developing country competitors some of whom are reducing the cost of production by the use of non compliance. EUWVTA was implemented to harmonise the (now) 27 different national construction standards and to protect the safety of the Union's EU consumers and environment. If it fails then both are compromised.

This report presents evidence that not only is the process for type approval enforcement failing in the following ways:

- The timescale built into Article 10 para.2 does not address non compliances on a commercially realistic timescale,
- Conflicts of interest are built into the enforcement system such that it may make it commercially unattractive to the technical services<sup>2</sup> to take a strong approach to their enforcement obligations.
- The number of samples to confirm a non conformity found in samples taken by national authorities is undefined,
- The cost of CoP checks on individual model types makes unacceptable demands on budgets of government departmental,
- The process is excessively complex and costly.

### **3. EU whole vehicle type approval and enforcement regimes**

Directive 92/61/EC introduced EUWVTA for the first registration of all PTWs in 2001. This has replaced the 27 different national standards and approval processes, and offers the EU consumers re-assurance that their purchases have been rigorously tested before being put on the Union's markets. It also offered manufacturers selling into the EU markets, a saving in terms of both national testing fees, and the preparation of prototypes for national testing.

Nonetheless, EUWVTA is still a very expensive process:

- The costs of fees alone for a new type being in the region of 25,000 Euros. In addition there are other internal costs (manufacturer document preparation, the test bikes, bike pre-testing, drawings/photos, CoC and COP database management, VIN database etc.).

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<sup>2</sup> Technical Services are the laboratories approved by Member states to carry out type approval tests and inspections 2002/24/EC, Article 2, para 11.

- Further, the preparations for the approval of a single new type involves somewhere in the region of 25 man weeks, totalling around 60,000 Euros,
- The cost of the preparation of each pre-production motorcycle will be in the region of 10,000 Euros.

It needs to be remembered that in addition to the costs of type approving a new model, there are also the costs of “conformity of production” inspections by the competent authorities and/or the technical services.

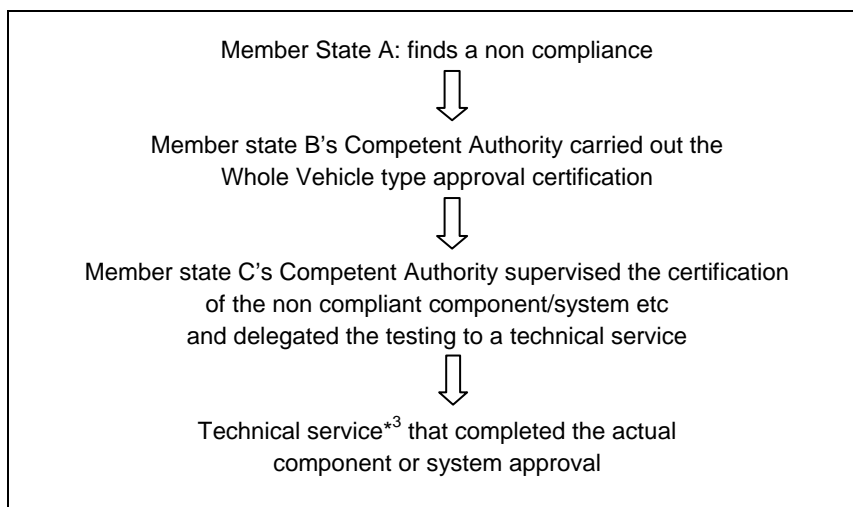
### 3.1 Enforcing compliance

The Directive 2002/24 contains articles (see Appendix 1) setting out the methods of ensuring that series production PTWs stay within the tolerances allowed for under the directives. In 2002/24/EC these are:

### 3.2 Article 10

Article 10 paragraph 2 states that *“If a Member state finds that vehicles, systems.....do not conform to the approved type, it may request the Member state which has conducted the type approval to verify the irregularities found.”* The type approving Member state concerned is then **allowed 6 months** to carry out its investigations. The follow-up process for rectification is described in the preceding paragraph. *“If the Member State which has conducted type-approval finds that vehicles, systems, separate technical units or components do not conform to the approved type, it shall take the necessary measures to ensure that the production of any item that has been type-approved is again in conformity.”* In practice this may be a long and difficult process for the successful rectification of a non compliance, as is demonstrated in the chart below.

Chart 1: Flow chart from the finding of a non compliance to the responsibility of rectification



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<sup>3</sup> NB Technical Services are the laboratories approved by Member states to carry out type approval tests and inspections 2002/24/EC, Article 2, para 11.

### **3.3 Article 12 Prohibition on sale and registration**

An additional power is contained in Article 12 that offers the Competent Authority of member states the opportunity to suspend the sale of a product considered unsafe for a period of six months. However, there is little evidence of this being used.

### **3.4 Evidence of the Failings**

A question that needs asking and answering is “why would a manufacturer allow series production to slip outside the tolerance allowed for by CoP?”. There are several answers:

- It needs to be born in mind that the CPR manufacturers are in competition with each other, for the “lowest possible price” market sector. They are under pressure from their EU distributors achieve this price position.
- Under such pressures, any small savings that can be achieved between the costs of a type approved component and the production component can be a significant step towards achieving the “lowest possible price”.
- As yet there seems to have been little effort on the part of CPR manufacturers or their EU importers to create a brand with values to protect. Therefore there is little stigma (or cost) attached to being found to be selling PTWs that do not comply with their EU type approval.
- It may be that some manufacturers of non compliant products simply do not fully understand the EU Type approval process and the conformity of production obligations that it imposes.

### **3.5 Why would deliberate non compliance be tempting?**

There is an assumption that all parties will act in good faith. While for the majority of manufacturers with well known brand values to protect, non compliance is unattractive as damage to the brand may result. Experience suggests that for some market entrants, usually in the low price sector, the need to save costs to a minimum may make the risk of non compliance acceptable. A hypothetical example based on a saving from the cost of production of a catalytic converter for a motorcycle follows:

A new motorcycle type is presented to a technical service for the approval of its emission control system. The prototype motorcycle passes the limits and is duly certified. The catalytic converter of the prototype had a wash coat of precious metals at high ratio to ensure a satisfactory pass when under type approval test. Subsequently in series production the ratio of precious metals was significantly reduced, thus achieving a cost saving per component (but with the catalyst no longer performing as per the original). The paper trail for the type approval conformity would still refer to the higher ratio catalyst, and only if samples of the type were subsequently tested by one of the Members states would a CoP failure be noted.

Actually discovering that an emission non conformity was due to a “thinned out” wash coat, would require an in depth investigation of several sample vehicles. Such an in depth investigation would be a long and slow process for the Competent Authority



concerned. For the manufacturer of low value PTWs any cost saving per vehicle is very tempting, particularly as non compliances are most unlikely to be detected and the consequences minimal.

### **3.6 What is a non compliance?**

This is a question that at least one competent authority has posed recently. Article 10. 2 states that:

*“If a Member State finds that vehicles, systems, separate technical units or components do not conform to the approved type, it may request the Member State which has conducted the type-approval to verify the irregularities found.”*

This raises the question of how many samples need to be tested to confirm that a non compliance has occurred. A single sample is unrepresentative of the type, but how many samples should be tested to confirm a non compliance?

It seems that some clarification would be appreciated by the competent authorities.

## **4. Evidence of non compliance**

ACEM is aware of at least three separate sets of tests of CPR manufactured PTWs over the past three years:

- The first by the UK’s Department for Transport in 2007
- The second by the Spanish motorcycle industry association ANESDOR also in 2007
- The third by the motorcycle industry association ANCMA, October/November 2009

ACEM is aware that during this period a number of member states have tested various models from both EU and non EU sources.

### **4.1 Evidence from UK compliance testing**

In 2007 UK’s Department for Transport (DfT) carried tests out on 4 PTWs as part of its Type Approval compliance programme. All four motorcycles were manufactured in the Chinese People’s Republic by major CPR manufacturers. The vehicles in question were sourced from Internet suppliers. Two of the vehicles were supplied in crates in semi knock down condition, to the purchaser’s home address and lacked any form of assembly instructions. The other two were supplied fully built to the purchaser’s home address. Registration documents and Certificates of Conformity were received separately by post.

The compliance project was carried out by the Vehicle Certification Agency (VCA) on behalf of DfT. Some 95 assessments were carried out and there were some 21 failures of compliance. Some of the non compliances were of a more serious consequence for safety and the environment, namely 2 relating to brakes (93/14/EC), one taking 35% longer to stop than is permitted in the test and the other by 18%.

In regard to emissions, all 4 machines failed, one producing 110% more CO than is permitted, the second 23%, and the third 13%. The fourth, a moped, had had the

restrictor removed and although the test was not valid the emissions exceeded the limit by 150% (97/24/EC Chap.4).

Two of the four machines tested exceeded the limits for permissible sound levels (97/24/EC Chap.9), both by a margin of 5 decibels. These results provided the first evidence that that some extra EU manufacturers are finding great difficulty in keeping their production within the conformity of production allowances.

### **4.2 Evidence from Spain**

Further evidence was gained from ANESDOR, the Spanish motorcycle industry trade Association who arranged for four motorcycles from CPR manufacturers to be tested by the Spanish Ministry of Defence laboratory to check compliance with the requirements in Directives 97/24 Chapter 5, and 2003/77 (stage B). None of the 4 machines fulfilled all the relevant requirements. Copies of the test certificates are attached in Appendix 2.

The evidence suggests that the manufacturers of the types tested had their new types properly type approved, but subsequently during production they “slipped” out of conformity. Although in the case of the UK tests, the national competent authorities have followed up with the test house concerned, the success of any remedial action remains uncertain.

### **4.3 Evidence from Italy**

The final evidence comes from the testing of 4 CPR made scooters (one a moped) by a laboratory used by the Italian Ministry of Transport in October and November 2009. All four machines failed to comply with EU Type Approval in several respects. Again, braking non compliances featured, 3 of which were potentially dangerous, and excessive CO emissions were evident, varying from 20% over the CoP limit, through 5 and 10 times the limit, to being outside the scale on the test equipment. The details of the non conformities are summarised in table 2.

### **4.4 Conclusion**

In three separate sets of tests over a period of two and a half years some 16 samples of CPT production motorcycles and mopeds have been tested, and in each case failures to comply with EU Type Approval have been found.

Table 2: Non conformances found in the samples of PTWs manufactured in the CPR and on sale in Italy

Directive	Make/ model	Make/ model	Make/ model	Make/ model
	<b>Boatian Fox 50</b>	<b>Loncin- LX125</b>	<b>Fosti Lambretta 125</b>	<b>Fosti Motom ANA 151</b>
<b>UN ECE50R00</b>	Front direction indicator lamp maximum power is below the limit	Front direction indicator lamps do not meet the photometric performances required.	Direction indicator lamps with photometric performances highly below the limit and incorrect bulbs.	Some reading points for the stop-light and nearly all the reading points for the rear direction-lamps are below the minimum value permitted, moreover the direction-lamp marking is not correct.
<b>93/14/EC</b>	Front brake fluid level not visible.	<b>Excessive braking distance for rear brake. Rear brake lever always contacting handle-grip. Brake master cylinder fluid level not visible.</b>	<b>Sudden wheel lock during braking.</b>	<b>Brake system incorrectly assembled</b>
<b>93/92/EC</b>	Visibility angles not respected for rear retro-reflector. Incorrect rear number-plate light installation and marking.		Direction indication lamps, where removing one bulb does not change the blinking frequency of the other. Rear number-plate light marking not readable.	Direction indication lamps, where removing one bulb does not change the blinking frequency of the other.
<b>97/24/EC_Chap.5</b>	<b>CO emissions out of range (more than 10 times above limit value).</b>	CO emissions 20% above limit value.	<b>CO emissions 5 times above limit value.</b>	<b>CO emissions out of range (more than 5 times above limit value).</b>
<b>97/24/EC_Chap.3</b>	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.	External projections: front mudguard leading edge below 2mm radius, irregular rear-reflectors mounting	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.
<b>2002/24/EC</b>	COC section 42.1 mentions 2 seats, but type-approval report mentions 1 seat.			
<b>93/31/EC</b>		Side stand not retracting automatically without engine cut-off switch		
<b>93/32/EC</b>		Sharp edged handhold grip. Handhold strap on saddle broke under 500N load	Excessive pressure on hand-grip for passenger handhold.	Excessive pressure on handgrip for passenger handhold.
<b>97/24/EC Chap1</b>		Marking of maximum permitted load on rims below maximum permitted load on both axles	Marking of maximum permitted load on rear rim below maximum permitted load on both axles.	Marking of maximum permitted load on rear rim below maximum permitted load on rear axle.
<b>93/29/EC</b>			Irregular direction indicator tell-tale and not easily visible.	Stop lamp indicator on dashboard not permitted

## 5. Importation and marketing

A bi-product of this study has been an insight into the supply of the PTWs to the retail customer. While it is perfectly legal to deliver a motorcycle to the end user in a crate with the wheels, handlebars and some lighting components detached, it seems the height of irresponsibility that no assembly instructions were included. Indeed, such a practice would seem to run counter to the Directive on General Product Safety, potentially incurring criminal liability. A lack of assembly instructions were noted in the UK examples and serious assembly deficiencies noted in the Italian samples.

Responsible manufacturers not only deliver their products through professional dealers with trained technical staff, they also provide their dealers with assembly manuals. Their dealers assemble the motorcycles (most are crated) and provide a thorough "Pre-delivery inspection". However the UK DfT has sought internal legal advice that suggested that the final assembly should be considered as part type approval process. This also needs clarification.

Regarding the problems caused by the delivery of crated motorcycles and the associated dangers to retail customers, the BBC consume protection programme Watchdog, featured a company "Directbikes". This programme was screened on November 17th 2008, and could be found at: [http://www.bbc.co.uk/blogs/watchdog/2008/11/direct\\_bikes](http://www.bbc.co.uk/blogs/watchdog/2008/11/direct_bikes).

All four of the samples from the Italian market exhibited problems with their braking systems, the Fosti Motom ANA151 having been incorrectly assembled by a shopping centre outlet. The extent of the non compliances would seem to indicate, either a failure to understand the EU type approval system and the conformity of production requirements or a deliberate intent not to comply.

### **Conclusion:**

The free access to the EU market currently enjoyed by importers of PTWs needs reviewing. Similarly the supply of PTWs to retail customers through non professional retailers or direct to the retail customer should be reviewed.

## 6. An ineffective compliance process

This study has shown that over a period of several years, samples of CPR products taken from three major EU markets, have been proved to be non compliant with the conformity of production tolerances allowed for in the type approval process. The procedure for addressing such issues is described in Article 10 of 2002/24/EC. Factors that make the compliance regime ineffective in the commercial world include:

- The 6 month report-back period is too long

- The number of samples that confirm a non compliance is undefined,
- The cost of testing imposes an excessive burden on the competent authorities,
- Often actual test work is delegated to technical services (the laboratories approved by Member states to carry out type approval tests and inspections) who are in competition with each other,
- The market for type approval contracts is highly competitive and the double responsibility to both testing customers' vehicles, systems etc places the technical services in a dilemma when a non conformity is reported and action need to rectify it. If the technical service is scrupulous with the rectification it may endanger future contracts with that customer.

### **Conclusion**

We believe that the European Test houses work to the highest ethical standards, but a number have established offices in the Far East and there is some concern that these branches are not operating to the same standards. It is often these branch offices that have the responsibility for witnessing tests, often carried out in the local manufacturers own facilities and ensuring that reported non compliances are rectified.

### **7. Safety Recall System**

The member states should all have a Safety recall process in place. Products for which a safety recall notice has been issued are notified on the RAPEX web pages. In the case of motor vehicles recall notices are exchanged internationally among the major vehicle markets of the Europe, North America, and Asia.

The safety recall process is widely used by responsible manufacturers and their importers; the small number lack of entries for type approved CPR manufacturers' models is remarkable, given the deficiencies found in the samples from the UK and Italy.

### **8. Unfair competition**

The members of ACEM support the right of extra EU manufacturers to compete in the EU markets. Nonetheless, they are also deeply concerned if non compliance with type approval is used as an additional cost reduction. This would be in addition to the enormous differential in labour costs between the CPR and the EU countries. Finally the use of EU importers who deliver crated vehicles direct to retail customers yet further reduces the retail price to the often unsuspecting customer, who does not realise that he/she must assemble the vehicle from a crate, and that technical and parts support will be marginal at best.

## 9. Conclusions

1. There is evidence gained over a period of several years from 3 major EU members states, that a significant number of motorcycles placed on the market do not meet the standards of type approval. This is despite the conformity of production (CoP) tolerances.
2. The motorcycle types were formally type approved,
3. They were imported by small European trading companies. The ability of some of these companies to carry a product recall campaign is doubtful.
4. The non conformities included both safety performance (braking performance), external projections and environmental protection (engine emissions),
5. The non conformities appeared to result from the failure of series production machines to meet the performance of the type approval prototypes (allowing for CoP allowances).
6. ACEM considers that competition between the technical services creates a conflict of interest between their type approval role and their role as enforcers of CoP.
7. The definition of a “non conformity” remains uncertain. How many examples in which the same non conformity appears, are a reasonable sample?
8. The serious non conformities are among the most expensive to test for, e.g. braking performance, and emissions. The cost of CoP testing is sufficiently expensive to limit the number of samples that Member states competent authorities are willing to test.

## 10. Recommendations

The following recommendations are put forward:

- Measures to speed up the auditing process, so that competent authorities are under some form of pressure to address alleged non compliances urgently.
- The potential conflicts of interests that may be experienced by the technical services needs addressing.
- The importer into the EU should also be drawn in to the circle of responsibility.
- We propose that type approvals should be granted only to accredited manufacturers or accredited EU representative of non-EU manufacturer.
- The manufacturer should be put in a position where it is in his interests to maintain CoP compliance.
- Measures should be considered to ensure adequate parts and technical support for the retail customer.



- Consideration should be given to the outlawing of part assembled vehicles direct to the retail customer, or to non professional retail outlets.

## Appendix 1

### Directive 2002/24/EEC Relevant Articles

#### Article 10

1. If the Member State which has conducted type-approval finds that vehicles, systems, separate technical units or components do not conform to the approved type, it shall take the necessary measures to ensure that the production of any item that has been type-approved is again in conformity. The competent authorities in that Member State shall inform the authorities in the other Member States of the measures taken which may, where necessary, extend to the withdrawal of type-approval.
2. If a Member State finds that vehicles, systems, separate technical units or components do not conform to the approved type, it may request the Member State which has conducted the type-approval to verify the irregularities found. Any Member State which has conducted type-approval shall conduct the necessary check within six months following the date of receipt of that request. Should a failure to conform be established, the competent authorities in the Member State which has conducted type-approval shall take the measures set out in paragraph 1.
3. The competent authorities in the Member States shall inform each other, within one month, of the withdrawal of any type-approval granted and of the reasons for such measure.
4. If the Member State which has granted type-approval disputes the failure to conform notified to it, the Member States involved shall endeavour to resolve the matter. The Commission shall be kept informed and, where necessary, shall hold appropriate consultations in order to reach a settlement.

#### Article 12

If a Member State finds that vehicles, systems, separate technical units or components constitute a road safety hazard, even though they are of an approved type, it may, for a maximum period of six months, prohibit on its territory the sale, entry into service or use thereof. It shall forthwith inform the other Member States and the Commission, giving reasons for its decision.

#### Article 13





Any decision concerning the refusal or withdrawal of type-approval, a ban on the sale or use of a vehicle, separate technical unit or component taken in pursuance of the provisions adopted in implementation of this Directive shall state in detail the reasons on which it is based. It shall be notified to the party concerned, who shall, at the same time, be informed of the remedies available under the laws in force in the Member States and of the time limits allowed for the exercise of such remedies



Appendix 2

Copies of the Spanish Ministerio de Defensa test reports





1. Aiyumo JL125-

 <p>MINISTERIO DE DEFENSA</p>		<p>CENTRO DE EXPERIMENTACIÓN-CERTIFICACIÓN DE VEHÍCULOS Y TECNOLÓGICO PARA LA SEGURIDAD DEL TRANSPORTE</p>
<p>SECRETARÍA DE ESTADO DE DEFENSA</p>  <p>INSTITUTO NACIONAL DE TÉCNICA AEROSPAZIAL</p>		<p>Centro distinguido con la Medalla al Mérito de la Seguridad Vial y la Roca al Mérito del Transporte Terrestre</p> <p>SERVICIO DE ACTIVACIONES DE MOTOR Y VEHÍCULO</p>
<p>INFORME Nº/TEST REPORT No.</p>		<p>07-00972405-0313</p>
<p>7Directiva / Directive: Reglamento / Regulation:</p>		<p>97/24 Cap. 5º2003/27 / 97/24 Ch. 5º2003/77 ***</p>
<p>ACERCA DE/REGARDING TO:</p>		<p>Resultado de los ensayos y/o comprobaciones efectuadas de acuerdo con la Directiva CE 97/24 Cap.5º2003/77 (Etapa B) en lo que respecta a la homologación de las motocicletas y vehículos de tres ruedas equipados con motor de explosión en relación a las emisiones de gases contaminantes por el motor. / Test results pursuant: EC Directive 97/24 Ch.5º2003/77 (Stage B) concerning the approval of motorcycles and motor tricycles equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine.</p>
<p>I. SOLICITANTE Y VEHICULO / APPLICANT AND VEHICLE</p>		
<p>I.1 SOLICITANTE / APPLICANT : ANESDOR</p>		
<p>I.2 VEHICULO / VEHICLE :</p>		
<p>MARCA / TRADE NAME : AIYUMO</p>		
<p>TIPO / TYPE : JL125-11</p>		
<p>CATEGORÍA / CATEGORY : L3e. Motocicleta / Motorcycle</p>		
<p>NOMBRE Y DIRECCION DEL FABRICANTE/MANUFACTURER'S NAME AND ADDRESS</p>		
<p>Cixi Kingring Motorcycle Co., Ltd. Kingring Development Zone Cixi City, Zhejiang, 315301 P. R. China</p>		
<p>MOTIVO DE LA EXTENSIÓN / REASON FOR EXTENSIÓN: N.P. / N.A.</p>		
<p>II. CONCLUSIONES DEL INFORME / REPORT CONCLUSIONS:</p>		
<p>El vehículo objeto de este informe NO CUMPLE las prescripciones de la citada directiva This vehicle DOES NOT FULFIL all the requirements mentioned in the above described directive</p>		
<p>Informe realizado por D. Feliciano Leiva Ortiz</p>		
<p>El Jefe del Laboratorio</p> 		<p>El Jefe del Área / Servicio</p> 
<p>D. Francisco González Arroyo</p>		<p>D. José Carlos Sáenz</p>

## 2. Jonway Version 12

 <b>MINISTERIO DE DEFENSA</b>		<b>CENTRO DE EXPERIMENTACIÓN-CERTIFICACIÓN DE VEHÍCULOS Y TECNOLÓGICO PARA LA SEGURIDAD DEL TRANSPORTE</b>
<b>SECRETARÍA DE ESTADO DE DEFENSA</b>  <b>INSTITUTO NACIONAL DE TECNOLOGÍA AEROSPAICIAL</b>		Centro distinguido con la Medalla al Mérito de la Seguridad Vial y la Paz al Mérito de Transportes Terrestres SERVICIO DE ACTUACIONES DE MOTOS Y VEHÍCULO
<b>INFORME Nº/TEST REPORT No.</b>		<b>07-00972405-0315</b>
		<b>Pag. 1 de 4</b>
<b>Directiva / Directive:</b>	97/24 Cap. 5º2003/77 / 97/24 Ch. 5º2003/77	
<b>Reglamento / Regulation:</b>	***	
<b>ACERCA DE/REGARDING TO:</b>	<b>Resultado de los ensayos y/o comprobaciones efectuadas de acuerdo con la Directiva CE 97/24 Cap.5º2003/77 Etapa B) en lo que respecta a la homologación de las motocicletas y vehículos de tres ruedas equipados con motor de explosión en relación a las emisiones de gases contaminantes por el motor. / Test results pursuant: EC Directive 97/24 Ch.5º2003/77 (Stage B) concerning the approval of motorcycles and motor tricycles equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine.</b>	
<b>I. SOLICITANTE Y VEHICULO / APPLICANT AND VEHICLE</b>		
<b>I.1 SOLICITANTE / APPLICANT: ANESDOR</b>		
<b>I.2 VEHICULO / VEHICLE:</b>		
<b>MARCA / TRADE NAME:</b>	JONWAY	
<b>TIPO / TYPE:</b>	JS (Variante / Version: 12)	
<b>CATEGORÍA / CATEGORY:</b>	L3e. Motocicleta / Motorcycle	
<b>NOMBRE Y DIRECCION DEL FABRICANTE/MANUFACTURER'S NAME AND ADDRESS</b>	JONWAY ITALIA S.R.L. Trecasali (PR) cap 43020 Via Provinciale, 2	
<b>MOTIVO DE LA EXTENSIÓN / REASON FOR EXTENSIÓN:</b>	N.P. / N.A.	
<b>II. CONCLUSIONES DEL INFORME / REPORT CONCLUSIONS:</b>		
	El vehículo objeto de este Informe NO CUMPLE las prescripciones de la citada directiva This vehicle DOES NOT FULFIL all the requirements mentioned in the above described directive	
	Informe realizado por D. Feliciano Leiva Ortiz	
	El Jefe del Laboratorio 	El Jefe del Área / Servicio 
	D. Francisco González Arroyo	D. José Carlos Sáenz
	INTA, Torrejón de Ardoz, 29-10-2007	
Los resultados que aparecen en este informe se refieren a la muestra ensayada / Results refer only to the tested sample. Prohibida la reproducción parcial de este documento sin la autorización escrita del INTA / This test report cannot be partially reproduced without written authorization of INTA.		CARRETERA DE AJILVIE, KM. 4 28850 TORREJÓN DE ARDOZ TEL. 34 91 5201736 FAX. 34 91 5201519
Página 1 de 4		

3. Lifan LF125GY-6

 <b>MINISTERIO DE DEFENSA</b>		<b>CENTRO DE EXPERIMENTACIÓN-CERTIFICACIÓN DE VEHÍCULOS Y TECNOLÓGICO PARA LA SEGURIDAD DEL TRANSPORTE</b>
<b>SECRETARÍA DE ESTADO DE DEFENSA</b>  <b>INSTITUTO NACIONAL DE TÉCNICA AEROSPAZIAL</b>		Centro distinguido con la Medalla al Mérito de la Seguridad Vial y la Pace al Mérito de Transportes Terrestres <b>SERVICIO DE ACTUACIONES DE MOTOS Y VEHÍCULO</b>
<b>INFORME Nº/TEST REPORT No.</b>	<b>07-00972405-0312</b>	<b>Pag. 1 de 4</b>
<b>Directiva / Directive:</b>	<b>97/24 Cap. 5*2003/77 / 97/24 Ch. 5*2003/77</b>	
<b>Reglamento / Regulation:</b>	<b>***</b>	
<b>ACERCA DE/REGARDING TO:</b>	<b>Resultado de los ensayos y/o comprobaciones efectuadas de acuerdo con la Directiva CE 97/24 Cap.5*2003/77 (Etapa B) en lo que respecta a la homologación de las motocicletas y vehículos de tres ruedas equipados con motor de explosión en relación a las emisiones de gases contaminantes por el motor. / Test results pursuant to EC Directive 97/24 Ch.5*2003/77 (Stage B) concerning the approval of motorcycles and motor tricycles equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine.</b>	
<b>I. SOLICITANTE Y VEHICULO / APPLICANT AND VEHICLE</b>		
<b>I.1 SOLICITANTE / APPLICANT:</b>	<b>ANESDOR</b>	
<b>I.2 VEHICULO / VEHICLE:</b>		
<b>MARCA / TRADE NAME:</b>	<b>LIFAN</b>	
<b>TIPO / TYPE:</b>	<b>LF125GY-6</b>	
<b>CATEGORÍA / CATEGORY:</b>	<b>L3e. Motocicleta / Motorcycle.</b>	
<b>NOMBRE Y DIRECCION DEL FABRICANTE/MANUFACTURER'S NAME AND ADDRESS</b>	<b>Lifan Industry (Group) Co. Ltd.          No. 60, Zhangjlawan, Shangqiao,          Shapingba District, Chongqing City,          People's Republic of China, Post Code: 400037</b>	
<b>MOTIVO DE LA EXTENSIÓN / REASON FOR EXTENSIÓN:</b>	<b>N.P / N.A.</b>	
<b>II. CONCLUSIONES DEL INFORME / REPORT CONCLUSIONS:</b>		
	<b>El vehículo objeto de este Informe NO CUMPLE las prescripciones de la citada directiva          This vehicle DOES NOT FULFIL all the requirements mentioned in the above described directive</b>	
	<b>Informe realizado por D. Feliciano Lelva Ortiz</b>	
<b>El Jefe del Laboratorio</b>  <b>D. Francisco González Arroyo</b>	<b>El Jefe del Área / Servicio</b>  <b>D. José Carlos Saenz</b>	
<b>INTA, Torrejón de Ardoz, 29-10-2007</b>		
<small>Los resultados que aparecen en este informe se refieren a la muestra ensayada / Results refer only to the tested sample. Prohibida la reproducción parcial de este documento sin la autorización escrita del INTA / This test report cannot be partially reproduced without written authorization of INTA.</small>		
<small>Página 1 de 4</small>		<small>CARRETERA DE AJUJIVIS, KM. 4          28850 TORREJÓN DE ARDOZ          TEL. 34 91 5201736          FAX. 34 91 5201519</small>

4. YiYing YY125T-6



SECRETARÍA DE ESTADO DE DEFENSA

INSTITUTO NACIONAL DE TÉCNICA AERODISPACIAL

CENTRO DE EXPERIMENTACIÓN-CERTIFICACIÓN DE VEHÍCULOS Y TECNOLÓGICO PARA LA SEGURIDAD DEL TRANSPORTE

Centro distinguido con la Medalla al Mérito de la Seguridad Vial y la Flota al Mérito del Transporte Terrestre

SERVICIO DE ACTUACIONES DE MOTOR Y VEHÍCULO

INFORME N°/TEST REPORT No.	07-00972405-0314	Pag. 1 de 5
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Directiva / Directive: 97/24 Cap. 5\*2003/77 / 97/24 Ch. 5\*2003/77  
 Reglamento / Regulation: \*\*\*

ACERCA DE/REGARDING TO: Resultado de los ensayos y/o comprobaciones efectuadas de acuerdo con la Directiva CE 97/24 Cap.5\*2003/77 (Etapa B) en lo que respecta a la homologación de las motocicletas y vehículos de tres ruedas equipados con motor de explosión en relación a las emisiones de gases contaminantes por el motor. / Test results pursuant: EC Directive 97/24 Ch.5\*2003/77 (Stage B) concerning the approval of motorcycles and motor tricycles equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine.

I. SOLICITANTE Y VEHICULO / APPLICANT AND VEHICLE

I.1 SOLICITANTE / APPLICANT : ANESDOR

I.2 VEHICULO / VEHICLE :

MARCA / TRADE NAME : YIYING  
 TIPO / TYPE : YY125T-6  
 CATEGORÍA / CATEGORY : L3e. Motocicleta / Motorcycle  
 NOMBRE Y DIRECCION DEL FABRICANTE/MANUFACTURER'S NAME AND ADDRESS  
 Benzhou Vehicle Industry Group Co., Ltd.  
 Xinqian Industry Area, Huangyan District,  
 Taizhou, 318020, Zhejiang,  
 P. R. China

MOTIVO DE LA EXTENSIÓN / REASON FOR EXTENSIÓN: N.P. / N.A.

II. CONCLUSIONES DEL INFORME / REPORT CONCLUSIONS:

El vehículo objeto de este informe NO CUMPLE las prescripciones de la citada directiva  
 This vehicle DOES NOT FULFILS all the requirements mentioned in the above described directive

Informe realizado por D. Feliciano Leiva Ortiz

El Jefe del Laboratorio

El Jefe del Área / Servicio




D. Francisco González Arroyo

D. José Carlos Sáenz

### Appendix 3: Test results for four scooters tested in Italy October/November 2009

#### BOATIAN WY50QY-4 Moped (Fox 50)

##### EU type approval details

VEHICLE MANUFACTURER	ZHEJIANG TAIZHOU WANGYE POWER CO., LTD
MAKE	BAOTIAN
VEHICLE TYPE	WY50QY-4
VARIANT	--
APPROVAL NUMBER	e11*2002/24*0196*01
VIN	LFFWBT4C181014140
VEHICLE CATEGORY	L1e
MODEL	FOX 50
TEST REPORT N°	11117/09-M-04

#### Vehicle Deliver and General Comments

The vehicle was purchased from a dealer and delivered in original packing conditions (package dimensions: 1.700x500x830) in order to check the parts to be assembled by the final seller (handlebar, frontal fairing/bodywork, front mudguard, front wheel and front brake).

The moped is type-approved for one seat only (driver), but section 42.1 of the COC mentions two seats. Tests have been performed for one seat only.

Some problems exist with regard to external projections, gaseous pollutant emissions and lights (photometric performances and lights installation).

The vehicle has been run-in following the manufacturer instructions provided with the vehicle; no modification, nor setting or adjustment was performed outside the instructions given by the manufacturer.

#### Non conformances

<b>UN ECE 50R00</b>	Front direction indicator lamp maximum power is below the limit.
<b>93/14/CEE</b>	Front brake oil pump level not visible.
<b>93/92/CEE</b>	Visibility angles not respected for rear retro-reflector. Incorrect rear number-plate light installation and marking.
<b>97/24/EC_Chap.5</b>	<b>CO emissions out of range (more than 10 times above limit value).</b>
<b>97/24/EC_Chap.3</b>	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.
<b>2002/24/EC</b>	COC section 42.1 mentions 2 seats, but type-approval report mentions 1 seat.

## LONCIN-LX125 TC

### EU type approval details

VEHICLE MANUFACTURER	CHONGQING LONCIN INDUSTRIAL (GROUP) CO., LTD.	
MAKE	LONCIN	
VEHICLE TYPE	JL125T-C	
VARIANT	--	
APPROVAL NUMBER	e4*2002/24*0664*00	
VIN	LLCLTP1CX7CK11004	
VEHICLE CATEGHORY	L3e	
MODEL	LX125T-C	
TEST REPORT N°	11117/09-M-03	

### Vehicle Deliver and General Comments

The vehicle was run-in following the manufacturer instructions provided with the vehicle; no modification, nor setting or adjustment was performed outside the instructions given by the manufacturer.

The rear brake system was found to be insufficient both for the braking performances and for the construction; the adjusting system cannot avoid the brake lever to touch the handle-grip, thus limiting the applicable force. Braking distance was above the required limit. The level line on the brake master cylinder was not visible.

Some of the requirements of the external projection requirement were not met, in particular, the leading edge of the front mudguard. The passenger handhold strap broke.

The direction indicator lamps have photometric performances below the minimum limit.

Side stand did not retract automatically without engine cut-off switch.

### Pollutant emissions 20 times above limits.

### Non conformances

<b>UN ECE 50R00</b>	Front direction indicator lamps do not meet the photometric performances required.
<b>93/14/CEE</b>	<b>Excessive braking distance for rear brake. Rear brake level always contacting handle-grip. Brake master level not visible.</b>
<b>93/31/CEE</b>	Side stand not retracting automatically without engine cut-off switch.
<b>93/32/CEE</b>	Sharp edged handhold grip. Handhold strap on saddle broke under 500N load.
<b>97/24/EC_Chap.5</b>	CO emissions 20% above limit value.
<b>97/24/EC_Chap.3</b>	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.
<b>97/24/EC_Chap.1</b>	Marking of maximum permitted load on rims below maximum permitted load on both axles.

## FOSTI LAMBRETTA 125

### EU type approval details

VEHICLE MANUFACTURER	FOSHAN CITY FOSTI MOTORCYCLE MANUFACTURING CO., LTD. CHINA
MAKE	LAMBRETTA
VEHICLE TYPE	FT125T-F
VARIANT	FT125T-F
APPROVAL NUMBER	e4*2002/24*1552*01
VIN	LB5TK8U147Z560812
VEHICLE CATEGORY	L3e
MODEL	LAMBRETTA 125N
TEST REPORT N°	11117/09-M-02

### Vehicle Deliver and General Comments

The vehicle has been run-in following the manufacturer instructions provided with the vehicle; no modification, nor setting or adjustment was performed outside the instructions given by the manufacturer.

Some details does not fulfil the requirements on external projections, in particular the leading edge of the front mudguard, the pointed shape pointing outwards of the passenger handholds and the rear-reflectors mounting on metallic hook.

The direction indicator lamps have photometric performances highly below the minimum levels with bulbs incorrectly marked (white color lamp instead of amber color lamp); the user's manual refers to not permitted lamps. Direction indicators tell-tales do not conform with EC requirements. Moreover, when removing one bulb does not change the blinking frequency of the other direction indicator.

Pollutant emissions 20 times above limits.

### Non conformances

<b>UN ECE 50R00</b>	Direction indicator lamps with photometric performances highly below the limit and incorrect bulbs.
<b>93/14/CEE</b>	<b><i>Sudden wheel blocks during braking.</i></b>
<b>93/29/CEE</b>	Irregular direction indicator tell-tale and not easily visible.
<b>93/32/CEE</b>	Excessive pressure on hand-grip for passenger handhold.
<b>93/92/CEE</b>	Direction indication lamps, where removing one bulb does not change the blinking frequency of the other. Rear number-plate light marking not readable.
<b>97/24/EC_Chap.5</b>	<b><i>CO emissions 5 times above limit value.</i></b>
<b>97/24/EC_Chap.3</b>	External projections: front mudguard leading edge below 2mm radius, irregular rear-reflectors mounting.
<b>97/24/EC_Chap.1</b>	Marking of maximum permitted load on rear rim below maximum permitted load on both axels.



**FOSTI MOTOM ANA 151**

VEHICLE MANUFACTURER	FOSTI MOTORCYCLES CO., LTD.
MAKE	MOTOM
VEHICLE TYPE	FT150T-09
VARIANT	FT151T-09
APPROVAL NUMBER	e4*2002/24*1968*00
VIN	LB5TN8U298Z554974
VEHICLE CATEGORY	L3e
MODEL	ANA 151
TEST REPORT N°	11117/09-M-01

**Vehicle Deliver and General Comments**

The vehicle was purchased at a shopping centre in Italy, and was delivered already assembled and ready to use. The vehicle has been run-in following the manufacturer instructions provided with the vehicle; no modification, nor setting or adjustment was performed outside the instructions given by the manufacturer.

A serious problem was found on the front brake, as the disc brake instead being in between of the two brake linings, was in between the metallic back of one brake lining and the brake clamp, this because of a rough assembly mistake.

Moreover, when dismantling the brake clamp to restore the correct assembly, a fixing bolt broke; this may indicate an insufficient quality of the material used for these fundamental parts.

Finally, the handle-bar was not aligned with the longitudinal axis of the vehicle.

It shall be noticed that usually these vehicles arrive on the EU territory partially dismantled, and the final assembly is done at the point sale, therefore it is likely that people at the shopping centre does not have the necessary experience for this important work.

It is obvious that the final assembly of many vehicles may take place outside of the conformity control system prescribed by Directive 2002/24/EC.

Another safety problem with the direction indicator lamps, where removing one bulb does not change the blinking frequency of the other as prescribed in Directive 93/92/EEC.

**Non conformances**

UN ECE 50R00	Some reading points for the stop-light and nearly all the reading points for the rear direction-lamps are below the minimum value permitted, moreover the direction-lamp marking is not correct.
93/14/CEE	<i>Brake system incorrectly assembled.</i>
93/29/CEE	Stop lamp indicator on dashboard not permitted.
93/32/CEE	Excessive pressure on handgrip for passenger handhold.
93/92/CEE	Direction indication lamps, where removing one bulb does not change the blinking frequency of the other.
97/24/EC_Chap.5	<i>CO emissions out of range (more than 5 times above limit value).</i>
97/24/EC_Chap.3	External projections: front mudguard and windscreen edges below 2mm radius. Projecting hinge on front wheel not protected.
97/24/EC_Chap.1	Marking of maximum permitted load on rear rim below maximum permitted load on rear axle.