

## DIRK ZEDLER ON CARGO BIKES &amp; THE BABBOE CASE

CARGO BIKE SAFETY  
IN SPOTLIGHT AFTER  
RECENT INCIDENTS

What a joy it was when cashiers in the supermarket or pub conversations in Germany were all about road cycling and Jan Ullrich. The attention given to the cargo bike in the past few months was almost at the same level, but this time it was negative.

First the Babboe case that made the headlines; then in recent weeks the German Accident Research Department (UDV) of the German Insurance Association (GDV) that brought into discredit cargo bikes in general with sensational photos of simple models based on poor data.

There is one thing that has to be clear to anyone in the cycle industry: the loss caused by such negative reports cannot be quantified in euros and cents. However, the extent of damage is considerable at a time when the bicycle is facing stronger headwinds in general and also politically. And with solid testing and knowledge about how to place bicycles safely and in accordance with the law on the market, neither of these incidents would have occurred.

The bicycle industry is no longer below the radar: companies that are not well positioned when it comes to product safety and CE marking can quickly run into existential difficulties.

#### What went wrong with the Babboe case?

It was actually in the Netherlands that had hitherto been comparably relaxed regarding product safety, technical documentation, and CE conformity that the hardest measures of governmental market surveillance authorities available were applied: a sales ban and product recall. Meanwhile, criminal proceedings have even been initiated.

As much as I am distressed by the dramatic reaction in our neighbouring country, I also have a smile on my face. In my opinion, it's only fair with regard to the committed and reliable competitors that the sloppiness didn't get through in the long run.

A temporary sales ban by the authorities is not uncommon, an mandated recall, however, is unique in the bicycle industry. In numerous market surveillance procedures that

we were able to master successfully with various manufacturers, we have learned that it must not end up like that. Typically, a deadline is set by which the first measures must be implemented. In addition, there must be a strategy stating how and by when the remaining points will be completed.

European legislation provides for a more or less precise and type-specific definition of product safety as well as a range of measures accompanying the product. The only thing possible is that the Accell subsidiary has taken far too little account of these unbreakable regulations in the past and that they could no longer be implemented in their entirety "in a hurry".

Another reason may have been the fact that during the first recall in 2019 no safe products were subsequently supplied.

#### UDV accident study on kids' transport - Reading from bottom to top

Accident research studies in the German Insurance Association (GDV) on the safety of cargo bikes, bike trailers and child seats recently made the rounds in daily media. Due to the rising number of accidents in the statistics in connection with cargo bikes, voices are being raised in favour of a stricter legal framework.

Basically, however, the report must be read from bottom to top. It states 'still comparatively rare', i.e. that there is a relatively small number of children injured in accidents during bicycle transport.

This is in line with our experience in the experts reports department and the members of the German association Zukunft Fahrrad e.V.

Nevertheless, UDV carried out a test with the very low-priced and most critical cargo bike in terms of riding stability. As a result, they identified relevant risks for riders and children on all types of bicycles.

It goes without saying that any accident resulting in injury is one too many. It is therefore essential to take the other side into account, namely the significantly inferior operating risk posed by bicycles and cargo bikes. In front of

kindergartens, daycare centres, etc., i.e. precisely the places where the transportation bikes for children are used, the frequency of accidents involving injuries or even, in the worst case, fatalities caused by cars of parents' taxis is likely to be relatively high. That of bicycles and cargo bikes, however, tend towards zero.

#### Babboe and UDV - What manufacturers...

The catalogue of measures to make safe electric bicycles available within the EU is comprehensive. This includes not only extensive tests of the frames, the individual parts and the fully-assembled bicycle or cargo bike, but also a lot of technical documentation including much more than a user manual.

Neither dealers nor consumers will for example ever see the risk assessment, the recall management system or the test reports of the EMC or the fully-assembled bicycle. The authorities, however, increasingly screen them.

Since the Babboe case and now the UDV media success, cargo bike suppliers must be especially aware that they are no longer unnoticed in the niche. Knowledge of and compliance with regulatory requirements (Europe-wide regulations, directives and standards) are essential to ensure that there are no edges that adversaries, such as authorities, insurers, etc. can leverage. The good news is that we share in workshops our knowledge of reasonable preparatory measures and defence strategies from countless accompanied *market surveillance proceedings that have not been made public.*

#### ... and dealers can learn from it

There is a large variance in trailers and cargo bikes offered in the market. Tricycles are available with not only simple turntable steering, but also with chassis that allow tilting. With these models evasive manoeuvres do not result in toppling over. In addition, some manufacturers have put a lot of thought into raising the passive safety of children to a very high level. It is therefore also up to dealers and consumers to force such developments through sales advice and purchases. ■ DIRK ZEDLER



Photo credit: © Bernd Lamme

## DIRK ZEDLER

Since 1993, Dirk Zedler has been an analyst and expert witness on bicycle accidents and product failures for courts, bike and insurance companies, and private individuals. He got his start in the industry by working for a large bike shop from 1986 on, and now holds the respected advanced engineering degree known as "Diplom-Ingenieur".

Courts have recognized Zedler as an officially appointed and sworn expert on bicycles since 1994, and on electric bicycles since 2014.

The Zedler - Institute for Bicycle Technology and Safety has used this wealth of knowledge, derived from his and his teams work in thousands of court proceedings and expert's reports not only in Germany but from the US to all over Europe, to enhance research and development in the bicycle industry.

The Institute proactively minimises damage for cyclists and insurers. It sets the standards for the bicycle industry. It develops and builds testing equipment that is used by manufacturers to improve the riding performance and safety of their bikes, and by leading European bicycle magazines to test them. These tests can also protect manufactures from potentially upcoming lawsuits if they fulfil the necessary safety standards. The Institute's work provides a basis for European and American manufacturers to communicate with their Asian suppliers. Manufacturers can buy test equipment from the Institute or use its state-of-the-art testing labs.

The Zedler Institute also prepares risk assessments, conformity documents, workshops, recall papers und user manuals for bicycles and pedelecs. These manuals, now available in more than 40 languages, help consumers use their bikes properly — and in many cases have protected manufacturers from liability.

Our experts draw on the wealth of experience gained through several thousands of expert's reports to train experts from in and outside the bike industry, such as automotive experts.

What we have learned from court cases, the proceedings of the market surveillance authorities and recalls is the content of our training courses for bicycle manufacturers. As a result, they are in a position to set up CE conformity processes internally.

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